

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
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COMMISSIONERS

Jerry Ward,
Chair & Treasurer
Public Member

Carre Brown, Vice Chair
County Board of Supervisors

Kevin Doble
Ukiah City Council

Gerardo Gonzalez
Willits City Council

John McCowen
County Board of Supervisors

Theresa McNerlin
Ukiah Valley Sanitation District

Tony Orth
Brooktrails Township CSD

Scott Ignacio, Alternate
Point Arena City Council

Dan Hamburg, Alternate
County Board of Supervisors

Carol Rosenberg, Alternate
Public Member

Special District Seat, Alternate
(Jenifer Bazzani to be sworn in August 2018.)

STAFF

Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Elizabeth Salomone

Counsel
Scott Browne

Regular Meetings

First Monday
of each month
at 9:00 AM
in the Mendocino
County Board
of Supervisors Chambers
501 Low Gap Road

Approved September 10, 2018

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, August 6, 2018

County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California

1. CALL TO ORDER and ROLL CALL (Video Time 2:25)

Chair Ward called the meeting to order at 9:02am.

Members Present:

Commissioners Carre Brown, Gerardo Gonzalez, John McCowen (arrived 9:37 am), Theresa McNerlin (departed 9:50am), Tony Orth, and Jerry Ward

Members Absent:

Commissioner Kevin Doble

Alternate Members Present:

Commissioners Dan Hamburg, Scott Ignacio, and Carol Rosenberg

Alternate Members Absent:

Jenifer Bazzani (scheduled to be sworn in)

Staff Present:

Uma Hinman, Executive Officer

Elizabeth Salomone, Clerk

Commissioner Ignacio was immediately seated as the City Representative in Commissioner Doble's absence and Commissioner Hamburg was immediately seated as the County Representative in Commission McCowen's absence.

A moment of silence was held in honor of the victims in Northern California Wildfires and gratitude to the support agencies in the community.

2. PUBLIC EXPRESSION (Video Time 3:30)

No one indicated interest in public expression.

3. OTHER BUSINESS (Video Time 3:39)

3a) Alternate Special District Representative

Apologies sent from Jenifer Bazzani who was scheduled to be sworn in as Alternate Special District Representative.

4. CONSENT CALENDAR (Video Time 3:55)

4a) Approval of the June 4, 2018 Regular Meeting Summary Minutes

4b) Approval of the June 2018 Claims and Financial Report

4c) Approval of the July 2018 Claims and Financial Report

4d) Approval of Pehling & Pehling, CPAs Contract for FY 2017-18 Audit

4e) Ratification of AB 3254 support letter dated June 29, 2018

Chair Ward pulled Consent Items 4b) Approval of the June 2018 Claims and Financial Report and 4c) Approval of the July 2018 Claims and Financial Report.

<u>June 2018 Claims totaling</u>	<u>\$ 7,593.82</u>
Uma Hinman Consulting	\$ 6,066.25
P. Scott Browne	\$ 600.00
Ukiah Valley Conference Center	\$ 511.00
Commissioner Reimbursement	\$ 127.00
County of Mendocino (audio/video, GIS, etc)	\$ 149.96
SDRMA	\$ 139.61

<u>July 2018 Claims totaling</u>	<u>\$ 20,671.08</u>
Uma Hinman Consulting	\$13,743.50
P. Scott Browne	\$ 600.00
Ukiah Valley Conference Center	\$ 653.87
County of Mendocino (audio/video, GIS, etc)	\$ 1,067.47
CALAFCO membership for FY 18/19	\$ 925.00
CALAFCO Conference Registration	\$ 2,600.00
Pacific Internet for FY 18/19	\$ 1,081.24

Upon motion by Commissioner Gonzalez and second by Commissioner Brown, Consent Calendar items 4a) Approval of the June 4, 2018 Regular Meeting Summary Minutes, 4d) Approval of Pehling & Pehling, CPAs Contract for FY 2017-18 Audit, and 4e) Ratification of AB 3254 support letter dated June 29, 2018 were approved with noted corrections by roll call vote:

Ayes: (7) Brown, Gonzalez, Hamburg, Ignacio, McNerlin, Orth, and Ward
 Absent: Doble, McCowen

Chair Ward noted the withdrawal from Commission reserves to cover Fiscal Year 2017-18 claims and the Executive Committee recommendation to repay the reserves account when FY 2018-19 apportionment fees were received. Staff was directed to deposit the check issued from the County Auditor-Controller's office for the first installment of 2018/19 apportionment fees and facilitate transfer of funds to maintain the reserves account as per Commission policy.

Upon motion by Commissioner Brown and second by Commissioner Gonzalez, Consent Calendar items 4b) Approval of the June 2018 Claims and Financial Report 4c) Approval of the July 2018 Claims and Financial Report were approved by roll call vote:

Ayes: (7) Brown, Gonzalez, Hamburg, Ignacio, McNerlin, Orth, and Ward
 Absent: Doble, McCowen

5. PUBLIC HEARING ITEMS (Video 7:37)

None

6. WORKSHOP ITEMS (Video time 7:43)

None.

7. MATTERS FOR DISCUSSION & POSSIBLE ACTION (Video time 7:50)

7a) Mutual Water Company Report

EO Hinman presented the AB 54 Report on Draft Mutual Water Companies of Mendocino County. Comments and questions were offered by Commissioners Brown, Ward, Orth, Gonzalez, Rosenberg, and McNerlin.

Commissioner Brown noted for the record that the AB 54 Report on Draft Mutual Water Companies of Mendocino County was an unfunded mandate by the State of California. Chair Ward asked staff to research possible grant funding available to assist with the costs.

Upon motion by Commissioner Gonzalez and second by Commissioner McNerlin, the acceptance of the AB 54 Report on Draft Mutual Water Companies of Mendocino County with clarifying language on Pg 2 regarding Rogina Water Company's estimated service population, capitalization of the title "Water Master" throughout the document, and direction to staff to post the report on the LAFCo website was approved by roll call vote:

Ayes: (7) Brown, Gonzalez, Hamburg, Ignacio, McNerlin, Orth, and Ward
Absent: Doble, McCowen

7b) Legal Counsel Contract Amendment

EO Hinman presented the Executive Committee's recommendation to approve the proposed contract amendment to the existing Legal Counsel Contract. Comments and questions were offered by Commissioner Hamburg, Ward,

Upon motion by Commissioner Orth and second by Commissioner Hamburg, the approval of the proposed contract amendment with P. Scott Browne, Attorney at Law, and direction to the Chair to sign the contract was approved by roll call vote:

Ayes: (7) Brown, Gonzalez, Hamburg, Ignacio, McNerlin, Orth, and Ward
Absent: Doble, McCowen

Note: During Agenda Item 8e) Commissioner Comments, Commissioner McCowen offered comments on this item that he missed while absent from the meeting. Commissioner McCowen asked for clarification on the number of amendments made to the current legal contract and expressed concern on the allowance of legal counsel's excess time billed to the Commission on items not directly requested by the Commission.

7c) Executive Officer Services Contract Amendment

EO Hinman presented the Executive Committee's recommendation to approve a contract amendment to the existing Executive Officer Services Agreement for consistency with Commission policies. Comments and questions were offered by Commissioners Orth, Rosenberg, Brown, and Ward.

Upon motion by Commissioner Brown and second by Commissioner Ignacio, the approval of the proposed Contract Amendment No. 1 with Hinman & Associates Consulting, Inc., and direction to the Chair to sign the contract amendment was approved by roll call vote:

Ayes: (7) Brown, Gonzalez, Hamburg, Ignacio, McNerlin, Orth, and Ward
Absent: Doble, McCowen

Note: During Agenda Item 8e) Commissioner Comments, Commissioner McCowen offered comments on this item that he missed while absent from the meeting. Commissioner McCowen suggested a change as follows: “NOW, THEREFORE it is agreed that COMMISSION does hereby amend the *Executive Officer Services* contract to include amendment No 1 as stated in the attached Exhibit A of ~~Contract Amendment as listed above.~~”

Commissioners Brown suggested the Executive Committee review Commissioner McCowen’s comments regarding the Executive Officer Amendment No. 1.

7d) CALAFCO Call for Board of Directors Nominations and Voting Delegate

EO Hinman presented the item, inviting the Commission to consider nominating a City or Public Commissioner for the CALAFCO Board of Directors and to assign a voting delegate for the election to be held during the CALAFCO Business Meeting at the 2018 Conference.

Upon motion by Commissioner Brown and second by Commissioner Ignacio, the approval of Commissioner Gerardo Gonzalez as the voting delegate for the election for the CALAFCO Board of Directors at the CALAFCO conference was approved by roll call vote:

Ayes: (7) Brown, Gonzalez, Hamburg, Ignacio, McNerlin, Orth, and Ward
Absent: Doble, McCowen

8. INFORMATION/ REPORT ITEMS

8a) Work Plan, Current, and Future Proposals (Video Time: 44:09)

EO reviewed the detailed staff report, highlighting changes from the previous format of the report. Comments and questions were offered by Commissioners McCowen, Ward, Orth, Gonzalez, and Rosenberg.

Commissioner McCowen made suggested edits to the staff report and for the text to lead a policy update for the budget process. Commissioner Orth suggested adding a line item to the budget to track unfunded mandated expenses, such as the Redevelopment Agency Oversight Board Nominations and the Mutual Water Company studies. Direction was given to the EO to request legal advice on excessive delays in receiving information to complete mandated reports and the P&P Committee was directed to review the budget process policy to incorporate suggested changes.

8b) Correspondence (Video Time: 1:18:50)

None to report.

8c) Executive Officer’s Report (Video Time: 1:19:20)

EO Hinman reported on the following:

- EO reviewed the Redevelopment Agency (RDA) Oversight Board Special District Appointment process performed by staff.
- Next Commission meeting will be on September 10, 2018 due to the Labor Day holiday.

8d) Committee Reports

No committee meetings were held due to participants’ summer scheduling difficulties. The Executive Committee plans to meet in September for a quarterly review of the work plan and any other relevant issues. The Policies & Procedures Committee plans to meet to finalize several policy recommendations.

8e) Commissioners Reports, Comments or Questions

Commissioner Orth noted, with appreciation, the extensive coverage of cooperative fire agencies and personnel on the current California wildfires. Brooktrails Township CSD is obtaining a water tender and is also in the process of hiring a new General Manager within the next 30 days. Brooktrails is discussing hosting an association of water districts in Mendocino County to represent the County on common water issues.

Commissioner Brown offered comments on the importance of speaking about the Potter Valley Project and provided information on the Project's history, service range, and future. She stressed the potential impacts of the Project's future on special districts, cities, and the County of Mendocino, and therefore the importance of LAFCo's attention on the development.

8f) CALAFCO Business and Legislation Report

No additional reports.

ADJOURNMENT

There being no further business, at 10:34am the meeting was adjourned. The next regular meeting is scheduled for Monday, September 10, 2018 at 9:00am in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

Live web streaming and recordings of Commission meetings are now available via the County of Mendocino's YouTube Channel. Links to recordings and approved minutes are also available on the LAFCo website.

<https://www.youtube.com/watch?v=Z5mPIRSeQDM&index=7&list=PLraKTU7AyZLTmV-2PpmufbzkvpN3QCnog>