

# MENDOCINO

## Local Agency Formation Commission

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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

**Vacant**  
Special District Seat, Alternate  
(Jenifer Bazzani to be  
sworn in June 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 by Commission June 4, 2018*  
**MINUTES**

## Local Agency Formation Commission of Mendocino County

### Regular Meeting of Monday, May 7, 2018

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

#### 1. **CALL TO ORDER and ROLL CALL** (Video Time 3:00)

Chair Ward called the meeting to order at 9:03am.

Members Present: Commissioners Carre Brown, Kevin Doble, Gerardo Gonzalez, John McCowen, Theresa McNerlin, Tony Orth, and Jerry Ward

Alternate Members Present: Commissioners Dan Hamburg and Carol Rosenberg

Alternate Members Absent: Commissioner Scott Ignacio

Staff Present: Uma Hinman, Executive Officer  
Elizabeth Salomone, Clerk

#### 2. **PUBLIC EXPRESSION** (Video Time 3:34)

No one indicated interest in public expression.

#### 3. **OTHER BUSINESS** (Video Time 3:55)

Announcement of Commissioner Jenifer Bazzani as the Alternate Special District Representative. Apologies sent and oath will be conducted at the June 4, 2018 meeting.

#### 4. **CONSENT CALENDAR** (Video Time 4:14)

4a) Approval of the April 2, 2018 Regular Meeting Summary Minutes

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

4c) Accept and post Fiscal year 2016-17 Audit

<u>April 2018 Claims totaling:</u>	\$ 18,715.30
Uma Hinman Consulting:	\$13,698.25
Ukiah Valley Conference Center:	\$ 463.18
P. Scott Browne:	\$ 824.65
Commissioner Reimbursement	\$ 128.07
County of Mendocino (audio/video, GIS, etc):	\$ 1,832.36
Pehling & Pehling CPA:	\$ 1,550.00
Public Hearing Notice Publication:	\$ 218.79

Chair Ward pulled Consent Item 4b) April 2018 Claims and Financial Report.

Edits to the April 2, 2018 Regular Commission Meeting minutes:

- Pg 1 of 5, Item 2 Public Expression: reword the sentence for clarity.
- Pg 3 of 5, 2<sup>nd</sup> to last bullet: change “requires” to “recommends”

Upon motion by Commissioner McCowen and second by Commissioner Gonzalez, Consent Calendar items 4a) April 2, 2018 Regular Meeting Minutes and 4c) Accept and Post Fiscal Year 2016-17 Audit were approved as corrected by roll call vote:

Ayes: (6) Brown, Doble, Gonzalez, McCowen, McNerlin, Orth, and Ward

Chair Ward noted the GIS time charged for Multi-District Fire Protection District Sphere of Influence preparation of maps was 31 hours.

Discussion was held regarding Legal Counsel presented charges, with comments and questions offered by Commissioners Ward, Brown, Rosenberg, and McCowen. Chair Ward will review the contract with Legal Counsel regarding CALAFCO workshop costs and the Executive Committee will consider the entire contract for clarity.

Chair Ward noted projected budget overages and noted an inconsistency in the workroom allocation on the budget track for staff to address.

Upon motion by Commissioner McCowen and second by Commissioner Gonzalez, Consent Calendar items 4b) April 2018 claims was approved subject to the Chair reviewing and approving the additional charges for workshop and hotel by roll call vote:

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

## 5. PUBLIC HEARING ITEMS

### 5a) CONTINUED Public Hearing to Consider Adoption of Resolution 2017-18-07 Approving the Multi-District Fire Protection Services Sphere of Influence (SOI) Update (Video 17:13)

*Chair Ward noted the Public Hearing was opened on April 2, 2018 at 9:18am and this is a continuation of that hearing.*

EO Hinman presented the final consolidated report with introduction and written determinations regarding the level and range of services provided by 13 fire protection service providers listed below. She noted the updates made to the public hearing document.

Albion-Little River Fire Protection District  
Comptche Community Services District  
Covelo Fire Protection District  
Elk Community Services District  
Hopland Fire Protection District  
Leggett Valley Fire Protection District  
Little Lake Fire Protection District

Long Valley Fire Protection District  
Mendocino Fire Protection District  
Piercy Fire Protection District  
Potter Valley Community Services District  
South Coast Fire Protection District  
Redwood Valley-Calpella Fire District

Comments and questions were offered by Commissioners Brown, Gonzalez, and McCowen. One edit for the final document was identified and included in the motion (below.) Commissioner McCowen thanked staff for the well prepared document and the staff report outlining the updates in the final document.

***Public Comment was opened at 9:18am and with no comments offered, was closed at 9:18am.***

Upon motion by Commissioner Gonzalez and second by Commissioner Doble, the following were approved by roll call vote:

- (1) Finding of the Multi-District Fire Protection Services Sphere of Influence Update to be exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations §15061(b)(3) and approve the Notice of Exemption for filing; and
- (2) Adoption of LAFCo Resolution 17-18-07, approving the Multi-District Fire Protection Services Sphere of Influence Update and affirming the existing sphere of influence for eleven special districts providing fire protection services and amending the existing sphere of influence for Leggett Valley Fire Protection District and Elk Community Services District with one edit on Page 1-7, 1.6.2.3 to read “In addition, the City of Willits ~~can~~ provides dispatch services to the Little Lake Fire Protection District.”

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

***The Public Hearing was closed at 9:24am.***

**5b) Public Hearing for the Proposed Budget for Fiscal Year 2018-19 (Video Time 26:09)**

***The Public Hearing and Public Comment were opened at 9:26am.***

***With no comments offered, the public comment period was closed at 9:26am.***

EO Hinman presented, noting no comments were received. Comments and questions were offered by Commissioners Orth, Rosenberg, and Ward.

Upon motion by Commissioner Gonzalez and second by Commissioner Orth, Resolution 17-18-08, Adopting the Final Budget and Work Plan for Fiscal Year 2018-2019 was approved by roll call vote:

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

***The Public Hearing was closed at 9:30am.***

**6. WORKSHOP ITEMS (Video time 30:18)**

**6a) Redwood Coast Fire Protection District Sphere of Influence Update**

EO Hinman presented, thanking the District for their cooperation and support and noting their comments have been incorporated in the workshop draft. The District has not requested any changes to their Sphere and staff recommends reaffirming the current coterminous Sphere of Influence. Comments and questions were offered by Commissioners Brown, Hamburg, McCowen, Ward, and Orth.

Rebecca Golly, the Redwood Coast Fire Protection District Board President, voiced appreciation for the work of LAFCo on the MSR/SOI Update report. Commissioner Brown shared information with Ms. Golly regarding Section 3.1.3.3 Water Supply, encouraging the District to explore applying for grant funding. Ms. Golly highlighted the need to establish the fire hydrant system ownership and the Commission asked staff to research this for the final report. Chair Ward thanked staff and the District for the financial reporting in this document.

Items for Staff to address:

- Pg 2-2, Section 2.1.2, 1st paragraph: add the Mendocino College Coastal Field Station to the description of lands within the District boundary.
- Pg 2-2, Section 2.1.2, 4th paragraph: clarify where the few pockets of FRA are located within the District boundary.
- Pg 2-10, Section 2.4.1, under the paragraph describing Strike Team reimbursement funding: clarify whether volunteer firefighters are paid or not consistent with Section 3.1.1.5. Replace the sentence "Volunteer firefighters are paid a large percentage of these reimbursement payments and the District receives approximately 25-33% from this funding" with "While volunteer firefighters are not paid personnel, volunteers receive a large percentage of reimbursements from Strike Team assignments and the District receives approximately 25-33% of this funding".
- Pg 2-12, Section 2.5.1, 3rd paragraph: modify the sentence "Since the 2006 MSR prepared for the District, no major development projects have been built that have significantly affected the District's provision of services and no substantial new development is anticipated in the foreseeable future" to clarify that the naming of a National Monument, BLM lands being opened to the public, and the Mendocino College Coastal Field Station within the District boundary have added more people to the area and the potential for more service calls.
- Pg 2-13, Section 2.6, 2nd paragraph: further clarify that the City of Point Arena qualifies as a disadvantaged community but does not qualify as a Disadvantaged Unincorporated Communities (DUC) because it is an incorporated area.
- Pg 2-1, Section 2.1.1, 1st paragraph: reconcile the discrepancy between the 3rd and 4th sentences that reference different numbers of volunteer fire departments prior to district formation.
- Pg 2-2, Section 2.1.2, 1st paragraph: correct the reference to the "Manchester Band of Pomo Indians of the Manchester Rancheria and the Point Arena Rancheria" to remove "and the Point Arena Rancheria".
- Pg 2-6, Section 2.3.1: update Figure 2-1 Redwood Coast FPD Organizational Chart to reference the Duty Officer as singular instead of plural.
- Pg 2-8, Section 2.4.1: update Table 2.3 Financial Summary to reconcile the discrepancy between the FY 14-15 ending balance of \$224,685 and the FY 15-16 beginning balance of \$197,732.
- Pg 2-8, Section 2.4.1: update Table 2.3 Financial Summary to separate the District's special tax measure funding from the Taxes & Intergovernmental revenue category.
- Pg 2-9, Section 2.4.1: update Table 2.3 Financial Summary to provide the District's reserve fund balance and clarify whether the District has a separate reserve account consistent with Section 2.4.2.1.
- Pg 2-7, Section 2.3.3, under the 1st paragraph after the bullet point items: clarify the sentence "The District's vehicles and equipment are essential to performing District operations and therefore cannot currently be shared with other public fire service providers" to address that the District vehicles are used for mutual aid services. Also, add two bullet point items related to additional examples of shared facility/collaboration including sharing District vehicles for Strike Team assignments and providing coverage for the CAL FIRE station located in the City of Point Arena when needed.
- Pg 3-1, Section 3.1.1.2: clarify that the Manchester Band of Pomo Indians of the Manchester Rancheria includes two non-contiguous land holdings at the Manchester Rancheria and the Point Arena Rancheria.
- Pg 3-5, Section 3.1.3.3, 2nd paragraph: clarify whether the fire hydrant system is the property of the District or Point Arena Water Works and who is responsible for maintenance and replacement of this infrastructure.

Staff was directed to notice the Redwood Coast Fire Protection District Municipal Service Review and Sphere of Influence Update public hearing for the June 4, 2018 Regular Meeting.

## 7. MATTERS FOR DISCUSSION & POSSIBLE ACTION (Video time 51:51)

### 7a) Amendment to Alternate Commissioner Participation Policy

Upon motion by Commissioner McCowen and second by Commissioner Brown, the amendment to Alternate Commissioner Participation Policy was approved by unanimous vote:

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

### 7b) Electronic Email and Devices Policy

The Commission considered the Policies & Procedures Committee's recommendation to approve a policy on electronic devices for official LAFCo business. Comments and questions were offered by Commissioners McCowen, Brown, Ward, Doble, Hamburg, Rosenberg, and McNerlin.

A motion was made by Commissioner Orth and seconded by Commissioner Brown, to approve the Electronic Email and Devices Policy with edits. This motion was later withdrawn with direction to staff to obtain Legal Counsel review of the following suggested changes:

- #4: "Use of electronic devices for *personal communication* ~~for any reason~~ during active portion of the meeting is discouraged as it creates a public perception of inattention to the LAFCo proceedings."
- #5: "Commissioners and staff should delete all confidential information from portable or personal electronic devices in conformance with LAFCo Record Retention policies, ~~It may be deleted from a personal device without conformance with the retention policy if~~ *provided* a copy has been stored in LAFCo records and will be available for the required retention period."

### 7c) Annual Legislative Platform

EO Hinman presented the recommended 2018 Legislative Platform, noting changes.

Upon motion by Commissioner Brown and second by Commissioner Gonzalez, 2018 Legislative Platform was approved by unanimous vote:

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

### 7d) Call to Legislative Action

EO Hinman presented the support letter for AB 2262, as amended April 16, 2018, regarding the Coast Life Support District. Comments and questions were offered by Commissioners Doble, Brown, Ward, Rosenberg, and McCowen. It was discussed how to increase communications between County LAFCos regarding shared districts.

Upon motion by Commissioner Gonzalez and second by Commissioner Brown, the support letter for AB 2262, as amended April 16, 2018, regarding the Coast Life Support District was approved, with edits listed below, by unanimous vote:

- Strike "...and thank you for amending this piece of legislation." From the last line.
- Copy the final letter to Senator McGuire, Mendocino County Board of Supervisors Chair, Sonoma LAFCo Chair

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

## 8. INFORMATION/ REPORT ITEMS (Video Time: 1:16:00)

### 8a) Work Plan, Current, and Future Proposals

EO reviewed the staff report updating MSRs, SOIs, and projects. She highlighted the future project of water district consolidation is now four districts rather than five, and reported on a meeting with District Manager, Tamara Alaniz. Chair Ward asked if the City of Ukiah and Sanitation District Detachment application deposit needed to be returned. EO Hinman responded that during a meeting in April with City of Ukiah staff, it was indicated they would like no change to the current status of the application.

### 8b) Correspondence

EO Hinman noted two public records requests were received and responded to by staff.

### 8c) Executive Officer's Report

EO Hinman reported on the following:

- EO met with City of Ukiah staff and discussed General Plan status with a possible annexation plan and CEQA documentation with regards to future SOI amendments.
- EO attended a Community Meeting at Brooktrails on disaster preparedness regarding wildfire and secondary access.
- CALAFCO staff workshop report.

### 8d) Committee Reports

A Policies & Procedures meeting was held April 9, 2018 with recommendations made to the Commission. The Committee is meeting May 21, 2018 to continue working on policy proposals and including definitions into the P&P Manual.

### 8e) Commissioners Reports, Comments or Questions

*Commissioner Orth* provided an update on the Boulevard District topic and noted the County indicated they are not pursuing this process, though he believes there to be a misinterpretation of the topic and hopes to foster further communications.

### 8f) CALAFCO Business and Legislation Report

A legislative update was included in packet.

## ADJOURNMENT

There being no further business, at 10:26 am the meeting was adjourned. The next regular meeting is scheduled for Monday, June 4, 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=M-In9J\\_mMhA&index=5&list=PLraKTU7AyZLTmV-2PpmufbzkvpN3QCnog](https://www.youtube.com/watch?v=M-In9J_mMhA&index=5&list=PLraKTU7AyZLTmV-2PpmufbzkvpN3QCnog)