

**LOCAL AGENCY FORMATION COMMISSION  
MENDOCINO COUNTY**

The Local Agency Formation Commission convened a meeting on Monday, December 05, 2011 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**

Vice-Chair Rodin called the meeting of the Local Agency Formation Commission of Mendocino County to order at 10:05 a.m. Upon roll call, the following Commissioners were present and seated: Commissioners McCowen, Kisslinger, Hamburg, Shoemaker, McFadden and Vice-Chair Rodin. Commissioner Hammerstrom was not present at roll call but arrived just after roll call. Alternate Commissioners Ward, Madrigal, Brown and Executive Officer McMichael were also present.

**AGENDA ITEM 2 - PUBLIC EXPRESSION**

Lee Howard spoke regarding his Public Records Request of Commission emails and his belief that some remarks in the emails reflected a lack of regard and awareness of the need to conduct the people's business openly without disregard to the public. Additionally, he indicated that the ad hoc committee for Ukiah Valley MSR because of exclusion of the public was not upfront and transparent and therefore people did not know what was going on with the process.

**AGENDA ITEM 3 – SEATING OF NEW COMMISSIONER**

At 10:09 Vice-Chair Rodin administered the Oath of Office for Doug Hammerstrom, City of Fort Bragg Councilmember who was selected by the City Select Committee to fill the remainder of Commissioner Jere Melo's term.

**AGENDA ITEM 4 - APPROVALCORRECTION/ADOPTION OF MINUTES****September 12, 2011 Minutes**

Commissioner Kisslinger indicated that on page 2 of the minutes, Item 6B the second sentence should be: "After this report, it was the general direction of the Commission of the Commission to set a date for the training and for the ad hoc committee provide a report and recommendation for the agenda for training." After this recommended change, Commissioner Hamburg, seconded by Commissioner Kisslinger moved approval of the September 12, 2011 minutes. The minutes were approved on the following vote: Ayes: Hamburg, Kisslinger, McCowen, Shoemaker, McFadden, and Vice-Chair Rodin; Nays: None; Abstain: Hammerstrom; Absent: None.

**October 17, 2011 Minutes**

Upon a motion by Commissioner Kisslinger, seconded by Commissioner Hamburg, the minutes of October 17, 2011 were approved on the following vote: Ayes: Hamburg, Kisslinger, McCowen, Shoemaker, McFadden, and Vice-Chair Rodin; Nays: None; Abstain: Hammerstrom; Absent: None.

**October 27, 2011 Minutes**

Various minor editing changes were noted for correction for the minutes. In addition, Alternate Commissioner Madrigal requested that in Agenda Item 3, her name be included as being part of the ad hoc committee for training. After these corrections, Commissioner Kisslinger, seconded by Commission Hamburg moved approval of the minutes. The minutes were approved on the following vote: : Ayes:

Hamburg, Kisslinger, McCowen, Shoemaker, McFadden, and Vice-Chair Rodin; Nays: None; Abstain: Hammerstrom; Absent: None.

#### November 7, 2011 Minutes

A minor editing change was noted for the submitted minutes, after this, upon a motion by Commissioner McCowen, seconded by Commissioner Kisslinger, the minutes were approved on the following vote: : Ayes: Hamburg, Kisslinger, McCowen, Shoemaker, McFadden, and Vice-Chair Rodin; Nays: None; Abstain: Hammerstrom; Absent: None.

#### **AGENDA ITEM 5 - REVIEW AND APPROVAL OF BUDGET REPORTS**

Upon direction of the Vice-Chair, E.O. McMichael provided a brief review of the Budget Reports. After this review, upon a motion by Commissioner Hamburg, seconded by Commissioner McCowen the budget reports were unanimously accepted on the following vote: Ayes: McCowen, Shoemaker, Kisslinger, Hamburg, Madrigal, McFadden, Hammerstrom and Vice-Chair Rodin; Nays: None; Abstain: None; Absent: None.

#### **AGENDA ITEM 6 - REVIEW OF DRAFT FISCAL YEAR 2010 - 2011 AUDIT**

Upon direction of Vice-Chair Rodin, Executive Officer McMichael reviewed the proposed MD&A and the draft budget. Discussion ensued regarding the MD&A, the draft audit and the management letters. After this discussion, upon a motion by Commissioner Kisslinger, seconded by Commissioner Hamburg, the Commission accepted the draft audit and directed Vice-Chair Rodin and Executive Officer McMichael to sign the MD&A and the Client Representation letter and forward them to the independent auditor. The motion was approved on the following roll call vote: Ayes: Hamburg, Kisslinger, McCowen, Shoemaker, McFadden, Hammerstrom and Vice-Chair Rodin; Nays: None; Abstain: None; Absent: None.

#### **AGENDA ITEM 7 - REVIEW AND DISCUSSION OF NOVEMBER 7, 2011 TRAINING**

After general discussion of the training, discussion ensued regarding the over budget amount for the training, specifically the amount of the billing from Butte LAFCO. After some discussion, Commissioner Kisslinger provided a motion that the ad hoc committee conduct a follow-up review/discussion as to the billing amount with Butte LAFCO and that upon completion of that review, the ad hoc committee was authorized to authorize E.O. McMichael to pay the post review agreed amount. The motion was seconded by Commissioner Hamburg. Upon a roll call vote the motion failed by the following: Ayes: Kisslinger, Hamburg and Vice-Chair Rodin; Nays: Shoemaker, McFadden, McCowen and Hammerstrom; Abstain: None; Absent: None.

After this vote it was the general direction of the Commission that the ad hoc committee would have a follow-up discussion with Butte LAFCO as to the proposed charges and that this item be provided on the next agenda for resolution.

#### **AGENDA ITEM 8 - DISCUSSION/DIRECTION FOR POSSIBLE FUTURE STRATEGIC PLANNING**

General discussion ensued as to the need for a work plan for LAFCO, the responsibilities and role of the executive officer position and commissioners, need for revision of Policy and Procedures and review of financial processes and reports. Commissioner McCowen indicated that until the MSRs were completed, discussion of strategic planning was a moot issue. After a discussion about MSRs, upon a motion by Commissioner McFadden, seconded by Commissioner Shoemaker, Executive Officer McMichael was directed to prepare a MSR progress report for the next meeting and additionally he was to create a proposed list of the least complicated way to complete the MSRs with proposed priorities and possible

costs. The motion was unanimously approved on the following voice vote: Ayes: Hamburg, Kisslinger, McCowen, Shoemaker, McFadden, Hammerstrom and Vice-Chair Rodin; Nays: None; Abstain: None; Absent: None.

#### **AGENDA ITEM 9 - DISCUSSION/DIRECTION REGARDING FUTURE EXECUTIVE OFFICER POSITION**

After discussion regarding the need to proceed with the process of recruitment of the new Executive Officer, it was the general direction of the Commission that the ad hoc committee consisting of Commissioners Rodin, Kisslinger and Madrigal should develop a job description, proposed salary and other information as appropriate for discussion for recruitment for this position and provide a report for an agenda item for the January 9, 2012 meeting.

#### **AGENDA ITEM 10 - REPORTS**

A. There was a brief discussion by the Commission regarding the letter received from the Ukiah Valley Sanitation District regarding detachment but no specific direction was given.

B. Executive Officer McMichael along with the MSR ad hoc committee provided an update as to the progress of consultant Elliot Mulberg with the City of Ukiah MSR (Part 1) and the Ukiah Valley MSR (Part 2). E.O. McMichael indicated that based on current progress he thought that a workshop for the City's MSR could be held in March with possible adoption in April or May. He further indicated that he did not believe that Part 2 of the consultant process would be completed before fall of 2012.

#### **AGENDA ITEM 11 - ADJOURNMENT**

Having no further business the Commission adjourned at 12:13 p.m.