

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

Approved by Commission August 1, 2016

VICE CHAIR

John McCowen
County Board
of Supervisors

MINUTES LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

MEMBERS

Carre Brown
County Board
of Supervisors

Regular Meeting of Monday, July 11, 2016

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

Doug Hammerstrom
Fort Bragg City Council

Call to Order

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

Holly Madrigal
Willits City Council

Roll Call

Members Present:

Commissioners Carre Brown, Doug Hammerstrom, John McCowen, Theresa McNerlin, Tony Orth, and Jerry Ward

Theresa McNerlin
Ukiah Valley Sanitation District

Members Absent:

Commissioner Holly Madrigal

Tony Orth
Brooktrails Township CSD

Alternate Members Present:

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

ALTERNATE MEMBERS

Kevin Doble
Ukiah City Council

Staff Present:

Uma Hinman, Executive Officer
Elizabeth Salomone, Clerk

Dan Hamburg
County Board
of Supervisors

Alternate Commissioner Doble immediately took seat as City Representative.

Carol Rosenberg
Public Member

PUBLIC EXPRESSION

1. No one from the public indicated an interest to speak.

Angela Silver
Calpella County Water District

OATH OF OFFICE

2. Swearing In of New Executive Officer, Uma Hinman

Executive Officer
Uma Hinman

Commission Clerk administered Oath of Office to Executive Officer, Uma Hinman.

Analyst
Larkyn Feiler

CONSENT CALENDAR

Commission Clerk
Elizabeth Salomone

3. Approval of the June 6, 2016 Regular Meeting Summary Minutes
4. Approval of the June 2016 Claims –Pulled for further discussion
5. Acceptance of the Monthly Financial Report –Pulled for further discussion

Counsel
Scott Browne

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

Upon motion by Commissioner McCowen and second by Commissioner Doble the Consent Calendar Item 3 was approved by roll call vote:

Ayes: (7) Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward
Absent: (1) Madrigal

Chair Ward made the following points regarding the monthly claims and the monthly financial report and will work with staff to address:

- Planwest exceeded their basic services amount by \$257.00
- There is an error in the In-County Travel and Stipends account #6740.
- The budget tracking spreadsheet and the claims report do not match.
- On the application tracking spreadsheet, closed accounts need to be removed.
- The deposit for Anderson Valley CSD Activation of Latent Powers (Ambulance) and Annexation needs to be added. [Staff note: Deposit shown on FY 2016-17 tracking.]
- Waiting for payment on the Irish Beach WD Moores Annexation; it is still in arrears.
- The Fort Bragg FPD Detachment account needs to be settled.

Upon motion by Commissioner McCowen and second by Commissioner Brown, Consent Calendar Items 4 and 5 were approved by unanimous consent:

Ayes: (7) Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward
Absent: (1) Madrigal

Approval of June 2016 claims totaling \$8,548.02

Planwest Partners:	\$4,388.50
Ukiah Valley Conf Ctr:	\$537.34
P. Scott Browne:	\$500.00
Commission Reimbursements:	\$200.76
Newspaper Noticing	246.87
Pehling & Pehling	\$1,550.00
Pacific Internet	\$998.62
Petty Cash	\$125.93

MATTERS FOR DISCUSSION/POSSIBLE ACTION

6. Willow Water County Water District (WCWD) Sphere of Influence Update

A Public Hearing Notice was published in the newspapers for the June 6, 2016 regular meeting. George Williamson, former Executive Officer, presented the SOI Update and recommended approving an SOI amendment (reduction) for the WCWD to include only those properties currently receiving service within the existing SOI or with appropriate land use designations to receive municipal water services, and to exclude those properties which overlap with the City of Ukiah boundary and do not currently receive services from the District (i.e., Area 1bIII as shown in Figure 2 of the SOI Report included in the June 6, 2016 Agenda Packet).

Clerk Salomone was asked to read aloud from the June 6, 2016 meeting the motion made by Commissioner McCowen and seconded by Commissioner Madrigal to approve the Resolution 15-16-23 approving WCWD SOI Update with the following changes:

- Pg 14, 1st Para to read:
Those overlap territories not receiving services from the District should be removed from the District's SOI. These include those territories identified in items "1bI", "1bII", and "1bIII" discussed above in the "Sphere of Influence" section (See Figure 2.) Those territories within both the District's boundary and the City's boundary which receive services from the District should ~~continue to be within~~ *be removed from the District's SOI, but shall not be detached from the District prior to analysis of the fiscal impacts to the District and approval of a plan to make the District whole financially.* This includes the 85 customers discussed in item "1a" and the agricultural territories in "1bIV" ~~Additionally, those territories within the City's boundary that are receiving service from the District should remain within the District's SOI; this includes~~ *and includes* those properties discussed in item "1C." No other boundary overlaps are identified at this time.
- Pg 16, Conclusion 1 to read:
Those properties receiving service within the existing SOI ~~remain within~~ *but which are within the City limits be removed from the proposed updated sphere.*
- Changes to the map as appropriate per the above changes.

The motion remained on the floor to the July 11, 2016 meeting.

Uma Hinman presented. A letter was received on June 30, 2016 signed by representatives of Willow County Water District, Millview County Water District, Russian River Flood Control District, and Calpella County Water District and was included in the packet.

Commissioner Orth stated his support that reference to the 85 parcels be removed from the motion and detach only non-served parcels, and to wait for a Memorandum of Understanding (MOU) between City and District. He expressed that the intent of LAFCo is to drive agreements between agencies and there are positive reports on the progress of the agreement therefore LAFCo need not force a hand.

Charley Stump, City of Ukiah, noted City representatives hadn't had a chance to review material and asked for no action to be taken in order to allow the City and District to develop a MOU. He expressed the mutual willingness of the City and District to work together for an agreeable solution. He further noted that if action must be taken, the City supported Commissioner McCowen's motion.

Dave Redding, Willow County Water District, supported LAFCo staff recommendation, legal counsel opinions and Commissioner Orth's comments. He confirmed that the District was looking forward to further discussions with the City to develop the MOU.

Comments and questions were offered by Commissioners Orth, McCowen, McNerlin, Hammerstrom, Brown, Rosenberg, Ward, Silver, and Hamburg.

Tamara Alaniz, General Manager for Russian River Flood Control District, addressed the Commission stressing the Special District perspective that LAFCo action at this time is unnecessary and disruptive to the CKH process of orderliness and efficiency, as well as the process between the City and District negotiating an MOU.

Upon motion by Commissioner McCowen and second by Commissioner Madrigal, Resolution 15-16-23 approving WCWD SOI Update with the changes noted above and read aloud by Commission Clerk was approved by roll call vote:

Ayes: (4), Doble, Hammerstrom, McCowen, and Ward
Noes: (3) Brown, McNerlin, and Orth,
Absent: (1) Madrigal

Chair Ward called a break from 10:27 – 10:38am.

7. Cemetery District Municipal Service Reviews (MSRs) Contract

Uma Hinman presented. Chair Ward noted this is to complete the work originally assigned to Baracco & Associates and Mr. Baracco is aware of the situation through LAFCo counsel. +

Upon motion by Commissioner McCowen and second by Commissioner Hammerstrom, approval of the contract for completion of Cemetery District MSRs with Uma Hinman Consulting and additional direction to Chair and staff to proceed as indicated by the Chair was approved by roll call vote:

Ayes: (7) Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward
Absent: (1) Madrigal

8. Website Transition Contract

Uma Hinman presented. Comments and questions were offered by Commissioners Ward, McCowen, and Brown.

Upon motion by Commissioner Doble and second by Commissioner Orth, approval of the contract for completion of website transition with Planwest Partners with the following changes was approved by roll call vote:

IT IS FURTHER AGREED that the CONTRACTOR will be compensated at a rate of \$62.00 per hour for up to ~~approximately~~ 40 hours, ~~for an estimated cost~~ with a cap of \$2,480.00.

Ayes: (7) Brown, Doble, Hammerstrom, McCowen, McNerlin, Orth, and Ward
Absent: (1) Madrigal

9. Hastings Frontage Road

Uma Hinman presented an inquiry regarding a 1981 annexation of property to the City of Ukiah from the County of Mendocino. At issue is what portion of the Hastings Frontage Road (on the east side of 101) is within the City of Ukiah and what portion remains in the County. Chair Ward assigned Commissioners Brown and McCowen to an ad hoc committee to assist LAFCo staff in resolving the issue. Charley Stump from the City of Ukiah Planning Department offered assistance, as needed. Amber Munoz, Department of Transportation, provided further information for staff, offering further assistance, as needed. Staff will schedule an ad hoc meeting to establish steps to a solution.

10. Special District Elections

Uma Hinman presented. Comments and questions were offered by Commissioner Orth. He suggested a return envelope be included with the ballot and clarified it is to be a 4 year term.

11. Policy Review: Chapter 9, Section 1.10 Overlapping Spheres

Uma Hinman presented. In January 2016, the Commission considered alternate language on overlapping spheres but ultimately voted to approve the policy with a hierarchy included. Due to a continued lack of agreement among Commissioners on whether this hierarchy applies in all situations, especially in rural areas where there are existing overlapping jurisdictional boundaries and spheres, the policy was placed on the agenda for further discussion as requested by the Commission in May 2016.

Comments and questions were offered by Commissioners Hammerstrom, McCowen, Orth, Doble, McNerlin, Hamburg, and Rosenberg. Points of discussion included:

- Possible Economic disadvantage to service entities
- Lower cost of providing service to customers
- Voting rights of customers within the overlap areas regarding governing entity
- Sound long-range planning view
- Clarity of LAFCo's intention to clarify overlapping areas
- Service agreement between agencies in question
- Origin of the Policy creating a hierarchy

Commission consensus was to maintain Policy (Chapter 9, Section 1.10 Overlapping Spheres) as written.

INFORMATION/ REPORT ITEMS

12. Status of Applications, Future Projects, MSR and SOI Updates

Uma Hinman presented. An application was received from the Anderson Valley CSD for annexation, detachment, and activation of latent powers for ambulance services. EO Hinman noted that she would be meeting with Commissioner Silver and the Calpella County Water District (CCWD) staff to review District files relating to the Central Avenue annexation later in the day. Chair Ward noted some errors on the application cost tracking sheet and asked staff to contact Mr. Moores and the Fort Bragg Rural FPD regarding outstanding payments. Comments and questions offered by Commission Ward.

13. Correspondence

Several Commissioners indicated interest in attending the annual CALAFCO conference scheduled for October 26-28, 2016.

14. Executive Officer's Report

Uma Hinman provided a verbal update.

- Cemetery District files requested from Baracco & Associates.
- Staff reviewing the work plan and files.
- Researching SOI inquiry from City of Willits.
- EO meeting with Calpella CWD today.
- QuickBooks transitioning between Planwest and UHC.

15. Committee Reports

This is a new item that will appear monthly on the agenda with a written report.

16. Commissioners Reports, Comments or Questions

Commissioner Hammerstrom: Members of the public asked Commissioner Hammerstrom if there is any action LAFCo can take to assist in the public request for financial documents from the “Hospital District” [Mendocino Coast Health Care District.] Discussion offered suggestions noting mandatory reporting on the State level and using the Public Records Act.

Commissioner Silver provided a summary of the last CSDA Special District training held, which was focused on district financials. Comments and questions were offered by Commissioner Orth, Hamburg, Rosenberg, McNerlin, McCowen, and Ward. Commissioner Silver suggested that the training be given annually or biennially. It was suggested that it could be a regional training with funding and hosting to be shared by other counties as well.

Commissioner Ward has received FY 14/15 financial information from Planwest, reviewed and forwarded to the Auditor and will work on the FY 15/16 as soon as the fiscal year is complete.

17. Legislation Report

No comments or questions were offered.

ADJOURNMENT

There being no further business, at 11:00am the meeting was adjourned to the next regular meeting on Monday, August 1, 2016 at 9:00 AM 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.