

LOCAL AGENCY FORMATION COMMISSION MENDOCINO COUNTY

The Local Agency Formation Commission convened a regular meeting on Monday, November 5, 2007 at 10:00 a.m. at the City of Ukiah Council Chambers, 300 Seminary Ave., 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 10:02a.m. The following Commissioners were present and seated: Commissioners Oslund, Ruff, Delbar, Kisslinger and Chair Melo. Commissioner Smith and Shoemaker had previously indicated their expected absence. Also present were Alternate Commissioners Orth, Ward, Wattenburger, McCowen and Executive Officer McMichael. Alternate Commissioners Orth and Wattenburger were immediately seated.

AGENDA ITEM 2 - PUBLIC EXPRESSION

No one from the public asked to speak during public expression.

AGENDA ITEM 3 – APPROVAL/CORRECTION/ADOPTION OF MINUTES

Upon a motion by Commissioner Oslund, seconded by Commissioner Wattenburger the minutes of October 1, 2007 were approved as submitted by the following vote: Ayes: Oslund, Wattenburger, Ruff and Chair Melo; Nays: None; Abstain: Kisslinger, Delbar and Orth; Absent: Smith and Shoemaker.

AGENDA ITEM 4 – CONTINUED DISCUSSION FOR PLAN FOR OUT-OF-AREA SERVICE AGREEMENTS FOR FIRE PROTECTION DISTRICTS

It was the general direction of the Commission to continue this item to the December meeting and after the joint LAFCO and BOS meeting had occurred.

AGENDA ITEM 5 –WORKSHOP ON DRAFT MSR FOR CITY OF FORT BRAFGG

Upon direction of Chair Melo, Executive Officer McMichael reviewed the MSR as submitted. E.O. McMichael made the following points regarding the MSR: (1) Based on the indicated capacity of sewer and water in the MSR he thought it would be difficult to justify a SOI greater than the City's present boundaries; (2) More information about the improvement district that provides wastewater and stormwater was needed and that this two services should be organized together under a section for the improvement district; (3) Additional information or better organized information was needed to address the determination requirements of 56425(e); (4) That the letter from Ray Hall from County Planning did not address the requirements of 56425 (b) & (c) and that before the SOI could be determined these meetings should occur; (5) Providing additional information about LAFCO would be of value; (6) Greater clarity regarding the potential for future water rights was needed; and (7) In general, there were various minor issues regarding information and maps that needed clarifying or reorganizing.

After this review of the MSR, there were a variety of questions and commentary regarding the document and the City's service capacity. During this exchange, E.O. McMichael indicated to the Commission that while the nature of a workshop was to provide questions and raise any concerns about the submitted MSR, the Commission could accept the MSR as presented and could provide directions as to the proposed SOI for the City.

In this time frame, Sean O'Rourke, Planner for the City of Fort Bragg provided additional input for clarifying some map issues and other information issues.

Ann Thomas, a resident in the proposed sphere of the City of Fort Bragg, had questions about the MSR proposed sphere versus the sphere that was in the General Plan for the City. Chair Melo and Sean O'Rourke provided responses to her questions.

Also during this time, Dan Gjerde, Councilmember from City of Fort Bragg spoke and indicated his interest in working with county planning regarding development standards when development was proposed in the territory of the SOI.

During the time that Councilmember Gjerde spoke, Commissioners Ruff, Wattenburger and Delbar departed leaving Commissioners Oslund, Kisslinger, Orth and Chair Melo in attendance.

After some additional Commission discussion, Commissioner Orth moved that the proposed SOI in the MSR report be the SOI that the Commission was willing to accept and that this SOI be used for the environmental review as well as the MSA for the City. The motion was seconded by Commissioner Kisslinger and was unanimously approved on a voice vote.

Upon completion of that vote, Commissioner Kisslinger moved that the MSR be reformatted along the lines as suggested by E.O. McMichael to the extent possible from the City of Fort Bragg and that the environmental review and other processes be completed so that the SOI/MSR process could be brought to a public hearing. The motion was seconded by Commissioner Orth and was unanimously approved by a voice vote.

AGEND ITEM 6—DISCUSSION/DIRECTION AB 745—DRAFT POLICY

The Commission reviewed the draft policy and other documents received from CALAFCO. After review, general direction was given to E.O. McMichael to provide an agenda item for the next meeting for consideration of adoption of a policy.

AGENDA ITEM 7—REPORTS

A. Executive Officer McMichael reported that the City of Ukiah and the Ukiah Valley Sanitation District held a joint meeting whereby they agreed to fund the wastewater MSR. And, that he was working with a committee of both agencies to develop a RFP and review responses; that he would be returning to the Commission at some time after the first of the year with a recommendation for the consultant and a proposed contract for the Commission's approval.

B. Commissioner Orth reported that he was exploring the possibility of a JPA for a Community Energy Authority and would be providing more information about this in the future.

AGENDA ITEM 8--ADJOURNMENT

Having no further business, the meeting adjourned at 12:23 p.m.