

**LOCAL AGENCY FORMATION COMMISSION
MENDOCINO COUNTY**

The Local Agency Formation Commission convened a regular meeting on Monday, November 5, 2001 at 10:02 AM, at the Ukiah Civic Center, Council Chambers.

AGENDA ITEM 1—CALL TO ORDER / ROLL CALL

Chairman Melo called the regular meeting of the Mendocino Local Agency Formation Commission to order at 10:02 AM. The following Commissioners were present and seated: Lucier, Delbar, Ranker, Simon and Melo.

It was noted that Commissioners Ashiku and Hebrard were not present. Also present were Alternate Commissioners Orth and Oslund as well as Executive Officer McMichael. Alternate Commissioners Orth and Oslund were seated at 10:05 AM.

AGENDA ITEM 2—PUBLIC EXPRESSION

There was no public at the meeting thus no one asked to speak.

AGENDA ITEM 3—APPROVAL/CORRECTION/ADOPTION OF MINUTES

The minutes of the regular meeting of October 1, 2001 were approved with a 7/0 vote upon a motion by Commissioner Ranker, seconded by Commissioner Simon.

AGENDA ITEM 4—INTERVIEW/SELECTION OF ALTERNATE PUBLIC MEMBER

This item was withdrawn from consideration as the individual who had indicated an interest in being an alternate public member withdrew his application.

AGENDA ITEM 5—REPORT OF PRESENTATION AT CALAFCO CONFERENCE

Commissioner Ranker, Commissioner Simon and Executive Officer McMichael reported on the events of the conference and in particular the response to Commissioner Ranker's presentation to the conference regarding special district's cost apportionment to LAFCO and the disproportionate share costs of some districts. A question and answer session ensued with additional discussion as to further steps that could be taken regarding the issue of special district representation, apportionment costs, and disproportionate share of some district's LAFCO costs.

Direction was given to Executive Officer McMichael to seek County Counsel opinion for the following items with a report to be ready for the December 3, 2001 meeting:

- (1) Legal opinion as to the possibility and/or process whereby special districts can remove themselves from representation on the Commission.
- (2) Legal opinion as to the possibility of one district removing themselves from paying their LAFCO assessment by unilaterally removing themselves from the LAFCO process.
- (3) Legal opinion as to the possibility and/or process whereby a parcel tax assessment could be accomplished so as to provide dedicated funding for LAFCO.
- (4) Legal opinion and/or process as to the possibility of a SB 90 claim to the state for LAFCO costs as an unfunded mandate.

Direction was also given to Executive Officer McMichael that once these research items were obtained Mendocino LAFCO would attempt to host a meeting with interested counties on these issues.

Commissioner Ranker and Executive Officer McMichael reported the possibility of an OPR workshop regarding incorporation guidelines sometime in January. The possibility of using the opportunity to speak to other counties regarding special district issues in conjunction with the OPR workshop was discussed.

It was decided that if this possibility was logistically difficult or too intrusive on the OPR Workshop then a date in February was thought to be appropriate for hosting a meeting with other interested counties. It was also decided that the final decision would be made in December once the legal opinions were obtained and additional information was known about the OPR Workshop (e.g. date, time and length of meeting).

There was further discussion as to the possibility of creating a Special Districts “Standing Committee” so that issues such as district representation and apportionment costs could be discussed with special districts via a standard mechanism. It appears that creating such a committee would take a nomination/ballot process for the districts and this would be attempted in January/February upon further direction to Executive Officer McMichael at the December meeting.

Based on workshops and handouts from the CALACO conference, direction was given to place a “Housing” item on the December agenda for information, review and discussion.

AGENDA ITEM 6 – REPORTS

Executive Officer: The Executive Officer reported on the following items:

Laytonville County Water District: Completed application had been received the day after the October meeting. The 21 one day comment period closed November 5 with no comments received from any agency. The California Regional Water Quality Control Board, North Coast Region did send a letter stating that they had received the request for

comments and did not have any comments at this time. Of the 19 agencies solicited this was the acknowledgement received. The hearing for this item will be in December at the regularly scheduled meeting.

Redwood Coast Fire Protection District and Irish Beach Volunteer Fire Dept.

Representatives from the respective district met with me on Wednesday Oct 24, 2001 regarding an application for the annexation of Irish Beach into the Redwood Coast District.

There were no other reports by Commissioners.

AGENDA ITEM 6--ADJOURNMENT

Being no other business the regular schedule meeting of the Commission was adjourned at 11:39 AM.

Respectfully Submitted—November 5, 2001
Frank McMichael—Executive Officer