

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

Dan Hamburg
County Board of Supervisors

Theresa McNerlin
Ukiah Valley Sanitation District

Tony Orth
Brooktrails Township CSD

Scott Ignacio, Alternate
Point Arena City Council

John McCowen, Alternate
County Board of Supervisors

Carol Rosenberg, Alternate
Public Member

Vacant
Special District Seat, Alternate

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 December 4, 2017

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, November 6, 2017

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

1. **CALL TO ORDER and ROLL CALL** (Video Time 0:30)

Chair Ward called the meeting to order at 9:04am.

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

Members Absent: None

Alternate Members Present: Commissioners John McCowen, and Carol Rosenberg

Alternate Members Absent: Commissioners Scott Ignacio

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

*The Commission observed a **MOMENT OF SILENCE** in remembrance of Gabriel Madrigal, husband of former LAFCo Commissioner, Holly Madrigal, and in remembrance of the great losses of life, property, and environment in Mendocino County and neighboring counties in the Northern California Fires.*

2. **PUBLIC EXPRESSION** (Video Time: 1:30)

No one from the public addressed the Commission.

3. **OTHER BUSINESS** (Video Time: 1:54)

3a) Special District Alternate Seat

EO Hinman reported on the procedure and proposed timeline for filling the vacant Special District Alternate seat and recommended the Commission approve the proposed timeline for the election process with an included option in the nomination packet for Special Districts to vote for an extended term. Comments and questions were offered by Commissioners Orth, Ward, and McCowen.

The Commission directed staff to review the pertinence of AB 979 to the proposed extension of the Special District Alternate Seat and implement the proposed process with adjustments as necessary to prevent conflict with cited legislation.

The Commission directed the Policies & Procedures Committee to develop written policy on the Special District Election process held by LAFCo on behalf of Mendocino County Special Districts.

Upon motion by Commissioner Orth and second by Commissioner Brown, the proposed timeline for the Alternate Special District Seat election process timeline and option for an extended term in the nomination packet as allowed by legislation, was approved by roll call vote:

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

4. CONSENT CALENDAR (Video Time 7:33)

4a) Approval of the October 2, 2017 Regular Meeting Summary Minutes

4b) Approval of the October 2017 Claims and Financial Report

4c) Approval of the 2018 Lease Contract Renewal for Office Space at the Ukiah Valley Conference Center

The Commission pulled Item 4c) Approval of the 2018 Lease Contract Renewal at UVCC and directed Chair Ward to review the contract's 90 day termination clause (8.1 of the contract) and the Consumer Price Index used by the City of Ukiah to calculate the rate increase.

Commissioner McCowen provided staff with typographical edits to the October 2, 2017 Regular Meeting Summary Minutes in writing.

Upon motion by Commissioner Gonzalez and second by Commissioner Brown, the Consent Calendar, listed below, were approved by roll call vote:

4a) Approval of the October 2, 2017 Regular Meeting Summary Minutes

4b) Approval of the October 2017 Claims and Financial Report

<u>October 2017 Claims totaling:</u>	\$ 13,027.94
Uma Hinman Consulting:	\$ 10,728.25
Ukiah Valley Conference Center:	\$ 436.54
P. Scott Browne:	\$ 600.00
Commissioner Reimbursement	\$ 1,024.61
County of Mendocino (audio/video, GIS, etc):	\$ 124.32
Hometown Shopper:	\$ 114.22

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

5. PUBLIC HEARING ITEMS – (Video Time 10:35)

5a) Public Hearing to Consider Adoption of a Resolution Approving the City of Fort Bragg and Municipal Improvement District No. 1 Municipal Service Review (MSR) and Sphere of Influence (SOI) Update

EO Hinman noted a correction in the Item title on the Agenda to read: **“Municipal Services Improvement District No 1.”**

EO Hinman presented the MSR and SOI Update Public Hearing, noting the current document incorporates comments from the LAFCo workshop on August 7, 2017 and has been reviewed by City of Fort Bragg staff who provided no further comments. The Proof of Publication of the Public Hearing Notice was provided in the packet.

The Public Comment Period was opened at 10:14am. There were no comments from the public. ***The Public Comment Period was closed at 10:14am.***

Comments and questions were offered by Commissioners McCowen, Orth, Brown, Ward, and Rosenberg.

The following points were discussed:

- Adding a determination to re-evaluate the suitability of including the two rural residential areas located south of the City limits within the City SOI in the next MSR/SOI Update.
- Review the City's annexation plan and consider adding a determination for the City to study the feasibility of annexing the Noyo Harbor prior to the next MSR/SOI Update.
- Providing more information regarding the Cost Allocation Plan accounting error.
- The following edits were requested by Commissioners during the meeting and in writing:
 - Pg 2-2 2nd Para, 10:00 ~~p.m.~~-a.m.
 - Pg 2-5, 2.5, 1st Sentence on economic downturn removed.
 - Pg 2-9 2nd Para, "sufficiently"
 - Pg 2-14, 2st Para, replace "be tapped" with "allocated" or "used"
 - Pg 3-2, ~~College of the Redwoods~~ Mendocino Coast College
 - Pg 3-3, 3.3.1 Remove "maintaining the financial integrity of the City by"
 - Pg 3-3, 3.4.1 The last sentence to replace the first sentence in the section.
 - Pg 4-1, 4.2.1 1st Para, "was reduced to more **closely** correspond...."
 - Pg 4-1, 4.2.1 2nd Para, "...and includes **in addition** five island areas" [this explains the discrepancy between 2.7 and 2.98 square miles]
 - Pg 4-1, 4.2.1, 3rd Para, Clarification on the SOI size descriptions of the City and District.
- Direction to staff to address the Commission's requested modifications to the study, provide the revised document to the Fort Bragg City Manager, and return with the revised document for the continued Public Hearing on December 4, 2017.

Upon motion by Commissioner Doble and second by Commissioner Gonzalez, continuation of the Public Hearing to December 4, 2017 to consider adoption of a Resolution approving the City of Fort Bragg and Municipal Improvement District No. 1 Municipal Service Review (MSR) and Sphere of Influence (SOI) Update was approved by roll call vote:

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

The Public Hearing remained open and was continued to December 4, 2017.

6. WORKSHOP ITEMS (Video Time 31:50)

6a) None

7. MATTERS FOR DISCUSSION & POSSIBLE ACTION

7a) Annual Legislative Platform Development for 2017 (Video Time 32:00)

EO Hinman presented. No comments and questions were offered by Commissioners.

Upon motion by Commissioner Brown and second by Commissioner Gonzalez, Adoption of Resolution 17-18-04 approving the Annual Legislative Platform Development for 2017 as presented in the agenda packet was adopted by roll call vote:

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

7b) Policy Amendment for Application Requirements – Tax Exchange Agreement Process

EO Hinman presented. Comments and questions were offered by Commissioners Ward and McCowen. It was noted that by law, a tax exchange agreement is required to move forward with the annexation process, even if the agreement is that there will be no agreement.

Upon motion by Commissioner Brown and second by Commissioner Gonzalez, adoption of Resolution 2017-18-04 approving the Policy Amendment for Application Requirements – Tax Exchange Agreement Process as presented in the agenda packet was adopted by roll call vote:

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

8. INFORMATION/ REPORT ITEMS (Video Time: 38:14)

8a) Status of Applications, Future Projects, MSR and SOI Updates

Current Projects: No updates from last month.

Future Projects: No updates from last month.

MSR/SOI Updates

- *South Coast and Albion Little River Fire District SOIs* are scheduled for Workshop in December 2017.
- *Mutual Water Companies* profiles continue.
- *Brooktrails CSD MSR/SOI* update is pending District response.
- *City of Willits SOI Update* is pending City staff review of its SOI.
- *Fire District SOIs* have been on hold during October due to extreme fire events but staff will begin contacting the remainder of the fire districts in November.

Comments and questions were offered by Commissioner McCowen, Orth, Ward, and Rosenberg. The Commission discussed options for streamlining the Fire District SOIs.

8b) Correspondence (Video Time: 48:45)

No comments offered.

8c) Executive Officer's Report (Video Time: 48:50)

EO Hinman updated the Commission on recent public records requests and a deposition subpoena received for records. Comments and questions were offered by Commissioner Ward.

8d) Committee Reports (Video Time: 51:09)

Neither committee met during the month of October 2017.

8e) Commissioners Reports, Comments or Questions (Video Time: 51:20)

CALAFCO Conference: Commissioners Doble, Gonzalez, and Ward provided information on their recent attendance to CALAFCO conference with EO Hinman. It was noted the sessions were available on the CALAFCO website. The following points were discussed:

- Electronic Device Policy development.
- Importance of LAFCo being proactive rather than reactive.
- Communication expectations between Chair and EO.
- Legal Counsel attendance for regular meetings.
- Report on election of CALAFCO Board.
- Legislative and litigation issues experienced by LAFCos.

The conference attendees thanked the Commission for sending them and the staff for managing the travel arrangements.

The Commission directed the Policies & Procedures Committee to explore development of an electronic device policy.

Commissioner Orth thanked the Fire Departments for responding to all the Fire Districts and County for responding to the emergencies in Mendocino County and expressed the regret for the loss of life experienced in the recent wildfires. He provided an update on Brooktrails CSD.

Commissioner Ward asked for clarification on procedures for documenting motions within a meeting.

8f) CALAFCO Business and Legislation Report (Video Time: 1:19:17)

EO Hinman provided a CALAFCO handout summarizing the Legislative Update, October 27, 2017.

ADJOURNMENT

There being no further business, at 10:21am the meeting was adjourned. The next regular meeting is scheduled for Monday, December 4, 2017 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. November 6, 2017

<https://www.youtube.com/watch?v=rtPtBtcrIPo>