

MENDOCINO

Local Agency Formation Commission

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CHAIR

Jerry Ward
Public Member

Approved by Commission July 11, 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, June 6, 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, Doug Hammerstrom, Holly Madrigal, John McCowen, Theresa McNerlin, Tony Orth, and Jerry Ward

Theresa McNerlin
Ukiah Valley Sanitation District

Members Absent:

Commissioner Carre Brown

Tony Orth
Brooktrails Township CSD

Alternate Members Present:

Commissioners Kevin Doble, Dan Hamburg (9:03am), Carol Rosenberg, and Angela Silver

ALTERNATE MEMBERS

Kevin Doble
Ukiah City Council

Staff Present:

George Williamson, Executive Officer
Elizabeth Salomone, Clerk

Dan Hamburg
County Board
of Supervisors

Alternate Commissioner Hamburg immediately took seat as County Board of Supervisors Representative.

Carol Rosenberg
Public Member

Angela Silver
Calpella County Water District

PUBLIC EXPRESSION

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

Executive Officer
George Williamson

STAFFING SERVICES FOR DISCUSSION & POSSIBLE ACTION

Counsel
Scott Browne

2. Authorization of Executive Officer Services Contract

Analyst
Colette Metz

The proposed contract with Uma Hinman Consulting for Executive Officer Services was presented. Comments and questions were offered by Commissioners McCowen, Ward, and Madrigal.

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

It was noted that the approval of the contract would automatically approve Elizabeth Salomone as a subcontractor for Uma Hinman Consulting, as required in Item #17 of the contract.

Upon motion by Commissioner Madrigal and second by Commissioner McCowen the contract with Uma Hinman Consulting for Executive Officer Services with the changes listed below was approved by roll call vote:

Page 1, Exhibit B, add words in bold: “Work Plan for Completion of MSRS **and SOIs**”

Page 8, #18: add words in bold - “giving to CONTRACTOR **30 days** prior written notice.” And change as noted - “Uma Hinman Consulting may terminate this agreement at any time by giving ~~thirty (30)~~ **sixty (60)** days written notice to the Commission.”

Page 13, Exhibit B, add Hopland FPD and Leggett Valley FPD

Ayes: (7) Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Orth, and Ward

Absent: (1) Brown

CONSENT CALENDAR

3. Approval of the May 2, 2016 Regular Meeting Summary Minutes
4. Approval of the May 12, 2016 Special Meeting Summary Minutes
5. Approval of the May 2016 Claims -Item 5 was pulled from the consent calendar for further discussion
6. Acceptance of the Monthly Financial Report

Upon motion by Commissioner McCowen and second by Commissioner Orth the Consent Calendar Items 3, 4 and 6 with the following edits to Item 3 were approved by unanimous consent:

Correction:

Pg 5, Item 16, within motion: change “April 12” to “May 12”

Ayes: (7) Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Orth, and Ward

Absent: (1) Brown

Approval of May 2016 claims totaling \$14,993.87

Planwest Partners:	\$6,749.25
Ukiah Valley Conf Ctr:	\$451.29
P. Scott Browne:	\$500.00
Commission Reimbursements:	\$621.61
Pacific Internet	\$25.00
CSDA	\$5,000.00
SDRMA	\$806.72
CALAFCO	\$840.00

Chair Ward asked Clerk to verify the Ukiah Valley Sanitation District and the City of Ukiah received the Trust account reimbursements.

Chair Ward asked for an update on the Moores Annexation outstanding balance. Mr. Williamson noted follow up calls have been made to Mr. Moore for payment and Mr. Moore does intend to activate his application again.

It was noted the Anderson Valley CSD pre-application and deposit for the Activation of Latent Powers were received after the agenda packet was distributed.

Upon motion by Commissioner Hammerstrom and second by Commissioner Madrigal, Item 5, May 2016 Claims, with the following edits was approved by roll call vote:

Edits:

- Commissioner Reimbursements: Policy states Commissioners representing Public and Special District may be reimbursed for Regular Meetings only. Any Commissioner claims for the May 12 Special Meeting will be adjusted.
- Clerk hours on summary invoice needs updating on Planwest Partners Invoice from 49 hours to 53.75 hours. The dollar amount is correct.

Ayes: (7) Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Orth, and Ward

Absent: (1) Brown

PUBLIC HEARINGS

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

Public Hearing Notice was published in the newspapers for the June 6, 2016 regular meeting. George Williamson 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.)

Chair Ward opened the Public Hearing Comments at 9:20am.

Charley Stump, City of Ukiah Planning & Community Development Director, addressed the Commission. The City Council conducted a Public Hearing on this matter and stands by the letter submitted in April 2016 opposing the WCWD SOI extension into the City of Ukiah boundaries. The City and District staff met and intends to continue meeting to resolve the issues of overlap. The City Council is hopeful that LAFCo will not take action on the SOI Update today. Comments and questions were offered by Commissioners McCowen, Hammerstrom, Rosenberg, Ward, Madrigal, and Orth.

Dave Redding, WCWD General Manager, addressed the Commission. He noted the WCWD Board has not had a Board meeting since the District and City staff meeting, though had previously expressed their interest in working with the City for a solution. Mr. Redding asked the Commission to consider the long term implications of the removal of this overlap area from the District SOI. Comments and questions were offered by Commissioners McCowen, McNerlin, Hammerstrom, and Hamburg.

Chair Ward closed the Public Hearing Comments at 9:42am

Further comments and questions were offered by Commissioner Orth, McCowen, Madrigal, Doble, McNerlin, Rosenberg, and Hammerstrom.

A motion was 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 was not approved by roll call vote:

Ayes: (2) McCowen, Ward
Noes: (5) Orth, Hamburg, Hammerstrom, Madrigal, McNerlin
Absent: (1) Brown

A motion was made by Commissioner McNerlin and seconded by Commissioner Hamburg to approve the recommended action. This motion was not voted upon due to a substitute motion put forward.

A motion was made by Commissioner Hammerstrom and seconded by Commissioner McCowen to approve a Substitute Motion ahead of the motion made by Commissioner McNerlin. The substitute motion would be to take up the prior motion made by Commissioner McCowen in the next Regular Commission meeting.

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

A substitute motion was made by Commissioner Hammerstrom and seconded by Commissioner McCowen to approve to take up the prior motion made by Commissioner McCowen in the next Regular Commission meeting.

Ayes: (5) Hamburg, Hammerstrom, Madrigal, McCowen, and Ward
Noes: (2) Orth and McNerlin
Absent: (1) Brown

The Public Hearing was continued to the Regular July Commission Meeting.

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

8. Mendocino Coast District Sphere of Influence Update

Mr. Williamson presented the SOI Update and recommended to reaffirm the existing coterminous SOI for the District.

Ellen Hardin, Chief HR Officer of the Mendocino Coast District Hospital, attended on behalf of Bob Edwards, CEO, due to a scheduling conflict. Ms. Hardin confirmed the District supports the recommendations and the proposed Resolution No. 15-16-24 as it does meet current and anticipated needs of the District. Ms. Hardin thanked LAFCo for their consideration and work.

Upon motion by Commissioner Hammerstrom and second by Commissioner McCowen, Resolution No. 15-16-24 to reaffirm the existing coterminous SOI for the Mendocino Coast District Hospital District was approved by roll call vote:

Ayes: (7) Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Orth, and Ward

Absent: (1) Brown

9. Final Budget for Fiscal Year 2016-17

George Williamson presented and recommended approving the Resolution No. 15-16-25 to approve the final budget for FY 2016-17.

Comments and questions were offered by Commissioners Ward, Madrigal, and Rosenberg. It was noted the apportionment fees from the County, City, and Special District were again reduced for the fiscal year.

Upon motion by Commissioner McCowen and second by Commissioner Orth, Resolution No. 15-16-25 to approve the final budget for FY 2016-17 was approved by roll call vote:

Ayes: (7) Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Orth, and Ward

Absent: (1) Brown

OTHER MATTERS FOR DISCUSSION/POSSIBLE ACTION

10. Transition of Executive Officer Services

George Williamson presented, thanking the Commission for the opportunity to work with Mendocino LAFCo. Uma Hinman responded to questions.

Commissioner McCowen acknowledged Planwest Partners and George Williamson as Executive Officer for the excellent efforts. Commissioners Madrigal and Orth also expressed their gratitude.

The proposal for the Cemetery District MSR from Uma Hinman Consulting was discussed. Comments and questions were offered by Commissioners McCowen, Madrigal, and Doble. Chair Ward asked for the proposed contract with Uma Hinman Consulting to complete the Cemetery District MSR be placed on the July Regular Meeting Agenda.

INFORMATION/REPORT ITEMS

11. Status of MSR and SOI Updates

George Williamson presented. Chair Ward asked for an update on the City of Ukiah SOI Update and Mr. Williamson noted the City has launched the General Plan update and intends to address the Sphere in that process, though no schedule has been provided by the City.

12. Status of Current and Future Projects

George Williamson noted that a meeting with the Millview County Water District (MCWD) staff and a property owner to discuss a possible annexation to the MCWD and Ukiah Valley Sanitation District will be attended by himself and Uma Hinman.

13. Correspondence - No discussion was held.

14. Executive Officer's Report

CSDA Special District Training

Mr. Williamson reviewed the remaining training available. Comments and questions were offered by Commissioner Orth, Hamburg, Rosenberg, Madrigal, McNerlin, McCowen, and Ward.

15. July 11, 2016 Regular Meeting, Agenda Items and Packet Distribution Date

The Clerk noted the next regular meeting is the second Monday of the month due to the Independence Day holiday and asked for any requested agenda items to be submitted as soon as possible to accommodate the Executive Officer transition period.

16. Commissioners Reports, Comments or Questions

Commissioner Hammerstrom asked staff to be aware of the CALAFCO white paper development regarding policies on Agriculture and report to the Policy and Procedures Committee.

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 report was offered.

ADJOURNMENT

There being no further business, at 11:21am the meeting was adjourned to the next regular meeting on Monday, July 11, 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.