

**SUMMARY ACTION MINUTES**  
**ALAMEDA LOCAL AGENCY FORMATION COMMISSION**  
**REGULAR MEETING**

**January 8, 2009**

**1. Call to Order and Roll Call**

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

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

City Members: Marshall Kamena, Jennifer Hosterman and alternate Tony Santos

County Members: Gail Steele and alternate Scott Haggerty

Special District Members: Katy Foulkes and Ayn Wieskamp

Public Members: Sblend Sblendorio and alternate David Haubert

Commissioners absent: Nate Miley, County Member

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 City Commissioner – Jennifer Hosterman**

Chair Foulkes welcomed Commissioner Hosterman, newly elected City member. Commissioner Hosterman expressed that she was happy to be back and looked forward to serving.

**4. Approval/Correction of Minutes**

Upon motion by Commissioner Wieskamp and second by Commissioner Sblendorio, the minutes for the November 13, 2008 regular meeting were approved.

**5. City of Hayward Out-of-Area Service Agreement – Two Applications: Roberts and Robinson**

Staff provided a summary of the written report.

Dale Silva, a neighboring property owner to the Robert's property spoke in opposition to the proposal stating the less-than-one-acre size of the parcel prohibited development on it. Property owner Timothy Roberts addressed the Commission to respond to Mr. Silva's concerns, noting that the County had already approved development and that the proposal today was about water service, not seeking approval for development.

Chair Foulkes pointed out that Mr. Roberts was correct in noting that LAFCo does not have oversight over land development issues. Upon motion by Commissioner Hosterman and second by Commissioner Haggerty, the Commission unanimously approved the proposal.

**6. Appointment of Alternate LAFCo Legal Counsel pursuant to Government Code §56384**

Staff summarized the written report that concerned finding a replacement for the Commission's Legal Counsel, Brian Washington, to advise the Commission concerning any matters related to the forthcoming City of Pleasanton Staples Ranch annexation project. The Commission could choose to go with alternate Counsel from the County of Alameda staff or choose to go with an outside firm.

After discussion, the Commission indicated they wished to avoid any perception of conflict of interest and would, therefore, like to use outside legal counsel. It was agreed that Commissioners Foulkes, Santos and Sblendorio would serve on an Ad Hoc Committee to choose an outside firm. Staff indicated she would assist them in their efforts.

Staff also noted that until an outside firm was identified, Audrey Beaman from the County's Legal Counsel Office would serve as counsel for any preliminary matters regarding Staples Ranch.

**7. Matters Initiated by Members of the Commission** – Chair Foulkes reminded the Commission of the event that evening at the Oakland Museum to honor Janet Lockhart, former Mayor of Dublin and LAFCo Commissioner.

**8. Informational Item**

Staff provided an update on the selection process for the Alternate Special District Member, noting that it is expected that a new member will be selected by the March or May meeting.

**9. Adjournment of Regular Meeting**

The meeting was adjourned at 4:55 p.m.

**10. Next Regular Meeting of the Commission**

**- Thursday, March 12, 2009 at 4:30 p.m.**