

LOCAL AGENCY FORMATION COMMISSION MENDOCINO COUNTY

The Local Agency Formation Commission convened a regular meeting on Monday, February 6, 2006 at 10:00 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: Delbar, Smith, Oslund, Simon, and Chairwoman Ranker. Also present were Alternate Commissioners Wattenburger, Ashiku and Orth as well as Executive Officer McMichael. Commissioner Melo and Ward had called to indicate their expected absence. Commissioner O'Brien was absent. Alternate Commissioners Ashiku and Orth were immediately seated.

AGENDA ITEM 2—PUBLIC EXPRESSION

There was no one from the public in attendance at the meeting who requested the opportunity to speak at this time.

AGENDA ITEM 3—APPROVAL/ADOPTION OF MINUTES

Upon a motion of approval by Commissioner Orth and seconded by Commissioner Simon the minutes of November 7, 2006 were approved as presented on the following vote: Ayes: Delbar, Simon, Orth and Chair Ranker; Nays: None; Abstention: Oslund, Ashiku, and Smith; Absent: O'Brien, Melo.

AGENDA ITEM 4—OATH OF OFFICE FOR NEW COMMISSIONERS

At 10:05 AM Chairwoman Ranker administered the oath of office for Commissioner Smith and Alternate Commissioners Wattenburger and Ashiku.

AGENDA ITEM 5—DISCUSSION OF CASPAR SOUTH WATER DISTRICT MUNICIPAL SERVICE REVIEW

Upon direction of the Chair, Executive Officer McMichael provided a brief overview of the status of the MSR for this District. He indicated that while he had previously brought the need for this review to the Commission and that an Oversight Committee had been appointed consisting of Commissioners Ranker and Melo, he had been unable to proceed with the MSR due to time constraints and the priority of other projects.

At this time Chairwoman Ranker asked Alan Stein, 14301 Hanson Circle, Mendocino, CA to speak regarding his concerns about the District and his past interactions with Executive Officer McMichael and the proposed MSR.

After conclusion of his presentation and additional questions to E.O. McMichael as to the time needed to develop a questionnaire appropriate to the alleged issues of the Caspar South Water District and the time needed for a complete MSR process, Commissioner Smith, seconded by Commissioner Orth moved that E.O. McMichael complete a Questionnaire, Explanation Overview and Calendar for a MSR for the Caspar South Water District and mail it to the Board of Directors of the District.

Upon a clarification question from Commissioner Delbar, it was agreed that the motion included the understanding that that a thorough process would require several hundreds of hours of effort by E.O. McMichael and involvement of legal counsel; that presently there was limited time and resources to provide this level of effort and that there could be some future problems with completion of this process, once the MSR process was initiated, because of the lack of staff resources.

With this understanding, the Commission unanimously approved the motion directing E.O. McMichael to initiate the MSR process on the following vote: Ayes: Smith, Orth, Delbar, Simon, Oslund, Ashiku and Chair Ranker; Nays: None; Abstention; None: Absent: O'Brien, Melo.

AGENDA ITEM 6—REVIEW AND APPROVAL OF RESOLUTION AND CERTIFICATE OF COMPLETION FOR WESTFORK ANNEXATION TO MILLVIEW CWD AND UKIAH VALLEY SANITATION DISTRICT IN 1998

Upon direction of the Chair, E.O. McMichael reviewed his written report for this item.

After some discussion and questions of E.O. McMichael Commissioner Delbar, seconded by Commissioner Simon provided the following motion taken from the agenda report:

APPROVE this proposal by taking the following steps:

1. Ratify having this unpublished hearing.
2. Certify that the Commission has reviewed and considered the information contained in the record as provided by this report, its attachments and the statements of the Executive Officer and Attorney at this hearing.
3. Adopt this Report and **APPROVE** the Resolution of Determinations, Number 2006-01 (*attachment #1*).
4. Direct the Chair to sign Resolution 2006-01 and to sign the final Mylar map (*copies-attachment #6*) when the Millview CWD and the Ukiah Valley Sanitation District Chairs have signed the above map and submitted the requested check for the fees for filing with the State Board of Equalization.
5. Direct Executive Officer McMichael to record a Certificate of Completion (*sample-attachment #2*) upon receipt of the signatures on the map and the checks for the State Board of Equalization.
6. Direct Executive Officer McMichael to file copies of the Certificate of Completion, Resolution 2006-01, maps and other appropriate documents with the Districts, appropriate County agencies and the State Board of Equalization, once the recordation is completed.
7. Direct Executive Officer McMichael to provide a copy of the recorded Certificate of Completion to each Commissioner at the earliest meeting date after completion of this process.

The motion was approved by the following vote: Ayes: Smith, Orth, Delbar, Simon, Oslund, Ashiku and Chair Ranker; Nays: None; Abstention; None: Absent: O'Brien, Melo.

AGENDA ITEM 7—REVIEW AND APPROVAL OF DRAFT AUDIT FOR 2004-2005

The Commission reviewed the draft Management Discussion and Analysis (MD&A) prepared by E.O. McMichael and the draft Audit from the auditor, Mike Celentano, CPA.

After discussion and review, Commissioner Orth, seconded by Commissioner Delbar moved that the MD&A and the Audit be accepted as received and that Chairwoman Ranker and E.O. McMichael were directed to sign the MD&A and the disclosure letter dated November 21, 2005 from the Auditor. The motion was approved on the following vote: Ayes: Smith, Orth, Delbar, Simon, Oslund, Ashiku and Chair Ranker; Nays: None; Abstention; None: Absent: O'Brien, Melo.

AGENDA ITEM 8—MID-YEAR BUDGET REVIEW FOR FY 2005-2006

The Commission received the budget review to date without comment or direction

AGENDA ITEM 9—UKIAH VALLEY/RUSSIAN RIVER WATER MSR UPDATE

The Commission received the update for the Ukiah Valley/Russian River Water MSR and the proposed draft outline for the MSR and the information about the inclusion or representatives from the Employers Council and Smart Growth Coalition in the water MSR process without further direction.

AGENDA ITEM 10—ELECTION OF OFFICERS

Upon unanimous acclamation, Commissioner Ranker was nominated and elected Chair for 2006.

Also upon unanimous acclamation, Commissioner Melo was nominated and elected Vice-Chair for 2006.

AGENDA ITEM 11—APPOINTMENTS TO COMMITTEES

With unanimous agreement of the Commission, Chairwoman Ranker appointed Commissioner Simon to serve on the Executive Committee with Vice-Chair Melo and herself.

Also with unanimous agreement of the Commission, Chairwoman Ranker appointed Commissioners Oslund, Orth, Ward and herself to the Planning Committee.

AGENDA ITEM 12—ANNUAL CONFLICT OF INTEREST FILINGS

Executive Officer McMichael distributed copies of Form 700, Statement of Economic Interests to all Commissioners that were present and indicated to them that they must file by April 3, 2006.

AGENDA ITEM 13—REPORTS

Commissioner Orth provided a report regarding the intent of Brooktrails Township CSD to host an ethics class as required by SB 1234 for district board members in the near future.

AGENDA ITEM 13—ADJOURNMENT

Being no further business, the meeting was adjourned at 12:12 pm.