

**LOCAL AGENCY FORMATION COMMISSION  
MENDOCINO COUNTY**

The Local Agency Formation Commission convened a regular meeting on Monday, March 3, 2008 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 10:04 a.m. The following Commissioners were present and seated: Commissioners Oslund, Shoemaker, Ruff, Kisslinger, Wattenburger and Chair Melo. Also present were Alternate Commissioners McCowen, Ward and Executive Officer McMichael. Alternate Commissioner Smith arrived at 10:08 a.m. and was immediately seated in place of Commissioner Delbar who was absent.

**AGENDA ITEM 2 - PUBLIC EXPRESSION**

There was no one in attendance from the public.

**AGENDA ITEM 3 – APPROVAL/CORRECTION/ADOPTION OF MINUTES**

Upon a motion by Commissioner Oslund, seconded by Chair Melo the minutes of February 4, 2008 were approved as submitted by the following vote: Ayes: Oslund, Shoemaker, Wattenburger, Ruff, Smith, Kisslinger and Chair Melo; Nays: None; Abstain: None; Absent: Delbar.

Upon a motion by Commissioner Wattenburger, seconded by Chair Melo, the minutes of the February 11, 2008 Executive Committee were approved on the following vote: Ayes: Wattenburger and Chair Melo; Nays: None; Abstain: Kisslinger; Absent: None.

**AGENDA ITEM 4 – DISCUSSION/DIRECTION ANDERSON VALLEY CSD PROPOSED OUT-OF-AREA FIRE SERVICE AGREEMENT**

Upon direction of the Chair, E.O. McMichael reviewed the agenda report and the history of previous meetings on this item. After which, Chief Colin Wilson from Anderson Valley CSD spoke regarding the proposed agreement. Subsequent to his presentation there was a wide ranging discussion and question session regarding the relative merits of allowing the out-of-area-service agreements for districts, the nature of the district's responsibility to respond outside its boundaries, past LAFCO decisions as to spheres of influence, the legal value of the proposed agreement document, discussion as to a 'test' process to see if this type of proposal would work and others.

At the end of this discussion, Commissioner Shoemaker, seconded by Commissioner Wattenburger, moved that the AVCS D proposed out-of-area agreement not be approved. The motion failed by the following roll call vote: Ayes: Oslund, Shoemaker, Wattenburger, Nays: Ruff, Kisslinger, Smith and Chair Melo; Abstain: None; Absent: None.

Following this vote, Commissioner Kisslinger, seconded by Commissioner Ruff, moved that the AVCS D out-of-area fire service agreement process be approved as proposed and that authorization was given to E.O. McMichael to approve the contracts as appropriate with the provision that this approval was a test effort specific to AVCS D and was not precedent setting for any other district. It was further understood as part of the motion that E.O. McMichael was to provide regular reports to the Commission regarding this issue. The motion was approved on the following roll call vote: Ayes: Ruff, Kisslinger, Smith and Chair Melo; Nays: Oslund, Shoemaker, and Wattenburger. Abstain: None; Absent: Delbar.

#### **AGENDA ITEM 5 –RECEIPT OF FINAL AUDIT 2006-2007**

After review and discussion, the Commission received the Final Audit for FY 2006-2007.

#### **AGEND ITEM 6—DISCUSSION/DIRECTION REGARDING SELECTION OF AUDITOR FOR FY 2007-2008 AND BEYOND**

Upon direction of the Chair, E.O. McMichael reviewed the agenda report and the past history and present circumstances of the auditor and audit process for LAFCO's budget. He indicated that the three year contract with the auditor, Mr. Michael A. Celentano, CPA was complete as of this audit report. E.O. McMichael indicated that he had a phone conversation with Mr. Celentano about continuing as the auditor for LAFCO and that Mr. Celentano had indicated a willingness to continue to do so. E.O. McMichael provided a letter received from Mr. Celentano after the agenda packet had been mailed that indicated the conditions for his continuation as the auditor. After discussion the Commission agreed that they would like to continue with Mr. Celentano as the auditor but would need to review the contents of the letter at a subsequent meeting. With unanimous agreement of the Commission, the Chair directed that Mr. Celentano's letter be placed on the April agenda for discussion and decision.

#### **AGENDA ITEM 7—WORKSHOP ON PROPOSED FY 2008-2009 BUDGET**

The Commission reviewed the Proposed FY 2008-2009 as submitted by the Executive Committee. After discussion of some of the changes in line item costs, the Commission unanimously directed that Executive Committee Proposed Budget be the Commission's budget for notice for the first public hearing to be held at the April 7, 2008 meeting.

#### **AGENDA ITEM 8—REPORTS**

Under reports, E.O. McMichael provided a copy of the December 2007 Guide to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. He also provided a copy of a newsletter regarding changes in the Brown Act effective July 2008 and a printout from the Legislative Analyst's website indicating the potential use of Prop 172 sales tax funds, vehicle license fees and property taxes taken from water and wastewater districts for funding a \$500 million dollar parole realignment of responsibility to counties.

Commissioner Oslund reported that owners of the Black Bart Casino had approached the City of Willits about providing sewer and water services to a proposed casino in the City of Willits. She indicated that the City did not have the water for such an endeavor.

#### **AGENDA ITEM 9—ADJOURNMENT**

Having no further business, the meeting adjourned at 12:08 p.m.