

**LOCAL AGENCY FORMATION COMMISSION
MENDOCINO COUNTY**

The Local Agency Formation Commission convened a regular meeting on Monday, December 3, 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 had previously indicated that she would be late, arrived at 10:20 a.m. Also present were Alternate Commissioners Ward, McCowen and Executive Officer McMichael. Alternate Commissioner Wattenburger had previously indicated his expected absence.

AGENDA ITEM 2 - PUBLIC EXPRESSION

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

AGENDA ITEM 3 – APPROVAL/CORRECTION/ADOPTION OF MINUTES

Under Agenda Item 5, Chair Melo indicated that he believed that the November 5, 2007 minutes were in error as to a statement by City Councilmember Dan Gjerde (page 2, third paragraph from top) and as to the intent of motion (page 2, last paragraph for this item). After discussion the Commission directed that the minutes be changed as follows:

On page 2, third paragraph from top change the statement that reads, *“Also during this time, Dan Gjerde, Councilmember from city of Fort Bragg spoke and indicated his strong interest in seeing that the processes required by G.C. 56425(b) & (c) occurred before the final determination for the SOI was made by the Commission.”* to read *“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.”*

On page 2, last paragraph for this agenda item change the statement that reads, *“Upon completion of that vote, Commissioner Kisslinger moved that the MSR be reformatted along the lines as suggested by E.O. McMichael 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.”* to read *“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.”*

After these changes, upon a motion by Commissioner Oslund, seconded by Commissioner Kisslinger, the November 5, 2007 minutes were approved as amended by the following vote: Ayes: Oslund, Ruff, Delbar, Kisslinger and Chair Melo; Nays: None; Abstain: None; Absent: Shoemaker and Smith for the minutes. Commissioner Smith arrived at 10:20 a.m.

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

Upon direction from the Chair, E.O. McMichael reviewed the agenda report, the history of this agenda item and the November 20, 2007 meeting of the Board of Supervisors on fire service issues with LAFCO
Minutes Regular Meeting December 3, 2007

commissioners in attendance. The result of that meeting was that CEO Mitchell indicated that after the first of the year he would begin a process of review of fire services in the County and would include LAFCO and the fire service agencies.

Also at that meeting, Chief Colin Wilson of the Anderson Valley Volunteer Fire Department indicated that the proposed fire service out-of-area service agreement developed by LAFCO would not work for his needs. He indicated that he doubted that anyone seeking fire services from Anderson Valley would sign that agreement. That being the case, E.O. McMichael indicated that he had no additional recommendation and suggested that the Commission table this item until after the review proposed by CEO Mitchell occurs.

Chief Wilson indicated that he was in support of the review by the County but in that it may take months to years for any recommendation to be implemented, he needed an interim means of being paid for fire services that they were essentially now providing for free. He suggested that he develop an agreement that potential contractees would support. Upon a motion by Commissioner Kisslinger, seconded by Commissioner Smith, he was so directed. E.O. McMichael then asked that the motion be amended to include him working with Chief Wilson on this issue. The maker and the second agreed to this change and the motion was adopted on following vote: Ayes: Ruff, Smith, Kisslinger and Chair Melo; Nays: Delbar and Oslund; Abstain: None; Absent: Shoemaker

AGENDA ITEM 5 –DISCUSSION/DIRECTION/ADOPTION OF A POLICY AS MANDATED BY AB745—DISCLOSURE OF POLITICAL EXPENDITURES REGARDING LAFCO PROPOSALS FOR CHANGES OF ORGANIZATION AND REORGANIZATIONS

Upon direction of Chair Melo, Executive Officer McMichael reviewed the requirements of AB 745, the proposed policy and Resolution 2007-03 for adopting that policy. After discussion of this issue, and upon a motion by Commissioner Delbar, seconded by Commissioner Kisslinger, Resolution 2007-03 containing said policy as Exhibit “A” was adopted on the following roll call vote: Ayes: Ruff, Smith, Kisslinger, Delbar, Oslund and Chair Melo; Nays: None; Abstain: None; Absent: Shoemaker. Alternate Commissioner McCowen left at 11:43 a.m. to attend a meeting in Willits.

AGEND ITEM 6—DISCUSSION/DIRECTION OF FY 2006-2007 AUDIT AND MD&A

Upon direction of Chair Melo, E.O. McMichael reviewed the draft audit as submitted by Michael Celentano, CPA and the proposed Management Discussion and Analysis (MD&A). After discussion by the Commission, direction was given to include information about LAFCO in the MD&A as in previous years and upon a motion by Commissioner Oslund, seconded by Commissioner Kisslinger, the Commission directed Chairman Melo and Executive Officer McMichael to sign the MD&A and the confirmation of representation letter and forward it to Michael A. Celentano, CPA for inclusion in the FY 2006-2007 Final Audit by the following roll call vote: Ayes: Oslund, Ruff, Delbar, Kisslinger, Smith and Chair Mel; Nays: None; Abstain: None; Absent: Shoemaker.

AGENDA ITEM 7—REPORTS

- A. E.O. McMichael reported that the RFP for the combined City of Ukiah and Ukiah Valley Sanitation District had been released and that proposals in response to the RFP were due on January 25, 2008. He indicated that the review and interview process would take at least a month and that some time in March or April there would be a Commission item to award the contract.
- B. There were no reports from any Commissioner.

AGENDA ITEM 8--ADJOURNMENT

Having no further business, the meeting adjourned at 12:01 p.m.