

LOCAL AGENCY FORMATION COMMISSION MENDOCINO COUNTY

The Local Agency Formation Commission convened a regular meeting on Monday, October 2, 2006 at 10:00 AM, at the City of Ukiah Council Chambers, 300 Seminary Ave, Ukiah, CA.

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 10:06 AM. The following Commissioners were present and seated: Oslund, Delbar, Smith, Melo and Chairwoman Ranker. Also present was Executive Officer McMichael. Commissioner Kisslinger and O'Brien were absent. Commissioner Kisslinger had called to indicate his expected absence. Alternate Commissioners Ashiku, Orth, Ward and Wattenburger were absent. Alternate Commissioner Ward had called to indicate his expected absence.

AGENDA ITEM 2—PUBLIC EXPRESSION

There was no one from the public in attendance at the meeting who indicated an interest in speaking on a non-agenda item.

AGENDA ITEM 3 —APPROVAL/ADOPTION OF MINUTES

Upon a motion of approval by Commissioner Smith and seconded by Commissioner Melo, the minutes of August 7, 2006 were approved on the following vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien

AGENDA ITEM 5—DATABASE FOR SOI/MSR PROCESS

Agenda Item 4 was a noticed public hearing timed for 10:15 a.m. At 10:08 a.m., Chairwoman Ranker proceeded with Agenda Item 5 while waiting for the timed agenda item.

Upon direction of the Chair, Executive Officer McMichael reviewed the Agenda Report for this item. After this review and after comments and questions from the Commissioners, Commissioner Oslund, seconded by Commissioner Melo, provided a motion authorizing Executive Officer McMichael to expend up to \$8,000.00 for the MSR database software and support. The funds to be used for this expenditure were to be taken from the previously authorized funds for the County Water Agency; that authorization having been terminated with this authorization. The motion was approved by the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

**AGENDA ITEM 4—PUBLIC HEARING—REDWOOD COAST FIRE
PROTECTION DISTRICT (RCFPD) REORGANIZATION APPLICATION**

Proof of Publication

Upon a motion by Commissioner Melo, seconded by Commissioner Smith the Proof of Publication of the Notice of Public Hearing was accepted by the Commission on the following vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

Review of Agenda Report

Upon direction from the Chair, E.O. McMichael reviewed the agenda packet for the RCFPD reorganization which included the MSR, environmental review, annexation of the three territories and the SOI determination for RCFPD.

Public Hearing

Upon completion of this review, Chairwoman Ranker opened the public hearing at 10:25 a.m. and asked anyone who wished to speak to come forward. No one came forward.

Adoption of MSR

After additional discussion and upon a motion by Commissioner Melo, seconded by Commissioner Delbar, the Final Draft of the RCFPD MSR was adopted and Resolution 2006-03 making determinations was approved on the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

Adoption of Environmental Review

Upon completion of the vote on this motion, Commissioner Delbar, seconded by Commissioner Smith, entered the following motion as taken from the agenda report for Item 4 B-2:

Motion: The Commission has fulfilled its obligations as the Lead Agency as defined by the California Environmental Quality Act and has reviewed and considered the Negative Declaration and Initial Study prepared by LAFCO and pursuant to Section 15096(g)(1) of the State CEQA Guidelines certifies that there are no changes or alterations in the project that can be made upon LAFCO approval to mitigate any impacts identified in the environmental review that are in the jurisdiction of LAFCO. It therefore does hereby adopt the environmental review (Negative Declaration) and directs the Executive Officer to file a Notice of Determination with the County Clerk.

The motion was approved on the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

Sphere of Influence Amendment

The Commission decided to include the SOI amendment for the annexation territories individually as each item was being reviewed by the Commission.

Annexation of IBWD Territory

Upon completion of the vote on the motion for the adoption of the Negative Declaration and after agreeing to adopt the SOI individually, as indicated above, Commissioner Oslund, seconded by Commissioner Melo, entered the following motion as taken from the agenda report for 4B-4:

APPROVE this proposal by taking the following actions

- A. Ratify the action of the Executive Officer in having this noticed public hearing.
- B. Certify it has reviewed and considered the information contained in the environmental review as prepared and certified by LAFCO.
- C. Certify it has reviewed and considered the information contained in the Executive Officer's report by adopting this report.
- D. Find that both RCFPD and IBWD have given written consent to this change of organization/reorganization proceeding.
- E. Amend the Sphere of Influence of RCFPD to include the territory of the IBWD.
- F. Adopt Resolution No. 2006-04
- G. Certify that the Commission has not received majority landowner protest by the end of the public hearing.
- H. Certify that the Commission has not received sufficient landowner protest to require an election by the end of the public hearing, therefore, waive the election and direct the staff to complete the proceedings.
- I. Direct the Executive Officer to complete the proceedings and file copies with the appropriate agencies including returning a copy of the Certificate of Completion to each Commissioner.

The motion was approved on the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

Annexation of Territory Adjacent to IBWD

Upon completion of the vote on this motion, Commissioner Smith, seconded by Commissioner Oslund, entered the following motion as taken from the agenda report for 4B-5:

APPROVE this proposal by taking the following actions:

- A. Ratify the action of the Executive Officer in having this noticed public hearing.
- B. Certify it has reviewed and considered the information contained in the environmental review as prepared and certified by LAFCO.
- C. Certify that it has reviewed and considered the information contained in the Executive Officer's report by adopting this report.
- D. Find that RCFPD has given written consent to this change of organization.
- E. Amend the Sphere of Influence of RCFPD to include this annexation territory.
- F. Adopt Resolution No. 2006-05.
- G. Determine that the end date for the reconsideration period as required by G.C. Section 56895 to be November 1, 2006 and after this date no reconsideration can be filed.
- H. Direct the Executive Officer to provide notice and hold a Conducting Authority Proceeding (Protest Hearing) after the end date for the reconsideration period.
- I. Based on the results of the Conducting Authority Proceeding, direct the Executive Officer to complete the proceedings and file copies with appropriate agencies including returning a copy of the Certificate of Completion or Certificate of Termination to each Commissioner.

The motion was approved on the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

Annexation of Parcels Between RCFPD and SCFPD

Upon completion of the vote on this motion, Commissioner Smith, seconded by Commissioner Oslund, entered the following motion as taken from the agenda report for 4B-6:

APPROVE this proposal by taking the following actions:

- A. Ratify the action of the Executive Officer in having this noticed public hearing.
- B. Certify it has reviewed and considered the information contained in the environmental review as prepared and certified by LAFCO.
- C. Certify that it has reviewed and considered the information contained in the Executive Officer's report by adopting this report.
- D. Find that RCFPD has given written consent to this change of organization.
- E. Amend the Sphere of Influence of RCFPD to include this annexation territory.
- F. Adopt Resolution No. 2006-06.
- G. Determine that the end date for the reconsideration period as required by G.C. Section 56895 to be November 1, 2006 and after this date no reconsideration can be filed.
- H. Direct the Executive Officer to provide notice and hold a Conducting Authority Proceeding (Protest Hearing) after the end date for the reconsideration period.
- I. Based on the results of the Conducting Authority Proceeding, direct the Executive Officer to complete the proceedings and file copies with appropriate agencies including returning a copy of the Certificate of Completion or Certificate of Termination to each Commissioner.

The motion was approved on the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

New RCFPD SOI to Include all Annexation Territories

Upon completion of the vote on this motion, Commissioner Delbar, seconded by Commissioner Melo, moved adoption of Resolution 2006-07 which set the Sphere of Influence for RCFPD as being coterminous with its new boundaries.

The motion was approved on the following roll call vote: Ayes: Oslund, Melo, Smith, Delbar and Chair Ranker; Nays: None; Abstentions: None; Absent: Kisslinger and O'Brien.

Upon completion of this vote, Chairwoman Ranker again enquired if there was any one who wished to speak on Agenda Item 4. Seeing no one come forward, Chair Ranker closed the public hearing at 10:43 a.m.

AGENDA ITEM 6—REPORTS

Executive Officer McMichael reported on his attendance at the CALAFCO conference and issues having to do with various agencies.

Commissioner Smith, Oslund and Delbar commented on their experiences in attending the annual CALAFCO conference.

AGENDA ITEM 7—ADJOURNMENT

Having no further business the Commission adjourned at 11:08.