



LAFCO

Alameda Local Agency Formation Commission

NOTICE OF REGULAR MEETING AND AGENDA

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

THURSDAY, JANUARY 9, 2025

2:00 P.M.

Ralph Johnson, Vice Chair — Nate Miley — David Haubert — John Marchand — Mariellen Faria — Sblend Sblendorio
Lena Tam, Alternate — Michael McCorriston, Alternate — Georgean Vonheeder-Leopold, Alternate — Bob Woerner, Alternate

In Person:

Council Chamber
Dublin City Hall
100 Civic Plaza
Dublin, CA 94568

Or from the following remote locations:

- 7200 Bancroft Avenue, Suite 270, Oakland, CA 94605

Via Video-Teleconference Participation:

<https://us02web.zoom.us/j/82983511571?pwd=bi8xWkVsU2QxYjB3bzE2S2lubnN2Zz09>

Meeting ID: 829 8351 1571

Password (if prompted): lafco or 140331

(669)-900-9128

Remote participation by e-mail is also welcomed by sending comments to LAFCO staff at rachel.jones@acgov.org. All e-mails received before 4:00 P.M. one business day before the meeting will be forwarded to the Commission and posted online. These comments will also be referenced at the meeting.

If you need assistance before the meeting, please contact Executive Officer, Rachel Jones at:
rachel.jones@acgov.org

1. **2:00 P.M. – Call to Order and Pledge of Allegiance**
2. **Roll Call**

3. **Public Comment:** Anyone from the audience may address the Commission on any matter not listed on the agenda and within the jurisdiction of Alameda LAFCO. The Commission cannot act upon matters not appearing on the agenda. *Speakers are limited to three (3) minutes.*

4. **Consent Items:**

- a. Approval of Meeting Minutes: October 11, 2024 Special Meeting
- b. End of Fiscal Year 2023-2024 Budget Report
- c. Budget Update for Fiscal Year 2024-2025

5. **Commission Officers | Chair Appointment – (Business)**

The Alameda Local Agency Formation Commission (LAFCO) will consider appointing a new Chair to fill the current vacancy on the Commission. The Vice Chair shall be given the opportunity to serve as Chair for the remainder of the term (May 2025).

LAFCO Staff Recommendation: Appoint a new Chair to fill the current vacancy on the Commission for the term ending in May 2025.

6. **Presentation and Update on the Regional Water and Wastewater Committee – (Business)**

The Alameda Local Agency Formation Commission (LAFCO) will receive a presentation on the establishment and progress of a Regional Water and Wastewater Committee in Alameda County.

LAFCO Staff Recommendation: . . No formal action is required at this time unless otherwise directed by the Commission.

7. **Review of LARPD and EBRPD Property Tax Exchange Agreement Details – (Business)**

The Alameda Local Agency Formation Commission (LAFCO) will review materials submitted by both Livermore Area Park and Recreation District and East Bay Regional Park District in response to the Commission's request to facilitate discussions regarding the agencies' 1992 property tax exchange agreement.

LAFCO Staff Recommendation: Accept and file and provide direction to staff on related matters going forward.

8. **Memorandum of Understanding (MOU) with County of Alameda | 2nd Amendment – (Business)**

The Alameda Local Agency Formation Commission (LAFCO) will consider retroactively approving a one-month extension to its existing Memorandum of Understanding (MOU) agreement with the County of Alameda for contract services.

LAFCO Staff Recommendation: Staff recommends approval.

9. **2ND Phase of LAFCO Independence Report and Transition Plan for Separation – (Business)**

The Alameda Local Agency Formation Commission (LAFCO) will consider approving the second phase of the independence report by consultant, Roseanne Chamberlain, offering next steps for LAFCO's financial and operational independence from Alameda County. This report has been amended following the County's notice for separation dated December 20, 2024.

LAFCO Staff Recommendation: Staff recommends the Commission initiate financial separation from the County by approving the draft resolution as shown in Attachment 1 and delegate authority to the Executive Officer to negotiate and approve contracts for a separate LAFCO bank account and bookkeeper, in consultation with LAFCO's Legal Counsel and Chair.

10. Matters Initiated by Members of the Commission

11. Executive Officer Report

12. Informational Items

- a. Current and Pending Proposals
- b. Progress Report on 2023-2024 Work Plan
- c. Form 700: Due April 1
- d. Commissioners with terms ending May 2025:
 1. Georgean Vonheeder-Leopold
 2. John Marchand

13. Adjournment of Regular Meeting

Next Meetings of the Commission

Policy and Budget Committee Meeting

Thursday, February 6, 2025 at 2:00 p.m., Dublin City Hall, Library Community Room

Regular Meeting

Thursday, March 13, 2025 at 2:00 p.m., Dublin City Hall, Council Chamber

DISCLOSURE OF BUSINESS OR CAMPAIGN CONTRIBUTIONS TO COMMISSIONERS

Government Code Section 84308 requires that a Commissioner (regular or alternate) disqualify herself or himself and not participate in a proceeding involving an "entitlement for use" application if, within the last twelve months, the Commissioner has received **\$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter.** A LAFCo decision approving a proposal (e.g., for an annexation) will often be an "entitlement for use" within the meaning of Section 84308. Sphere of Influence determinations are exempt under Government Code Section 84308.

If you are an applicant or an agent of an applicant on such a matter to be heard by the Commission and if you have made business or campaign contributions totaling \$250 or more to any Commissioner in the past twelve months, Section 84308(d) requires that you disclose that fact for the official record of the proceeding. The disclosure of any such contribution (including the amount of the contribution and the name of the recipient Commissioner) must be made either: 1) In writing and delivered to the Secretary of the Commission prior to the hearing on the matter, or 2) By oral declaration made at the time the hearing on the matter is opened. Contribution disclosure forms are available at the meeting for anyone who prefers to disclose contributions in writing.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 3 months after a final decision is rendered by LAFCO. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) working days prior to the meeting for any requested arrangements or accommodations.

Alameda LAFCO Administrative Office
224 West Winton Avenue, Suite 110
Hayward, CA 94544
T: 510.670.6267
W: alamedalafco.org



LAFCO

Alameda Local Agency Formation Commission

AGENDA REPORT

January 9, 2025

Item No. 4a

TO: Alameda Commissioners

FROM: April L. Raffel, Commission Clerk

SUBJECT: **October 11th Special Meeting Minutes**

The Alameda Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the special meeting held on October 11, 2024. The minutes are in action-form and being presented for formal Commission approval.

Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and – among other items – requires public agencies to maintain written minutes for qualifying meetings.

Discussion

This item is for Alameda LAFCO to consider approving action minutes for the October 11, 2024, special meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except David Haubert, John Marchand, and Nate Miley
- All alternate Commissioners were present except Lena Tam (County of Alameda)

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Approve the draft minutes prepared for Alameda LAFCO's October 11, 2024, special meeting. (Attachment 1) with any desired corrections or clarifications.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff as needed.

Administrative Office

Rachel Jones, Executive Officer
224 West Winton Avenue, Suite 110
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T: 510.670.6267
www.alamedalafco.org

Nate Miley, Regular
County of Alameda

David Haubert, Regular
County of Alameda

Lena Tam, Alternate
County of Alameda

Vacant, Regular
City Member

John Marchand, Regular
City of Livermore

Michael McCorriston, Alt.
City of Dublin

Ralph Johnson, Regular
Castro Valley Sanitary District

Mariellen Faria, Regular
Eden Township Healthcare District

Georgene Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



April L. Raffel
Commission Clerk

Attachments:

1. Draft Meeting Minutes for October 11, 2024, Special Meeting

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
October 11, 2024, Special Meeting
City of Dublin Council Chambers, 100 Civic Drive, Dublin, CA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

The regular meeting was called to order at 12:00 p.m. by Chair Brown.
The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Karla Brown, City of Pleasanton (Chair)
 Mariellen Faria, Eden Township Healthcare District
 Ralph Johnson, Castro Valley Sanitary District (Vice Chair)
 Sblend Sblendorio, Public Member

Alternates Present: Georgean Vonheeder-Leopold, Dublin San Ramon Services District
 Michael McCorriston, City of Dublin
 Bob Woerner, Public Member

Members Absent: David Haubert, County of Alameda (regular)
 John Marchand, City of Livermore (regular)
 Nathan Miley, County of Alameda (regular)
 Lena Tam, County of Alameda (alternate)

The Commission Clerk confirmed a quorum was present with five voting members. Also present at the meeting were Executive Officer Rachel Jones, Commission Counsel Andrew Massey, and Commission Clerk April Raffel.

3. WELCOME NEW COMMISSIONER: The Commission acknowledged the appointment of our new Commissioner, Michael McCorriston, by the Alameda County Mayors' Conference on September 11, 2024.

4. PUBLIC COMMENT:

Chair Brown invited anyone from the public to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission. The Commission Clerk confirmed there were public comments to address the Commission from the following persons:

- Virginia Chang Kiraly, San Mateo LAFCO
- Kelly Abreu, Fremont Resident

Chair Brown closed the public comment.

5. CONSENT ITEMS

Item 4a

Approval Meeting Minutes for the July 11, 2024, Regular Meeting

The item presented to approve draft action minutes prepared for the Commission's regular meeting on July 11, 2024. Recommendation to approve.

Item 5b

Approval of Meeting Dates for Calendar Year 2025

The item presented for approval of Meeting Dates for Calendar Year 2025. Recommendation to approve.

Item 5c

Approval of the Amendment to Agreement with Roseanne Chamberlain for Consultant Services

The item presented for approval of the Amendment to Agreement with Roseanne Chamberlain for Consultant Services. Recommendation to approve.

Item 5d

Approval of the Conflict-of-Interest Code

The item presented for approval of the Conflict-of-Interest Code. Recommendation to approve.

Chair Brown asked if the Commissioners had any questions on the consent calendar.

Commissioner Sblendorio motioned with a second from Commissioner Johnson to approve the consent calendar.

AYES:	Brown, Faria, Johnson, McCorriston (voting for Marchand), and Sblendorio
NOES:	None
ABSENT:	Haubert, Marchand, and Miley
ABSTAIN:	None

The motion was approved 5-0.

6. FINAL REPORT ON COUNTYWIDE MUNICIPAL SERVICE REVIEW ON COMMUNITY SERVICES – (PUBLIC HEARING)

Item continued from its draft presentation in May 2024 and subsequent public review period with appropriate revisions in its task to independently evaluate public services of the affected agencies in the region with specific attention to inform future boundary changes and sphere of influence updates of the affected agencies.

Executive Officer Jones provided the staff report, which reviewed the final report on its Countywide Municipal Service Review (MSR) focuses on community services such as street maintenance, lighting, library, parks and recreation, mosquito and vector abatement, lead abatement, and broadband services. This includes recommendations regarding determinations and updates on the associated sphere of influence in the final report. Recommendation to formally accept the final report with distribution to all the affected agencies, as well as adopt a resolution codifying the associated determinations and recommendations.

Alameda LAFCO received a PowerPoint presentation from Carol Ieromnimon, RSG Associate, on the Final Report of the Countywide Municipal Service Review on Community Services.

Chair Brown invited Commissioner questions. Commissioner discussion followed.

Chair Brown invited public comments. The Commission Clerk confirmed there were public comments to address the Commission from the following persons:

- David Furst, Livermore Area Recreation and Park District (LARPD)
- Olivia Sanwong, East Bay Regional Parks District (EBRPD)
- Kelly Abreu, Fremont Resident
- Pete Sandhu, Five Rivers Aviation
- James Boswell, Livermore Area Recreation and Park District (LARPD)

Chair Brown proceeded to close the public hearing.

Chair Brown invited further questions or comments from the Commission. Commission discussion continued.

Commissioner Sblendorio motioned with a second from Commissioner McCorriston to formally accept the staff recommendation except not approval of the SOI for LARPD or EBRPD until our January meeting and ask that the two agencies, LARPD and EBRPD, meet to gather facts about revenue collected and the expenditures within Murray Township. From there, the Commission will receive a progress report from Alternate Commissioner Woerner, who will be involved in discussions, before moving forward with next steps. Also, incorporated into the motion that LAFCO initiate dissolution of the three CSAs, Estuary Bridges, Castro Valley Library, and Dublin Library, that do not currently provide any services.

AYES:	Brown, Faria, Johnson, McCorriston (voting for Marchand), and Sblendorio
NOES:	None
ABSENT:	Haubert, Marchand, and Miley
ABSTAIN:	None

The motion was approved 5-0.

7. REPORT ON INDEPENDENCE AND EXPLORING LAFCO-COUNTY RELATIONSHIP MODELS – (Business)

Item presented by Executive Officer Jones to consider approving a report evaluating the potential benefits and challenges of increased organizational independence from Alameda County and consider following the Ad Hoc Memorandum of Understanding (MOU) Committee's recommendation of directly managing its own staff while maintaining key service contracts with Alameda County. Recommendation to approve the Ad Hoc MOU Committee's recommendation for LAFCO to transition to a staffing model where it directly employs its own staff and authorize the consultant to continue with the second phase of the report.

Alameda LAFCO received a presentation from Consultant, Roseanne Chamberlain, to discuss her findings of the Report on Independence and Exploring LAFCO-County Relationship Models.

Chair Brown invited Commissioner questions. Commission discussion continued.

Chair Brown invited public comments. The Commission Clerk confirmed there was one public comment to address the Commission from the following person:

- Kelly Abreu, Fremont Resident

Chair Brown proceeded to close the public hearing. Commission discussion continued.

Commissioner Johnson motioned with a second from Commissioner Sblendorio to approve the Ad Hoc MOU's recommendation for LAFCO to transition to a staffing model where it directly employs its own staff and authorize the consultant to continue with the second phase of the report.

AYES: Brown, Faria, Johnson, McCorriston (voting for Marchand), and Sblendorio
NOES: None
ABSENT: Haubert, Marchand, and Miley
ABSTAIN: None

The motion was approved 5-0.

8. AUDIT REPORT FOR FISCAL YEAR 2022-2023 – (Business)

Item presented by Executive Officer Jones on an audit report of financial statements issued for the fiscal year 2022-2023. The audit has been prepared by O'Connor & Company and concludes that tested transactions were accompanied by sufficient documentation with no material weaknesses were identified. The audited fund balance as of June 30, 2023, finished at \$597,244 and reflects a year-end change of (\$493,155) from the prior fiscal year. Recommendation to accept and file and provide direction to staff on related matters.

Chair Brown invited Commissioner questions. There were none.

Commissioner McCorriston motioned with a second from Commissioner Faria to accept the audit report for the fiscal year 2022-2023.

AYES: Brown, Faria, Johnson, McCorriston (voting for Marchand), and Sblendorio
NOES: None
ABSENT: Haubert, Marchand, and Miley
ABSTAIN: None

The motion was approved 5-0.

9. CONTRACT AGREEMENT FOR ACERA ACTUARIAL VALUATION REPORT – (Business)

Item presented by the Executive Officer Jones to consider approval of payment between the Alameda County Employee's Retirement Association (ACERA) and Alameda LAFCO for an actuarial report based on LAFCO participating as its own employer. Recommendation to approve the proposed payment agreement with ACERA for \$8,500 and authorize the Executive Officer to execute a deposit arrangement with ACERA the not-to-exceed cost of \$12,000 with the advice of legal counsel.

Chair Brown invited Commissioner questions. There were none.

Commissioner Johnson motioned with a second from Commissioner McCorriston to approve the proposed payment agreement with ACERA for \$8,500 and authorize the Executive Officer to execute a deposit arrangement with ACERA not-to-exceed \$12,000 with counsel's advice.

AYES: Brown, Faria, Johnson, McCorriston (voting for Marchand), and Sblendorio
NOES: None
ABSENT: Haubert, Marchand, and Miley
ABSTAIN: None

The motion was approved 5-0.

10. MATTERS INITIATED BY MEMBERS OF THE COMMISSION

- None

11. EXECUTIVE OFFICER REPORT

- None

12. INFORMATIONAL ITEMS

- a. Current and Pending Proposals
- b. Progress Report on 2023-2024 Work Plan
- c. CALAFCO Annual Conference from October 16th – October 18 near Yosemite, California

13. ADJOURNMENT OF REGULAR MEETING

Chair Brown adjourned the meeting at 1:51 p.m.

Next Meetings of the Commission

Policy and Budget Committee Meeting

Thursday, December 5, 2024, at 2:00 p.m., Dublin City Hall, Library Community Room

Regular Meeting

Thursday, November 14, 2024, at 2:00 p.m., Dublin City Hall, Council Chambers

I hereby attest the minutes above accurately reflect the Commission's deliberations at its October 11, 2024 special meeting.

ATTEST,



April L. Raffel
Commission Clerk

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LAFCO

Alameda Local Agency Formation Commission

AGENDA REPORT

January 9, 2025

Item No. 4b

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: End of Fiscal Year 2023-2024 Budget Report

The Alameda Local Agency Formation Commission (LAFCO) will review an end of year report comparing budgeted and actual expense and revenue transactions for fiscal year 2023-2024. Alameda LAFCO finished the fiscal year with an operating net of \$99,843. The Commission budgeted \$265,000 from reserves to offset expenses. The Commission also authorized a \$270,000 budget amendment in the Services and Supplies Unit for special projects. The substantive result is an overall decrease of the fund balance from \$632,624 to \$376,975 going into the current fiscal year. The report is being presented to the Commission to formally accept and file.

Information

Alameda LAFCO's adopted budget for 2023-2024 totaled \$787,740. This amount represented the total approved operating expenditures for the fiscal year divided between three active expense units: salaries and benefits; services and supplies; and internal services. A matching revenue total was also budgeted to provide a year-end balance of \$0 and with a purposeful aid of a planned \$265,000 transfer from reserves. Budgeted revenues are divided between three active units: intergovernmental contributions, application fees, and investments. The Commission's total unaudited fund balance as of July 1, 2023 was \$632,624.

Discussion

This item is for the Commission to receive a final comparison of (a) budget to (b) actual expenses and revenues for the fiscal year ending in 2024. The report provides the Commission the opportunity to review expenditures and revenues relative to recent years and provide feedback with staff as needed. The report is being presented to the Commission to formally accept and file.

Actual Expenses FY 23-24	Actual Revenues FY 23-24	Actual Year End Balance FY 23-24
\$810,819	\$910,662	\$99,843

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Mariellen Faria, Regular
Eden Township Healthcare District

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Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

13

Summary of Operating Expenses

Alameda LAFCO's budgeted operating expense total for 2023-2024 was \$784,740. Actual expenses booked through the end of the year equaled \$810,819. The amount represents 103% of the budgeted total with unexpected overheads of \$26,079. A breakdown of budgeted to actual expenses by unit through June 30th follows.

Expense Units	Adopted	Actuals	Percent Expended	Remaining Balance
Salaries and Benefits	292,488	258,028	88%	36,891
Services and Supplies	229,271	386,970	169%	(157,669)
Internal Service Charges	80,950	36,221	45%	44,729
Contingencies	50,000	0	0%	50,000
	\$787,740	\$810,819	103%	\$26,079

An expanded discussion on budgeted and actuals through the end of the year within the four expense units follows.

Staffing Unit

The Commission budgeted \$424,519 in Staffing or Salaries and Benefits Unit for 2023-2024. The Commission's actual expenses within the account totaled \$367,628 or 91% of the budgeted amount.

Services and Supplies Unit

The Commission budgeted \$229,271 in the Services and Supplies Unit for 2023-2024 to provide funding for *direct* support services necessary to operate Alameda LAFCO. The Commission's actual expenses within the account totaled \$386,970, or 169% of the amended amount.

Internal Services and Supplies

The Commission budgeted \$80,950 in the Internal Services and Supplies Unit for 2023-2024 to provide funding for *indirect* support services necessary to operate Alameda LAFCO. The Commission's actual expenses within the account totaled \$36,221, or 45% of the budgeted amount. The cost savings are attributed to the delay in the LAFCO office move.

Summary of Operating Revenues

Alameda LAFCO's budgeted operating revenue total for 2023-2024 was \$787,740. Actual revenues collected through the end of the year equaled \$910,662. This amount represents 116% of the total. A breakdown of budgeted to actual expenses by unit through June 30th follows.

Revenue Units	Adopted	Actuals	Percent Expended	Remaining Balance
Agency Contributions	482,740	482,740	100%	(0)
Application Fees	30,000	10,650	36%	(19,350)
SALC Grant Funds	-	102,224	-%	-
Interest	7,000	50,048	715%	43,048
Fund Balance Offset	265,000	265,000	100%	0
	\$784,740	\$910,662	116%	\$125,922

An expanded discussion on budgeted and actuals through the end of the year within the three revenue units follows.

Agency Apportionments

The Commission budgeted \$482,740 in the Agency Apportionments Unit for 2023-2024. This total budgeted amount was subsequently divided in three equal shares at \$160,913 and invoiced among the County of Alameda, 14 cities, and 15 independent special districts as provided under State statute. Alameda LAFCO received 100% of the agency apportionments of the budgeted amount.

Application Fees Unit and SALC Grant Funding

The Commission budgeted \$30,000 in the Application Fees Unit for 2023-2024. A total of \$10,650 was collected for application fees. The Commission did also receive \$102,224 in support Alameda LAFCO's Sustainable Lands Agricultural and Conservation (SALC) planning grant from the Department of Conservation. The SALC Grant Funds are tied to the Application Fees Unit in lieu of a revolving fund System and in partnership with the Alameda County Resource Conservation District (ACRCD).

Interest Unit

The Commission budgeted \$7,000 in the Interest Unit for 2023-2024. Actual revenues in the unit totaled \$50,048 or 715% of the budgeted amount and attributed to very high returns in the investment pool administered by the County Treasurer's Office.

Conclusion

Alameda LAFCO finished the 2023-2024 fiscal year satisfactorily with an operating surplus of \$99,843. Savings in internal services directly underlies the surplus. This surplus is further distinguished given the notable savings of staff salaries over the 12-month period. A draw down in reserves for special projects resulted in the Commission decreasing its fund balance from \$632,624 to \$376,975 going into the 2024-2025 fiscal year.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Accept and file the report as presented and provide direction as needed to staff with respect to any related matters for future consideration.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction for more information as needed.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



Rachel Jones
Executive Officer

Attachments:

1. 2023-2024 General Ledger through June 30, 2024

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

Regional Service Planning | Subdivision of the State of California

Expense Ledger

Expense Ledger		FY 2020-2021		FY 2021-2022		FY 2022-2023		FY 2023-2024			
		Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Year-to-Date As of 06-30-24	Difference	
Salary and Benefit Costs											
<u>Account</u>	<u>Description</u>										
60001	Staff Salaries	234,254	172,085	250,564	250,564	275,933	275,933	292,488	258,028	(34,460)	88.2%
-	(ACERA)	122,903	88,649	123,411	123,411	124,558	124,558	132,031	129,600	(2,431)	83.3%
		357,157	260,735	373,975	373,975	400,491	400,491	424,519	387,628	(36,891)	91.3%
Service and Supplies											
<u>Account</u>	<u>Description</u>										
-	Intern	1,600	-	-	-	-	-	-	-	-	-
610077	Postage	1,000	1,000	500	-	500	-	500	-	-	-
610141	Copier	3,000	-	1,000	-	500	-	500	-	-	-
610191	Pier Diems	8,000	7,100	8,500	5,600	7,500	7,003	9,000	9,265	265	102.9%
610211	Mileage/Travel	1,300	-	500	373	600	124	1,200	1,493	293	124.4%
610461	Training (Conferences and Workshops)	5,000	-	2,500	-	2,500	4,619	2,500	6,493	3,993	259.7%
610241	Records Retention	1,000	303	350	210	350	-	350	178	(172)	50.9%
610261	Consultants	96,000	42,527	100,000	135,017	150,000	112,465	160,000	219,027	59,027	136.9%
610261	Mapping - County	5,000	-	500	-	-	-	-	-	-	-
610261	Planning Services	5,000	-	5,000	-	5,000	-	5,000	-	-	-
610261	Legal Services	25,000	-	20,000	-	20,000	-	20,000	18,252	(1,748)	91.3%
610261	SALC Grant Charges	-	-	-	72,404	-	78,811	-	85,824	-	-
610311	CAO/CDA - County - Services	1,000	7,700	1,000	-	1,000	-	250	28,874	28,624	11549.6%
610312	Audit Services	10,000	-	10,000	-	10,000	-	10,000	-	-	-
610351	Memberships	10,762	10,662	10,760	10,760	11,287	11,287	12,221	12,221	-	100.0%
610421	Public Notices	5,000	2,149	3,000	2,453	2,000	1,222	2,500	2,959	459	118.4%
610441	Assessor - County - Services	2,500	-	500	-	250	-	250	-	-	-
610461	Special Departmental	1,500	1,000	1,500	233	1,500	-	2,000	297	(1,703)	-
620041	Office Supplies	4,000	916	4,000	28	3,000	41	3,000	2,087	(913)	69.6%
		186,662	73,357	269,610	Amended 227,078	215,987	215,572	229,271	386,970	157,699	168.8%
Internal Service Charges											
<u>Account</u>	<u>Description</u>										
630051	Office Lease/Rent	32,500	32,500	32,500	22,241	50,550	22,894	50,550	10,841	(39,709)	21.4%
630021	Communication Services	100	-	100	-	100	-	100	-	-	-
630061	Information Technology	27,373	25,870	25,870	27,938	26,000	22,080	27,000	22,080	(4,920)	81.8%
630081	Risk Management	3,100	3,280	3,280	-	3,300	-	3,300	3,300	-	-
		63,073	61,650	61,750	50,179	79,950	44,974	80,950	36,221	(44,729)	44.7%
Contingencies		50,000	-	50,000	-	50,000	-	50,000	-	-	-
<u>Account</u>	<u>Description</u>										
-	Operating Reserve	-	-	-	-	-	-	-	-	-	-
		-	-	-	-	-	-	-	-	-	-
EXPENSE TOTALS		656,892	395,742	755,335	Adopted 651,232	746,428	661,037	784,740	810,819	26,079	103.3%

Revenue Ledger		FY 2020-2021		FY 2021-2022		FY 2022-2023		FY 2023-2024			
		Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Year-to-Date As of 06-30-24	Difference	
Intergovernmental											
Account	Description										
-	Agency Contributions										
	County of Alameda	146,630	146,631	144,445	144,445	153,143	153,143	160,913	160,913	-	100.0%
	Cities	146,630	146,631	144,445	144,445	153,143	153,143	160,913	160,913	-	100.0%
	Special Districts	146,630	146,631	144,445	138,943	153,143	153,143	160,913	160,913	-	100.0%
		439,891	439,891	433,335	427,833	459,429	459,429	482,740	482,740	-	100.0%
Service Charges											
-	Application Fees	30,000	38,643	30,000	6,434	30,000	-	30,000	10,650	(19,350)	35.5%
-	SALC Grant Funds			100,000	Amended 72,404		53,397		102,224		
Investments											
-	Interest	7,000	8,965	7,000	5,765	7,000	7,156	7,000	50,048	43,048	715.0%
Fund Balance Offset		180,000	-	185,000	185,000	250,000	250,000	265,000	265,000	-	-
				655,335	Adopted						
				755,335	Amended	697,436		784,740	910,662	125,922	116.0%
REVENUE TOTALS		656,891	487,499			746,429	769,982	784,740	910,662	125,922	116.0%
OPERATING NET		(1)	91,757	-	46,204	1	108,945	(0)	99,843	-	-
UNRESTRICTED FUND BALANCE		1,090,399		716,424		632,624		376,975			
Estimate as of June 30th											

**LAFCO***Alameda* Local Agency Formation Commission**AGENDA REPORT**

January 9, 2025

Item No. 4c

TO: Alameda Commissioners**FROM:** Rachel Jones, Executive Officer**SUBJECT: Budget Update for Fiscal Year 2024-2025 | Second Quarter Report**

The Alameda Local Agency Formation Commission (LAFCO) will review a report comparing budgeted to actual transactions through the second quarter of fiscal year 2024-2025. Actual expenses processed through the first six months totaled \$348,884, an amount representing 42.6% of the budgeted total with half of the fiscal year complete. The report is being presented to the Commission to accept, file, and provide direction to staff as needed.

Information

Alameda LAFCO's adopted budget for 2024-2025 totals \$818,538. This amount represents the total approved operating expenditures for the fiscal year divided between three active expense units: salaries and benefits; services and supplies; and internal services. A matching revenue total was also budgeted to provide a balanced budget and with the purposeful aid of a planned \$270,000 transfer from reserves. Budgeted revenues are divided amongst three active units: intergovernmental contributions, application fees, and investments.

Discussion

This item is for the Commission to receive an updated comparison of (a) budgeted to (b) actual expenses and revenues through the month of December. The report provides the Commission with the opportunity to track expenditure trends accompanied by year-end operating balance projections from the Executive Officer. The report is being presented to the Commission to formally accept, file, and provide related direction to staff as needed.

Budgeted Expenses			
Budgeted Revenues		Budgeted Year End Balance	
FY 24-25		FY 24-25	
\$818,538		\$0	

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Public Member

Summary of Operating Expenses

The Commission's budgeted operating expense total for 2024-2025 is \$818,538. Actual expenses processed through the first six months totaled \$348,884, an amount representing 42.6% of the budgeted total with half of the fiscal year complete. Actuals through the first six months and related analysis suggest the Commission is ahead of finishing the fiscal year with a balanced budget. A discussion on budgeted and actual expenses through the first six months and related year-end projections follow.

Expense Units	Adopted	Actuals	Percent Expended	Remaining Balance
Salaries and Benefits	464,819	232,410	50%	232,410
Services and Supplies	271,869	107,301	40%	164,568
Internal Service Charges	81,850	9,174	11%	72,676
	\$818,538	\$348,884	43%	\$469,654

Staffing Unit

The Commission budgeted \$464,819 in Staffing or Salaries and Benefits Unit for 2024-2025. Through the first six months, the Commission's estimated expenses within the affected accounts totaled \$232,410, or 50% of the budgeted amount. It is projected the Commission will finish the fiscal year with actuals equal to the budgeted amount.

Services and Supplies Unit

The Commission budgeted \$271,869 in the Services and Supplies Unit for 2024-2025 to provide funding for *direct* support services necessary to operate Alameda LAFCO. Through the first six months, the Commission's actual expenses within the affected 14 accounts totaled \$107,301, or 40% of the budgeted amount. Three of the affected accounts – finished with balances exceeding the proportional 50% threshold with explanations provided below. It was projected the unit will finish with a balanced budget.

- Training (Workshops and Conferences)

This account covers the Commission's training and staff conferences. The Commission budgeted \$2,500 in this account for 2024-2025 based on recent actual trends. Actual expenses through December totaled \$1,807 and can be attributed to the recent CALAFCO Annual Conference in Yosemite. Additional expenses are expected for the CALAFCO staff workshop.

▪ Records Retention

This account covers the Commission's records and storage fees. The Commission budgeted \$360 in this account for 2024-2025 based on recent actual trends. Actual expenses through December totaled \$252 and can be attributed to public records requests and retrieval fees. Staff projects limited additional costs over the succeeding months.

▪ Memberships

This account covers the Commission's annual dues for ongoing membership of outside agencies and organizations as previously authorized by the members. This includes the CALAFCO membership. The Commission budgeted \$12,509 in this account for 2024-2025 based on recent trends. Actual expenses through December totaled \$12,509, or 100% of the budgeted amount and tied to providing full payment of all budgeted costs. Staff projects no additional expenses to this account.

Internal Services and Supplies

The Commission budgeted \$81,850 in the Internal Services and Supplies Unit for 2024-2025 to provide funding for *indirect* support services necessary to operate Alameda LAFCO. Through the first six months, the Commission's actual expenses within the four affected accounts totaled \$9,174, or 11.2% of the budgeted amount. None of the affected accounts finished with balances exceeding the proportional 50% threshold, and staff estimates the unit to finish the fiscal year with a balanced budget.

Summary of Operating Revenues

The Commission budgeted operating revenue total for 2024-2025 at \$818,538. Actual revenues collected through the first six months totaled \$474,796. This amount represents 58% of the budgeted total with half of the fiscal year complete. A summary comparison of budgeted to actual operating revenue follows.

Revenue Units	Adopted	Actuals	Percent Expended	Remaining Balance
Agency Contributions	508,538	467,367	92%	41,171
Application Fees	30,000	0	0%	30,000
Interest	10,000	7,429	74%	2,571
Fund Balance Offset	270,000	0	0%	270,000
	\$818,538	\$474,796	58%	\$343,742

Agency Apportionments

The Commission budgeted \$508,538 in the Agency Apportionments Unit for 2024-2025. This total budgeted amount was to be divided into three equal shares at \$169,513 and invoiced among the County of Alameda, 14 cities, and 15 independent special districts as provided under State statute. Alameda LAFCO has received payments from most of the agencies. Staff will notify the County Auditor to send a second invoice to the remaining agencies for payment.

Application Fees Unit

The Commission budgeted \$30,000 in the Application Fees Unit for 2024-2025. Through the first six months, no monies have been collected in this unit.

Interest Unit

The Commission budgeted \$10,000 in the Interest Unit for 2024-2025. Through the first six months, \$7,429 has been collected in this unit by the County Treasurer.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Accept and file the report as presented and provide direction as needed to staff with respect to any related matters for future consideration.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff as needed.

Alternative Three:

Take no action.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a stylized flourish at the end.

Rachel Jones
Executive Officer

Attachments:

1. 2024-2025 General Ledger through December 31, 2024

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ALAMEDA LOCAL AGENCY FORMATION COMMISION

Regional Service Planning | Subdivision of the State of California

Expense Ledger

Expense Ledger		FY 2021-2022		FY 2022-2023		FY 2023-2024		FY 2024-2025					
		Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Year-to-Date	Difference			
Salary and Benefit Costs								As of 12-31-24					
		<u>Account</u>	<u>Description</u>										
		60001	Staff Salaries	250,564	250,564	275,933	275,933	292,488	258,028	320,565	160,283	(160,283)	50.0%
		-	(ACERA)	123,411	123,411	124,558	124,558	132,031	129,600	144,254	72,127	(72,127)	50.0%
		373,975	373,975	400,491	400,491	424,519	387,628	464,819	232,410	(232,410)	50.0%		
Service and Supplies													
		<u>Account</u>	<u>Description</u>										
		-	Intern	-	-	-	-	-	-	-	-	-	-
		610077	Postage	500	-	500	-	500	-	500	-	-	-
610141	Copier	1,000	-	500	-	500	-	500	-	-	-		
610191	Pier Diems	8,500	5,600	7,500	7,003	9,000	9,265	10,000	2,000	(8,000)	20.0%		
610211	Mileage/Travel	500	373	600	124	1,200	1,493	2,000	465	(1,535)	23.3%		
610461	Training (Conferences and Workshops)	2,500	-	2,500	4,619	2,500	6,493	2,500	1,807	(693)	72.3%		
610241	Records Retention	350	210	350	-	350	178	360	252	(108)	70.0%		
610261	Consultants	100,000	135,017	150,000	112,465	160,000	219,027	200,000	89,873	(110,127)	44.9%		
610261	Mapping - County	500	-	-	-	-	-	-	-	-	-		
610261	Planning Services	5,000	-	5,000	-	5,000	-	5,000	-	-	-		
610261	Legal Services	20,000	-	20,000	-	20,000	18,252	20,000	0	(20,000)	0.0%		
610261	SALC Grant Charges		72,404		78,811		85,824	-	-	-	-		
610311	CAO/CDA - County - Services	1,000	-	1,000	-	250	28,874	250	0	(250)	0.0%		
610312	Audit Services	10,000	-	10,000	-	10,000	-	10,000	-	-	-		
610351	Memberships	10,760	10,760	11,287	11,287	12,221	12,221	12,509	12,509	-	100.0%		
610421	Public Notices	3,000	2,453	2,000	1,222	2,500	2,959	3,000	358	(2,642)	11.9%		
610441	Assessor - County - Services	500	-	250	-	250	-	250	-	-	-		
610461	Special Departmental	1,500	233	1,500	-	2,000	297	2,000	0	(2,000)	-		
620041	Office Supplies	4,000	28	3,000	41	3,000	2,087	3,000	36	(2,964)	1.2%		
		269,610	Amended 227,078	215,987	215,573	229,271	386,970	271,869	107,301	(164,568)	39.5%		
Internal Service Charges													
		<u>Account</u>	<u>Description</u>										
		619991	Office Lease/Rent/CDA	32,500	22,241	50,550	22,894	50,550	10,841	50,550	0	(50,550)	0.0%
		630021	Communication Services	100	-	100	-	100	-	0	-	-	-
630061	Information Technology	25,870	27,938	26,000	22,080	27,000	22,080	28,000	9,174	(18,826)	32.8%		
630081	Risk Management	3,280	-	3,300	-	3,300	3,300	3,300	0	-	-		
		61,750	50,179	79,950	44,974	80,950	36,221	81,850	9,174	(72,676)	11.2%		
Contingencies		50,000	-	50,000	-	50,000	-	0	-	-	-		
		<u>Account</u>	<u>Description</u>										
		-	Operating Reserve	-	-	-	-	-	-	-	-	-	-
		-		-	-	-	-	-	-	-	-	-	-
EXPENSE TOTALS		655,335	Adopted										
		755,335	Amended 651,232	746,428	661,037	784,740	810,819	818,538	348,884	(469,654)	42.6%		

Revenue Ledger

Intergovernmental

Account	Description
-	Agency Contributions
	County of Alameda
	Cities
	Special Districts

Service Charges

-	Application Fees
-	SALC Grant Funds

Investments

-	Interest
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Fund Balance Offset

REVENUE TOTALS

OPERATING NET

UNRESTRICTED FUND BALANCE

FY 2021-2022		FY 2022-2023		FY 2023-2024		FY 2024-2025			
Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Year-to-Date As of 12-31-24	Difference	
144,445	144,445	153,143	153,143	160,913	160,913	169,513	169,513	0	100.0%
144,445	144,445	153,143	153,143	160,913	160,913	169,513	148,927	(20,586)	87.9%
144,445	138,943	153,143	153,143	160,913	160,913	169,513	148,927	(20,586)	87.9%
433,335	427,833	459,429	459,429	482,740	482,739	508,538	467,367	(41,171)	91.9%
30,000	6,434	30,000	-	30,000	10,650	30,000	0	(30,000)	0.0%
100,000	72,404		53,397		102,224				
7,000	5,765	7,000	7,156	7,000	50,048	10,000	7,429	(2,571)	74.3%
185,000	185,000	250,000	250,000	265,000	265,000	270,000	0	-	-
655,335									
755,335	697,436	746,429	769,982	784,740	910,661	818,538	474,796	(343,742)	58.0%
-	46,204	1	108,945	(0)	99,842	(0)	125,912	-	-



LAFCO

Alameda Local Agency Formation Commission

AGENDA REPORT

January 9, 2025

Item No. 5

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Commission Officers | Chair Appointment

The Alameda Local Agency Formation Commission (LAFCO) will consider appointing a new Chair to fill the current vacancy on the Commission. The Vice Chair shall be given the opportunity to serve as Chair for the remainder of the term (May 2025).

Background

In accordance with Alameda LAFCO's bylaws, the Commission elects its Chair from among the voting members to oversee meetings, guide discussions, and sign official documents. A vacancy has arisen in this position, and the Commission now needs to appoint a new Chair to ensure continuity of leadership and maintain proper governance practices. Alameda LAFCO elected former Commissioner Brown as Chair and Commissioner Johnson as Vice Chair at its June 23, 2024 special meeting.

As set forth in the Commission's Policies and Procedures Guidelines, the Alameda Local Agency Formation Commission (LAFCO) elects its officers (Chair and Vice Chair) at the May meeting for a period of two years with the newly elected officers assuming office at the next regular Commission meeting. However, if the Chair becomes vacant mid-term, the Vice Chair shall be given the opportunity to serve as Chair for the remainder of the term (May 2025). If the Vice Chair declines, the vacancy shall be filled for the remainder of the term by election at the next regular meeting following occurrence of the vacancy.

The Commission established the following rotation for officers:

- Special District
- County
- Public
- City

Discussion

This item is for the Commission to fill the vacancy and appoint a new Chair on Alameda LAFCO.

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Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Appoint a new Chair to fill the current vacancy on the Commission for the term ending in May 2025.

Alternative Two:

Continue consideration of the item at a future meeting and provide direction to staff on additional information as needed.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,



Rachel Jones
Executive Officer

Attachment: none



AGENDA REPORT

January 9, 2025

Item No. 6

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Presentation and Update on the Regional Water and Wastewater Committee

Staff recommends that the Commission receive a presentation on the establishment and progress of a Regional Water and Wastewater Committee in Alameda County. No formal action is required at this time unless otherwise directed by the Commission.

A PowerPoint Presentation will be provided at the time of the meeting.

Background

As part of Alameda LAFCO's *Countywide Municipal Service Review on Water, Wastewater, Stormwater, and Flood Control Services* and its FY 2023-2024 work plan, the Commission recommended the creation of a Countywide Regional Water and Wastewater Committee to explore collaborative opportunities in water reuse and resource management.

On November 9, 2023, the Commission awarded a two-year service contract (in the amount not to exceed \$73,575) to Water Resource Consultants, led by professional engineer Eric Rosenblum, PE, to assist in establishing and coordinating a Regional Water and Wastewater Committee. This effort seeks to bring together all affected agencies providing water and wastewater services in Alameda County, with the goal of sharing best practices, identifying opportunities for regional water reuse, and bolstering climate resilience.

Since the award of the contract, the consultant team has begun outreach and coordination activities, including preliminary discussions with local water and wastewater agencies. These discussions aim to develop a framework in which agencies can more effectively communicate and collaborate on expanding recycled water programs and promoting sustainable water usage throughout the region.

Discussion

Water Resource Consultants will provide an overview of progress to date regarding the Regional Water and Wastewater Committee in Alameda County. This includes the initial outreach efforts, preliminary feedback from local water and wastewater agencies, key concerns defining equitable cost-sharing agreements or projects, and next steps.

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Public Member

Following Commission feedback, the consultant team will continue efforts to formalize a report that will outline the committee's structure and objectives by highlighting emerging collaboration opportunities, while also showcasing key roadblocks.

Commission Review

The item is being presented for Commission discussion and feedback only.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,



Rachel Jones
Executive Officer



AGENDA REPORT

January 9, 2025

Item No. 7

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Review of LARPD and EBRPD Property Tax Exchange Agreement Details

The Alameda Local Agency Formation Commission (LAFCO) will review materials submitted by both Livermore Area Park and Recreation District and East Bay Regional Park District in response to the Commission's request to facilitate discussions regarding the agencies' 1992 property tax exchange agreement. This item is for the Commission to receive and file responses from both agencies, incorporating the provided data into the Commission's records for future reference and use.

Background

Overview of Concerns

The Livermore Area Recreation and Park District (LARPD) has raised concerns about the 1992 property tax-sharing agreement with the East Bay Regional Park District (EBRPD). LARPD believes the agreement disproportionately burdens Livermore taxpayers by funding services primarily provided by EBRPD. While Alameda LAFCO cannot directly negotiate tax-sharing arrangements, it can facilitate discussions between the agencies to address these concerns.

Authority and Historical Context

- **Tax Exchange Authority:** California Revenue and Taxation Code Section 99(b)(6) authorizes Alameda County to make property tax exchange determinations for special districts.
- **1980 Master Agreement:** Prevented property tax transfers for EBRPD annexations, requiring EBRPD to manage regional parks without additional tax revenues.
- **1992 Voluntary Agreement:** Despite no mandate, LARPD and EBRPD agreed to share tax revenues to collaboratively improve park and recreation services in Murray Township.

Role of the Liaison Committee

The agreement established a Liaison Committee to:

- Foster collaboration and communication between LARPD and EBRPD.
- Conduct annual financial reviews and update their boards.
- Increase transparency by holding public meetings on joint activities.

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Public Member

Bob Woerner, Alternate
Public Member

Financial Challenges and Inflexibility

- **Revenue Distribution:** EBRPD receives a share of property tax revenue from Murray Township to support regional park services, while LARPD's allocation has significantly decreased due to the Educational Revenue Augmentation Fund (ERAF) shift.
- **LARPD's Position:** Reduced revenue limits LARPD's ability to maintain facilities or fund large-scale projects. Attempts to renegotiate the agreement have been unsuccessful, leaving LARPD at a financial disadvantage.
- **Agreement Limitations:** The agreement lacks provisions for termination or renegotiation, creating a rigid financial structure that does not account for changing needs or legislative impacts.

Implications

The 1992 agreement, while initially designed to enhance park services in Murray Township, has led to significant financial strain on LARPD. The absence of renegotiation options and disparities caused by ERAF have further exacerbated challenges, prompting the need for facilitated discussions to explore equitable solutions.

Discussion

Following Alameda LAFCO's recently adopted Final Report on Community Services Municipal Service Review, the Commission recommended that both the Livermore Area Recreation and Park District (LARPD) and East Bay Regional Park District (EBRPD) engage in discussions concerning their property tax exchange agreement within the Murray Township service area. To support these efforts, the Commission directed Commissioner Bob Woerner to serve as a facilitator and assist both agencies in coordinating their discussions.

Subsequently, on October 30, 2024, Alameda LAFCO requested detailed information from LARPD and EBRPD regarding the existing property tax exchange agreement and defined service area in Murray Township. This request supports the Commission's ongoing efforts to enhance service delivery, ensure fiscal transparency, and promote inter-agency collaboration throughout the region.

Both LARPD and EBRPD responded by submitting materials that include financial allocations, inventories of parks and facilities, and comprehensive service maps.

Property Tax Allocations

- **LARPD:**
 - Provided historical and current property tax revenue data, showing how funds are allocated toward maintenance, operations, and capital projects.
 - Outlined key funding streams that support ongoing facility improvements and program development.
 - Highlighted the importance of property tax revenues for meeting rising operational costs related to staffing, equipment, and sustainable facility upgrades.
- **EBRPD:**
 - Shared a detailed breakdown of property tax revenues generated within Murray Township, indicating the proportion of local tax flow dedicated to regional park development, trail maintenance, and recreational programming.
 - Noted specific projects and improvements, such as expansion of walking trails and the introduction of interpretive programming, funded in part by these tax revenues.

*Staff did request a detailed breakdown of a line-item expense titled Project Expenditures (Acquisition, Construction, Development) as shown in Attachment 3 under Murray Township Revenue Analysis and Expenditures and is currently awaiting EBRPD's response.

* Staff did note that EBRPD included direct operating expenses for the Shadow Cliffs park location although staff believes that location is not included in LARPD's service area or the Murray Township service area.

Facilities Inventory

- **LARPD:** Compiled a comprehensive list of parks and facilities, distinguishing between assets owned by LARPD and those leased from other entities.
- **EBRPD:** Submitted maps and documentation for regional parks and trails, including Arroyo Del Valle Regional Trail Reconstruction Project.

Staff has also requested from both agencies to submit additional revenues collected from the parks, such as entry fees, usage fees, or any similar sources. Staff is currently awaiting the replies from both agencies.

Analysis

This item is for the Commission to review materials submitted by both Livermore Area Park and Recreation District and East Bay Regional Park District in response to the Commission's request to facilitate discussions regarding the agencies' 1992 property tax exchange agreement. This item is for the Commission to receive and file responses from both agencies, incorporating the provided data into the Commission's records for future reference and use.

Under the Commission's direction, staff may schedule a joint meeting with LARPD and EBRPD to review and discuss the submitted property tax revenue information and facilities inventories in detail.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Receive and file the submission materials from LARPD and EBRPD.

Alternative Two:

Continue the item for consideration at a future meeting and provide direction to staff as needed.

Alternative Three:

Take no action.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", is positioned above the printed name.

Rachel Jones
Executive Officer

Attachments:

1. Alameda LAFCO Request for Information to LARPD and EBRPD, dated October 30, 2024
2. LARPD Response Letter and Materials
3. EBRPD Response Letter and Materials

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LAFCO
Alameda Local Agency Formation Commission

October 30, 2024

Matthew Fuzie

General Manager
Livermore Area Recreation and Park District
4444 East Avenue
Livermore, CA 94550

Sabrina Landreth

General Manager
East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605

SUBJECT: Request for Information and Follow-Up on Property Tax Exchange Discussions

Dear Mr Fuzie and Ms. Landreth:

I am writing on behalf of the Alameda Local Agency Formation Commission (LAFCO) regarding our recent efforts to better understand and collaborate with local agencies within our jurisdiction. As you may be aware, Alameda LAFCO recently adopted its Final Report on the Community Services Municipal Service Review. In line with the findings of this report, the Commission has recommended that both the Livermore Area Recreation and Park District (LARPD) and East Bay Regional Park District (EBRPD) engage in discussions concerning the property tax exchange agreement within Murray Township. The Commission has also directed Commissioner Bob Woerner to help facilitate these discussions. We request that both districts return to the Commission with a plan forward within the next three months.

To facilitate these discussions and ensure the best outcomes, we would appreciate your assistance with the following:

1. Definition of Murray Township and Facilities

As an initial step, we seek to clarify the definition of Murray Township and the specific facilities where your agency provides services. If possible, please provide us with a detailed map and enumerate the facilities within Murray Township where services are offered. We kindly request this information by Friday, November 14th.

2. Financial Overview of the Service Area

Additionally, we are interested in understanding the financial aspects associated with your operations within this service area. Specifically, we request details on the amount of revenue collected and the expenditures made within Murray Township. We would appreciate receiving this financial information within the next two months to support our ongoing analysis.

Administrative Office

Rachel Jones, Executive Officer
224 West Winton Avenue, Suite 110
Hayward, California 94544
T: 510.670.6267
www.alamedalafco.org

Nate Miley, Regular
County of Alameda

David Haubert, Regular
County of Alameda

Lena Tam, Alternate
County of Alameda

Karla Brown, Chair
City of Pleasanton

John Marchand, Regular
City of Livermore

Michael McCorriston, Alt.
City of Dublin

Ralph Johnson, Regular
Castro Valley Sanitary District

Mariellen Faria, Regular
Eden Township Healthcare District

Georgian Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

Thank you for your attention to this matter. We value your cooperation and look forward to working with you closely. Should you have any questions or need further clarification, please feel free to reach out to us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

Rachel Jones
Executive Officer

A handwritten signature in blue ink, appearing to read "Bob Woerner", with a long horizontal flourish extending to the right.

Bob Woerner
Alameda LAFCO Commissioners



Livermore Area
Recreation and Park District
An independent special district

4444 East Avenue, Livermore, CA 94550-5053
(925) 373-5700 www.larpd.org

General Manager
Mathew L. Fuzie

November 14, 2024

LAFCO Administrative Office
Rachel Jones, Executive Director
Bob Woerner, Alameda LAFCO Commissioner
224 West Winton Avenue, Suite 110
Hayward, CA 94544

Subject: Response to Request for Information and Property Tax Exchange Discussion

Ms. Jones and Commissioner Woerner,

Thank you for reaching out on behalf of the Alameda Local Agency Formation Commission (LAFCO). We appreciate the opportunity to collaborate on discussing the Park and Recreation Facilities and Services property tax sharing agreement for Murray Township between LARPD and EBRPD.

To facilitate your request, we have included the following materials:

1. Definition of Murray Township and Facilities

a. **Map of Murray Township and LARPD Service Area:** Enclosed is the LAFCO Sphere of Influence (SOI) Map for the Livermore Area Recreation and Park District (LARPD), outlining our service boundaries which mirror Murray Township as it existed in 1992, at the time of the Park and Recreation Facilities and Services Tax Sharing agreement between LARPD and EBRPD.

b. Numbered Parks, Facilities, and Trails Map within Murray Township:

- i. LARPD facilities, parks, existing trails and proposed trails within Murray Township
- ii. Map Legend

c. Trail Map of Sycamore Grove Park and Holdener Park (Open Space)

2. Financial Overview of the Service Area: Enclosed we have provided the requested financial overview for Murray Township, which includes revenue collected and expenditures made within this area since the inception of the Parks and Recreation Facilities and Services Tax Sharing agreement.

a. LARPD Financials within Murray Township from 1992-93 through 2023-24

- i. **Note:** *Camp Shelly is the only LARPD facility located outside the Murray Township service area and has been excluded from the financial data in the attached spreadsheet. We have removed Camp Shelly's financials from*

Board of Directors

David Furst

Jan Palajac

James E. Boswell

Maryalice Faltings

Philip Pierpont

2001-02 through 2023 based on actual records. For 1992 to 2001, while we have revenue data, expenses were not tracked separately. To estimate revenue and expenses for this period, we used an 8-year sample, and these figures have also been removed from the spreadsheet.

b. East Bay Regional Park District Financial Contribution

- i. Spreadsheet outlines the contribution from East Bay Regional Park District to LARPD from 1995-96 through 2023-24.
- ii. The funds outlined in this spreadsheet are included in the operating revenue listed in 2.a: LARPD financials with Murray Township from 1992-93 through 2023-24.

Please do not hesitate to reach out if you need further information or clarification on any of the materials provided.

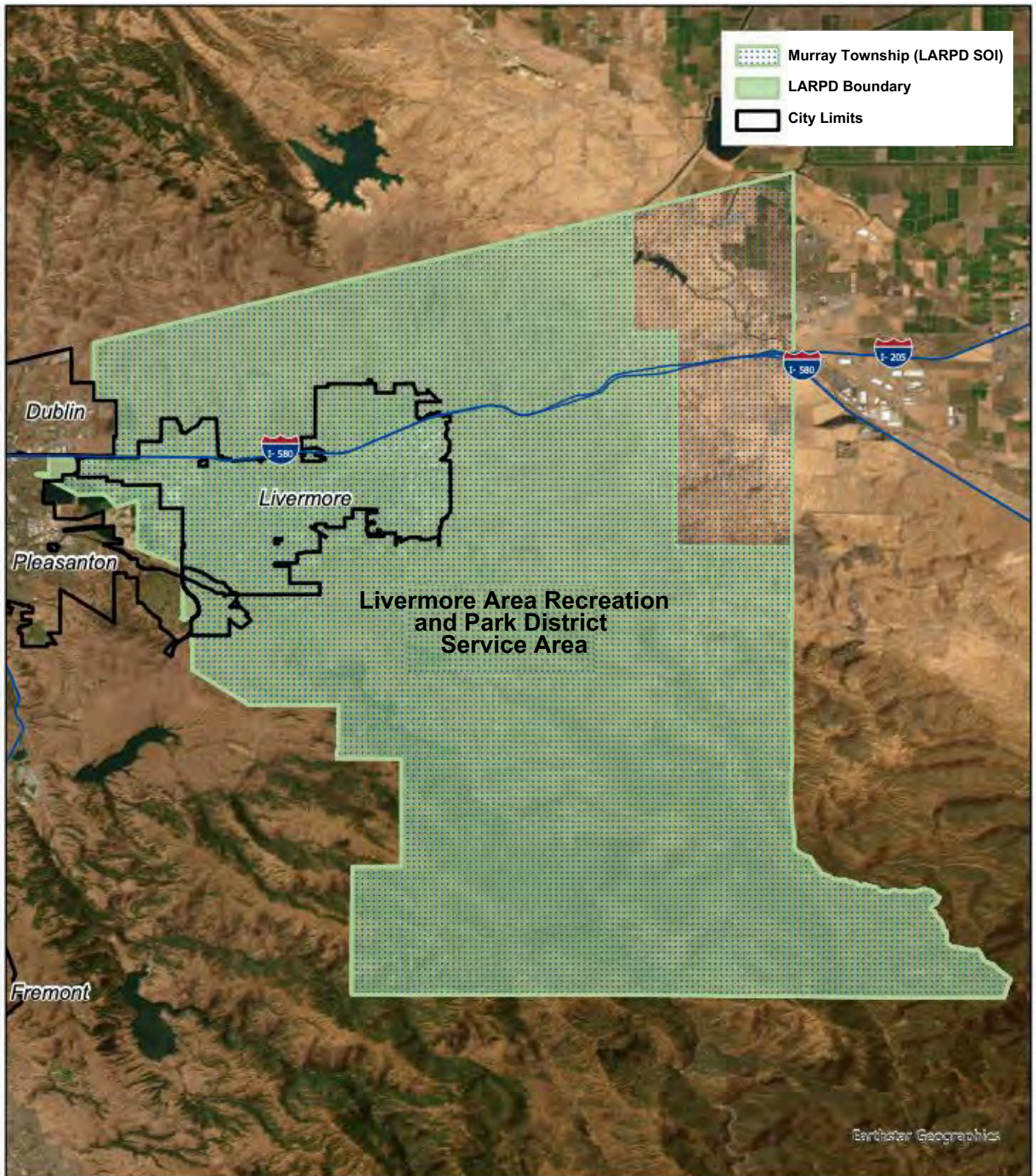
We look forward to productive discussions and working toward a beneficial outcome for the residents of the Murray Township area.

Thank you,



Mathew Fuzie
General Manager
Livermore Area Recreation and Park District

1.a. Definition of Murray Township Boundary (LARPD Service Area)

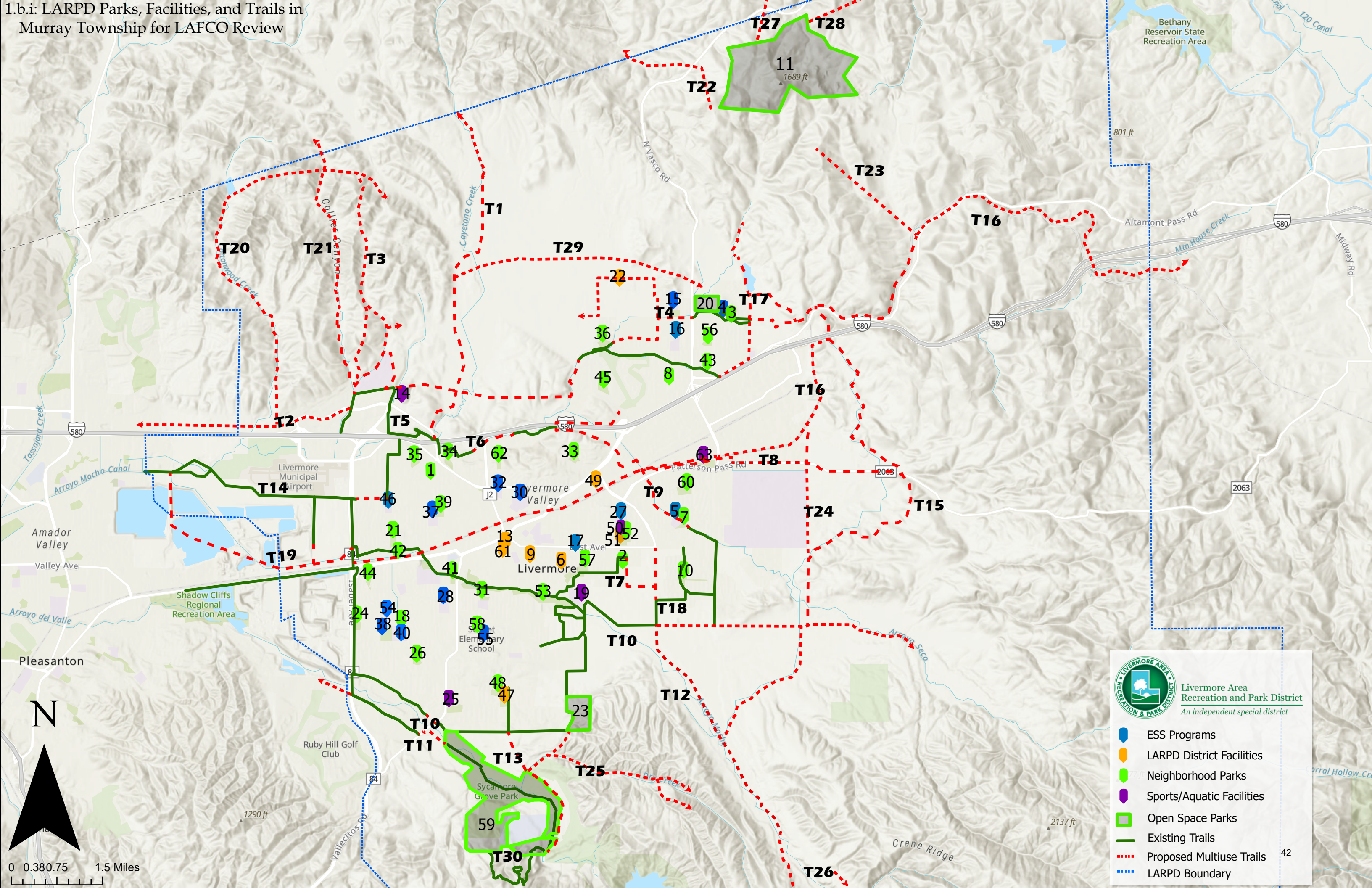


Definition of Murray Township and LARPD Service Area

Source: RSG, Inc., ESRI, Alameda LAFCO



0 2.23 4.45 Miles





Livermore Area
Recreation and Park District
An independent special district



ESS Programs



LARPD District Facilities



Neighborhood Parks



Sports/Aquatic Facilities



Open Space Parks



Existing Trails



Proposed Multiuse Trails



LARPD Boundary

1.b.ii. Map Legend: LARPD Parks, Facilities, and Trails in Murray Township for LAFCO Review

Trails:

T1 Cayetano Creek Trail
T2 North Canyons Parkway Trail
T3 College Trail
T4 Altamont Creek Trail
T5 Isabel Trail
T6 Arroyo Las Positas Trail
T7 Civic Center Trail
T8 Patterson Pass Trail
T9 Arroyo Seco Trail
T10 South Livermore Valley Trail
T11 Shadow Cliffs to Del Valle Regional Trail
T12 Mines Road Trail
T13 Arroyo Road Trail
T14 Jack London Trail
T15 South Bay Aqueduct Trail
T16 Iron Horse Trail
T17 Laughlin Road Trail
T18 Dunsmuir Trail
T19 Arroyo Mocho/El Charro Road Trail
T20 Doolan Canyon Trail
T21 Collier Canyon Trail
T22 Brushy Peak to Los Vaqueros Trail
T23 Brushy Peak Connector Trail
T24 Greenville Road Trail
T25 Dry Creek Trail
T26 Cedar Mountain Trail
T27 Brushy Peak to Brentwood Trail
T28 Brushy Peak to Bethany Reservoir Trail
T29 North Livermore Connector Trail
T30 Patterson Ranch Trail

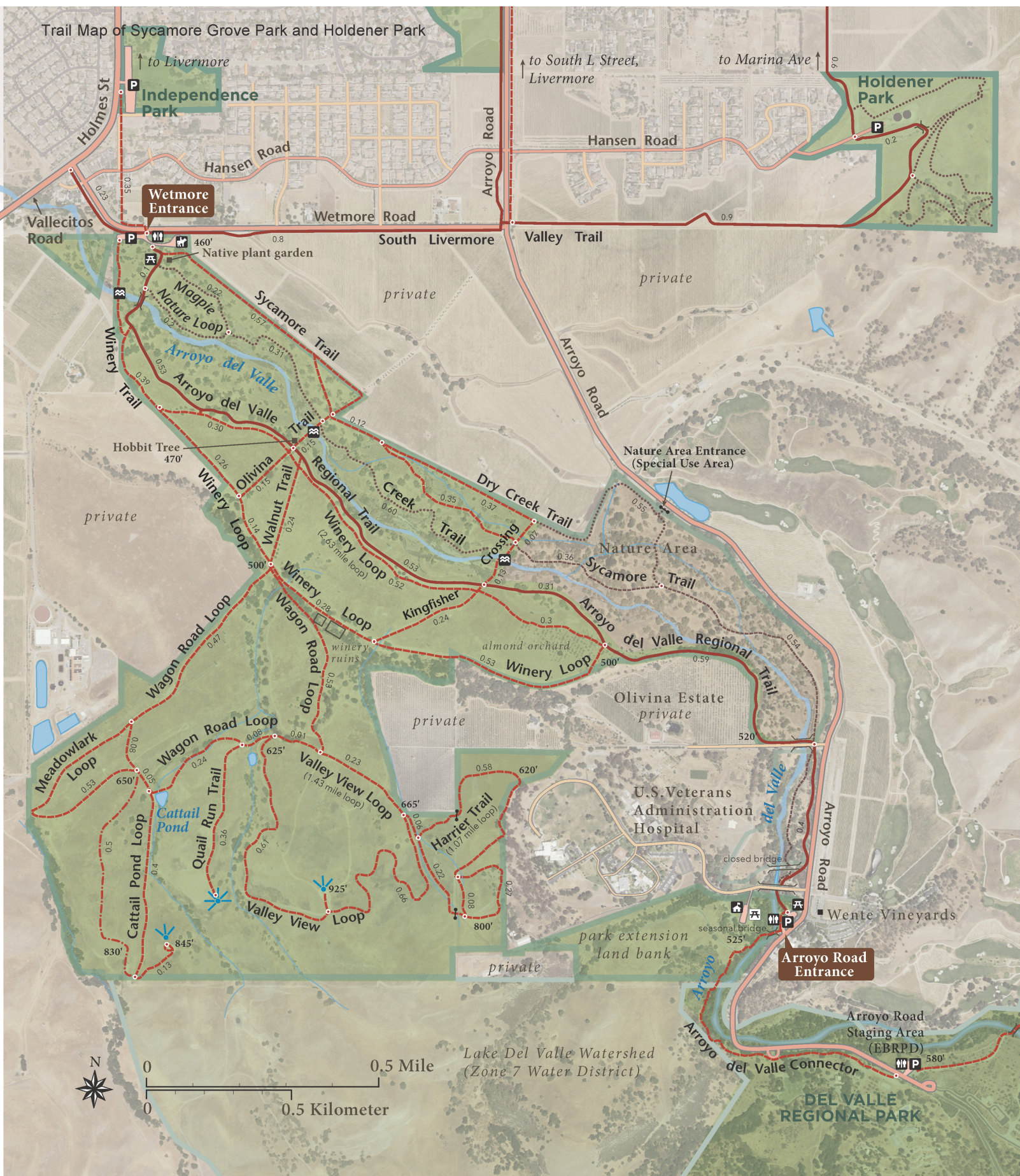
Parks and Facilities

1 Al Caffodio Park
2 Almond Park
3 Altamont Creek Park*
4 Altamont Creek Elem School – ESS
5 Arroyo Seco Elem School – ESS
6 The Barn*
7 Big Trees Park and Extension
8 Bill Clark Park*
9 Bothwell Park and Arts Center
10 Bruno Canziani Park
11 Brushy Peak Regional Park
12 *Camp Shelly (Not in Murray Township)*
13 Carnegie Building
14 Cayetano Park*
15 Christensen Park* and MS – PAL
16 Croce Elem School – ESS

17 East Ave Middle School – PAL
18 El Padro Park*
19 Ernie Rodrigues Sports Park
20 Garaventa Wetlands Preserve
21 Hageman Park
22 Hal Chestnut Field
23 Holdener Park
24 Ida Holm Park
25 Independence Park
26 Jack Williams Park*
27 Jackson Ave Elem School – ESS
28 Joe Michell K-8 School – ESS
30 Junction Ave K-8 School – ESS
31 Karl Wente Park*
32 Lawrence Elem School – ESS
33 Lester J. Knott Park*
34 Livermore Downs Park
35 Maitland R. Henry Park
36 Marlin A. Pound Park
37 Marylin Ave Elem School – ESS/ASES
38 Max Baer Park*
39 May Nissen Park*
40 Mendenhall Middle School – PAL
41 Mocho Park
42 Murrieta Meadows
43 Northfront Park and Trailhead
44 Pleasure Island Park
45 Ralph T. Wattenburger Park*
46 Rancho Las Positas Elem School – ESS
47 Ravenswood Historic Site*
48 Ravenswood Park
49 R.E. Merritt Building (Trevarno)
50 Robert Livermore Aquatics Center*
51 Robert Livermore Community Center*
52 Robert Livermore Park*
53 Robertson Park
54 Smith Elem School - ESS
55 Sunset Elem School – ESS
56 Summit Park*
57 Sunken Gardens Skate Park
58 Sunset Park*
59 Sycamore Grove Park
60 Tex Spruiell Park*
61 Veterans Memorial Building
62 Vista Meadows Park*
63 William “Bill” Payne Park*

**City of Livermore owned and LARPD maintained*

1.c Sycamore Grove and Holdener Park Trail Map (Open Space)



2.a LARPD Financial Overview of Service Area from FY92-93 through FY23-24

Financial Overview of the Service Area: Below LARPD has provided the requested financial overview for Murray Township, which includes revenue collected and expenditures made within this area since the inception of the Park and Recreation Facilities and Services Tax sharing agreement.

Fiscal Year	Operating Revenue	Operating Expenses	Capital Revenue	Capital Expenses
2023-2024	\$ 24,270,003	\$ 22,458,656	\$ 375,434	\$ 2,631,663
2022-2023	\$ 22,898,897	\$ 21,020,753	\$ 160,556	\$ 2,424,367
2021-2022	\$ 21,649,121	\$ 18,871,797	\$ 1,408,379	\$ 2,257,135
2020-2021	\$ 17,452,862	\$ 17,069,331	\$ 154,181	\$ 181,615
2019-2020	\$ 20,152,368	\$ 21,201,015	\$ 3,987,682	\$ 4,300,126
2018-2019	\$ 22,493,624	\$ 20,904,432	\$ 8,955,696	\$ 11,609,406
2017-2018	\$ 21,557,602	\$ 19,825,817	\$ 1,412,706	\$ 1,865,124
2016-2017	\$ 20,819,015	\$ 19,797,882	\$ 2,829,688	\$ 1,543,751
2015-2016	\$ 18,869,279	\$ 17,468,919	\$ 5,210,683	\$ 1,632,846
2014-2015	\$ 17,955,783	\$ 16,301,691	\$ 4,465,951	\$ 1,195,478
2013-2014	\$ 16,718,216	\$ 15,654,605	\$ 1,117,408	\$ 798,244
2012-2013	\$ 15,813,870	\$ 15,655,926	\$ 1,941,821	\$ 2,813,478
2011-2012	\$ 16,256,523	\$ 15,718,910	\$ 1,810,662	\$ 1,237,256
2010-2011	\$ 15,967,536	\$ 16,093,850	\$ 222,794	\$ 1,058,193
2009-2010	\$ 15,950,364	\$ 16,248,691	\$ 812,706	\$ 1,367,938
2008-2009	\$ 16,490,837	\$ 16,596,023	\$ 1,133,906	\$ 624,123
2007-2008	\$ 16,372,283	\$ 16,321,296	\$ 1,253,284	\$ 998,487
2006-2007	\$ 15,915,151	\$ 15,026,039	\$ 2,900,044	\$ 1,805,690
2005-2006	\$ 14,152,353	\$ 14,068,786	\$ 1,827,863	\$ 1,495,502
2004-2005	\$ 13,185,929	\$ 13,164,162	\$ 4,046,496	\$ 5,419,874
2003-2004	\$ 12,539,755	\$ 12,953,246	\$ 5,405,250	\$ 2,838,618
2002-2003	\$ 12,180,090	\$ 13,229,881	\$ 2,560,770	\$ 894,649
2001-2002	\$ 11,292,311	\$ 12,147,679	\$ 2,939,228	\$ 1,273,837
2000-2001	\$ 10,689,609	\$ 10,611,776	\$ 1,727,613	\$ 1,947,675
1999-2000	\$ 9,746,999	\$ 9,401,522	\$ 1,969,692	\$ 1,950,400
1998-1999	\$ 8,736,508	\$ 8,530,650	\$ 2,115,610	\$ 1,522,773
1997-1998	\$ 8,063,176	\$ 7,979,655	\$ 1,492,420	\$ 757,461
1996-1997	\$ 7,299,557	\$ 7,756,836	\$ 726,685	\$ 700,576
1995-1996	\$ 6,591,284	\$ 7,075,904	\$ 946,080	\$ 380,603
1994-1995	\$ 5,852,890	\$ 6,775,260	\$ 1,051,422	\$ 645,570
1993-1994	\$ 5,773,161	\$ 5,701,894	\$ 1,956,151	\$ 2,156,562
1992-1993	\$ 6,077,798	\$ 6,167,498	\$ 1,078,526	\$ 1,555,355
Totals	\$ 469,784,754	\$ 457,800,382	\$ 69,997,387	\$ 63,884,375

**Camp Shelly is the only LARPD facility outside the Murray Township service area and has been excluded from the financial data in the attached spreadsheet. We have removed Camp Shelly's financials from 2001-02 through 2023 based on actual records. For 1992 to 2001, while we have revenue data, expenses were not tracked separately. To estimate revenue and expenses for this period, we used an 8-year sample, and these figures have also been removed from the spreadsheet.*

***Revenue outlined on 2.b is included in Operating Revenue listed above.*

2.b - Revenue received by LARPD from EBRPD

Fiscal Year	Brushy Peak Debt Service	Operating Grant	Holdener Park	Arroyo Del Valle Trail Renovation	Totals
FY95-96	205,305	-	-	-	205,305
FY96-97	270,084	-	-	-	270,084
FY97-98	218,119	225,000	-	-	443,119
FY98-99	-	225,000	-	-	225,000
FY99-00	-	225,000	-	-	225,000
FY00-01	15,516	225,000	-	-	240,516
FY01-02	196,173	225,000	-	-	421,173
FY02-03	196,333	200,000	-	-	396,333
FY03-04	43,602	200,000	-	-	243,602
FY04-05	-	200,000	-	-	200,000
FY05-06	-	200,000	-	-	200,000
FY06-07	-	200,000	-	-	200,000
FY07-08	-	200,000	-	-	200,000
FY08-09	-	200,000	-	-	200,000
FY09-10	-	200,000	40,000	-	240,000
FY10-11	-	200,000	-	-	200,000
FY11-12	-	200,000	-	-	200,000
FY12-13	-	200,000	-	-	200,000
FY13-14	-	200,000	-	-	200,000
FY14-15	-	200,000	-	-	200,000
FY15-16	-	200,000	-	-	200,000
FY16-17	-	200,000	-	-	200,000
FY17-18	-	200,000	-	276,262	476,262
FY18-19	-	200,000	-	213,165	413,165
FY19-20	-	200,000	-	10,573	210,573
FY20-21	-	200,000	-	-	200,000
FY21-22	-	200,000	-	-	200,000
FY22-23	-	200,000	-	-	200,000
FY23-24	-	200,000	-	-	200,000
Totals	\$ 1,145,132	\$ 5,525,000	\$ 40,000	\$ 500,000	\$ 7,210,132

**Revenue listed above is included in Operating Revenue on 2.a.*



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MEMORANDUM

DATE: December 10, 2024

TO: Rachel Jones, LAFCO

FROM: Sabrina Landreth, EBRPD

SUBJECT: Informational Memorandum re Tax Sharing Agreement Between LARPD and EBRPD

Executive Summary

The Livermore Area Recreation & Park District (LARPD) assertion that the East Bay Regional Park District (EBRPD) is taking in more revenue from Murray Township than it gives back in mission delivery is inaccurate and not supported by facts. From January 1, 2001 through December 31, 2023 EBRPD has spent \$138.5 million operating, improving, and acquiring parklands in the Murray Township area. During that same timeframe an additional \$4 million in direct support was provided to LARPD by EBRPD (\$200,000 per year for 20 years). Additionally, the Park District provided at least \$16 million in indirect support (central services including Finance, Human Resources, General Counsel, Information Services, Maintenance & Skilled Trades etc.) during this time period. This does not account for the costs associated with Fire and Public Safety Services which are also provided to this area. Overall, EBRPD has invested over \$147 million in the Murray Township area while only receiving \$100 million in revenue. Therefore, EBRPD is spending 47% more than the revenue it is receiving based on the 1992 tax sharing agreement.

Historical Context

Prior to 1992, LARPD provided all park and recreation services to the area of Eastern Alameda County generally known as "Murray Township." LARPD was formed in 1947 as an independent special district. The boundary line between EBRPD and LARPD was reflected in an official Alameda County Map from 1966.

In 1991, LARPD and EBRPD formed a liaison committee to begin "cooperative consultations" to bring regional park and open space facilities to Murray Township, while preserving the local and community parks provided by LARPD. In 1992, LARPD and EBRPD "after extensive negotiations" agreed upon a tax sharing agreement to provide EBRPD "a reasonable amount of funds to maintain and operate regional facilities in the Murray Township area" while resulting in "no additional tax burden to the residents of Murray Township." LARPD is a *Recreation* and Park District whereas EBRPD is a *Regional* Park District under the Government Code. The transmittal letter from LARPD for the executed 1992 agreement included the following words from LARPD's then-General Manager William Payne, "It has been a pleasure working with you and the other EBRPD representatives. The people of the Livermore area will certainly benefit from the new EBRPD/LARPD relationship."

In 1992, the LARPD area (approximately 276 acres) was annexed into EBRPD, with EBRPD thereafter providing regional parks, open space and trails, and LARPD continuing to provide local park services to residents of that area. The annexation

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Elizabeth Echols President Ward 1	Ellen Corbett Vice President Ward 4	John Mercurio Treasurer Ward 6	Olivia Sanwong Secretary Ward 5	Dee Rosario Ward 2	Dennis Waespi Ward 3	Colin Coffey Ward 7	Sabrina Landreth General Manager
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was to “not otherwise affect or alter the power and authority of LARPD” to provide local and community park and recreation facilities to Murray Township.

According to the Tax Sharing Agreement, the “initial guiding document” for the regional program that EBRPD assumed responsibility for was the then-existing LARPD Master Plan and Master Trails Plan. However, EBRPD was to review the “regional needs” of Murray Township and, with LARPD’s input and cooperation, incorporate them into EBRPD’s Master Plan scheduled to be completed in 1994. LARPD assumed responsibility for all existing LARPD facilities and programs, as well as all future Murray Township community and local park and recreation facilities, and their related maintenance and operations. Notably, the Park District operated Del Valle Regional Park for many years before the 1992 annexation with no Murray Township revenue pursuant to operating agreements between EBRPD, California Department of Parks & Recreation, and California Department of Water Resources.

The 1992 Tax Sharing Agreement

The Tax Sharing Agreement provided that EBRPD would receive a portion of LARPD’s share of the one percent (1%) ad valorem property tax assessed by Alameda County to properties in Murray Township. Prior to the Tax Sharing Agreement, some percentage of the 1% went to LARPD and none to EBRPD. After the Tax Sharing Agreement, EBRPD would receive a phased-in shift of a portion of the property tax that went to LARPD. The tax shift was to increase incrementally over ten years, at the end of which time, EBRPD was to receive a tax allocation similar to what it receives from other areas in the Park District, but had not received from Murray Township. Because the Tax Sharing Agreement simply shifted a portion of LARPD’s share to EBRPD, it did not increase the tax burden of Murray Township residents.

In Fiscal Year (FY) 93-94, EBRPD received \$.0075 per \$100 of Assessed Value (AV). The base rate incrementally increased until FY 01-02, at which point the agreement specified EBRPD would receive \$.025 of the base year’s AV and \$.030 per \$100 of all AV growth over the base year thereafter. The base year is the AV for the year 00-01.

The Tax Sharing Agreement also provided that EBRPD would attempt to obtain capital financing through external sources, including bonds and federal and state grants. LARPD was to remain responsible for Sycamore Grove Regional Park. LARPD was also supposed to acquire Brushy Peak and be responsible for its initial operation. EBRPD was to “consider being involved” in operation of Brushy Peak if resources were available. The parties were to form a liaison committee to meet at least quarterly to review planning, operational and financial issues.

The current agreement between EBRPD and LARPD does not have an expiration and there is no requirement to renegotiate. The agreement can only be amended by the written consent of both parties.

Educational Revenue Augmentation Fund

After the parties entered into the Tax Sharing Agreement, the State of California in July 1992 created the Educational Revenue Augmentation Fund (“ERAF”) which shifts local property taxes from cities, counties, and special districts to a fund which is used to ensure local school districts have the required minimum funding. When ERAF was implemented, LARPD’s share of the one percent property tax decreased by nearly half because it was reallocated to the ERAF. The Tax Sharing Agreement was based on the total assessed value (AV) of the properties in the Murray Township and was not relative to LARPD’s share of the 1% of AV. As a result, ERAF decreased LARPD’s share of property tax revenues while EBRPD was not affected.

Bond Measures AA and WW

In 1988, before EBRPD annexed the LARPD area, EBRPD voters passed Measure AA, a \$225 million bond measure. The residents within the Murray Township area were not part of the existing EBRPD boundary therefore they did not vote on the measure and were not taxed once it passed. For this reason, the Murray Township boundary was used as part of the LAFCO process to separate tax rate areas. In 2008, EBRPD placed Measure WW on the ballot to provide \$500M in bonds to expand regional parks and trails, and to preserve and protect open space for recreation and wildlife habitat. Measure WW extended the existing bonded indebtedness tax rate in place from the previously passed 1988 Measure AA. Since the LARPD area was outside EBRPD in 1988 and had no existing Measure AA tax rate, it was also excluded from Measure WW. Although Murray Township area residents do not pay the Measure WW bond tax levy, they still receive the benefit of the infrastructure and parklands acquired by these bonds when they visit East Bay Parks outside of the Murray Township

area. Note that there are a few Tax Rate Allocation areas within the City of Livermore that are not part of the Murray Township area and do pay the Measure WW assessment (e.g., 16-078).

Current EBRPD Operations in Murray Township

Currently, EBRPD operates several major parks and facilities within and directly serving Murray Township, including Del Valle Regional Park, the Del Valle Visitor Center, Camp Arroyo, Ohlone Wilderness Regional Preserve, Shadow Cliffs Regional Recreation Area, and Brushy Peak Regional Preserve. The 2024 operating budgets for Del Valle, the Del Valle Visitors Center, Camp Arroyo, Brushy Peak, and Shadow Cliffs exceed \$5 million for the year. This does not include the costs associated with Police and Fire services, Lifeguard services, water testing, drinking water quality testing and monitoring, permit compliance, maintenance and operations of the drinking water and sewage system at Del Valle, and importantly, administrative overhead.

The costs of Interpretive & Recreation services provided at Del Valle prior to 2021 and at the Shadow Cliffs Interpretive Pavilion are also not captured in the Murray Township expenditure analysis, as they are included in the budget for the Sunol Visitor Center.

In 2006, following ten years of effort, the District completed acquisition of over 1,500 acres at Brushy Peak at a cost of \$5 million. Significant additional funds were spent to complete restoration, planning, construction of parking, fencing, trail and roadway improvements. EBRPD staff now operate and maintain the majority of Brushy Peak for public use.

In 2009, cooperation and joint funding with LARPD resulted in the acquisition of the final intervening parcel of land between Camp Arroyo and Veteran's Park, which preserved and expanded lands adjacent to Sycamore Grove and allowed construction of one of the last remaining gaps in the Shadow Cliffs to Del Valle Regional Trail. In 2015, EBRPD and LARPD entered into a Cooperative Funding Agreement to complete the Arroyo Del Valle Regional Trail Reconstruction Project within Sycamore Grove Park. EBRPD provided LARPD \$500,000 to complete the trail reconstruction.

The Park District has also provided an annual direct appropriation of \$200,000 to LARPD since 2004, to help fund priority projects and provide operating support for our cooperative interests in the area.

The Park District has invested almost \$42 million in capital projects in the Murray Township area, including leveraging over \$19 million in grant funds for projects such as the Brushy Peak acquisition, the new Del Valle Visitors Center, the Del Valle water system, and for improvements at Camp Arroyo.

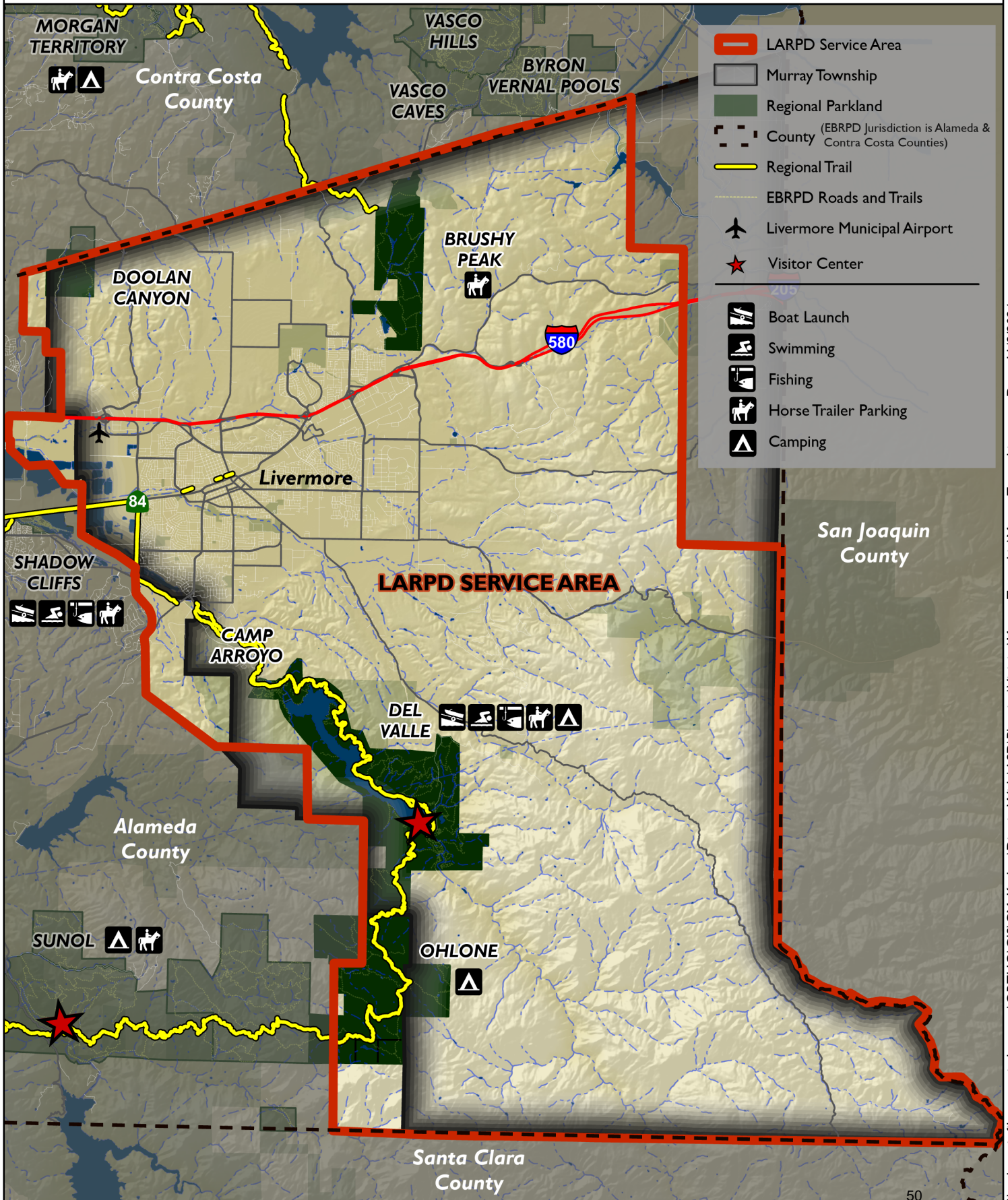
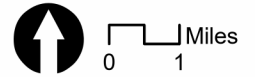
Residents of the Murray Township area receive significant benefit from EBRPD's network of 73 regional parks. Based on data from a third-party location analytics company, 15% of visitors to Morgan Territory Regional Preserve in eastern Contra Costa County come from the Livermore area. Visitorship at Pleasanton Ridge Regional Park and Quarry Lakes Regional Recreation Area in Fremont also includes a significant number of Livermore area residents.

A summary of EBRPD's investments in Murray Township since 2000 is attached.

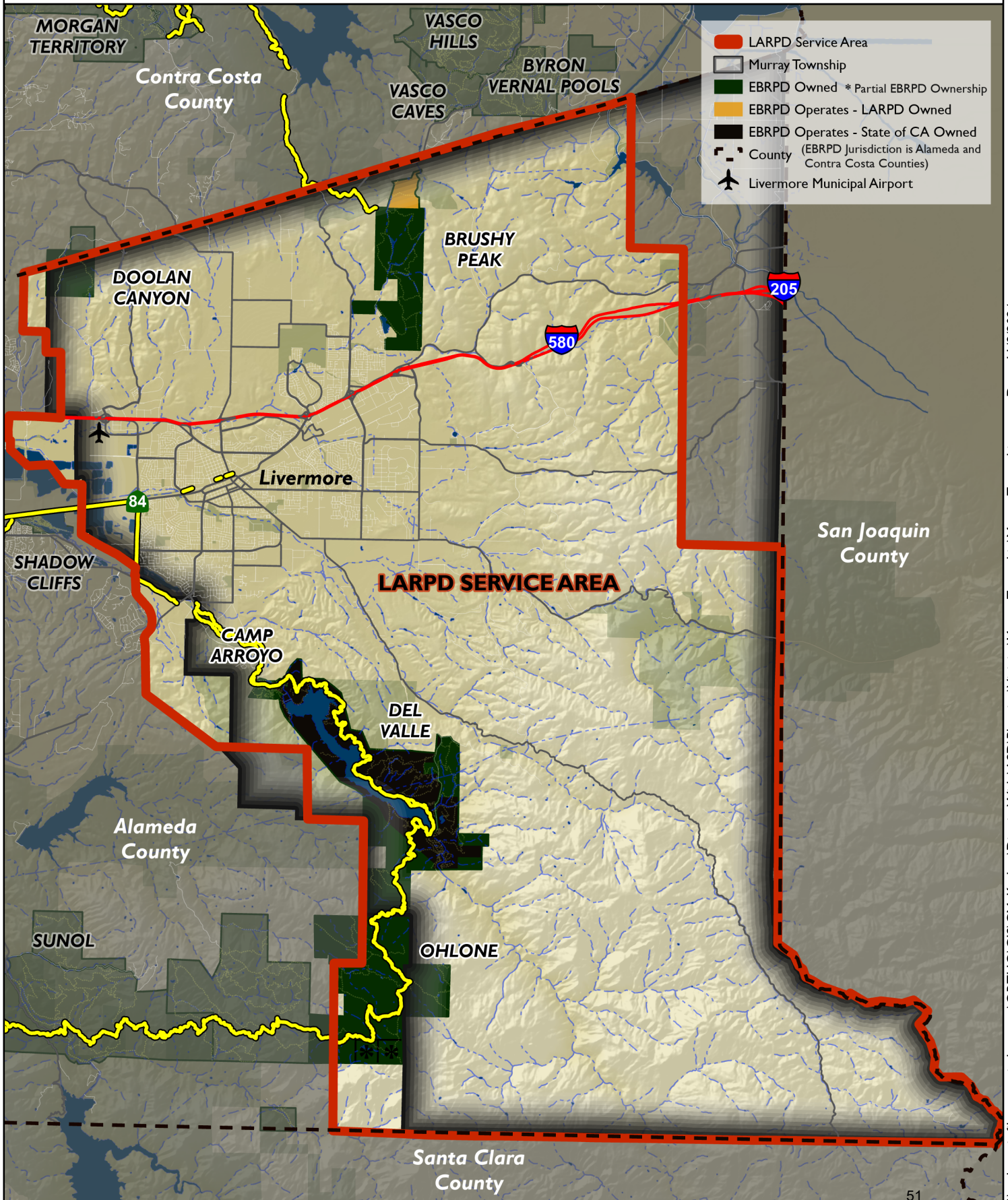
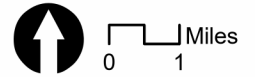
We have also calculated that Murray Township residents, had they been included in the Measure WW bonds, would have been required to pay over \$13.6 million in additional taxes. However, they continue to benefit from the regional parks and services provided by EBRPD.

Attachments: Map of Murray Township showing EBRPD Facilities, Summary of Murray Township Revenues & Expenses from 2001-2023

EBRPD Facilities within LARPD Service Area Livermore, CA Vicinity



EBRPD Owned vs Leased Land within LARPD Service Area Livermore, CA Vicinity



Murray Township Area Revenue & Operating Expenditure Analysis																								
Revenue*	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Prop Tax Revenues - Murray Township Area	1,968,648	2,247,825	2,491,785	2,738,454	3,061,727	3,444,398	3,775,835	4,001,426	3,956,379	3,780,789	3,726,855	3,816,830	3,960,012	4,174,718	4,510,248	4,845,137	5,175,635	5,536,150	5,913,200	6,231,292	6,520,816	6,968,730	7,457,017	100,303,903
Direct Operating Exp. by Park Location**	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Del Valle	1,450,974	1,423,482	1,532,879	1,612,201	1,617,153	1,713,374	1,778,459	1,946,559	1,887,530	1,969,744	2,106,121	2,077,627	2,073,180	1,974,379	2,033,326	2,163,230	2,022,126	2,332,826	2,253,151	2,098,596	2,512,213	2,559,284	2,433,405	45,571,818
Shadow Cliffs***	818,271	1,055,852	939,628	925,286	967,003	1,047,704	1,140,112	1,207,774	1,184,438	1,148,910	1,155,271	1,176,704	1,288,022	1,310,281	1,266,198	1,313,334	1,404,586	1,369,878	1,358,916	1,325,247	1,424,371	1,482,448	1,525,127	27,835,361
Brushy Peak	29,142	55,155	19,313	31,022	103,222	88,852	174,269	115,219	109,488	127,727	111,756	129,412	111,649	108,939	81,745	154,619	147,994	147,228	149,706	152,406	154,087	146,640	133,441	2,583,031
Arroyo Del Valle Camp	373,993	706,514	230,627	249,707	280,392	284,648	(18,152)	290,063	294,402	275,052	286,243	282,345	296,426	312,474	327,528	420,300	376,491	348,366	442,297	300,962	320,029	384,509	394,666	7,459,883
Del Valle Visitor Center****	-	-	-	-	-	-	-	-	-	477	87	-	-	-	-	-	-	-	-	1,603	147,260	547,875	602,402	1,299,705
Del Valle to Shadow Cliffs Trail	-	-	-	-	-	-	-	-	-	-	-	-	-	-	342	-	-	-	-	-	-	-	-	342
Total Operating Expenditures	2,672,380	3,241,003	2,722,447	2,818,217	2,967,770	3,134,579	3,074,689	3,559,615	3,475,859	3,521,909	3,659,478	3,666,088	3,769,277	3,706,073	3,709,138	4,051,482	3,951,197	4,198,297	4,204,070	3,878,815	4,557,960	5,120,756	5,089,041	84,750,139
Indirect Cost Rate 18.93%*****	505,882	613,522	515,359	533,488	561,799	593,376	582,039	673,835	657,980	666,697	692,739	693,990	713,524	701,560	702,140	766,945	747,962	794,738	795,830	734,260	862,822	969,359	963,356	16,043,201
Project Exp. (Acquisition, Const., Develop.)	3,720,774	1,216,450	467,716	1,153,701	1,210,674	1,283,714	1,555,358	1,291,429	588,139	659,371	3,511,382	648,586	515,528	1,322,122	1,394,835	1,476,923	3,738,887	1,734,842	2,083,921	5,930,801	3,197,914	974,041	2,254,041	41,931,150
Annual Payment EBRPD to LARPD*****	426,136	190,817	249,119	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	4,866,072
Expenditures (Over) / Under Revenues	(5,356,524)	(3,013,967)	(1,462,856)	(1,966,952)	(1,878,516)	(1,767,271)	(1,636,250)	(1,723,453)	(965,599)	(1,267,189)	(4,336,745)	(1,391,835)	(1,238,317)	(1,755,036)	(1,495,865)	(1,650,213)	(3,462,410)	(1,391,727)	(1,370,622)	(4,512,583)	(2,297,881)	(295,426)	(1,049,421)	(47,286,659)

* Revenue calculations use 1/2 of the amount from the 1st year and 1/2 from the 2nd year, since prop tax is provided on FY basis and Park District operates on calendar year basis.

** Direct Operating expenditures include costs of park operations and lifeguard services at Del Valle and Shadow Cliffs. Does not include Ohlone Wilderness expenditures which are part of Sunol - Ohlone Wilderness expenditures (outside of Murray Township)

*** Costs related to the new Shadow Cliffs Interpretive Pavillion are included in the Sunol Visitor Center budget, which is not listed here.

**** Costs related to the Del Valle Visitors Center prior to construction of the VC in 2021 were included in the Sunol Visitor Center budget, which is not listed here.

***** Indirect Cost rate of 18.93% was calculated per OMB requirements by a third-party consultant, and includes shared services: Finance, Information Services, Human Resources, General Counsel, Grant Administration, Maintenance & Skilled Trades.

***** 2001-2003 payments to LARPD are debt service for LARPD's Brushy Peak Acquisition as per agreement btn EBRPD and LARPD.



AGENDA REPORT

January 9, 2025

Item No. 8

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Memorandum of Understanding (MOU) with County of Alameda |
Second Amendment to Agreement

The Alameda Local Agency Formation Commission (LAFCO) will consider retroactively approving a one-month extension to its existing Memorandum of Understanding (MOU) agreement with the County of Alameda for contract services.

Background

At the May 9, 2024 regular meeting, the Commission approved a six-month extension to the Memorandum of Understanding (MOU) agreement between Alameda LAFCO and the County of Alameda. That agreement has since expired on December 31, 2024. The MOU has served as the foundation for LAFCO's contract services with the County, supporting its operations in fulfilling its mission to oversee the logical and orderly development and coordination of local government agencies.

The Commission also approved at its May 9, 2024, regular meeting, to hire a consultant to conduct a comprehensive assessment of Alameda LAFCO's operational needs. The findings from this assessment, presented at LAFCO's October 11th special meeting, highlighted successful hybrid models implemented by at least eight comparable LAFCOs in other counties where the commissions managed their own staffing. Following the consultant's assessment, the Commission's Ad Hoc MOU Committee (Commissioners Johnson, Sblendorio, and Woerner), recommended that Alameda LAFCO directly hire its own staff. On October 11, 2024, the Commission approved this recommendation. This transition aligns with LAFCO's statutory independence and ensures the Commission can recruit and retain qualified staff.

On November 7, 2024, staff forwarded a letter (Attachment 1) to the County requesting that while LAFCO seeks to manage its own staff, it still values its ongoing relationship with the County and wishes to continue contracting all of the additional support services listed in its existing MOU agreement from the following County departments:

- **Human Resources:** Purchase of health insurance and other benefits.
- **County Counsel:** Legal services including advice, litigation and attendance at meetings.
- **Auditor/Controller:** General accounting and payroll services, as mutually agreed upon.
- **General Services Agency:** Facilities management, maintenance, and real property services as needed.
- **Risk Management:** Inclusion of LAFCO in the County's risk pool, providing defense and indemnification for LAFCO and its employees under the same terms as any other County agency (subject to review when LAFCO hires its own employees).
- **Information Technology:** LAN infrastructure, email,

In response, LAFCO received a letter from the County on December 20, 2024, stating that the County will continue to provide LAFCO its statutory services – Assessor, Clerk/Recorder, County Surveyor, Auditor/Controller – but will assist Alameda LAFCO in achieving staffing independence through separation from the County (Attachment 2).

During the transition period, LAFCO staff will remain under the County's policies and procedures while steps toward autonomy are taken. The County has also offered to share its experience in facilitating the independence of other entities, such as AVA Community Energy (formerly East Bay Community Energy).

Discussion

With the expiration of the extension, the Commission must now consider approving a month-to-month contract with the County to ensure continuity of services while ongoing operational needs are evaluated (Attachment 3). The second amendment to the contract agreement is set to expire on January 30, 2025. This approach will allow LAFCO to maintain critical operations while continuing its strategic assessment and preparing long-term independence.

Analysis

The transition to a monthly contract agreement is essential to avoid any disruption in services while LAFCO transitions to an independent operational framework. This flexibility allows the Commission to align its plans for independence with the County's support and guidance.

Staff recommends the Commission retroactively approve the second amendment to its MOU agreement with the County and delegate the necessary authority to the Executive Officer, in consultation with LAFCO's legal counsel, to finalize and manage the contract terms.

The County's letter demonstrates a strong commitment in supporting LAFCO's goals, and this partnership will be critical in ensuring a smooth and successful transition to independence.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Approve the second amendment to extend the County MOU agreement, and delegate authority to the Executive Officer to negotiate and approve the MOU extension terms, in consultation with LAFCO's Legal Counsel.

Alternative Two:

Continue the item for consideration at a future meeting and provide direction to staff as needed.

Alternative Three:

Take no action.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,



Rachel Jones
Executive Officer

Attachments:

1. Alameda LAFCO Letter to County dated November 7, 2024
2. County Response Letter to LAFCO dated December 20, 2024
3. Second Amendment to County Memorandum of Understanding (MOU)

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LAFCO

Alameda Local Agency Formation Commission

November 7, 2024

DELIVERED BY E-MAIL:

Sandi Rivera
 Director
 Alameda County Community Development Agency
 224 West Winton, Suite 110
 Hayward, CA 94544
Sandi.rivera@acgov.org

SUBJECT: Alameda LAFCO Staffing Independence and Ongoing County Service Partnership

Dear Director Rivera,

At the May 9, 2024, regular meeting, the Commission hired a consultant to conduct a comprehensive assessment of Alameda LAFCO's operational needs. The findings from this assessment, presented at LAFCO's October 11th special meeting, highlighted successful hybrid models implemented by at least eight comparable LAFCOs in other counties where the commissions managed their own staffing.

Following the consultant's assessment, the Commission's Ad Hoc MOU Committee (Commissioners Johnson, Sblendorio, and Woerner), recommended that Alameda LAFCO directly hire its own staff. On October 11, 2024, the Commission approved this recommendation. This transition aligns with LAFCO's statutory independence and ensures the Commission can recruit and retain qualified staff. Alameda LAFCO aims to work collaboratively with the County to implement this change in a manner that benefits both parties.

Proposal for Continued County Services

While Alameda LAFCO seeks to manage its own staff, the Commission values its ongoing relationship with the County and wishes to continue contracting for specific essential services. The statutory services that the County is obligated to provide include:

1. **Assessor:** Provision of assessment and parcel map information, as well as property owner data for legal notices and pending proposals.
2. **Auditor Controller:** Apportioning LAFCO's net operating expenses and collecting agency apportionments from cities, special districts, and the county itself.
3. **Clerk/Recorder:** Ensuring statutory record-keeping services as mandated by the Cortese-Knox-Hertzberg Act (CKH).

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Nate Miley, Regular
 County of Alameda

David Haubert, Regular
 County of Alameda

Lena Tam, Alternate
 County of Alameda

Karla Brown, Chair
 City of Pleasanton

John Marchand, Regular
 City of Livermore

Michael McCorriston, Alt.
 City of Dublin

Ralph Johnson, Regular
 Castro Valley Sanitary District

Mariellen Faria, Regular
 Eden Township Healthcare District

Georgian Vonheeder-Leopold, Alternate
 Dublin San Ramon Services District

Sblend Sblendorio, Regular
 Public Member

Bob Woerner, Alternate
 Public Member

4. **Registrar of Voters:** Providing voter registration information and verifying elections as required under CKH.
5. **County Surveyor:** Providing technical assistance and review of change of organization and reorganization proposals along with the certification of maps and legal descriptions that must comply with requirements set for in CKH and state mapping standards.

Beyond these statutory services, the Commission would like to continue contracting for all of the additional support services listed in the existing MOU agreement from the following County departments:

- **Human Resources:** Purchase of health insurance and other benefits.
- **County Counsel:** Legal services including advice, litigation and attendance at meetings.
- **Auditor/Controller:** General accounting and payroll services, as mutually agreed upon.
- **General Services Agency:** Facilities management, maintenance, and real property services as needed.
- **Risk Management:** Inclusion of LAFCO in the County's risk pool, providing defense and indemnification for LAFCO and its employees under the same terms as any other County agency (subject to review when LAFCO hires its own employees).
- **Information Technology:** LAN infrastructure, email, voice and data network services, application support, and other necessary IT functions.

Our intent is to maintain an effective and collaborative relationship with the County, ensuring that while LAFCO retains its statutory independence, it continues to benefit from the County's expertise and resources. This will also benefit the County, given that the County is statutorily required to pay a one-third share of the Commission's operational costs. We are open to discussing any adjustments to the proposal above and ensuring all necessary costs are covered and processes are followed.

Alameda LAFCO plays a critical role to ensure County residents receive efficient and effective public services, a clean environment, and the preservation of agricultural land. The County's partnership has been essential to Alameda LAFCO performing this work, and we know that the County shares in the goal of Alameda LAFCO having success in achieving its statutory goals. To that end, we appreciate your attention to this matter and look forward to working together to finalize the terms of our partnership. Please let us know if the County is willing to proceed with providing all or any of these services to Alameda LAFCO moving forward by our November 22nd meeting.

Thank you for your consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

Rachel Jones
Executive Officer

cc: Alameda LAFCO Commission

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**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY**

Sandra Rivera
Agency Director

December 20, 2024

224 West Winton Ave
Room 110

Hayward, California
94544-1215

phone
510.670.5333
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Rachel Jones, Executive Officer
LAFCO

224 W. Winton Ave, #110
Hayward, CA 94544

Rachel.jones@acgov.org

Re: County Response to Alameda LAFCO Staffing Independence and Ongoing
County Service Partnership Proposal

Dear Rachel,

Thank you for sharing your proposal with the County of Alameda ("County"). We have carefully considered LAFCO's desire for staff management and greater autonomy. We appreciate your commitment to developing the capacity to meet LAFCO's goals, and we fully support you in this endeavor.

With your strategic objectives in mind, we are prepared to assist LAFCO in transitioning to complete independence from County services beyond the statutory services over the next year. This pathway can build on the proactive steps you have already taken to ensure a smooth and supported process. The County values its ongoing relationship with LAFCO and will continue providing contract services for the following statutory services.

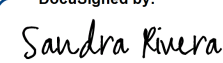
1. Assessor: Provision of assessment and parcel map information, as well as property owner data for legal notices and pending proposals.
2. Auditor Controller: Apportioning LAFCO's net operating expenses and collecting agency apportionments from cities, special districts, and the county itself.
3. Clerk/Recorder: Ensuring statutory record-keeping services as mandated by the Cortese- Knox-Hertzberg Act (CKH).
4. Registrar of Voters: Providing voter registration information and verifying elections as required under CKH.
5. County Surveyor: Providing technical assistance and review of change of organization and reorganization proposals along with the certification of maps and legal descriptions that must comply with requirements set for in CKH and state mapping standards.

During this transition period, LAFCO staff will remain under the County's framework and continue to follow established County policies and procedures. In parallel, we will work with you to secure LAFCO's long-term sustainability as an independent entity.

In 2018, we assisted AVA Community Energy (formerly East Bay Community Energy) in its initial efforts to become an independent entity, and we can share that experience with you. We are committed to being an active partner throughout LAFCO's transition process, providing the guidance and support necessary to position LAFCO for autonomy from the County.

Thank you for your continued partnership and trust. We look forward to assisting you in taking this important step toward independence.

Sincerely,

DocuSigned by:

4C216765DCDF437...

Sandra Rivera,

Community Development Agency Director

Cc: County Administrator's Office
Auditor-Controller Agency
General Services Agency
Information Technology Department/Registrar Of Voters
Human Resource Services
Office of the County Counsel

SECOND AMENDMENT TO EXTEND THE
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE ALAMEDA LOCAL AGENCY FORMATION COMMISSION
AND
THE COUNTY OF ALAMEDA

THIS SECOND AMENDMENT, entered into on the day of December __, 2024, modifies the Memorandum of Understanding (MOU) entered into on the 9th day of July 2024 between the Alameda Local Agency Formation Commission (LAFCo), and the County of Alameda (County) for staff and services.

WHEREAS, the County and LAFCo have mutually agreed to extend the MOU by one month to January 30, 2025; and

WHEREAS, the extension is predicated upon the parties negotiating substantive changes to the MOU regarding the working relationship of the parties;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and LAFCo agree as follows:

- A. The parties hereby mutually agree to exercise the option in Paragraph #11 of the MOU to extend the term of the agreement from December 31, 2024 to January 30, 2025.
- B. Except as provided for in this First Amendment, all other terms and conditions of the MOU remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the MOU as of the day and year first above written.

For the County of Alameda

For Alameda Local Agency Formation Commission

Sandra Rivera, Community Development
Agency Director

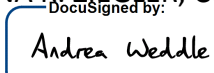
Rachel Jones, LAFCo Executive Director

Date

Date

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSE

By: 

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Andrea L. Weddle, Chief Assistant

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LAFCO

Alameda Local Agency Formation Commission

AGENDA REPORT

January 9, 2025

Item No. 9

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: 2ND Phase of LAFCO Independence Report and Transition Plan for Separation

The Alameda Local Agency Formation Commission (LAFCO) will consider approving the second phase of the independence report prepared by consultant, Roseanne Chamberlain, offering next steps for LAFCO's financial and operational independence from Alameda County. The report has been amended following the County's notice for separation dated December 20, 2024. Staff recommends the Commission initiate financial separation from the County by approving the draft resolution as shown in Attachment 1 and delegate authority to the Executive Officer to negotiate and approve contracts for a separate LAFCO bank account and bookkeeper, in consultation with LAFCO's Legal Counsel and Chair.

Background

The Commission approved at its May 9, 2024, regular meeting, to hire a consultant to conduct a comprehensive assessment of Alameda LAFCO's operational needs. The findings from this assessment, presented at LAFCO's October 11th special meeting, highlighted successful hybrid models implemented by at least eight comparable LAFCOs in other counties where the commissions managed their own staffing. Following the consultant's assessment, the Commission's Ad Hoc MOU Committee (Commissioners Johnson, Sblendorio, and Woerner), recommended that Alameda LAFCO directly hire its own staff. On October 11, 2024, the Commission approved this recommendation.

Following the recommendation, LAFCO received a letter from the County on December 20, 2024, stating that the County will continue to provide LAFCO its statutory services – Assessor, Clerk/Recorder, County Surveyor, Auditor/Controller – but will assist Alameda LAFCO in achieving staffing independence through separation from the County.

The second phase of the independence report now focuses on key steps to separate Alameda LAFCO financially from the County, which includes opening an independent bank account, contract bookkeeping services, and securing liability insurance (Attachment 2).

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David Haubert, Regular
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Lena Tam, Alternate
County of Alameda

Vacant, Regular
City Member

John Marchand, Regular
City of Livermore

Michael McCorriston, Alt.
City of Dublin

Ralph Johnson, Regular
Castro Valley Sanitary District

Mariellen Faria, Regular
Eden Township Healthcare District

Georgene Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

The report advises the Commission and staff on how to move the Commission from being administered through Alameda County to operating independently – both financially and as a separate employer. The report builds on previous recommendations and details the major changes needed, anticipated challenges, potential benefits, and estimated timeline for completing the transition.

Statutory Authority: Under Government Code §56380, LAFCOs have the option to make their own provision for facilities and personnel.

Benefits of Separation: Operating independently can streamline daily operations, reduce administrative hurdles, and allow staff to focus on substantive work such as organizational changes, studies, and intergovernmental coordination.

Implementation Timeline: While some steps can be taken in a short window, full implementation could take at least 6 months. A potential office move to private leased space may prolong the transition.

Discussion

Financial Separation

The first component of the transition that the report highlights is to establish a bank account and initially transfer a small amount of LAFCO's operating funds out of the county treasury. Early steps include adopting a resolution clarifying LAFCO's legal authority to manage its own finances and notifying the County of its intent to withdraw funds. To keep accounts accurate and compliant, the report recommends staff set up a bookkeeping system and engage a CPA or bookkeeper to assist with ongoing reconciliations and financial management.

Because independence increases risk of fraud or cybersecurity threats, the report stresses that LAFCO must secure liability and other necessary insurance. Most similar commissions opt for membership in the California Special District Association (CSDA) and coverage through SDRMA, although alternative service providers are available.

Key Recommendations and Steps

1. Adopt a Commission Resolution

- Affirms LAFCO's authority to separate financially.
- Authorizes the Executive Officer to open private bank accounts and manage the transition.

2. Open an Initial Bank Account

- Select a suitable government agency–capable financial institution.
- Deposit an initial amount (e.g., \$5,000) to test the county’s response to withdrawing funds.

3. Contract with Outside CPA/Bookkeeper

- Obtain a unique Tax ID number.
- Set up bookkeeping software (e.g., QuickBooks).

4. Transfer Operating and Reserve Funds

- Move remaining funds (beyond employee payroll/benefits) to the new account.
- Retain a holding account at the county treasury for annual revenue collections under GC §56381.

5. Establish Liability Insurance

- Obtain membership in CSDA (estimated \$1,500 annually) and join a risk management pool (e.g., SDRMA) or alternative (Aliant).
- Ensure coverage for general liability, cyber security, and other risks.

6. Adopt Financial Policies

- Prepare internal control measures and procedures for payables and receivables.
- Consider interim reliance on county policies until LAFCO-specific policies are approved.

7. Commission Oversight of Claims

- Add a standing agenda item for the Commission to review and approve claims to ensure transparency and financial control.

Transition to Independent Employer

The second component focuses on LAFCO’s move from county employment to direct employment of staff, including the Executive Officer. This entails:

- Formally notifying the County to terminate the existing staffing arrangement.

- Shifting employees off the County’s payroll and benefits systems and establishing equivalent pensions, health benefits, and insurance coverage under LAFCO’ name.
- Setting up payroll administration and adopting interim HR policies, possibly mirroring county standards until LAFCO finalizes its own.
- Drawing up new or updated employee agreements, including a revised contract for the Executive Officer

While the overall process may stretch through the end of 2025, the second phase of the report emphasizes the improved autonomy and operational efficiency LAFCO will gain once removed from the County. Future decision-making, from issuing payments to crafting human resources policies, will be quicker and more responsive to LAFCO’s specialized needs. By establishing clear milestones – such as bank account opening, CPA contract setup, and insurance enrollment – LAFCO can move steadily toward independence without compromising ongoing business.

Analysis

LAFCO staff and the Ad Hoc MOU Committee (Johnson, Sblendorio, and Woerner) are scheduled to meet with the County on January 31st to discuss and outline next steps for the transition.

Below is an overview of potential service providers for Alameda LAFCO as it considers separating from county services. This section supplements earlier discussions on financial and employer separation by comparing the current provider arrangement with other viable options. Each service area is paired with possible providers, associated costs, and the estimated transition timeline, helping the Commission evaluate which combination best suits LAFCO’s needs. Staff recommends the Commission initiate financial separation from the County by approving the draft resolution as shown in Attachment 1 and delegate authority to the Executive Officer to negotiate and approve contracts for a separate LAFCO bank account and bookkeeper, in consultation with LAFCO’s Legal Counsel and Chair.

The Commission should review the recommended service providers and provide direction to staff as needed.

Phase 1 of Transition Plan and Alternative Service Providers

1. **Open Initial Bank Account**

Timeline: By January 15, 2025

○ **Action Steps:**

- Identify a government-capable financial institution (e.g., Five Star Bank).
- Transfer an initial deposit (e.g., \$5,000) from the County Treasury.
- Set up necessary services like check writing and online banking.

Current Provider: County Auditor-Controller

Alternative Service Providers:

- **Five Star Bank:** A regional financial institution specializing in commercial and government banking services. It offers a range of products tailored to local agencies, including deposit accounts, treasury management solutions, and lending options. Alameda County Mosquito Abatement District utilizes their banking services. (www.fivestarbank.com)
- **Fremont Bank:** A local community bank known for its robust government and business banking services. Bank of Fremont's combination of localized service and dedicated government expertise can help agencies effectively manage their daily banking requirements. The Alameda County Library Foundation banks with the Bank of Fremont. (www.fremontbank.com)
- **A National Bank:** A large financial institution with a broad footprint, often operating across multiple states or even internationally such as J.P. Morgan Chase or Bank of America. (www.chase.com) (www.bankofamerica.com).

Recommendation: Staff recommends that the Commission authorize the Executive Officer, in consultation with the Commission Chair, to evaluate and select the financial institution (Five Star Bank, Bank of Fremont, or a national bank) best suited to LAFCO's needs. Should the Commission choose a different approach or wish to make a selection directly, staff will proceed at the Commission's direction.

2. **Negotiate Contract with a CPA/Bookkeeper**

Timeline: By January 31, 2025

○ **Action Steps:**

- Engage a CPA firm (e.g., Alyssa Shiffmann) to set up financial systems and ensure compliance.
- Purchase and implement bookkeeping software (e.g., QuickBooks).

○ **Cost Estimate:** \$10,000–\$20,000 annually for CPA services.

○ **Notes:** Include commission review of all claims on meeting agendas for transparency.

Current Provider: County Auditor-Controller

Alternative Service Providers:

- **Alyssa Schiffmann:** A professional bookkeeper with experience assisting public agencies in establishing independent financial systems. Currently works with Marin LAFCO and Southern Marin Fire Protection District. ([Alyssa Schiffman](#))
- **Maze and Associates:** A Bay Area-based CPA firm that specializes in public sector accounting, auditing, and financial consulting. (www.mazeassociates.com)

Recommendation: Staff recommends that the Commission contract with Alyssa Schiffman due to her LAFCO experience and benefit from specialized expertise in transitioning from county-provided services to a self-managed financial framework.

3. **Obtain Liability Insurance**

Timeline: By March 31, 2025

- o **Action Steps:**
 - Join SDRMA (Special District Risk Management Authority) for coverage.
 - Adopt resolutions and pay membership fees and premiums (est. \$1,500 for CSDA membership).
- o **Cost Estimate:** \$1,500 membership + premiums.

Current Provider: County Risk Management

Alternative Service Providers:

- **SDRMA:** SDRMA is a joint powers authority that offers risk management services and insurance products to California public agencies, including special districts, joint powers authorities, and other public entities. By pooling resources among its members, SDRMA provides cost-effective coverage options – such as liability, property, and workers’ compensation insurance – along with comprehensive risk analysis and loss prevention programs. (www.sdrma.org)
- **Alliant:** A full-service insurance brokerage and consulting firm that provides a wide range of coverage options, risk management strategies, and advisory services for both public and private sector clients. (www.alliant.com)

Recommendation: Staff recommends that the Commission obtain its liability insurance coverage through SDRMA. By partnering with SDRMA, LAFCO would benefit from competitive rates, comprehensive coverage, and specialized expertise in mitigating risks faced by local government agencies.

Retirement, Benefits, and Office Space

Staff is currently awaiting actuarial analyses from both ACERA and CalPERS and will present retirement options at the next regular Commission meeting. In terms of office space, staff is exploring a direct contract with the County GSA to potentially remain in the current location during the transition and possibly beyond. Confirmation is expected by month's end.

Regarding benefits, staff has contacted the current provider, County HRS, for guidance on how LAFCO can function as its own employer. Staff has also reached out to CalPERS and SDRMA for health benefit options. A comprehensive update on the remaining service categories—Retirement, Benefits, Office Space, IT, and Payroll—will be provided at the Commission's next regular meeting.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Initiate financial separation from the County by approving the draft resolution as shown in Attachment 1 and delegate authority to the Executive Officer to negotiate and approve contracts for a separate LAFCO bank account and bookkeeper, in consultation with LAFCO's Legal Counsel and Chair.

Alternative Two:

Continue the item for consideration at a future meeting and provide direction to staff as needed.

Alternative Three:

Take no action.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a stylized flourish at the end.

Rachel Jones
Executive Officer

Attachments:

1. Draft Resolution of Financial Separation from County
2. Phase 2 of LAFCO Independence Report

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

RESOLUTION (XX-XX)

**AUTHORIZING FINANCIAL AND OPERATIONAL SEPARATION
FROM ALAMEDA COUNTY**

WHEREAS, the Alameda Local Agency Formation Commission (LAFCO) was established pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000 et seq.) to oversee the formation, dissolution, and boundary changes of local government agencies; and

WHEREAS, Alameda LAFCO is an independent entity under state law, with authority to manage its own operations and finances pursuant to Government Code §56380; and

WHEREAS, Alameda LAFCO currently receives administrative support services from Alameda County, including but not limited to financial management, payroll, human resources, and information technology; and

WHEREAS, Alameda LAFCO seeks to enhance its operational efficiency, autonomy, and compliance with its statutory mandate by transitioning to financial and operational independence; and

WHEREAS, the Commission has reviewed the recommendations provided by staff and consultants regarding the steps required to transition to independence while ensuring continuity of operations and service quality;

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on January 9, 2025;

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The Executive Officer is authorized to:
 - Open an independent bank account to manage Alameda LAFCO's financial transactions and reserves.
 - Notify the Alameda County Auditor-Controller of LAFCO's intent to transfer its operating funds and reserves to the independent account.
 - Engage a certified public accountant or bookkeeping service to establish and maintain financial records.
 - Procure liability insurance coverage through an independent provider, such as SDRMA, to ensure continuous protection.

2. Alameda LAFCO will maintain a residual account with Alameda County Treasury solely for collecting agency apportionments and other statutory payments under Government Code §56381.

PASSED AND ADOPTED by the Alameda Local Agency Formation Commission on January 9, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chair

Rachel Jones
Executive Officer

APPROVED TO FORM:

Andrew Massey
Legal Counsel

PHASE TWO REPORT & RECOMMENDATIONS FOR ALAMEDA LAFCO

TO: RACHEL JONES, EXECUTIVE OFFICER
FROM: ROSEANNE CHAMBERLAIN,
SUBJECT: PHASE 2 REPORT – PROCESS AND RECOMMENDATIONS FOR FINANCIAL SEPARATION
AND MIGRATION TO INDEPENDENT EMPLOYER STATUS
DATE: DECEMBER 13, 2024

INTRODUCTION:

This report builds on the Phase 1 memo and Preliminary Report submitted to the Executive Officer September 17, and October 12, 2024, respectively . It also reflects work by the Executive Officer and committee discussions with Alameda County staff as reported to me by the executive officer. Recommendations are offered for separating LAFCO from Alameda County under Government Code §56380:

“The commission shall make its own provision for necessary quarters, equipment, and supplies as well as personnel. The commission may choose to contract with any public agency or private party for personnel and facilities.”

The long-term benefits of separating from the county are significant. There are huge benefits when LAFCO is not constantly struggling with county procedures and systems that are designed for a large and very diverse county bureaucracy.

While the initial work to set up a separate LAFCO is significant, the rewards are worthwhile. Without obstacles to accomplishing routine business, staff can streamline their daily business operations and concentrate on substantive work such as changes of organization, studies and proactive intergovernmental operations.

Timelines indicated are only estimates. The initial steps for financial separation and the transition to employer include a number of elements, each of which could be potentially time consuming. When these changes are being implemented concurrently, additional time and workload constraints will extend estimated deadlines. Theoretically, implementation of the separation would occur over a very short time frame, such as a few weeks. It will be impossible for the Executive Officer to get everything accomplished concurrently. It could take 6 months or more. In addition, the disruption of a potential move to private leased space will also slow the process.

PRIORITY RECOMMENDATIONS:

- ASAP: Commission adopts resolution citing its relevant statutory authority and authorizing the Executive Officer to carry out the financial separation.
- ASAP: Notify county of intent to withdraw from the county treasury

REPORT CONTENTS:

This report consists of two parts. Part One includes separating financially from the county treasury. Part Two details establishing Alameda LAFCO as a direct employer of staff.

PART ONE

RECOMMENDATION DETAILS & NARRATIVE

Financial Separation from County Treasury

Summary Table of Key Financial Transition Steps & Timeline Estimates

Transition Step	Minimum Time/ Date to Completion	Cost Estimate
Adopt Commission Resolution, Contents as described below	ASAP-Next Commission Meeting/Special Meeting	Minimal, plus BB&K review
Open Initial Bank Account	One week following Commission Resolution	Minimal, initial minimal balance transfer
Notify County of Intent	One week following Commission Resolution	Executive Officer
Engage CPA/Bookkeeper and initiate process for a Tax ID number	January 31, 2025	\$10,000–\$20,000 annually
Set up in-house budget tracking & bookkeeping (Quickbooks)	February 14, 2025	Staff time plus \$50-\$120/month for software
Transfer Operating/Reserve Funds; open second interest-bearing account as needed	February 28, 2025	Minimal
Obtain Liability Insurance	February 28, 2025 or ASAP (2 successive Commission Meetings may be needed)	\$1,500 CSDA Membership + premiums TBD
Prepare & Adopt Financial Policies	March 31, 2021	Staff time plus BB&K review
Close County Service Accounts, if needed	October 31, 2025	Minimal direct cost
Final Review and Reporting	December 1, 2025	Minimal direct cost

To initiate financial separation, the commission will adopt a resolution citing its relevant statutory authority and authorizing the Executive Officer to carry out the financial separation. The resolution should, at a minimum, be reviewed by legal counsel and identify the following specific actions authorized:

1. Open an initial account with an appropriate private financial institution and ordering the transfer an initial deposit from the county treasury to the new account.

2. Negotiate a contract with a private accounting firm to provide bookkeeping services and advise the Executive Officer in the development of financial policies for adoption by the commission.
3. Draft proposed financial policies for adoption by the commission.
4. Initiate the process to establish a LAFCO credit card associated with the initial bank account.
5. Transfer all remaining LAFCO reserves and operating revenues from the county treasury to the new bank account, except funds for employee expense (payroll, benefits, retirement, SSDI, etc.).
6. Initiate payment of routine non-employee operating expenses from the new account.
7. Retain a holding account within the county treasury to receive future deposits of county and agencies payments collected annually by the auditor under the requirements of Government Code §56381.
8. Initiate proceedings (adopt resolutions) for the commission to secure outside liability insurance services (SDRMA, Aliant or alternative)
9. Add a regular item to each LAFCO agenda for the commission to routinely review and approve all claims paid from the LAFCO budget.
10. Carry out any related actions necessary to accomplish the above.

STRATEGIC IMPLEMENTATION NOTES:

The bank account will be an initial start up account. The Executive Officer notes that Five Star Bank may be the best financial institution for this purpose. Seek a financial institution that is government agency capable (see Marin LAFCO notes, not all banks are empowered to host government agencies). Consider banks used by cities or districts, and assess whether a credit card associated with the account will be issued to LAFCO as a government agency. Interest bearing accounts and other necessary financial vehicles can be considered once the initial account is up and running. No direct cost noted, however staff time will be an indirect cost to the commission.

Request a check from the Auditor for a minimum initial financial transfer (perhaps under \$5,000) to gauge the county's response. In the event the Auditor declines to issue such a check for the removal of funds to a private financial institution, be ready with letters from outside legal counsel and an order/resolution from the commission documenting its authority for the transfer and authorizing the withdrawal. In the meantime, consider opening the account with funds from petty cash or personal funds from the Executive Officer, which will be reimbursed as an authorized expense. No direct cost is noted. Staff time, however, will be an indirect cost to the commission, and charges may be incurred for legal counsel if needed.

Once the account is established with an initial deposit, then make a subsequent transfer of LAFCO operating funds and all reserve funds to the outside bank account. Retain funds with the county to cover payroll, pension and benefits expenses until alternative payroll services are up and running. Also leave a temporary residual amount for unpaid

claims, etc. LAFCO will need to retain an account in the county treasury indefinitely to receive annual collections by the County Auditor under Government Code §56381. Employee related amounts transfer later, after programs are in place for LAFCO as a separate employer. In the event the Auditor declines the withdrawal, be ready with letters from outside legal counsel (BB&K) and an order/resolution from the commission directing the transfer. No direct cost is noted, staff time, however, will be an indirect cost to the commission, and charges may be incurred for legal counsel if needed to compel the county to release LAFCO's funds.

Concurrent with setting up banking services, establish a contract with an outside CPA/bookkeeping firm to assist with start-up procedures, provide ongoing assistance, and ensure compliance with laws and best accounting practices, etc. The CPA firm can initiate the IRS process to secure a separate Tax ID number for LAFCO. The Executive Officer has identified Alyssa Shiffmann as a potential CPA/Bookkeeper service. It is likely that a bookkeeping software program such as Quickbooks, will need to be purchased and used by LAFCO staff in conjunction with the bookkeeper. Direct costs for the CPA/Bookkeeper will be negotiated as part of the contract terms, based on usual rates and charges. Indirect costs for Executive Officer time to prepare and negotiate the contract are noted, as well as oversight and making entries into the system. Most LAFCOs with separate financial accounts allocate the in-house work of bookkeeping, accounting, etc. to support staff with review by the Executive Officer. Assuming LAFCO staff are using a county system with internal entries, review, analysis, budget reports, etc. then the time cost to shift to an independent system will be similar to using the county system after the initial learning curve.

The commission will review and adopt financial policies including, internal controls, procedures for payables/receivables, etc. Very good models are available from other LAFCOs as noted in the phase 1 report, including excellent examples from Orange LAFCO and others. While financial policies are being prepared, an interim placeholder policy could be adopted by the commission providing that in the absence of specific LAFCO policies, then the general policies applicable to county departments/county personnel would be applicable to LAFCO staff.

If the Executive Officer has not already done so, she could add a regular item to each LAFCO agenda to empower the commission to routinely review and approve all claims paid from the LAFCO budget. This can be a consent calendar item but will make an administrative record of the commission's review and control of expenditures. Examples are available from other LAFCOs.

Even with appropriate internal controls, independent financial operations cause a slightly higher risk of loss, fraud, hacking, etc. Thus, outside liability insurance services are essential, including cybersecurity. In addition, the county is unlikely to want to extend liability coverage to LAFCO if the commission and staff are not under the control of the county's policy requirements. The Executive Officer identifies the Special District Risk Management Authority (SDRMA) as a preferred option. SDRMA

is the JPA risk management pool associated with the California Special District Association (CSDA). The commission will need to join the California Special District Association (estimated \$1,500 annually) to be eligible for coverage. Once a member, the commission will adopt resolutions participating in the risk management JPA and pay the premium. It will likely take two commission meetings for the sequence of actions to be completed. Ensure continuous coverage for all policies (general liability, workers' comp, property) to avoid gaps. Direct costs are estimated at \$1,500 for CSDA membership plus the cost of premiums.

An alternative provider, Aliant, will offer liability, cyber security, errors & omissions coverage for LAFCOs (Amador LAFCO, Fresno LAFCO). The premium cost among the alternatives is very similar. A majority of LAFCOs are insured by SDRMA and it also provides other benefit options. The time cost for the Executive Officer to “shop” among the alternative insurers is not likely to be worth potential cost savings in annual premiums unless there are unique risks or special kinds of coverage needed.

PART TWO

MIGRATION TO INDEPENDENT EMPLOYER STATUS

Summary Table of Key Employer Transition Steps & Timeline Estimates

Transition Step	Minimum Time/ Date to Completion	Cost Estimate
Adopt Commission Resolution, Contents as described below	ASAP-Next Commission Meeting/Special Meeting	Minimal, plus BB&K review
Notify County of Intent	ASAP- week following Commission Resolution	minimal
Employees sign acknowledgement of changed status	ASAP or March 31, 2025	Minimal, plus BB&K review
Establish Pension accounts/CALPERS	February 28, 2025	TBD
Establish Benefits Accounts/CALPERS	February 28, 2025	TBD
Confirm Worker's Comp Coverage with Primary Insurance Policy	February 28, 2025	Varies with insurer & policy
Adopt placeholder/interim HR policies to mirror existing Co policies	February 28, 2025	minimal
Establish Payroll Accounts (ADP, Paylocity, or other)	February 28, 2025	Varies with provider
Transition Payroll	February 28, 2025	\$5,000–\$10,000 annually
Confirm/set up State Disability (SDI) & Unemployment Insurance	February 28, 2025	Varies with coverage
Transition Benefits, Pension	February 28, 2025	\$20,000–\$50,000 annually
Prepare & Adopt HR Policies/Procedures/Employee Handbook	March 31, 2025	Varies based on services
Negotiate Executive Officer's contract/agreement	March 31, 2025	Minimal, plus BB&K review
Implement IT Support (Apex Technology Support or minimal County Support)	September 1, 2025	\$10,000–\$30,000 annually
Close County Service Accounts, as needed	October 31, 2025	Settle final service charges with county;
Final Review and Reporting	December 1, 2025	Minimal direct cost

STRATEGIC IMPLEMENTATION NOTES:

1. To initiate employee separation, the commission will adopt a resolution citing its relevant statutory authority and authorizing the Executive Officer to carry out the separation. The resolution should, at a minimum identify the following specific actions authorized be reviewed by legal counsel:
 - Direct the Executive Officer to notify the County of LAFCO's intent to terminate the MOU provisions requiring the county to provide staff to LAFCO.
 - Designate LAFCO employees as "at will" employees of Alameda LAFCO and complete the necessary steps to discontinue their employment by Alameda County.
 - Direct the Executive Officer to establish and fund an account with CALPERS or an alternative pension provider to ensure adequate continuation of pension benefits equivalent or comparable to those previously provided by the county.
 - Direct the Executive Officer to establish and fund benefit accounts with CALPERS or alternative employee benefit provider(s) to ensure continuation of employee benefits equivalent or comparable to those previously provided by the county
 - Direct the Executive Officer to establish and fund payroll and accounting systems for employee salaries, benefits, leave accruals and related matters.
 - Direct the Executive Officer to initiate a contract or contract amendment with alternate legal counsel (Best, Best & Kreiger) to assume the responsibilities of general counsel for LAFCO.
 - Carry out any related actions necessary to accomplish the above.
2. Secure an acknowledgement and agreement with each employee of changed status, i.e. no longer civil service, not part of county employee union, etc.
3. Negotiate a new Executive Officer's contract or amend existing contract/agreement with the commission, including a revised EO job description. Numerous good models are available from several other LAFCOs.
4. The commission should adopt a temporary policy using existing county HR policies applicable to LAFCO. These county policies will serve as the default until new LAFCO policies are developed and approved. This interim policy can identify the existing personnel allocation for staffing and salaries.
5. A new contract or contract amendment with BBK for expanded services will include legal services as general counsel to the commission.
6. Personnel policies, an employee handbook or equivalent can be prepared and approved by commission. Good models are available from other LAFCOs, however contracting with a Human Resource specialist at least initially will ensure the

policies are in compliance with legal obligations. Fresno and Orange LAFCO have each used outside HR consultant firms for this project.

7. Personnel Policies and/or an Employee Handbook establish the personnel allocation or equivalent listing of LAFCO employees and their salaries/classification. This is recommended to be an appendix to the policies document to allow it to be easily updated over time.

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LAFCO

Alameda Local Agency Formation Commission

AGENDA REPORT

January 9, 2025

Item No. 11

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Executive Officer's Report

The Commission will receive an update from the Alameda LAFCO Executive Officer. The report is being presented for discussion and feedback only.

Information

Alameda LAFCO Comments on the Arroyo Lago Residential Project Draft Environmental Impact Report (EIR)

The Alameda County Local Agency Formation Commission (LAFCO) provided a detailed response to the Draft Environmental Impact Report (EIR) for the Arroyo Lago Residential Project. The project, situated in unincorporated Alameda County within the City of Pleasanton's Sphere of Influence, raises concerns about the lack of municipal services in the area. The site is proposed to include independent infrastructure, such as a private sewer treatment plant and water sourced from a distant service area, due to the absence of existing utilities.

LAFCO emphasizes its policy preference for urban development within city boundaries to ensure efficient and cost-effective service provision. It highlights its role as a Responsible Agency under the California Environmental Quality Act (CEQA) and stresses the importance of involving LAFCO in the planning process for annexation or service agreements. The commission also notes the need for clear accountability regarding the maintenance and operations of proposed infrastructure, particularly wastewater facilities.

LAFCO concludes by reaffirming its willingness to collaborate with the County, City of Pleasanton, and project developers to achieve a solution that aligns with its goals for sustainable and well-ordered urban development.

Attachments:

1. LAFCO Comment Letter on Arroyo Lago Residential Project Draft EIR

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City Member

John Marchand, Regular
City of Livermore

Michael McCorriston, Alt.
City of Dublin

Ralph Johnson, Regular
Castro Valley Sanitary District

Mariellen Faria, Regular
Eden Township Healthcare District

Georgene Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

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LAFCO

Alameda Local Agency Formation Commission

November 7, 2024

DELIVERED BY E-MAIL

Aubrey Rose, AICP, Planner III
Alameda County Planning Department
224 West Winton Avenue, Room 111
Hayward, CA 94544
aubrey.rose@acgov.org

SUBJECT: Alameda County LAFCO comments on the Arroyo Lago Residential Project Draft EIR

Mr. Rose,

On behalf of the Alameda County Local Agency Formation Commission (LAFCO), the following are Alameda LAFCO staff's comments on the Draft EIR for the proposed Arroyo Lago Residential Project in unincorporated Alameda County, and adjacent to the City of Pleasanton.

Alameda LAFCO does understand that there are certain unique circumstances associated with this proposed development project:

- The Arroyo Lago site is one of, and perhaps the only property in unincorporated East County that is located within the Urban Growth Boundary, and that has an East County Area Plan (ECAP) land use designation for urban-scale development (i.e., Medium Density Residential).
- Although the site is within the City of Pleasanton's Sphere of Influence (i.e., the area determined by Alameda LAFCO to be the City of Pleasanton's probable ultimate physical boundaries and service area), the County retains land use responsibility for this property unless it becomes annexed to the City.
- The City of Pleasanton has not initiated any pre-zoning actions or annexation requests to Alameda LAFCO pertaining to this property.
- The City of Pleasanton's General Plan does call for preparation of an East Pleasanton Specific Plan to guide development of an approximately 1,000-acre area east the current Pleasanton boundary, including the Arroyo Lago site. That Specific Plan might provide for development of commercial, residential, and office/industrial uses, as well as use of lakes for flood protection, groundwater recharge, habitat, and recreation purposes. According to the Pleasanton General Plan, an East Pleasanton Specific Plan is also

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Public Member

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Public Member

intended to define a circulation system for the area, plans the extension of utilities, and establishment of a funding mechanism for the infrastructure required to support development. However, the City of Pleasanton has not yet initiated this Specific Plan process.

- Therefore, the Arroyo Lago project applicant has filed their application for development of the Arroyo Lago project with the County, pursuant to Senate Bill (SB) 330, the Housing Accountability Act. Among the provisions of SB 330, the County may not change the ECAP land use designation to remove housing as a permitted use, and may not reduce the intensity of residential uses permitted under ECAP. The County may require the Arroyo Lago project to comply with objective zoning code standards, but only to the extent they facilitate the development at the density allowed by ECAP.

These circumstances have led to a proposal for a housing project located in an area where there is limited to no public services available to serve the future population. Instead, the Arroyo Lago project proposes to construct its own sewer treatment plant, its own stormwater disposal system, and to obtain water service from Cal Water's Livermore District, whose service area is nearly 3 miles distant from the site.

Alameda LAFCO has no land use authority, and it is not within Alameda LAFCO's purview to determine whether such a projects should or should not be approved. However, it is a fundamental policy of the Alameda LAFCO that, when considering the development status of land located in or adjacent to an established City Sphere of Influence and contiguous to a city boundary, that urban development is preferred in cities because cities exist to provide a broader range of services than do special districts. Lands that may benefit from municipal services and are contiguous to a city boundary should be annexed to the city to provide for such services.

Specific Comments on the Draft EIR

Responsible and Trustee Agencies

Section 2.4-2 of the Draft EIR lists a number of agencies that will serve as Responsible and Trustee Agencies pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15381 and Section 15386, respectively. The Draft EIR is intended to provide environmental information to these agencies and other public agencies that may be required to grant approvals or to coordinate with other agencies as part of project implementation.

This list of Responsible Agencies does not, but should include Alameda County LAFCO. Alameda LAFCO will exercise Responsible Agency duties pursuant to our responsibility to consider necessary LAFCO approvals for annexations to special service districts, the establishment of new special services districts, and/or approvals for out-of-service-area contracts for municipal services (see below).

Wastewater Treatment and Disposal

As stated on page 3.17-24 of the Draft EIR, the Arroyo Lago project would include a wastewater facility that would treat all wastewater generated by the proposed project. The proposed wastewater treatment facility would also be required to meet the applicable requirements of the Water Reclamation Requirements for Recycled Water Use (Order WQ 2016-0068-DDW).

Further, the treatment plant would have further oversight through permitting with the State Water Board and San Francisco Bay RWQCB. Additionally, the project applicant would file a Notice of Intent (NOI) under the Statewide General Recycled Water Order with the San Francisco Bay RWQCB for Waste Discharge Requirements (WDRs) related to its treatment and agricultural spray field disposal in compliance with Title 22.

The Draft EIR does not, but should identify who or what will be the responsible entity for obtaining these permits and approvals, and for providing on-going operations and maintenance of this wastewater facility, including its agricultural spray field disposal strategy. Presumably, this responsible entity will be a special services district that provides wastewater treatment and disposal services to the residents of the project and that can enter into contracts, employ workers, issue debt, and impose taxes, assessments or fees for these services.

The Draft EIR also does not, but should identify Alameda County LAFCO's responsibility to consider approval of such a special district. The Project applicant (or future residents) must apply to Alameda LAFCO for approval, and that application must detail the proposed district's boundaries and services, any environmental effects, and financing options. It is Alameda LAFCO policy to approve changes of organization or to approve new special districts that provide planned, well-ordered and efficient development patterns, and that contribute to the orderly formation and development of local agencies based upon local circumstances and conditions.

Fire Protection and Police Services

The Draft EIR (page 3.14-10 and -11) indicates that, "the proposed project, through current automatic aid agreements with Alameda County Fire Department (ACFD), would be served primarily by fire resources from the Livermore Pleasanton Fire Department (LPFD). The proposed project would incrementally contribute to the LPFD's ability to provide an acceptable level of service." It also provides that, "the project applicant would be subject to fees charged by the County and ACFD according to the fee schedule adopted in County Ordinance."

Similarly, the Draft EIR (page 3.14-12 and -13) indicates that, "while the County Sheriff does not have a mutual aid agreement with Pleasanton Police Department, they do work collaboratively with them during emergency operations", and that "the nearest Pleasanton PD station, which is located approximately 1.8 miles southwest of the project site, would provide service to the project site." It also indicates that, "the County's Sheriff's Office does not maintain a development fee schedule or a capital improvement plan".

While the provision of fire and police protection services may not be a direct physical impact on the environment, the provision of such municipal services to the project is of concern to Alameda LAFCO. At the very least, Alameda LAFCO encourages Alameda County and the City of Livermore to enter into a tax-sharing agreement or similar arrangement whereby the project pays its fair share towards these critical fire protection and police services.

Cumulative Impacts

Section 3.1.1 of the Draft EIR includes a list of cumulative projects that it has determined to be reasonable, feasible and practical, given the information available about these projects. In order to provide a robust analysis of the potential significance of cumulative development, the County's list of cumulative projects is based on several factors including the nature of the resource affected, the location of the project, and the type of project, consistent with the direction in State CEQA Guidelines Section 15130(b)(2).

As this list of cumulative projects demonstrates, there are several other proposed development projects in the immediate vicinity of the Arroyo Lago project, including a 569-unit age-restricted residential project proposed to be located on the approximately 62-acre site immediately to the east of the Arroyo Lago site, also in unincorporated Alameda County. This list of cumulative projects demonstrates the need for a coordinated planning approach for East Pleasanton that addresses Alameda LAFCO policy that those lands that benefit from municipal services and that are contiguous to a city boundary should be annexed to the city providing such services.

Alternatives

The Draft EIR (beginning at page 6-10) provides a description and analysis of an "Annexation into the City of Pleasanton Alternative" (Alternative 2), whereby the residential component of the proposed project would remain the same, but the proposed project would be annexed into the City of Pleasanton.

Under Alternative 2, water would be provided by the City of Pleasanton as opposed to Cal Water's Livermore District. The proposed project would connect directly to the City's existing water infrastructure, and the 400,000-gallon water storage and booster pump facility would not be required.

Under Alternative 2, recycled water would be provided by the Dublin San Ramon Services District Regional Wastewater Treatment Facility and Livermore Water Reclamation Plant. The project's 2.5-acre recycled water storage facility 8.5-acre agricultural spray fields would not be required.

Under Alternative 2, the project would connect to the City's sanitary sewer system directly and would not require construction of a new package membrane bioreactor sewage treatment plant, including its influent pump station, headworks facility, odor control, membrane bioreactor facility, ultraviolet disinfection, effluent and recycled water pump station and pipelines, solids handling, chemical facility, administration, laboratory, operations, and maintenance facilities.

Under Alternative 2, the project would contribute to the City's capital improvement program through development impact fees, which would ensure that the development pays the cost attributable to the increase in demand for public facilities, as needed to maintain the existing level of service and achieve an adopted level of service consistent with the City's General Plan and Municipal Code.

The Draft EIR (page 6-25) concludes that, "Alternative 2 would result in fewer impacts as compared to the proposed project and would reduce a significant and unavoidable impact [traffic hazards] to a less than significant level with the incorporation of mitigation. However, the County as lead agency for the proposed project does not have the authority to implement annexation to the City. Annexation is a process that would require active collaboration and approval from the City and Local Agency Formation Commission (LAFCo), which cannot be guaranteed."

Alameda LAFCO cannot speak for all parties that would need to be involved in an annexation action, but we can guarantee our willingness to engage in such an effort. As previously stated in this letter, it is our fundamental policy that when considering the development status of land located in or adjacent to an established city SOI boundary and contiguous to a city boundary, urban development is preferred in cities, where the highest quality of municipal services in the most cost efficient and inclusive manner can be provided. Consistent with the requirements of the Cortese Knox Hertzberg Local Government Reorganization Act, Alameda LAFCO seeks to

approve changes of organization that encourage and provide planned, well ordered, efficient development patterns and that contribute to the orderly formation and development of local agencies based upon local circumstances and conditions.

Alameda County LAFCO appreciates the opportunity to provide these comments on the County's Draft EIR for the Arroyo Lago project, and we reiterate our commitment to working with the County, the City of Pleasanton and the project applicant to find the best solution for providing municipal services to the project and its surrounding area.

Should you have any questions or need additional clarification concerning the application process, please contact me at 510.670.6267 or rachel.jones@acgov.org.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

Rachel Jones
Executive Officer

Blank for Photocopying



LAFCO

Alameda Local Agency Formation Commission

AGENDA REPORT

January 9, 2025

Item No. 12a

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Current and Pending Proposals

The Commission will receive a report identifying active proposals on file with the Alameda Local Agency Formation Commission (LAFCO) as required under statute. The report also identifies pending local agency proposals to help telegraph future workload. The report is being presented to the Commission for information only.

Information / Discussion

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates LAFCOs with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving or disapproving boundary changes involving the formation, expansion, merger, and dissolution of cities, towns, and special districts, as well as sphere of influence amendments. It also includes overseeing outside service extensions. Proposals involving jurisdictional changes filed by landowners or registered voters must be put on the agenda as information items before any action may be considered by LAFCO at a subsequent meeting.

Current Proposals | Approved and Awaiting Term Completions

Alameda LAFCO currently has no proposals on file that were previously approved and awaiting term completions. CKH provides applicants one calendar year to complete approval terms or receive extension approvals before the proposals are automatically terminated.

Current Proposals | Under Review and Awaiting Hearing

There are currently no active proposals on file with the Commission that remains under administrative review and awaits a hearing as of date of this report.

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Ralph Johnson, Regular
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Mariellen Faria, Regular
Eden Township Healthcare District

Georgian Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Bob Woerner, Alternate
Public Member

Pending Proposals

There is currently two new potential proposal at the moment that staff believes may be submitted to the Commission from local agencies based on ongoing discussions with proponents.

- **Annexation of Merrit Property | City of Pleasanton**

The City of Pleasanton is proposing annexation of a four-subject parcel in unincorporated Alameda County for the development of an 111-lot residential subdivision, including an age-qualified community consisting of 92-single family homes and duplexes. The affected territory is located within the City's sphere of influence and urban growth boundary.

- **Reorganization of Appian Way/Louis Ranch Property | ACWD and USD**

The Alameda County Water District (ACWD) and Union Sanitary District (USD) are evaluating a plan to annex one parcel totaling approximately 30 acres within the City of Union City. The purpose of the annexation is to develop 325 single-family residential units on nine parcels totaling 98.6 acres.

Alternatives for Action

This item is for informational purposes only. No formal action will be taken as part of this item.

Attachments: none



AGENDA REPORT

January 9, 2025

Item No. 12b

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Progress Report on 2024-2025 Work Plan

The Alameda Local Agency Formation Commission (LAFCO) will receive a progress report on accomplishing specific projects as part of its adopted work plan for 2024-2025. The report is being presented to the Commission to formally receive and file as well as provide direction to staff as needed.

Background

Alameda LAFCO's current strategic plan was adopted following a planning session on June 23, 2023. The plan defines each of LAFCO's priorities through overall goals, core objectives, and target outcomes with overarching themes identified as education, facilitation, and collaboration. The strategic plan is anchored by seven key priorities that collectively orient the Commission to proactively fulfill its duties and responsibilities under the Cortese-Knox-Hertzberg Act of 2000 in a manner responsive to local conditions and needs. These pillars and their related strategies, which premise individual implementation outcomes, are summarized below.

1. Education – Serve as a resource to the public and local agencies to support orderly growth and logical sustainable service provision.
2. Facilitation – Encourage orderly growth and development through the logical and efficient provision of municipal services by local agencies best suited to feasibly provide necessary governmental services and housing for persons and families of all incomes.
3. Collaboration – Be proactive and act as a catalyst for change as a way to contribute to making Alameda County a great place to live and work by sustaining its quality of life.

On May 9, 2024, Alameda LAFCO adopted the current fiscal year work plan at a noticed public hearing. The work plan is divided into two distinct categories – statutory and administrative – with one of three priority rankings: high; moderate; or low. The underlying intent of the work plan is to serve as a management tool to allocate Commission resources in an accountable and transparent manner over the corresponding 12-month period that pulls from the key priorities in the Commission's Strategic Plan.

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Further, while it is a standalone document, the work plan should be reviewed in relationship to the adopted operating budget given the planned goals and activities are facilitated and or limited accordingly.

This item provides the Commission with a status update on nineteen targeted projects established for the fiscal year with a specific emphasis on the “top ten” projects that represent the highest priority to complete during the fiscal year as determined by the membership. This includes identifying the projects already completed, underway, or pending in the accompanying attachment. The report and referenced attachment are being presented for the Commission to formally receive and file while also providing additional direction to staff as appropriate.

Discussion

The Commission has initiated work on three of the nineteen projects included in the adopted work plan. This includes progress on projects, such as Countywide Regional Water and Wastewater Committee, MSR Implementation Program, and the Countywide Municipal Service Review on Health and EMS/Ambulance Services.

Alternatives for Action

This item is for informational purposes only. No formal action will be taken as part of this item.

Attachments:

1. 2024-2025 Work Plan

ALAMEDA LAFCO WORKPLAN | 2024-2025

Priority	Urgency	Type	Project	Key Issues
1	High	Statutory	Countywide MSR on Health and EMS/Ambulance Services	Consider accessibility of healthcare (including mental health) services to all residents within Alameda County
2	High	Statutory	Countywide Regional Water and Wastewater Committee	Develop a Framework for Creating a Countywide Regional Water and Wastewater Committee
3	High	Statutory	Countywide MSR on Police Services	Examine Current Provision and Need for Police Services and Related Financial and Governance Considerations
4	High	Administrative	LAFCO Office Move	Fulfill Long-Term Lease in MOU with CDA; Aid in Hiring LAFCO Analyst
5	High	Statutory	Application Proposals and Requests	Utilize resources to address all application proposals and boundary issues (ex. South Livermore Sewer Extension Project)
6	High	Administrative	Informational Report on Island Annexations	Map all Unincorporated Islands and Examine Island Annexation Implementation Issues in Alameda County
7	High	Administrative	2023-2024 Audit	Verify Fund Balance; Perform Regular Audits
8	Moderate	Administrative	Local Agency Directory Update and MSR Summary Report	Continue Producing LAFCO Graphic Design Materials for Transparency and Outreach
9	Moderate	Statutory	MSR Implementation Program	Ensure MSR Recommendations are Reviewed and Considered by Agencies
10	Moderate	Administrative	Agricultural Land Use Designation Project	Work in Partnership with the County to Review and Evaluate Land Use Designations for Agricultural and Open Space Areas
11	Moderate	Statutory	Participate and Facilitate Ongoing MSR Fire Service Discussions	Work with Fire Agencies in Providing Possible Boundary Solutions and Shared Facilities
12	Moderate	Administrative	Explore SALC Agricultural Conservation Acquisition Grants	Apply for SALC Grants to permanently protect croplands, rangelands, and lands utilized for the cultivation of traditional resources from conversion to non-agricultural uses
13	Moderate	Administrative	Prepare Informational Report on JPAs	Post Enactment of SB 1266; Enhance Repository on Local Government Services
14	Low	Administrative	Review of County Transfer of Jurisdiction Policies	Ensure Policies are Consistent with CKH
15	Low	Administrative	Update Application Packet and Mapping Requirements	Streamline LAFCO Application and County Mapping Requirements; Make User Friendly
16	Low	Administrative	Informational Report on Remen Tract	Special Report on Service Delivery

17	Low	Administrative	Bay Area LAFCO Meetings	Attend Meetings with Other Bay Area LAFCOs for Projects/Training
18	Low	Administrative	Website Content Update	Update Relevant Information on LAFCO Website and Create New Mapping Page
18	Low	Administrative	Social Media	Expand Alameda LAFCO's Social Media Presence
19	Ongoing	Statutory	Policy Review on Agricultural Protection and Out of Area Service Agreements	Periodical review of exisitng policies relative to practices and trends, and determine whether changes are appropriate to better reflect current preferences