

*Mendocino County Russian River Flood Control &  
Water Conservation Improvement District*

**STAFF REPORT**

**Agenda Item 6: Proposed Second Amendment to the Memorandum of Understanding  
with Redwood Valley County Water District (RVCWD)  
Regarding RVCWD Annexation Application  
Monday, February 2, 2026**

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**The Strategic Plan** relevant priority is **Use**, ensuring effective and beneficial use of water as a public resource and maximizing beneficial use of the District water right license through consideration of a boundary change to coincide with the most recent Local Agency Formation Commission (LAFCo) Municipal Service Review and Sphere of Influence update.

**Background**

At the April 1, 2024 RRFC Board Meeting, the appointments of Trustees Reardan and Watt to a LAFCo Ad Hoc Committee were ratified and the Board adopted Resolution #24-01 of Commitment to Collaborate with Redwood Valley County Water District in Developing a Local Agency Formation Commission Annexation Application. Redwood Valley County Water District (RVCWD) also approved a resolution of commitment and appointed Directors Todd and Klotter to an Ad Hoc Committee. Upon Director Klotter's resignation from the RVCWD Board, Board President Adam Gaska was appointed to the Ad Hoc Committee.

At the August 5, 2024 RRFC Board Meeting, the Memorandum of Understanding (MOU) between Mendocino County Russian River Flood Control & Water Conservation Improvement District and Redwood Valley County Water District regarding the development of an annexation application to the Mendocino County Local Agency Formation Commission was approved. The Board directed the LAFCo Ad Hoc Committee to continue development of the application with the RVCWD Ad Hoc, RRFC General Manager, and Consultants. The two Ad Hoc Committees ("Advisory Committee") have met throughout the process of application development, submission, and LAFCo consideration to provide feedback to Staff and recommendations to the individual Boards.

The First Amendment to the MOU was approved by both Boards in April 2025 to include financial reimbursement to RRFC for staff time in the annexation application preparation.

**Discussion**

The Advisory Committee met in January 2026 and recommends approval of the Second Amendment to the MOU to include the following language:

A. **Section 1 – Scope of Work**. The following changes are made to Section 1 of the MOU.

- a. The following is added to the list of "**Reimbursable Expenses**":  
“(g) All attorney’s fees and costs incurred to defend against any civil action challenging any action taken by RRFC or LAFCo related to the LAFCo Application or any CEQA document adopted therefore, including, but not limited to Mendocino County Superior Court Case No. 25CV02914. This shall include all attorney’s fees and costs already incurred by RRFC falling within this category.”

*(Continued...)*

Recommendation:

- Approve the Second Amendment to the Memorandum of Understanding between Mendocino County Russian River Flood Control & Water Conservation Improvement District and Redwood Valley County Water District regarding the development of an annexation application to the Mendocino County Local Agency Formation Commission.

Attachments:

- Proposed Second Amendment to the Memorandum of Understanding between Mendocino County Russian River Flood Control & Water Conservation Improvement District and Redwood Valley County Water District regarding the development of an annexation application to the Mendocino County Local Agency Formation Commission.

Linked on website:

- Resolution #24-01 can be found here: <https://rrfc.specialdistrict.org/resolutions>
- More information on the Annexation can be found here: <https://www.rrfc.net/proposed-application-for-annexation-of-redwood-valley-county-water-district-2025>

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Prepared and submitted to the Board of Trustees by: Elizabeth *Salomone*, *General Manager*

**SECOND AMENDMENT TO THE**  
**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL AND WATER**  
**CONSERVATION IMPROVEMENT DISTRICT**  
**AND**  
**THE REDWOOD VALLEY COUNTY WATER DISTRICT**  
**REGARDING**  
**THE DEVELOPMENT OF AN ANNEXATION APPLICATION TO THE**  
**MENDOCINO COUNTY LOCAL AGENCY FORMATION COMMISSION**

This SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (“**Second Amendment**”), effective as of November 6, 2025 (“Effective Date”), is entered into by and between the Mendocino County Russian River Flood Control and Water Conservation Improvement District (“**RRFC**”), and the Redwood Valley County Water District (“**RVCWD**”). RRFC and RVCWD are sometimes referred to individually herein as a “**Party**” and collectively as the “**Parties**”.

RECITALS

WHEREAS, RRFC and RVCWD have collaborated on the development and submittal of an application to the Mendocino County Local Agency Formation Commission (“**LAFCo**”) to extend the boundaries of RRFC to incorporate the entire service area of RVCWD (“**LAFCo Application**”) in order to put to beneficial use all water available to RVCWD under its Uniform Water Supply and Purchase Agreement with RRFC anywhere within RVCWD’s service area;

WHEREAS, RRFC and RVCWD entered into a Memorandum of Understanding (MOU) to identify roles and responsibilities for development of an annexation application to the LAFCo, effective August 1, 2024 and a First Amendment to the MOU effective January 15, 2025;

WHEREAS, RRFC and RVCWD desire to amend certain provisions of the MOU which set forth terms and conditions of cost sharing to include cost sharing for the cost of litigation that has been filed against the CEQA documents adopted in connection with the LAFCo Application; and

NOW, THEREFORE, in consideration of the foregoing recitals of fact, the mutual covenants described herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the MOU as follows:

- A. Section 1 – Scope of Work. The following changes are made to Section 1 of the MOU.

a. The following is added to the list of “**Reimbursable Expenses**”:

“(g) All attorney’s fees and costs incurred to defend against any civil action challenging any action taken by RRFC or LAFCo related to the LAFCo Application or any CEQA document adopted therefore, including, but not limited to Mendocino County Superior Court Case No. 25CV02914. This shall include all attorney’s fees and costs already incurred by RRFC falling within this category.”

B. COUNTERPARTS. This Second Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

C. NO OTHER CHANGES. Except as otherwise expressly set forth in this Second Amendment, the MOU shall not be amended or modified and the MOU, as amended hereby and by the First Amendment, is hereby ratified and confirmed and shall continue in full force and effect between the Parties.

**IN WITNESS WHEREOF**, the Parties have executed this Amendment as of the Effective Date written above.

**MENDOCINO COUNTY RUSSIAN RIVER  
FLOOD CONTROL AND WATER  
CONSERVATION IMPROVEMENT  
DISTRICT**

**REDWOOD VALLEY COUNTY  
WATER DISTRICT**

By: \_\_\_\_\_  
Christopher Watt  
Board President

By: \_\_\_\_\_  
Adam Gaska  
Board President

Date: \_\_\_\_\_

Date: \_\_\_\_\_