

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
SPECIAL MEETING

October 18, 2012

1. Call to Order and Pledge of Allegiance

Vice Chair Sblendorio called the meeting to order at 4:35 p.m. The Pledge of Allegiance was recited.

2. Roll Call.

Roll was called. A quorum was present of the following commissioners:

City Members: John Marchand

County Members: Nate Miley (arrived 5:00) and Scott Haggerty (arrived 4:40)

Special District Members: Ayn Wieskamp, Ralph Johnson, and alternate Louis Andrade (arrived 4:40)

Public Members: Sblend Sblendorio and alternate David Haubert

Excused: Jennifer Hosterman and Tim Sbranti, City Members, and Wilma Chan, alternate County member

Staff present: Mona Palacios, Executive Officer; Andrew Massey, Legal Counsel; Ineda Adesanya, LAFCo Planner; and Sandy Hou, Clerk

3. Public Comment

Vice Chair Sblendorio invited members in the audience to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission. There were no comments.

4. Approval/Correction of Minutes

Upon motion by Commissioner Wieskamp and second by Commissioner Johnson, the minutes of September 13, 2012 were approved.

NOTE: Agenda items 6 and 7 were heard prior to agenda item 5 in order to allow more Commissioners to be present for item 5.

6. Matters Initiated by Members of the Commission – There were none.

7. Informational Items – Discussion, if any, or further info is noted after the item.

a. Newspaper Articles

Staff noted that the articles contained stories about the financial condition of various California cities and some things that were being done to address their financial challenges, and shared that she is collaborating with Bay Area LAFCo staff on a project to identify various options to more routinely, more easily, and more transparently identify financial indicators for the cities and other agencies under the purview of LAFCo. Staff mentioned that Orange County LAFCo has created a mechanism on their website to access financial

information on each of their cities. More information about this project will be shared as it becomes available.

b. Report on 2012 CALAFCO Annual Conference in Monterey, October 3–5

Staff reported that she and Commissioners Miley and Sblendorio had attended the conference and that Commissioner Haggerty had moderated a panel discussion about “Integrating Sustainable Strategies into the LAFCo Process,” and that she had moderated a session on “Strategic Planning and Adaptive Leadership.” She suggested that the Commission go through its own strategic planning process and recommended that they have a discussion at a future meeting on how to proceed with such a process. The Commission was supportive of that suggestion. Commissioner Wieskamp expressed interest in Orange County’s website feature regarding the availability of financial information.

In his report on the conference, Commissioner Sblendorio mentioned that governments’ having to do more with less was again a refrain heard throughout the conference. He praised Staff for her panel moderation at the conference and encouraged other commissioners to attend future conferences, noting that it was beneficial to become aware of issues that other LAFCOs struggle with.

5. Sphere of Influence (SOI) Update/Municipal Service Review (MSR) 2nd Cycle Update

Staff provided introductory remarks, noting that after incorporating any changes/recommendations received following the consultants’ presentation at today’s meeting, the reports would be posted on the website and distributed for public and agency comments. Staff also:

- Informed the Commission that she was working on an article about the MSR/SOI update process to be used for public outreach to generate more interest in the process, and that she would be looking into getting the article included in various community newsletters and other already existing communication mechanisms, such as the community newsletters distributed electronically by some members of the Board of Supervisors. She reported that providing a hard copy to interested parties at a recent Castle Homes CSA meeting had resulted in receiving feedback on the report. She asked the Commission to please share with her any other ideas they might have to increase public interest in and comments on the reports.
- Noting that today’s presentation would include discussion about provisional or conditional SOIs, asked the Commission to consider defining specific types of SOIs and including it in LAFCo’s Policies and Guidelines.

The project consultants Jennifer Stephenson and Oxana Wolfson then reported on nine in-depth level review districts – Oro Loma Sanitary District, Castro Valley Sanitary District, Dublin San Ramon Services District, Union Sanitary District, Alameda County Water District, East Bay Municipal Utility District, Eden Township Health Care District, Alameda County Fire Department, Fairview Fire District – and one intermediate-level review district – Washington Township Health Care District. Following are highlights of questions/comments received from the Commission:

Oro Loma Sanitary District

Commissioner Johnson, a Board member of this district, offered comments on the issue of consolidation with Castro Valley Sanitary District, noting some of the various ways that the two districts actually do work together.

Staff responded to Commissioner Weiskamp's inquiry about the status of the Curbside Recycling County Services Area, noting that the County wants to have that service taken over by Oro Loma Sanitary District, and it appears that the district is agreeable to that. Jason Warner, General Manager of Oro Loma Sanitary District responded to the Commissioner's inquiry about Option #2 – expanding the SOI to include extraterritorial service areas.

Castro Valley Sanitary District

In response to Commissioner Sblendorio's inquiry, staff noted that she would look into precisely what a Personal Care Facility is.

Staff responded to Commissioner Andrade's inquiry about the status of an application in the Canyon land area of Castro Valley to receive recycling services by explaining that her current understanding is that the County is looking into an alternate way of having those services provided, in a manner that would not require any LAFCo involvement.

The consultant responded to Commissioner Haggerty's question about whether or not the Ad Hoc Committee agreed with the consultant's recommendations about each district, stating that for the most part they did with a few exceptions – regarding Oro Loma and Castro Valley sanitary districts and Eden Township Health Care District. Commissioner Andrade noted that the Committee was not recommending that a study be conducted about consolidating the two sanitary districts. Commissioner Haggerty suggested that the Committee report about their recommendations.

Dublin San Ramon Services District (DSRSD)

There was a lengthy discussion among the Commission following this presentation regarding various issues, including the contentious issue of Doolan Canyon between the cities of Dublin and Livermore, which the consultant recommended be discussed in more detail at the time of the review of those two cities. Commissioner Marchand informed the Commission that the two cities were in communication about the matter and would be moving forward with meetings following the November General election.

There was discussion about the option to include the annexation of the Camp Parks area, with DSRSD Assistant General Manager, David Requa participating. He explained that no development is expected on the area which is federally owned. Staff noted that the Commission could use this opportunity of the MSR/SOI process to encourage annexation if they so wished.

Commissioner Marchand suggested a 3rd option of having Zone 7 Water Agency or Livermore to provide water to Doolan Canyon. The Consultant noted that Zone 7 was not being reviewed at this time.

Responding to Commissioner Haubert's inquiry, the consultant clarified that the recommendation regarding the SOI for the district was to be coterminous with the City of Dublin's SOI which will be reviewed at a future meeting.

Union Sanitary District

Commissioner Sblendorio suggested that if there was no development in the area that is outside the urban growth area, it be detached. Commissioner Andrade explained that the area was marshlands – part of Hayward Area Recreation & Park District’s wild life area – and that it would not be developed.

Commissioner Andrade inquired about some areas on the map that appear to be islands that should be annexed if they are. The consultant said she would find out what those areas are.

Alameda County Water District

Staff noted that the map provided for this district was not entirely updated, that it did not include the annexation of the BART Warm Springs annexation area, but that efforts were being diligently made to obtain accurate, up-to-date maps. Commissioner Haggerty expressed the need for that and that they be improved to be more readable. Commissioner Wieskamp suggested that adding landmarks to the maps would be helpful. Staff noted that the map would be published as a “draft.”

East Bay Municipal Utility District (EBMUD)

The consultant noted that the map presented for this district also needed to be updated. There was no discussion or comments following the presentation of this district.

Eden Township Health Care District

Following the presentation, Dev Mahadevan, CEO of the district, responded to questions from the Commission about the role of the district and what types of services it provides, and how it differs from traditional health care providers such as hospitals. The Commission expressed appreciation for his clarifications and recommended that it would be very beneficial to them if the district could provide them with some succinct written information on the services provided, to enable them, as well as the public, to have a better understanding of the district. Commissioner Andrade suggested that the Commission consider approving a provisional coterminous SOI, to ensure that such a report could be received. Mr. Mahadevan responded affirmatively to Staff’s inquiry if 12 months would be an adequate length of time to comply with the request for such information.

Washington Township Health Care District

Following some discussion about the differences, Commissioner Haggerty asked staff to please obtain official confirmation that a source of revenue for the district in fact does come from assessments rather than from property taxes, as his understanding is that it comes from the latter.

Fairview Fire Protection District

A discussion following the presentation resulted in the suggestion to add an option for a provisional zero SOI and require the district to justify why it should continue to exist, rather than having it simply be absorbed by the City of Hayward fire department, which seems the most logical and cost effective thing to do, or annexed into the Alameda County Fire Department.

Alameda County Fire Department

There was brief discussion regarding the trend of cities in the County to contract for fire services with the Alameda County Fire Department. Staff noted that California law allows fire departments to contract with cities that are outside a fire department's boundaries without coming to LAFCo.

8. **Adjournment of Regular Meeting** – Commissioner Sblendorio noted that he would not be able to attend the November 8th meeting and Commissioner Marchand also indicated that he and Commissioner Sbranti might have a conflict. Commissioner Sblendorio requested staff to poll the commissioners as quickly as possible to determine if there would be a quorum for the November 8th meeting. The meeting was adjourned at 6:25 pm.

9. **Next Meetings of the Commission**

Thursday, November 8, 2012 at 4:30 pm (note: the Nov 8 meeting was subsequently cancelled and rescheduled to Nov. 29, 2012)

Respectfully submitted,



Sandy Hou, LAFCo Clerk

These minutes were approved by the Commission on November 29, 2012.

Attest:



Mona Palacios, LAFCo Executive Officer