

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

May 8, 2008

1. Call to Order and Roll Call

Chair Lockhart called the meeting to order at 4:34 p.m.

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

City Members: Janet Lockhart and alternate Anthony Santos

County Members: Nate Miley, Gail Steele, and alternate Scott Haggerty

Special District Members: Jocelyn Combs, Katy Foulkes, and alternate Ayn Wieskamp

Public Members: Sblend Sblendorio and alternate Linda Sheehan

Commissioners absent: City Member Marshall Kamena

Staff present: Crystal Hishida Graff, Executive Officer; Brian Washington, Legal Counsel; Mona Palacios, Analyst; and Sandy Hou, Clerk

2. Public Comment – There were no comments from the public.

3. Welcome Returning Commissioners – Chair Lockhart announced that she would continue to serve as the cities representative to the Commission and Katy Foulkes was returning as the representative of the Special Districts.

4. Approval/Correction of Minutes

Upon motion by Commissioner Foulkes and second by Commissioner Santos, the minutes for the March 13, 2008 regular meeting were approved.

5. Nomination and Election of Commission Chair and Vice Chair for 2008-09 – Chair Lockhart noted the tradition followed by the Commission in regards to election of Chair and Vice Chair. Upon motion by Commissioner Foulkes and second by Commissioner Haggerty, Commissioner Combs was unanimously approved to serve as Commission Chair over the next year. Upon motion by Commissioner Lockhart and second by Commissioner Haggerty, Commissioner Miley was unanimously elected to serve as Vice Chair.

6. Appointment of Alternate Public Member – Staff reported that the Commission Subcommittee consisting of Commissioners Haggerty, Sblendorio and Wieskamp had interviewed three applicants for Alternate Public Member. Commissioner Sblendorio announced that the subcommittee wished to recommend applicant David Haubert to the position. Upon motion by Commissioner Sblendorio and second by Commissioner Haggerty, the Commission unanimously approved appointment of David Haubert as Alternate Public Member. Mr. Haubert was present and addressed the Commission briefly, expressing his appreciation for their confidence in him and stated that he looked forward to serving on the Commission.

7. **Appreciation to Linda Sheehan** – Chair Lockhart, on behalf of the Commission, presented a plaque of appreciation to departing Commissioner Sheehan for her eight years of service on the Commission. Ms. Sheehan thanked the Commission, stating it had been an honor to serve with them and was happy to see they had chosen a well-qualified successor. She also commended LAFCo staff for the efficient performance of their duties.
8. **City of Pleasanton Reorganization – Vineyard Avenue Annexation/Detachment No. 148** – Staff presented background information on this reorganization proposal. Al Baez from the City of Pleasanton responded to several questions from the Commission. Upon motion by Commissioner Santos and second by Commissioner Foulkes, the Commission unanimously approved the application.
9. **City of Hayward Out of Area Service Agreement – Ballesteros and Choi** – Staff presented background information on this application and responded to questions from the Commission. Commissioners Steele and Sblendorio requested Staff to provide Commissioners a map showing the locations of all the properties in Fairview and Castle Homes Area that have water and/or sewer service provided by the City of Hayward.

Rex Green, landowner of property located next to the subject properties, spoke in opposition to the Commission approving the proposal at this time. He requested that the Commission postpone action until such time that his property could be included in the proposal. Mr. Green responded to various questions from the Commission. He noted that his understanding was that the access road would be from Fairview Avenue, not Clover Road. Commissioner Foulkes indicated that if that were the case, then EBMUD might be the logical provider of utility services. No one was present from the City of Hayward to address these concerns.

Upon motion by Commissioner Foulkes and second by Commissioner Combs, the Commission unanimously approved to continue this item until the July 2008 meeting so that clarification could be obtained regarding the issues brought up by Mr. Green. Staff was directed to contact EBMUD and the homeowners Ballesteros and Choi to obtain clarification of the issues raised at today's meeting.

10. **Final Fiscal Year 2008-2009 Budget and Work Plan** – Following summary remarks by staff, Commissioner Santos motioned and Commissioner Steele seconded to approve the Final Fiscal Year 2008-2009 Budget and Work Plan. Motion passed unanimously.
11. **Matters Initiated by Members of the Commission** – There were none.
12. **Informational Items**
 - a. Report back on quorum and majority vote issue raised at March 13, 2008 meeting.

Staff reported that based on responses from other LAFCos to a survey regarding their practice regarding quorum and majority vote, Alameda LAFCo's Policy 2.1 would be changed to clarify the use of the "majority of the Board/Commission rule," stating that four affirmative votes, or a majority of the Commission are required to adopt motions. This reflected the recommendation made by Commissioner Foulkes at the March meeting.

b. Report on 2008 CALAFCO Staff Workshop in San Jose, April 2-4

Staff expressed appreciation to the Commission for the opportunity to attend the recent 2008 CALAFCO Staff Workshop and reported that the new LAFCo planner, Ms. Adeyana, also attended and had found it very informative and useful.

c. 2008 CALAFCO Conference in Universal City, L.A., September 2-5

Commissioner Combs encouraged participation in the conference and pointed out that the hotel offers reduced room rates for several days prior to and after the conference.

Also, as a member of the CALAFCO Board, Commissioner Combs reported on the status of legislation being proposed regarding COGS and Transportation working together to implement AB32. Passage of the legislation as currently worded could impact the charge of LAFCOs to ensure orderly development. CALAFCO is working to amend the legislation. Commissioner Combs stated that she would keep the Commission posted on developments.

13. Adjournment of Regular Meeting

The meeting was adjourned at 5:14 p.m.

14. Closed Session – Public Employment – Executive Officer

The closed session concluded at 5:25 pm. There was no report out.

15. Next Regular Meeting of the Commission

- Thursday, July 10, 2008 at 4:30 p.m.

Note: The above minutes are a summary of actions. A taped recording of this meeting serves as the official record and is available upon request from the LAFCo office.