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# MENDOCINO

## Local Agency Formation Commission

Ukiah Valley Conference Center ♦ 200 South School Street, Suite F ♦ Ukiah, CA 95482

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### CHAIR

**RICHARD SHOEMAKER**  
RUSSIAN RIVER FLOOD  
CONTROL AND WATER  
CONSERVATION  
IMPROVEMENT DISTRICT

### VICE CHAIR

**CARRE BROWN**  
COUNTY BOARD  
OF SUPERVISORS

### MEMBERS

**DOUG HAMMERSTROM**  
FORT BRAGG CITY COUNCIL

**MICHAEL KISSLINGER**  
PUBLIC MEMBER

**HOLLY MADRIGAL**  
WILLITS CITY COUNCIL

**JOHN McCOWEN**  
COUNTY BOARD  
OF SUPERVISORS

**GUINNESS McFADDEN**  
POTTER VALLEY IRRIGATION  
DISTRICT

### ALTERNATE MEMBERS

**DAN HAMBURG**  
COUNTY BOARD  
OF SUPERVISORS

**MARY ANNE LANDIS**  
UKIAH CITY COUNCIL

**TONY ORTH**  
BROOKTRAILS TOWNSHIP  
COMMUNITY SERVICES  
DISTRICT

**GERALD WARD**  
PUBLIC MEMBER

### EXECUTIVE OFFICER

**BRUCE C. BARACCO**

### COUNSEL

**VACANT**

### COMMISSION CLERK

**ELIZABETH SALOMONE**

### LAFCO ANALYST

**CRAIG BARACCO**

***Approved by the Commission June 2, 2014***

## SUMMARY MINUTES

### LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, May 5, 2014

County Board of Supervisors Chambers  
501 Low Gap Road, Ukiah, California

Call to Order                      Chair Shoemaker called the meeting to order at 9:05 AM.

Roll Call

Members Present:      Commissioners Carre Brown, Doug Hammerstrom, Michael Kisslinger, Holly Madrigal, John McCowen, and Richard Shoemaker

Members Absent:      Commissioner Guinness McFadden

Alternate

Members Present:      Commissioners Mary Anne Landis, Tony Orth, and Gerald Ward

Alternate

Members Absent:      Commissioner Dan Hamburg

Staff Present:              Bruce Baracco, Executive Officer; Elizabeth Salomone, Commission Clerk

Alternate Commissioner Orth assumed the Special District seat due to Commissioner McFadden's absence.

## **Consent Calendar**

1. Approval of the Summary minutes of the April 7, 2014 Regular meeting.
2. Approval of claims covering the period March 30 through April 26, 2014 totaling \$15,237.50.

Upon motion by Commissioner Kisslinger and second by Commissioner McCowen, Agenda Items 1 and 2 were approved by the following roll call vote:

Ayes: Commissioners Brown, Hammerstrom, Kisslinger, Madrigal, McCowen, and Shoemaker  
Noes: None  
Abstain: Commissioner Orth  
Absent: Commissioner McFadden

## **Public Expression**

3. There were no members of the public who indicated an interest in speaking.

## **Matters Set for Hearing**

4. Preliminary LAFCo Fiscal Year 2014-15 Budget

Mr. Baracco reviewed the public hearing process and presented the proposed budget, offering explanations on increases and decreases as reviewed by the Executive Committee. He indicated that the final budget is scheduled for approval by the Commission on June 2, 2014.

Commissioner Madrigal asked for clarification on the reason for the separate reserve accounts/line items. Commissioners Shoemaker, Orth, Kisslinger, Hammerstrom, Ward and Brown offered comments and questions.

The Commission discussed whether or not to reduce the Member Agency contributions. It was the consensus of the Commission to leave the current contribution levels in place, and to consider reductions in the next Fiscal Year.

Chair Shoemaker opened the public hearing, and with no comments from the public, closed the public hearing.

Upon motion by Commissioner McCowen and second by Commissioner Brown, staff were directed to present the Final Budget on June 2, 2014 by the following roll call vote:

Ayes: Commissioners Brown, Hammerstrom, Kisslinger, Madrigal, McCowen, Orth and Shoemaker

Noes: None

Abstain: None

Absent: None

### **Other Matters**

#### 5. North of Ten Mile River Annexation (File No. A-2012-04)

Mr. Baracco presented the relief request from the Annexation Committee of the North of Ten Mile River Annexation. The request asks for relief towards extra costs that were incurred during the Reconsideration and Protest Hearing process, and the costs attributable to adding the Shea/Hoehstetter parcels to the annexation area.

Commissioners Shoemaker, McCowen, Brown, Hammerstrom, Madrigal, Orth, Kisslinger and Ward offered questions and comments. Discussion was held to determine consensus on the exact amount of the relief. Commissioner Hammerstrom noted that LAFCo was holding up the process of the Annexation awaiting payment from the Committee, but the actual amount required in the form of a clear invoice was not provided to the applicants for payment.

Commissioners Kisslinger, Orth and Landis noted their support of a clear policy on this type of billing and processing for the future. Chair Shoemaker requested that the Policies & Procedures Committee consider these comments.

Jim Havalena and Craig Woods offered comments on behalf of the North of Ten Mile River Annexation Committee. Both thanked LAFCo for the work done on the Annexation, and reminded the Commission that the private citizens who are funding the Annexation process are the same private citizens who are paying a higher price on their home insurance. They asked for a timely and efficient completion of the Annexation.

Upon motion by Commissioner Madrigal and second by Commissioner McCowen, the request for relief towards the North of Ten Mile River Annexation (File No. A-2012-04) in the amount of \$2,613.00 and a final remaining balance due of \$7,610.17 was approved by the following roll call vote:

Ayes: Commissioners Brown, Hammerstrom, Kisslinger, Madrigal, McCowen, Orth and Shoemaker  
Noes: None  
Abstain: None  
Absent: None

#### 6. Monthly Financial Reports

Mr. Baracco presented the monthly financial reports and in answer to Commissioner Ward's question regarding the meeting with County Auditor to determine the actual amount of cash in treasury noted he was meeting with the County Auditor the following morning. Commissioner Brown announced that the current County Auditor has announced her upcoming retirement, and encouraged Mr. Baracco to resolve this issue as soon as possible.

Commissions Ward and Kisslinger asked Mr. Baracco for more information and clarification on the completion of the current MSR projects during his contract period. Mr. Baracco explained that he would continue to provide services to complete those projects and would update the Commission later in the week.

Commissioner Ward offered several comments on cash balance and negative balances on some accounts. Mr. Baracco indicated there will be rollover money towards the line items from the previous fiscal year and some money could be moved between budget line items, as well.

Commissioner Hammerstrom noted some mathematical errors in the Running Budget and Activity Report, noting it seemed to be an automatic formula error in the document. Staff was instructed to make corrections and reissue the report to Commissioners via e-mail.

Commissioners McCowen and Ward noted the need to itemize Contractor time towards specific projects with project numbers and line items directly on their invoices.

Upon motion by Commissioner Kisslinger and second by Commissioner Brown, acceptance of the monthly financial report was approved by the following roll call vote:

Ayes:	Commissioners Brown, Hammerstrom, Kisslinger, Madrigal, McCowen, Orth and Shoemaker
Noes:	None
Abstain:	None
Absent:	None

Chair Shoemaker called a break at 10:10 AM.

Chair Shoemaker called the meeting back to order at 10:26 AM.

### **Interviews**

Mr. Baracco presented the two applicants for the Executive Officer Staff Services Contract. Commissioner McCowen asked for clarification on when copies of the applicant's proposals were sent to those Commissioners not on the Selection Committee.

The Commission interviewed the two finalists for the Executive Officer Staff Services Contract. Planwest Partners Inc. were represented by George Williamson and Colette Metz. LACO and Associates were represented by Randy Rouda and Mike Nelson. Both applicants made presentations to the Commission covering their proposed services, experience and personnel and answered questions from the Commission.

With apologies, Commissioners Kisslinger and Landis departed at 11:56 AM. Alternate Commissioner Ward assumed the Public Member seat due to Commissioner Kisslinger's absence.

### **Closed Session**

At 12:03 PM, Chair Shoemaker commenced the closed session regarding the selection of the Mendocino LAFCo Executive Officer Staff Services Contract.

Chair Shoemaker called the meeting to session at 12:25 PM.

Upon motion by Commissioner McCowen and second by Commissioner Madrigal, direction was provided to Mr. Baracco, Chair Shoemaker, and Alternate Public Member Ward to perform background checks and negotiate final contract terms and conditions with Planwest, the preferred contractor, and to return with an agenda item at the next meeting. This motion was approved by the following roll call vote:

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, Orth, Ward and Shoemaker  
Noes: None  
Abstain: None  
Absent: None

With apologies, Commissioner Madrigal departed at 12:37 PM.

### **Other Items**

7. Correspondence

Mr. Baracco had no correspondence to report.

8. Commissioners Reports, Comments or Questions

Commissioner Ward asked Mr. Baracco for an update on the annual audit and meeting with Mr. Celentano.

Commissioner Hammerstrom asked Mr. Baracco for an update on the Mendocino Coast Hospital District. Mr. Baracco reported that the consultants are still having difficulty obtaining data from the District and he plans to assist them in getting cooperation. Commissioner Hammerstrom asked for clarification on projects in progress when the new Executive Officer Staff Contract begins. Mr. Baracco indicated that Baracco & Associates will complete all their projects for Mendocino LAFCo. Comments and questions were offered by Commissioners McCowen, Orth and Brown

9. Executive Officer's Report

▪ Water and Wastewater Special Districts Municipal Service Reviews

Mr. Baracco reported on the progress of the MSR. The consultants are scheduled to complete the first draft this week, Mr. Baracco will review and issue the Administrative Draft to Commissioners and Districts, a workshop will be held at the June 2<sup>nd</sup> Regular meeting and adoption at the July 7<sup>th</sup> Regular meeting. Questions and comments were offered by Commissioners Shoemaker and Ward.

- Fire Protection Special Districts Municipal Service Reviews

Mr. Baracco reported on the progress of the MSR. An additional consultant was brought in on the project and initial drafts are expected in the next few weeks with the Administrative Draft hopefully available by the June 2<sup>nd</sup> Regular meeting, workshop at the July 7<sup>th</sup> meeting and adoption at the August regular meeting. Mr. Baracco also reported that the Cemetery District MSR is underway, with staff member Elizabeth Salomone working on the team.

- Proposals for Contract Legal Services

Mr. Baracco presented the Executive Committee with nine Contract Legal Services proposals. An Executive Committee meeting will be scheduled to review the proposals.

#### 10. Legislation Report

Mr. Baracco reported that due to his computer problems, he had not yet forwarded the CALAFCO Legislative Report, but will do so now that it is fixed.

#### **Adjournment**

There being no further business, at 12:48 PM the meeting was adjourned to the next regular meeting on Monday, June 2, 2014 at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

Respectfully Submitted,

BRUCE C. BARACCO  
Executive Officer