

Alameda
LAFCO

ALAMEDA LOCAL AGENCY FORMATION COMMISSION
1221 OAK STREET, SUITE 555 * OAKLAND, CA 94612
(510) 271-5142 FAX (510) 272-3784

Members

Katy Foulkes, Chair
Special District Member

Gail Steele
County Member

Marshall Kamena
City Member

Sblend Sblendorio
Public Member

Ayn Wieskamp
Special District Member

Nate Miley, Vice Chair
County Member

Jennifer Hosterman
City Member

Alternates

Louis Andrade
Special District Member

Scott Haggerty
County Member

Anthony B. Santos
City Member

David Haubert
Public Member

Executive Officer

Mona Palacios

A G E N D A

**Thursday, May 14, 2009
4:30 PM**

**Meeting Location
DUBLIN SAN RAMON SERVICES DISTRICT
BOARD ROOM
7051 DUBLIN BOULEVARD
DUBLIN, CALIFORNIA**

Commissioners: Gail Steele, County Member; Nate Miley, Vice Chair, County Member; Marshall Kamena, City Member; Jennifer Hosterman, City Member; Katy Foulkes, Chair, Special District Member; Ayn Wieskamp, Special District Member; and Sblend Sblendorio, Public Member.

Alternates: Scott Haggerty, County Member; Anthony Santos, City Member; Louis Andrade, Special District Member; and David Haubert, Public Member.

LAFCo Staff: Mona Palacios, Executive Officer; Brian Washington, Legal Counsel; Ineda Adesanya, LAFCo Planner; Sandy Hou, Clerk.

On behalf of the Chair, the Commission welcomes you to its meetings and your interest is appreciated. **If you wish to speak to a matter on the agenda, please complete a Speakers Card and submit it to staff.** When your name is announced, please come forward and give your name and address, and state your comments or questions. If you wish to speak on a matter not on the agenda, please wait until the Chair calls for Public Comment. Speakers may have a time limitation imposed at the discretion of the Chair.

Only those issues which are brought up at the public hearing described in this notice, or in written correspondence delivered to the LAFCo Commissioners at or prior to the hearing, may be raised in any legal challenge to the actions taken by the Commission.

DISCLOSURE OF BUSINESS OR CAMPAIGN CONTRIBUTIONS
TO COMMISSIONERS

Government Code Section 84308 requires that a Commissioner (regular or alternate) disqualify herself or himself and not participate in a proceeding involving an "entitlement for use" application if, within the last twelve months, the Commissioner has received **\$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter.** A LAFCo decision approving a proposal (e.g., for an annexation) will often be an "entitlement for use" within the meaning of Section 84308. Sphere of Influence determinations are exempt under Government Code Section 84308.

If you are an applicant or an agent of an applicant on such a matter to be heard by the Commission and if you have made business or campaign contributions totaling \$250 or more to any Commissioner in the past twelve months, Section 84308(d) requires that you disclose that fact for the official record of the proceeding. The disclosure of any such contribution (including the amount of the contribution and the name of the recipient Commissioner) must be made either: 1) In writing and delivered to the Secretary of the Commission prior to the hearing on the matter, or 2) By oral declaration made at the time the hearing on the matter is opened. Contribution disclosure forms are available at the meeting for anyone who prefers to disclose contributions in writing.

* * * * *

Regular Meeting

1. **Call to Order and Roll Call**
2. **Welcome New/Returning Commissioner –Regular City Member**
3. **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (One Case)

4. **Public Comment:** Anyone from the audience may address the Commission on any matter not listed on the agenda and within the jurisdiction of the Alameda LAFCo. The Commission cannot act upon matters not appearing on the agenda. *Speakers are limited to three (3) minutes.*
5. **Approval/Correction of Minutes – March 12, 2009 – Regular Meeting**
6. **Alameda County Water District Annexation 102, Tract 7409 (Mayfield Housing Corporation) Request to Waive Indemnification Requirement –** The Commission will consider the District's request to waive LAFCo's requirement that the applicant provide indemnification as a condition of approval one-time only due to the unique circumstances of this annexation proposal.

LAFCo Staff Recommendation: **Approve**

7. **Las Positas Road Reorganization No. 5 (also referred to as Hilliker) Annexation to the City of Livermore and Corresponding Detachment from and Sphere of Influence (SOI)**

Amendments to the Alameda County Library District and the Alameda County Fire Department – The proposed reorganization consists of the annexation of approximately 45± acres of unincorporated island consisting of 14 parcels (various Assessor Parcel Numbers) to the City of Livermore; detachment of the same territory from the Alameda County Library District (ACLD) and Alameda County Fire District (ACFD), and corresponding amendments to the ACLD and ACFD's Spheres of Influence (SOI) to reflect detachments from the special districts. All parcels are located within the City of Livermore's Sphere of Influence (SOI). The parcels comprise an unincorporated island. The applicant is requesting an island annexation pursuant to Government Code § 56375.3 of the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 (CKH), which states that LAFCO shall waive protest proceedings and approve the annexation, following a publicly noticed hearing. This item was last continued from the November 8, 2007 meeting.

LAFCo Staff Recommendation: **Approve**

- 8. Final Fiscal Year 2009-2010 Budget and Work Plan** – Review and consider the final budget and work plan for Fiscal Year 2009-10.

LAFCo Staff Recommendation: Conduct public hearing; approve final budget and work plan with any desired changes; and direct staff to forward budget to affected agencies

- 9. Memorandum of Understanding with Alameda County for Operational Support** - Review and consider renewing the existing agreement between Alameda LAFCo and Alameda County for services and staffing for the period July 1, 2009 through June 30, 2014 (five years) in accordance with the approved LAFCo budget.

LAFCo Staff Recommendation: Approve agreement; and direct staff to forward the agreement to the Alameda County Board of Supervisors

10. Matters Initiated by Members of the Commission

11. Informational Item

- a. Application Update
- b. City of Hayward Mt. Eden Phase II annexation status update
- c. 2009 CALAFCO Staff Workshop report back
- d. CALAFCO University – SB 375: So What Does It Mean for LAFCo? (oral report)
- e. 2009 CALAFCO Conference in Yosemite, October 27–31

12. Adjournment of Regular Meeting

13. Next Regular Meeting of the Commission

- Thursday, July 9, 2009 at 4:30 p.m.