

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center ◊ 200 South School Street ◊ Ukiah, California 95482
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CHAIR

Jerry Ward
Public Member

VICE CHAIR

John McCowen
County Board
of Supervisors

MEMBERS

Carre Brown
County Board
of Supervisors

Doug Hammerstrom
Fort Bragg City Council

Holly Madrigal
Willits City Council

Theresa McNerlin
Ukiah Valley Sanitation District

Tony Orth
Brooktrails Township CSD

ALTERNATE MEMBERS

Kevin Doble
Ukiah City Council

Dan Hamburg
County Board
of Supervisors

Carol Rosenberg
Public Member

Angela Silver
Calpella County Water District

Executive Officer
George Williamson

Counsel
Scott Browne

Analyst
Colette Metz

Commission Clerk
Elizabeth Salomone

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

Approved by Commission June 6, 2016

MINUTES LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, May 2, 2016

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

Call to Order Chair Ward called the meeting to order at 9:05 am.

Roll Call

Members Present:

Commissioners Carre Brown, Doug Hammerstrom, John McCowen (arrived 9:07am), Theresa McNerlin), and Jerry Ward

Members Absent:

Commissioner Holly Madrigal

Alternate Members Present:

Commissioners Kevin Doble, Dan Hamburg, Carol Rosenberg, and Angela Silver

Alternate Members Absent:

None

Staff Present:

George Williamson, Executive Officer
Elizabeth Salomone, Clerk

Kevin Doble immediately took seat as City Representative.

1. Public Expression

No one from the public indicated an interest in speaking.

NEW APPOINTMENTS

2. Confirmation of Independent Special District Election

George Williamson reviewed the process and results of the Independent Special District Election, announcing Tony Orth of the Brooktrails Township Community Service District (CSD) as the new Special District Representative to complete the term vacated by Richard Shoemaker through December 31, 2016.

3. Oath of Office for Newly Elected Commissioner

Tony Orth was sworn in by Clerk.

STAFFING SERVICES

4. Interviews: Contract Executive Services

The Commission interviewed three applicants for the Executive Officer Contract Executive Services: Uma Hinman Consulting, LACO Associates, and Policy Consulting Associates. The Commission offered applicants a chance to present their proposals and presented questions regarding proposed services, experience, and personnel.

5. Independent Clerk Contract

Chair Ward noted he had not received supporting documentation for this item in a timely manner for today's discussion. Commission consensus was to table this item for a future meeting.

CONSENT CALENDAR

6. Approval of the April 4, 2016 Regular Meeting Summary Minutes

7. Approval of the April 2016 Claims

8. Acceptance of the Monthly Financial Report

9. Approval of the Revised Mendocino LAFCo Fee Schedule

Item 9 was pulled from the consent calendar for further discussion.

Upon motion by Commissioner McCowen and second by Commissioner Doble, approval of the Consent Calendar items 6, 7, and 8, with changes to Item 6 as noted below, were approved by roll call vote:

Changes to Item 6: April 4, 2016 Regular Meeting Minutes:

Pg 3 of 8, Item 6: Within motion, change district name from Willow to Millview.

Pg 6 of 8, Item 11: Spelling correction of "siting" to "sighting" and remove the extra "2nd Para:"

Pg 6 of 8, Item 11: Addition of the sentence: "Mr. Orth noted he supported inclusion of areas along the coastal strip in the SOI would be a good consideration for LAFCo."

Ayes: Commissioners Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward

Absent: Commissioner Madrigal

Fee Schedule:

Commissioner McCowen asked for a "red line" version to highlight the changes. The Clerk reported that the Revised Fee Schedule was completely redeveloped and did not support a line by line comparison with the previous version.

Commissioner McNerlin made a motion to approve the Revised Mendocino LAFCo Fee Schedule but without a second to the motion, the motion failed.

A motion was made to add this issue to the Agenda for the May 12, 2016 Special Meeting. See Item #16.

PUBLIC HEARINGS

10. Millview County Water District Sphere of Influence Update(Continued)

The Public Hearing was continued from the April 4, 2016 meeting.

George Williamson presented the revised report and staff recommendation to adopt Resolution 15-16-20 approving the sphere of influence amendment (reduction.)

The Public Hearing was closed at 11:20 am.

Upon motion by Commissioner McCowen and second by Commissioner Brown, adoption of Resolution 15-16-20 approving the sphere of influence amendment (reduction) for the Millview County Water District Sphere of Influence Update was adopted by roll call vote:

Ayes: Commissioners Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward

Absent: Commissioner Madrigal

Bill Koehler, General Manager of Millview CWD, thanked Planwest for their responsiveness to suggested changes and expressed the District is pleased with the final SOI Update.

11. Irish Beach Water District Sphere of Influence Update

Mr. Williamson presented the SOI Update and staff recommendation to adopt Resolution 15-16-21 approving the sphere of influence amendment reaffirming the existing sphere of influence.

The Public Hearing was opened at 11:22 am

Charlie Acker, District Manager, spoke in regards to the importance of resource lands within the proposed SOI and answered questions. Comments and questions were offered by Commissioners Orth and McCowen. Mr. Acker thanked George Williamson and Planwest for their work.

The Public Hearing was closed at 11:41 am.

Upon motion by Commissioner McCowen and second by Commissioner Orth, Resolution No. 15-16-21 approving the sphere of influence amendment reaffirming the existing sphere of influence of the Irish Beach County Water District, with the following addition and edits, was adopted by roll call vote:

Addition:

Page 11, New second paragraph for Discussion section: "The portion of the District east of the Irish Beach subdivision consists primarily of large parcels designated Forest Lands and zoned Timber Production. These lands are not currently served by the District, but several parcels contain wells and tanks that are integral to District operations. The District has no plans or intention to provide services that would facilitate the subdivision of these parcels or the parcels zoned rangeland located south of Irish Gulch. The District has expressed a desire to maintain these parcels within the current District boundary to provide for watershed and groundwater management activities."

Edits:

Page 11, Analysis, section 1): "landuse" changed to "land use" , "tot" changed to "into"

Ayes: Commissioners Brown, Hammerstrom, McCowen, McNerlin, Orth, and Ward

Absent: Commissioner Madrigal

12. Noyo Harbor District Sphere of Influence Update

George Williamson presented the SOI Update with the options of maintaining a coterminous SOI or an expanded SOI.

The Public Hearing was opened at 12:25 am

No one indicated a desire to speak.

The Public Hearing was closed at 12:25 am

Comments and questions were offered by Commissioners Hammerstrom, McCowen, and Orth.

Upon motion by Commissioner McCowen and second by Commissioner Hammerstrom, Resolution No. 15-16-22 affirming the existing sphere of influence of the Noyo Harbor District as coterminous with the District's boundary was adopted by roll call vote:

Ayes: Commissioners Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward

Absent: Commissioner Madrigal

WORKSHOPS

13. Willow County Water District Sphere of Influence Update (continued)

George Williamson presented the SOI Update, noting the City of Ukiah was asked for and provided a response (in agenda packet) to the proposed SOI update.

Charley Stump, Community Development Director for the City of Ukiah, addressed the Commission. He noted that though the City has submitted a written response, it may or may not be the final standing of the City as City Staff and City Council have not had adequate time to review this issue. Mr. Stump stated the intention to schedule a meeting between the City of Ukiah and the Willow County Water District to reach a consensus which would include discussion on a possible Memorandum of Agreement, as suggested by LAFCo staff. Comments and questions were offered by Commissioners Brown, McNerlin, and McCowen.

Commissioner Brown noted for clarification that the City's letter does state the parcels should logically be served by the City and be detached from the District.

Dave Redding, General Manager of Willow CWD, addressed the Commission. He noted the Willow CWD Board has not had an opportunity to meet regarding this issue, though District staff does support a meeting between the City of Ukiah and the Willow County Water District to reach a consensus which would include discussion on a possible Memorandum of Agreement, as suggested by LAFCo staff. He noted that the approximately 85 service connections in this area represent about 10% of the revenue for the District and noted his concern for the financial stability of the District if this area is served by the City of Ukiah instead. He confirmed his support of LAFCo staff recommendation to move forward with the SOI. Comments and questions were offered by Commissioners Ward, McCowen, Rosenberg, Hammerstrom, Brown, McNerlin, and Doble.

Workshop Action:

- Staff to consult with LAFCo counsel for clarity on the responsibility of LAFCo in the overlap area as discussed, noting the issue of setting precedent and the response circulated to Commissioners well in advance of the Public Hearing.
- The Willow County Water District SOI Update Public Hearing to be scheduled for June 2016 maintaining the current District SOI (except for the removal of resource lands not served) and not including the recommended sphere condition regarding the Memorandum of Agreement.

The Commission also directed staff to agendize discussion and possible revision of the overlap policy in the recently adopted Policies & Procedures for a future meeting.

14. Mendocino Coast Healthcare District Sphere of Influence Update

George Williamson presented the Administrative draft SOI Update. Comments were offered by Commissioner Orth.

Workshop Action:

- The Mendocino Coast Healthcare District SOI Update Public Hearing to be scheduled for June 2016.

MATTERS FOR DISCUSSION/POSSIBLE ACTION

15. Authorization for SHN Consulting Engineers & Geologists to Prepare a Revised Map/Description for the 2013 North of Ten Mile River Annexation to the Fort Bragg Rural Fire Protection District

George Williamson presented the bid from SHN Consulting Engineers of a not-to-exceed amount to correct the map of the Annexation. He noted the action will not require additional Board of Equalization (BOE) payment, though the correction will be sent to the BOE for updating of records. Comments and questions were offered by Commissioners McCowen, Ward, and Hammerstrom. Chair Ward noted this amount will be withdrawn from the FY 2015-16 Budget and the work will be completed by June 30, 2016.

Upon motion by Commissioner Doble and second by Commissioner Hammerstrom, authorization of payment to SHN Consulting Engineers not to exceed \$2,000 in order to have a revised map and description for the North of Ten Mile River Annexation was approved by unanimous vote:

Ayes: Commissioners Brown, Doble, Hammerstrom, McNerlin McCowen, Orth, and Ward

Absent: Commissioner Madrigal

16. Calpella County Water District Request for Annexation Deposit Fee Waiver/Reduction

Upon motion by Commissioner McCowen and second by Commissioner Orth, Items 9 and 16 were continued to the Special Meeting of May 12, 2016 was approved by 5-1 vote:

Ayes: Commissioners Brown, Doble, Hammerstrom, McCowen, Orth, and Ward

Noes: Commissioner McNerlin

Absent: Commissioner Madrigal

INFORMATION/REPORT ITEMS

17. Status of MSR and SOI Update

George Williamson presented. Comments and questions were offered by Commissioner Ward.

18. Correspondence – None presented.

19. Executive Officer's Report

CSDA Special District Training

Mr. Williamson thanked Commissioner Madrigal for assisting with the previous training and reviewed the remaining trainings available. Commissioner Orth offered his assistance for the next training.

20. Commissioners Reports, Comments or Questions

Commissioner Ward asked for a report on the legal opinion on the issue of Tribal Lands within a Special District as in the Round Valley County Water District SOI Update, noting payment was already made to Legal Counsel for this work.

Commissioner Ward asked for the requested letter to the Mendocino County Auditor instructing distribution of the remainder of the Fund held on behalf of the Sanitation District and City of Ukiah.

21. Legislation Report

No report was offered.

ADJOURNMENT

There being no further business, at 12:51pm the meeting was adjourned to the next regular meeting on Monday, June 6, 2016 at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.