

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

November 13, 2008

1. Call to Order and Roll Call

Vice Chair Miley 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, Marshall Kamena, and alternate Tony Santos

County Members: Nate Miley and Gail Steele

Special District Members: Katy Foulkes and Ayn Wieskamp

Public Members: Sblend Sblendorio and alternate David Haubert

Commissioners absent: 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. Welcome Newly Appointed Special District Commissioner

Staff announced that Alternate Commissioner Wieskamp was newly elected to be the regular Special District Representative replacing Commissioner Combs. The term expires in May 2010.

Staff also introduced and provided brief background information on Audrey Beaman from County Counsel's Office, attending as LAFCo Counsel in place of Brian Washington.

4. Approval/Correction of Minutes

Upon motion by Commissioner Foulkes and second by Commissioner Santos, the minutes for the September 11, 2008 regular meeting were approved.

5. Appreciation to Janet Lockhart

On behalf of the Commission and Staff, Vice Chair Miley presented a plaque of appreciation to Commissioner Lockhart for her years of service on the Commission. Commissioner Lockhart thanked the Commission and expressed gratitude for her opportunity to serve the public.

6. Nomination and Election of Commission Chair

Staff noted that election of a new chair was in order due to Jocelyn Comb's departure from the Commission. Upon motion by Commissioner Miley and second by Commissioner Lockhart, Commissioner Foulkes was unanimously elected to serve as the new Chair.

7. Policies and Procedures Ad Hoc Committee Recommendations

The Commission considered updates/revisions recommended by the Policies and Procedures Ad Hoc Committee. Comments/suggestions about the Committee's recommendations included:

- **Word change requests** from Commissioner Foulkes and Commissioner Sblendorio, and
- Extensive discussion of a policy regarding an area-wide approval mechanism for the **City of Hayward's Out-of-Area Service contracts to provide water services to the unincorporated Castle Homes area**, especially item 16.g that states that LAFCo would expect Hayward to bring an annexation application forward within 10 years from the time that area-wide approval is granted.

Commissioner Steele expressed concern that the property owners would resist annexation efforts.

Commissioner Sblendorio emphasized that the proposal was to provide a blanket approval process, so that the Commission would not need to hear each out-of-area service application individually, thus increasing efficiency in the process, and that it was not unreasonable to give a definite time frame for addressing the annexation agreements signed by each property owner receiving water service.

Commissioner Santos suggested that the Commission could request the City of Hayward to provide periodic updates on annexation efforts in the Castle Homes area.

The Commission agreed that it would be best to revisit this item after the City of Hayward and Castle Homes area residents have a chance to review it and provide input.

A motion was made by Commissioner Lockhart, seconded by Commissioner Wieskamp and duly carried by the Commission to approve the recommended updates/revisions with the following changes:

- In Volume I, Part II Commission By-Laws and Operations – 1.8 Officers
Change the wording in the first part of the first sentence as follows:
FROM:
“Regular members of the Commission elect a Commission Chair and Vice Chair annually at the May meeting....”
TO:
*“Regular members of the Commission elect a Commission Chair and Vice Chair at the May meeting **in even years...**”*
- In Volume I, Part V. Specific Proposal Policies – 2.19
Change “66%” to “two-thirds”
- Volume I, Part V. Specific Proposal Policies – 16.4 and 16.9
Omit 16.4 and 16.9.
Revisit this item after feedback received from the City of Hayward and Castle Homes.

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

9. Informational Items

a. Advanced LAFCo 101 Training for Commissioners and Staff – Pilot Workshop

Staff inquired if the Commission would be interested in participating in a pilot workshop with one or more Bay Area LAFCOs, to be conducted by CALAFCO in late winter or early spring, most likely in Alameda or Contra Costa County. Following a brief discussion, the Commission was favorable to participating in the workshop with Commissioner Foulkes and Commissioner Santos expressing personal interest in attending.

b. Oakland Zoo

Staff gave introductory remarks on this item regarding the Oakland Zoo's inquiry into forming a special district and summarized the key points of the written staff report. Commissioner Miley provided background information, explaining that Zoo representatives had met with him to discuss funding options. Because the formation of a special district would necessitate LAFCo involvement, he had requested the item be discussed at today's meeting for the Commission to provide their preliminary thoughts and recommendations.

Joel Parrot, Executive Director of the Oakland Zoo, spoke on the operating costs of the Zoo and on the necessity to look at long range plans for more sustainable funding. He noted that the Oakland Zoo was really regional in nature, with most of the visitors coming from outside of Oakland. Public surveys in Alameda County and Contra Costa County consistently show strong support for maintaining the Zoo.

There was lively and lengthy discussion among the Commission, with some members favoring Option 2 from the staff report – forming a new special district; and others recommending Option 3 – work with East Bay Regional Park District to set up an internal zone that could be used to put a special tax on the ballot. It was also expressed that the City of Oakland, who owns the park land and the animals and facilities, should be an integral part of the conversation. All agreed that the Zoo was a positive asset in the community and should be maintained.

Larry Tong, East Bay Regional Park District (EBRPD), addressed the Commission, noting that there had not yet been in depth conversation between his organization and the Zoo regarding Option 3, and that, until that happens, it is premature to assume that Option 3 would be supported by EBRPD.

Vince Forte, the Zoo's Chief Financial Officer, was also present and spoke to the complexity of the issue. He noted that this was just the beginning of the discussion and their intent was to bring the City of Oakland into the discussion also.

Commissioner Miley concluded the discussion by thanking the Commissioners and speakers for their comments and noted that he would continue in his capacity as a County Supervisor in whose district the Zoo is located to assist the Zoo in this matter.

c. Oral report back on attendance at City of Pleasanton's October 22, 2008 Planning Commission Meeting

Alameda LAFCo Planner, Ineda Adesanya, reported on her attendance at this meeting, stating that the intent of attending was to reiterate in person the points that were made in writing to the

City of Pleasanton regarding the Specific Plan and Environmental Impact Report (EIR) on the Stoneridge Drive - Staples Ranch project.

Two primary areas of concern are: 1) the possible inadequacy of the EIR as relates to the extension of Stoneridge Drive; and 2) the lack of any proposed mitigation for the loss of prime agricultural land.

There was discussion among the Commissioners and staff following her report concerning the land area designated as prime agricultural land and concern over whether Pleasanton would add extending Stoneridge Drive as part of the project.

Commissioner Sblendorio suggested that staff talk to Stuart Cook regarding the adequacy of the EIR document.

10. Adjournment of Regular Meeting

The meeting was adjourned at 5:44 p.m.

11. Next Regular Meeting of the Commission

- Thursday, January 8, 2009 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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