



COMMISSIONERS

Maureen Mulheren
Chair
County Member

Gerald Ward
Vice Chair/Treasurer
Public Member

Gerardo Gonzalez
City Member

Candace Horsley
Special District Member

Glenn McGourty
County Member

Mari Rodin
City Member

Vacant
Special District Member

Francois Christen
Alternate Special District Member

Douglas Crane
Alternate City Member

John Haschak
Alternate County Member

Vacant, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Clerk/Analyst
Larkyn Feiler

Counsel
Marsha Burch

REGULAR MEETINGS

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

Approved December 2, 2024

FINAL MEETING MINUTES

Regular Commission Meeting

Regular Meeting of Monday, November 4, 2024

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

- 1. CALL TO ORDER and ROLL CALL** (Video Time 04:25)
Chair Mulheren called the meeting to order at 9:00 a.m.

Regular Commissioners Present: Maureen Mulheren, Mari Rodin, Glenn McGourty, Candace Horsley, Gerardo Gonzalez, Gerald Ward

Regular Commissioners Absent: None

Alternate Commissioners Present: None

Alternate Commissioners Absent: Francois Christen, Douglas Crane, John Haschak

Staff Present: Uma Hinman, Executive Officer; Larkyn Feiler, Analyst; Marsha Burch, Legal Counsel

- 2. PUBLIC EXPRESSION** (Video Time 4:57)
None

- 3. OTHER BUSINESS** (Video Time 5:30)

3a) Oath for Incoming Alternate Public Member

Incoming Alternate Public Member Raghda Zacharia read the oath into the record.

- 4. CONSENT CALENDAR** (Video Time 7:02)

4a) October 7, 2024 Regular Meeting Summary

4b) October 2024 Claims & Financial Report

4c) Contract with the County of Mendocino Information Services for GIS and Meeting Support Services for Fiscal Year 2024-25

October 2024 Claims totaling:	\$ 24,934.69
Hinman & Associates Consulting	20,798.38
Commissioner Stipends – Francois Christen	100.25
Marsha Burch Law Office	315.00
Streamline	115.00
CSDA	1,351.00
Ukiah Valley Conference Center	1,044.64
Gerardo Gonzalez - Travel & Lodging (CALAFCO Conf)	545.90
Francois Christen - Travel & Lodging (CALAFCO Conf)	439.52

The following discussion points were made by members of the Commission:

Commissioner Ward

- Noted that he would abstain from voting on Item 4a due to his absence from the October meeting.
- Requested clarification on the recent rates increases for the proposed County GIS service contract; EO Hinman confirmed that the nominal increase was the standard cost of living adjustment (COLA) rate.

Motion: Approve the Consent Calendar (Items 4a – 4b).		
Motion Maker: McGourty	Motion Second: Gonzalez	Outcome: Passed unanimously
Roll Call Vote: (6) Rodin, McGourty, Horsley, Gonzalez, Ward*, Mulheren		
* Commissioner Ward abstained from Item 4a since he was absent for the October 7, 2024 meeting.		

5. PUBLIC HEARING ITEMS (Video Time 8:44)

5a) PUBLIC HEARING: City of Ukiah Western Hills Annexation and Sphere Amendment (File No. A-2022-02) and Findings Pursuant to the California Environmental Quality Act

Analyst Feiler presented the item. Three representatives from the City of Ukiah – Jesse Davis, Craig Schlatter, and Maya Simerson – were in attendance of the meeting and provided responses to the Commissioners inquires.

The following discussion points were made by members of the Commission:

Commissioner Horsley asked for clarification on the following:

- Will the City of Ukiah or developers hold the proposed easements in the purchase agreement.
- Whether ‘private sewage disposal system’ referred to private septic systems.
- Whether the City of Ukiah’s General Plan maximum build out potential noted in the staff report referred to the whole city or the proposed annexation area.
- Benefits of enhanced public infrastructure in the annexation area for the private land-owner(s).

Commissioner McGourty made the following requests for clarification and comments:

- Fire safety concerns with a single ingress/egress for the parcels identified for residential development.
- Whether geological conditions would be considered during development on steep slopes of residences and infrastructure, such as roads.
- Noted the potential for increased management of the watershed.

Commissioner Gonzalez inquired who would be responsible for fuels management for fire safety.

Commissioner Ward requested the following clarifications:

- Why the area needs to be annexed in order to be maintained as open space and expressed concern about fire management.
- How future development would impact the annexed area and its infrastructure.
- The number of protests required to necessitate holding protest proceedings.
- Defining the Ukiah Balance Area and minimum parcel sizes.
- Is the annexation subject to the newly adopted County Master Tax Agreement; EO Hinman confirmed.

Commissioner Rodin asked what LAFCo’s role in approving the CEQA document associated with the proposed annexation. Counsel Burch responded that she reviewed the City’s Mitigated Negative Declaration and Addendum, and felt comfortable with the conclusions of the reports. She added that it is beneficial for LAFCo staff and counsel to be involved in the CEQA process early on and throughout the process.

Craig Schlatter, City of Ukiah, Community Development Director, clarified that the General Plan buildout number presented in the staff report represents the highest potential number of housing units for the whole City anticipated by 2040

Jesse Davis, City of Ukiah, Chief Planning Manager, made the following clarifications and comments:

- Residential properties in the annexation area may rely on private on-site septic systems.
- Residential properties in the annexation area would be subject to the City’s hillside development requirements and discretionary review, which would analyze the soils and potential fire impacts.
- The City is seeking the annexation to facilitate management of public safety and development, and protection of the watershed and natural resources. Additionally, at this time the lots are mostly under one ownership and the City has the resources in place, including a Master Tax Share Agreement, to help guide and support annexation.
- The 20 residential properties that are in the annexation area would likely develop incrementally over time.
- The City is actively planning and developing resources to manage fuels for fire safety within the annexation.
- The City identified a number of cannabis cultivation sites in the annexation area which will be addressed post-annexation.

Maya Simerson, City of Ukiah, Project Administrator, made the following clarifications and comments:

- Power easements would be dedicated to the City of Ukiah.
- Regarding fire safety and road access, the major road in the annexation area has been installed and is currently the only ingress/egress; however, there is the potential to add a secondary loop for fire access.
- The annexation area will be under the purview of the Ukiah Valley Fire Authority.

Analyst Feiler clarified that there are only four registered voters in the proposed annexation area; only one would need to provide written opposition to the waiver of protest proceedings, which would necessitate protest proceedings.

There were no public comments.

Motion: Acting as the Responsible Agency pursuant to the California Environmental Quality Act (CEQA), find that the Mitigated Negative Declaration and the Addendum thereto (SCH No. 2021040428) adopted by the City of Ukiah for the project were reviewed, considered, and determined to be adequate pursuant to CEQA.		
Motion Maker: Gonzalez	Motion Second: McGourty	Outcome: Passed unanimously
Roll Call Vote: (6) Rodin, McGourty, Horsley, Gonzalez, Ward, Mulheren		

Motion: Adopt LAFCo Resolution 2024-25-04, approving the City of Ukiah Western Hills Annexation and Sphere Amendment (File No. A-2022-02) and making findings.		
Motion Maker: Rodin	Motion Second: Gonzalez	Outcome: Passed unanimously
Roll Call Vote: (6) McGourty, Rodin, Ward, Gonzalez, Horsley, Mulheren		

Motion: Waive Protest Proceedings pursuant to GOV §56663 unless written opposition to the proposal is received, and not withdrawn, from landowners/voters within the affected territory before the close of the hearing.		
Motion Maker: Rodin	Motion Second: Gonzalez	Outcome: Passed unanimously
Roll Call Vote: (6) Ward, Gonzalez, Horsley, McGourty, Rodin, Mulheren,		

6. WORKSHOP ITEMS (Video Time 53:50)

6a) Irish Beach Water District Municipal Service Review and Sphere of Influence Update

EO Hinman presented the item. Heather Hackett, Board Secretary for the Irish Beach Water District, was in attendance and provided responses to Commissioners inquires.

The following discussion points were made by members of the Commission:

Commissioner Horsley asked for clarification on the following items:

- Why the District took on the responsibility of managing private septic systems.
- Which infrastructure projects received grant funding from the State.
- Why the District is looking for additional water sources if they are operating at 31% capacity.

Commissioner Ward asked for clarification about the lawsuit that was mentioned in the previous MSR.

Commissioner McGourty asked for clarification on the following items:

- If the new pipeline was under or above ground.
- The kind of water diversion agreement the District has and how secure it is for the future.

Commissioner Gonzalez asked about the impact on the District of absentee and seasonal residents and vacationers.

Commissioner Rodin asked for clarification on the following items:

- The referenced shared operational resources with Elk County Water District.
- If the County's Department of Environmental Health would monitor the septic systems if the District did not.

The following responses were provided by Heather Hackett, Irish Beach Water District Board Secretary:

- The three grant-funded infrastructure projects included 1) renovating a 60,000-gallon water storage tank, 2) activating a well developed nine years ago, and 3) replacing an 11,000-gallon water storage tank.
- The District can serve some, but not the full projected buildout, of 450 lots and plans for incremental development over time that will require funding and more resources.
- The lawsuit was resolved with a partial settlement and final judgement in July of 2024.
- Until very recently, Irish Beach Water District and Elk County Water District shared a general manager, which provided an ease of administrative and operational exchange between the two Districts. However, Mr. Acker is retiring and the District is currently recruiting for a general manager.
- Since formation, the District has provided administrative oversight of the private onsite septic systems.
- The District's water pipeline is aboveground.

There were no public comments.

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

None

8. INFORMATION AND REPORT ITEMS

8a) Work Plan, Current and Future Proposals (Video Time 1:22:03)

EO Hinman provided an informational update on the Work Plan: Irish Beach Water District will move forward to public hearing. There are two more coastal agencies that are still in process and that are awaiting information from the districts; Elk County Water District and Westport County Water District. Administrative draft studies are in process for the Potter Valley Irrigation District and the Mendocino County Russian River Flood Control and Water Conservation and Improvement District. An initial interview meeting with Laytonville County Water District

is scheduled and a meeting took place with Round Valley County Water District, which will be the first use of the streamlined MSR process that was approved by the Commission earlier this year.

8b) Correspondence (Video Time 1:23:23)

None

8c) CALAFCO Business and Legislation Report (Video Time 1:23:30)

None

8d) Executive Officer's Report (Video Time 1:23:50)

EO Hinman reported that she will be conducting a LAFCo 101 presentation in partnership with the Brooktrails Township CSD for incoming commissioners on December 12th at the Brooktrails Township CSD office in Willits. EO Hinman reported that initiating the Grand Jury-requested MSR for the Mendocino Coast Healthcare District (MCHD) has been delayed at the MCHD's request because they are in the middle of negotiations with Adventist Health. It is hoped that the negotiation will be resolved by the end of November. At Commissioner Ward's inquiry, EO Hinman explained the uncertainty of the District's financial status as it relates to collection of apportionments. Lastly, Mendocino Coast Park and Recreation District has requested preparation of an MSR for the District (its most current was adopted in 2008). The MCRPD Board authorized between \$21,000 and \$25,000 for the study. Chair Mulheren recommended the LAFCo 101 presentation be offered to all the Commissioners and interested agency board members.

8e) Committee Reports (Executive Committee, Policies & Procedures) (Video Time 1:29:14)

None

8f) Commissioners Reports, Comments or Questions (Video Time 1:29:15)

The following comments were provided by commissioners regarding their experience of the CALAFCO Conference:

- Commissioner Horsley commented that the CALAFCO group was very resourceful. A particular lesson of note was the importance of public outreach before and during processing of annexation projects.
- Commissioner Rodin also commented on the importance of incorporating the public into the process.
- Commissioner Gonzalez reported the new CALAFCO Board Members representing the Northern District.

ADJOURNMENT (Video Time 1:33:18)

There being no further business, the meeting adjourned at 10:38 a.m.

The next regular meeting of the Commission is scheduled for Monday, **December 2, 2024** at 9:00 a.m. The meeting will be conducted in a hybrid format to accommodate both in-person and remote participation. The in-person meeting will be held in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah.

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel [November 4, 2024](#) YouTube meeting recording. Links to recordings and approved minutes are also available on the [LAFCo website](#).