

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

September 11, 2008

1. Call to Order and Roll Call

Chair Combs called the meeting to order at 4:30 p.m.

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

City Members: Janet Lockhart and alternate Tony Santos

County Members: Nate Miley and Gail Steele

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

Public Members: Sblend Sblendorio and alternate David Haubert

Commissioners absent: City Member Marshall Kamena and alternate County Member Scott Haggerty

Staff present: Mona Palacios, Executive Officer; Audrey Beaman, Legal Counsel; Ineda Adesanya, Planner; and Sandy Hou, Clerk

2. Public Comment – There was none.

3. Approval/Correction of Minutes

Upon motion by Commissioner Lockhart and second by Commissioner Wieskamp, the minutes for the July 10, 2008 regular meeting were approved.

4. Alameda County Vector Control Services District Annexation of the Cities of Emeryville and Fremont – The Commission approved this annexation at the July 10, 2008 meeting. Staff reported that no protests were received at the protest hearing held on September 9th.

Upon motion by Commissioner Santos and second by Commissioner Foulkes, the Commission adopted a resolution to order the annexation.

5. City of Hayward Out-of-Area Service Agreement – Terrace View at Five Canyons – Staff provided a summary of the written report on this item.

Commissioner Santos expressed concerns about housing developments at this time during water shortages. Bob Bauman, City of Hayward Director of Public Works, responded by noting that the City of Hayward requires developments to utilize maximum water conservation measures and that providing water to this development is included in the City's master water plan. He also noted that it was actually the County that approved this development project.

Commissioner Foulkes inquired if a reference on page 6 of the Initial Study to wells being capped was accurate, stating that it would seem more appropriate to keep existing wells open to use for

irrigation. Executive Officer Palacios stated that she would follow up on that with the County and with the East Bay Municipal Utility District.

In response to an inquiry from Commissioner Lockhart, Mr. Bauman clarified that the City of Hayward's standard out of area service agreements for water and/or wastewater services includes an agreement on the part of the landowner to 1) if requested, not oppose annexation to the City and 2) if improvements are needed, to do them to City standards. He noted that the City has no intention of requiring landowners to annex that do not wish to annex and they are well aware that the landowners in this area do not wish to annex.

Upon motion by Commissioner Foulkes and second by Commissioner Steele, the Commission approved the application.

6. **2009 Commission Meeting Schedule** – Staff noted the proposed dates for the Commission meetings in 2009 are January 8, March 12, May 14, July 9, September 10, and November 12. They would continue to be held at 4:30 pm at the Dublin San Ramon Services District in Dublin.

Upon motion by Commissioner Sblendorio and second by Commissioner Foulkes, the 2009 schedule was approved.

7. **Letter from Orange LAFCo Commissioner Peter Herzog** – Chair Combs summarized the main points of Mr. Herzog's letter of resignation as the CALAFCO Board Chair and from the Board. Commissioner Sblendorio shared his observations of a round table discussion he had attended at the recent CALAFCO Conference. At that session, Commissioners engaged in a spirited discussion about LAFCo's role, especially with respect to SB375.

8. **Authorize the Executive Officer to Submit Support Letters for Legislation Sponsored or Supported by CALAFCO and/or Favorable to Alameda LAFCo** – Staff provided introductory remarks about this item. The Executive Officer explained that any letters of support would be shared with the Commission Chair prior to sending. Her remarks were followed by a lengthy, varied discussion among the Commissioners. Consensus was reached that position letters could be sent as long as they did not support legislation containing unfunded mandates.

Upon motion by Commissioner Foulkes and second by Commissioner Lockhart, the Commission approved the submission of legislation position letters by the Executive Officer, except in those cases where the proposed legislation includes unfunded mandates.

9. **Appreciation to Barbara Graichen** – Chair Combs, on behalf of the Commission, presented a certificate and a plaque of appreciation to Ms. Graichen, who served as the Commission's Planner from 2001-2008, and noted her outstanding efforts on the Municipal Service Reviews project during that time. Ms. Graichen thanked the Commission and stated that she had enjoyed her time with the Commission.
10. **Matters Initiated by Members of the Commission** – Commissioner Miley informed the Commission that the Oakland Zoo had been in contact with him regarding funding needs and had inquired about the possibility of perhaps forming a special district. He requested that this topic be an item for discussion on the Commission's November agenda.

Commissioner Combs announced that she is leaving the Board of the Alameda County Resource Conservation District; and, therefore, would no longer be a member of Alameda LAFCo, effective

beginning November. She expressed that she had enjoyed her time of service on LAFCo. The Commissioners expressed their admiration and appreciation to Commissioner Combs, stating that she would be very much missed. Commissioner Sblendorio presented her with a plaque of appreciation from the CALAFCO Board.

11. Informational Items

- a. Policies and Procedures Ad Hoc Committee
- b. CALAFCO University Class on Agriculture and Open Space
- c. 2008 CALAFCO Annual Conference – September 3-5 in Universal City, Los Angeles

Staff provided brief reports on the above items.

12. Adjournment of Regular Meeting

The meeting was adjourned at 5:25 p.m.

13. Next Regular Meeting of the Commission

- Thursday, November 13, 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.

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