

LOCAL AGENCY FORMATION COMMISSION MENDOCINO COUNTY

The Local Agency Formation Commission convened a regular meeting on Monday, September 10, 2007 at 10:00 a.m. at the City of Ukiah Conference Center, Riesling Room, 200 S. School St. Ukiah, CA.

AGENDA ITEM 1 - CALL TO ORDER / ROLL CALL

Chairman Melo called the regular meeting of the Local Agency Formation Commission of Mendocino County to order at 10:08 a.m. The following Commissioners were present and seated: Commissioners Oslund, Shoemaker, Kisslinger, and Chair Melo. Commissioner Smith had called to indicate that she would be delayed. Also present were Alternate Commissioners Ward, Wattenburger, incoming Commissioner Ruff and Executive Officer McMichael. Due Commissioner Delbar's expected absence, Alternate Commissioner Wattenburger was immediately seated however; he indicated that would have to leave by 11:00 for another appointment.

AGENDA ITEM 2 - PUBLIC EXPRESSION

Lee Howard spoke to the Commission about Millview CWD's provision of water to the old Masonite site owned by Diversified Development. He indicated that the District was providing water to locations on this site that were out of the boundaries of the District and out of the Place of Use for the District's water rights permit. Additionally, he indicated that to provide water out of their district boundaries would require LAFCO approval as required by Government Code Section 56133. He indicated that LAFCO had an obligation to investigate and respond. Chair Melo indicated that he would investigate this allegation and provide a report to the Commission at the next meeting.

AGENDA ITEM 3 – OATH OF OFFICE FOR NEW DISTRICT REPRESENTATIVE— RICHARD RUFF

At 10:12 am, Chairman Melo administered the oath of office for Commissioner Ruff.

AGENDA ITEM 4 – APPROVAL/CORRECTION/ADOPTION OF MINUTES

Upon a motion by Commissioner Shoemaker, seconded by Commissioner Oslund the minutes of August 6, 2007 were approved as submitted by the following vote: Ayes: Oslund, Shoemaker, Wattenburger and Chair Melo; Nays: None; Abstain: Kisslinger and Ruff; Absent: Delbar and Smith

AGENDA ITEM 5 – PLAN FOR OUT-OF-AREA SERVICE AGREEMENTS FOR FIRE PROTECTION DISTRICTS

Upon direction of Chair Melo, Executive Officer McMichael reviewed the agenda packet provided to the Commission. As well, Chief Colin Wilson from Anderson Valley Fire Department provided a presentation and responded to questions. Discussion ensued for a period of about 30 minutes during which time Commissioner Smith arrived (10:32 a.m.). After extended discussion, Commissioner Kisslinger provided a motion to continue to refine the development of the proposed process by seeking a legal opinion from LAFCO's attorney as to the standardized contract and specifically the following issues: (1) Liability of LAFCO for this process; (2) Ability of a landowners who are signatory to the agreement to agree not to oppose annexation and: (3) Review of CEQA applicability to the process. Additionally, the motion included the sending of a letter to the Board of Supervisors pointing out that fire

service issues under discussion by LAFCO were in actuality a County issue for which the Board of Supervisors held responsibility and therefore action was required of them on this critical issue. The motion was seconded by Chair Melo.

Discussion ensued as to the motion. During this discussion time, Commissioner Kisslinger stood up and announced that he thought that he was having a stroke. Chief Wilson immediately rendered aid to Commissioner Kisslinger and a 911 call was placed. Subsequent to the arrival of the ambulance, Commissioner Kisslinger was transported to the hospital.

This event necessarily caused a discontinuance of the meeting. After a period of about 30 minutes, the meeting returned to order with Alternate Commissioner Ward being seated in Commissioner Kisslinger's absence. This left the following Commissioners in attendance: Smith, Shoemaker, Ruff, Ward, Oslund and Chair Melo. Commissioner Wattenburger had left at 11:05 am for his other meeting; prior to his leaving he had indicated his opposition to the approval of the out-of-area fire service agreement process.

After some additional discussion which included discussion about the Sonoma County model for fire service provision, Commissioner Kisslinger's motion passed by the following vote: Ayes: Smith, Shoemaker, Ruff, Ward and Chair Melo; Nays: Oslund; Abstains: None; Absent: Kisslinger and Delbar.

During the discussion on the motion, Commissioner Smith requested that for the next meeting a presentation be developed as to the Sonoma Model. This request was generally agreed to be included in the motion by the Chair and the Commissioners. In addition, the Executive Officer was directed to have Attorney Houston attend the meeting in October.

AGENDA ITEM 6 –DISCUSSION/DIRECTION FOR TELEVISIONING LAFCO MEETINGS

After review and discussion of the proposed "AGREEMENT FOR USE OF CAMERA AND CABLE T.V. UPLINK" from the City of Ukiah, Commissioner Oslund seconded by Commissioner Ward, provided a motion directing the Chair to sign the proposed agreement for the purpose of beginning to televise Commission meetings when LAFCO conducts meetings in the Council Chambers. As part of the motion it was understood that when LAFCO held meetings in locations other than the Council Chambers, televising the meetings would not occur. The motion was approved on the following vote: Ayes: Oslund, Smith, Shoemaker, Ruff, Ward and Chair Melo; Nays: None; Abstains: None; Absent: Kisslinger and Delbar

AGENDA ITEM 7—UPDATE ON UKIAH VALLEY/RUSSIAN RIVER WATERSHED MUNICIPAL SERVICE REVIEW—INFORMATION RECEIVED AND ATTACHMENTS PROVIDED

Executive Officer McMichael provided an update to the water service review process for the Ukiah Valley and the various documents provided to the Commission. There was no action taken.

AGEND ITEM 7—REPORTS

There were no additional reports from the Executive Officer and no reports from the Commissioners.

AGENDA ITEM 8--ADJOURNMENT

Having no further business, the meeting adjourned at 12:20 p.m.