

LOCAL AGENCY FORMATION COMMISSION
MENDOCINO COUNTY

The Local Agency Formation Commission convened a regular meeting on Monday, February 7, 2005 at 10:07 AM, at the City of Ukiah Council Chambers, 300 Seminary, Ukiah.

AGENDA ITEM 1—CALL TO ORDER / ROLL CALL

Chairwoman Ranker called the regular meeting of the Local Agency Formation Commission of Mendocino County to order at 10:00 AM. The following Commissioners were present and seated: Melo, Oslund, Simon, Wattenburger, and Chairwoman Ranker. Also present were Alternate Commissioners Smith, Ward and Orth as well as Executive Officer McMichael. Commissioner Delbar had previously informed the Commission of his expected absence. Commissioner O'Brien did not inform the Commission of his expected absence but had informed Alternate Commissioner Orth of his expected absence. Alternate Commissioners Smith and Orth were immediately seated.

AGENDA ITEM 2—PUBLIC EXPRESSION

There was no one from the public in attendance at the meeting.

AGENDA ITEM 3—APPROVAL/CORRECTION/ADOPTION OF MINUTES

Upon a motion by Commissioner Simon and seconded by Commissioner Oslund the minutes of December 6, 2004 were approved and adopted as submitted. (Ayes: Melo, Oslund, Simon, and Chairwoman Ranker; Nays: None; Abstain: Orth, Smith and Wattenburger; Absent: Delbar and O'Brien)

AGENDA ITEM 4—OATH OF OFFICE FOR NEW COMMISSIONERS

At 10:04 AM, Chairwoman Ranker administered the oath of office for newly appointed Commissioners Wattenburger and Smith.

AGENDA ITEM 5—NICOLL SUBDIVISION ANNEXATION TO THE
UKIAH VALLEY SANITATION DISTRICT

Chairwoman Ranker asked Executive Officer McMichael to review his written report for the record and for the public in attendance. During E.O. McMichael's report, Commissioner Orth questioned the use of the term "tentatively adopted Ukiah Valley Area Plan" in the written section of his report. He asked that the record indicate the Ukiah Valley Area Plan was in the draft stage and was not presently adopted. Upon completion of E.O. McMichael's presentation, and after questions and discussion by the Commission, Commissioner Oslund, seconded by Commissioner Wattenburger moved adoption of Option 1 in the Executive Officer's report. Option 1 included the following:

1. Ratification of having an unpublished hearing
2. Certification that the Commission has reviewed and considered the information contained in the Negative Declaration as prepared and certified by the County and that there are no changes or alterations in the project that can be made upon LAFCO approval, that are in the jurisdiction of LAFCO, to mitigate any impacts identified in the environmental review
3. Adoption of the Executive Officer's report and approval of the Resolution of Determination, Number 2005-01 for approval of the Nicoll annexation

4. A finding by the Commission that the subject territory is uninhabited, all affected landowners have given consent to the annexation and the annexation agency has given written consent to the waiver of the conducting authority proceedings
5. Waiver of the conducting authority proceedings by the Commission and staff is directed to record the Certificate of Completion and Final Map process after the 30 day reconsideration period had elapsed

The motion was approved on the following roll call vote: Ayes: Melo, Oslund, Wattenburger, Smith, Orth and Chairwoman Ranker; Nays: Simon; Abstain: None; Absent; Delbar and O'Brien.

AGENDA ITEM 6—MID YEAR BUDGET REVIEW

After discussion and questions regarding expenditures the Commission received the mid-year budget review with the addition of the corrections for some of the dates in the columns.

AGENDA ITEM 7—APPROVAL OF FINAL AUDIT FOR FISCAL YEAR 2003-2004

The Commission received and reviewed the Final Budget as provided by Michael Celentano, CPA. Upon a motion by Commissioner Melo and seconded by Orth the Commission accepted the Final Audit as presented and directed E.O. McMichael to make the final payment to Mr. Celentano. The motion was approved on the following roll call vote: Ayes: Melo, Oslund, Wattenburger, Smith, Orth, Simon and Chairwoman Ranker; Nays: None; Abstain: None; Absent; Delbar and O'Brien.

AGENDA ITEM 8—ELECTION OF OFFICERS FOR CALENDAR YEAR 2005

As required by Commission bylaws, Executive Officer McMichael conducted the election process for Chair and Vice-Chair.

Upon a motion by Commissioner Simon seconded by Commission Melo, Commissioner Ranker was nominated for Chair.

Upon a motion by Commissioner Simon, seconded by Commissioner Melo, nominations were moved closed and the motion was approved by a unanimous voice vote.

Following the closure vote for nominations, a unanimous voice vote approved Commissioner Ranker as Chair for the year 2005.

Upon a motion by Commissioner Simon, seconded by Commissioner Orth, Commissioner Melo was nominated for Vice-Chair.

Upon a motion by Commissioner Simon, seconded by Commissioner Orth, nominations were moved closed and the motion was approved by a unanimous voice vote.

Following the closure vote for nominations, a unanimous voice vote approved Commissioner Melo as Vice-Chair for the year 2004.

AGENDA ITEM 9—APPOINTMENT TO COMMITTEES

Upon discussion of committees Chairwoman Ranker, with the agreement of the Commission appointed the following Commissioners to the following standing committees; Executive Committee: Ranker, Melo, Delbar; Planning Committee: Simon, Ward, Ranker; Westport Service Review Committee: Ranker, Melo, Smith.

AGENDA ITEM 10—ANNUAL FILING OF CONFLICT OF INTEREST

The Commission reviewed the adopted conflict of interest policy in the policy and procedures. The forms for the filing were not yet available from Elections Department. E.O. McMichael indicated that as soon as they became available he would mail them to the Commissioners.

AGENDA ITEM 11—REPORTS

E.O. McMichael reported on his attendance at the Westport CWD Board of Directors meeting in January; the receipt of an application for reorganization for the Redwood Coast Fire Protection District and the Irish Beach Water District; his presentation to the Fire Chief's Association in January and the progress of the Ukiah Valley Water Service Review and the applications by Masonite and adjacent landowners.

Commissioner Melo reported that the City of Ft. Bragg had begun a traffic study and would soon file an application for annexation for the 75 acre White property located to the north of the city limits and that this application would trigger the need to complete a SOI/MSR for the City. He also reported that the City had received a \$600,000 grant from the Coastal Conservancy for the park development for city owned bluff property and that a small section of this property would need to be annexed to the City.

AGENDA ITEM 12—CORRESPONDENCE

The Commission received the correspondence has presented in their packet without additional direction.

AGENDA ITEM 13—ADJOURNMENT

The Commission adjourned at 12:03 PM