

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

Hosted by Zoom Video-Conference Service

March 10, 2022

Call to Order

Chair Sblendorio called the meeting to order at 2:05 p.m.

1. Roll Call.

The roll was called. A quorum was present of the following commissioners:

<u>County Members:</u>	David Haubert and Nate Miley
<u>City Members:</u>	Bob Woerner, Melissa Hernandez, and alternate Karla Brown
<u>Special District Members:</u>	Ayn Wieskamp, Ralph Johnson
<u>Public Members:</u>	Sblend Sblendorio and alternate John Marchand
<u>Not Present:</u>	Alternate Dave Brown and alternate Georgean Vonheeder-Leopold
<u>Staff present:</u>	Rachel Jones, Executive Officer, April Raffel, Clerk, and Andrew Massey, Legal Counsel

2. Public Comment

Chair Sblendorio invited members in the audience to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission.

A public comment made by Kelly Abreau emphasized a need to ensure the LAFCO Commission followed ethics.

3. Priority Item: Approval of Resolution to Continue Virtual Meetings due to COVID-19 Pandemic (Public Hearing)

- This item was for Alameda LAFCO looking for approval of the resolution to continue the virtual meetings due to the COVID-19 pandemic and to meet within a 30-day period to host virtual meetings. Staff recommended approval.

Chair Sblendorio asked if there was any discussion on this item, and there was none.

Upon motion by Commissioner Woerner, second by Commissioner Hernandez, the item was approved.

AYES:	6	Haubert, Hernandez, Johnson, Miley, Sblendorio, and Woerner
NOES:	0	
ABSENT:	1	Wieskamp
ABSTAIN:	0	

4. Consent Items:

- a. Approval of Meeting Minutes: January 13, 2022, Regular Meeting
- b. 3rd Quarter Budget Report for the Fiscal Year 2021-2022
- c. Timeline Update for Countywide Fire MSR and Contract Amendment

Chair Sblendorio opened and closed the public hearing with no comments being offered.

Upon motion by Commissioner Johnson, second by Commissioner Haubert, the item was approved.

AYES: 6 Haubert, Hernandez, Johnson, Miley, Sblendorio, and Woerner
NOES: 0
ABSENT: 1 Wieskamp
ABSTAIN: 0

5. Establish Ad Hoc Public Member Selection Committee – The Alameda Local Agency Formation Commission (LAFCO) considered establishing an Ad Hoc Selection Committee for its Public Member Seat to expire in May 2022.

- The Commission appointed City Member Woerner, County Member Haubert, and Special District Member Johnson to the Ad Hoc Selection Committee for its Public Member seat.

Chair Sblendorio opened and closed the public hearing with no comments being offered.

Upon motion by Commissioner Haubert, second by Commissioner Hernandez, the item was approved.

AYES: 6 Haubert, Hernandez, Johnson, Miley, Sblendorio, and Woerner
NOES: 0
ABSENT: 1 Wieskamp
ABSTAIN: 0

6. Draft Report Alameda LAFCO's 20-Year Review of Measure D (Public Hearing) – The Alameda Local Agency Commission (LAFCO) received a draft report and presentation from consultant Scott Gregory of Lamphier-Gregory on its *20-Year Review of Measure D*. The draft has been prepared as part of the adopted work plan. It independently examines the economic and open space needs of the eastern county area and the impacts that the Measure has had on agriculture since the ballot measure passed in November of 2000.

- This item is for the Commission to receive and review the special study on Measure D consistent with its the adopted work plan and ahead of staff initiating a formal 30-day public review and comment period. Feedback will be incorporated as appropriate into a final report.
- The report aims to review whether Measure D's land use policies and regulations may be contributing or suppressing agriculture and open space needs in the region.
- Overall, the report shows that Measure D has been permissive in wine-related uses, keeping growth within boundaries and effective in land preservation, but restrictive with building requirements and perhaps a contributing factor to a current stagnant agricultural economy.
- Before the Commission discussion and feedback, staff introduced Scott Gregory of Lamphier-Gregory to provide a summary of the draft report's findings and conclusions.

Discussion:

After discussion, the Commission established an Ad Hoc Committee to prepare a report with findings and recommendations and share this information with County staff, in time for the ballot measure. Executive Officer Jones mentioned this objective report would be presented to the Commission as early as May, but as late as our July meeting. Staff would also be making presentations to the City Councils of Livermore, Dublin, and Pleasanton, Alameda County Transportation/Planning Committee, Alameda County Planning Commission, Tri-Valley Conservancy, and Alameda County Agricultural Advisory Committee. Commissioner Miley asked if LAFCO could endorse a ballot measure in November to amend Measure D? Counsel Andrew Massey will research and report back to the Commission.

Chair Sblendorio opened and closed the public hearing with public comments from the following speakers:

- Dick Schneider, Kelly Abreau, Lori Souza of the Tri-Valley Conservancy and Larry Gosselin addressed comments to the Commission regarding the draft report.

The Chair summarized the discussion with the need to establish an Ad Hoc Committee for Measure D and appoint members to that committee. He requested that we reach out to the individuals involved in the cattle industry to see if they can provide some input to Mr. Gregory, even though we sent them copies of the draft report and agenda. Executive Officer Rachel Jones agreed to follow up with the cattle industry.

- The Commission appointed County Member Haubert, City Member Woerner, and alternate Public Member Marchand to the Ad Hoc Committee.

Upon motion by Commissioner Hernandez, second by Commissioner Miley, the item was approved.

AYES: 7 Haubert, Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: 0
ABSENT: 0
ABSTAIN: 0

7. Draft Budget and Work plan for FY 2022-2023 (Public Hearing) – Alameda LAFCO will consider adopting a draft budget and work plan for the fiscal year 2022-2023 to take final action at its next regular meeting. Proposed budget expenses total \$746,428 and represent an increase of \$91,093 or 13.9% from the current fiscal year. The increase is marked by expenses for professional services in the Service and Supplies Unit for additional LAFCO studies and a rise in rent/moving costs for new LAFCO Office space.

- This increase is supplemented with a fund balance offset of \$250,000, a \$65,000 increase from the current fiscal year, to help increase agency contributions by \$26,094, or 6% from the current fiscal year that is split amongst LAFCO’s 29 local funding agencies.
- The proposed work plan includes additional studies such as a Countywide Police municipal service review, an initial analysis report on the feasibility of incorporating of unincorporated areas such as Castro Valley, Ashland and Cherryland, and other projects such as creating a countywide regional water and wastewater committee.
- Adoption will precede a formal public review and comment period and conclude with final

action taken at the next meeting scheduled for May 12th. Staff recommended adopting the draft resolution and initiating a formal public review and comment period.

Commissioner Johnson agreed with Commissioner Miley that it's a good time to do this.

Chair Sblendorio opened and closed the public hearing with no comments being offered. Upon motion by Commissioner Woerner, second by Commissioner Miley, the item was approved.

AYES: 6 Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner,
NOES: 0
ABSENT: 1 Haubert
ABSTAIN: 0

8. Implementation of Municipal Service Review Recommendations (Business) – Alameda LAFCO will consider directing staff to contact each affected agency and request a written response on how and when the agency plans to address the findings and/or implement the recommendations presented in its 2021 Countywide Municipal Service Review (MSR) on Water, Wastewater, Stormwater, and Flood Control Services and provide an explanation if the agency disagrees with a finding or does not plan to implement a recommendation.

- Per the example letter found in Attachment 1 of the staff report, staff will request a written response from each agency no later than June 10th and provide those responses to LAFCO at its July 14th regular meeting. Staff recommends approval.

Chair Sblendorio asked if there were any comments and questions from the Commission. There were none.

Upon motion by Commissioner Hernandez, second by Commissioner Woerner, the item was approved.

AYES: 5 Hernandez, Johnson, Miley, Sblendorio, and Woerner
NOES: 0
ABSENT: 2 Haubert and Wieskamp
ABSTAIN: 0

9. New LAFCO Logo and Contract Amendment with Chase Designs for Professional Services (Business) – The Commission will consider approving a contract amendment with Chase Designs to provide professional services in creating LAFCO brochures, pamphlets, and branding for its PowerPoint Presentations at a not-to-exceed cost of \$10,000.

- Creative Director, Chris Chase of Chase Designs Inc worked with staff to create a new logo that encompasses the dynamism of Alameda County and LAFCO's role on balancing local circumstances and conditions in evaluating the delivery of municipal services for orderly growth and development.
- The new logo illustrates the blend of agricultural and urban areas of Alameda County with emphasis on interstate highway 580 as a path, showcasing the connectivity of both western and eastern parts of the County. The hills are used to demonstrate LAFCO's ability in redirecting urban uses away from agricultural and open space lands for preservation, while on the other side of the highway, the County's diverse housing needs are highlighted. Other markers are used to indicate access points and the sun is a reminder of the County's bright

future as a great place to live and work. The blue circle that encompasses the logo represents LAFCO's planning tool, its sphere of influence, and underscores LAFCO's duty to facilitate change when merited.

- Staff now seeks to amend the original contract with Chase Designs to include useful illustrative brochures and pamphlets that will assist LAFCO in better outreach and engagement with the public to summarize its studies and objectives for wider audiences. The amendment would extend the contract with Chase Designs by 12-months and not to exceed costs of \$10,000. Staff recommended approval.

Chair Sblendorio asked if there were any comments or questions from the Commissioners. Commissioners Marchand, Hernandez and Wieskamp complimented the logo.

Chair Sblendorio requested comments from the public and the Commission received on from Kelly Abreau mentioning he would like to see LAFCO going out to major agencies and communicating what is going on and how LAFCO impacts them.

Upon motion by Commissioner Johnson, second by Commissioner Wieskamp, the item was approved.

AYES: 6 Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: 0
ABSENT: 1 Haubert
ABSTAIN: 0

10. Request to Support SB 938 (Business) – Alameda LAFCO will consider submitting a letter of support for Senate Bill 938 (Hertzberg) that seeks to amend protest provisions included in the Cortese-Knox-Hertzberg Reorganization Act of 2000 (“CKH”).

- This item is for the Commission to consider providing a letter of support for SB 938 to ensure that LAFCOs have the tools they need to carry out their statutory obligations to maintain orderly and functioning local government services and to create greater consistency in the statute.
- Senator Hertzberg introduced SB 938 on February 8th. The bill is set for a hearing in the Senate Governance and Finance Committee and represents a collaborative three-year effort to clean up, consolidate and clarify existing protest provisions, specifically for consolidations and dissolutions of special districts.

Staff recommended the Commission take a “SUPPORT” Position on SB 938.

Chair Sblendorio asked if there were any comments or questions from the Commissioners and public. There were none.

Upon motion by Commissioner Wieskamp, second by Commissioner Woerner, the item was approved.

AYES: 6 Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: 0
ABSENT: 1 Haubert
ABSTAIN: 0

11. Matters Initiated by Members of the Commission

There were none.

12. Executive Officer Report

a. LAFCO Website Update – www.alamedalafco.org

13. Informational Items - Staff offered brief remarks on the following items:

- a. Current and Pending Proposals
- b. Progress Report on Work Plan.
- c. 2020-2021 Strategic Plan Performance Review
- d. Cancellation of 2022 CALAFCO Staff Workshop, March 23-25 in Newport Beach, Orange County
- e. Form 700: Due April 1
- f. Commissioners with terms ending May 2022:
 1. Sblend Sblendorio
 2. Dave Brown

Chair Sblendorio asked about the status of the MSR connectivity with broadband. Executive Officer Jones responded that we sent out the request for proposals for the Community Service Review and received one proposal. Our Policy and Budget Committee recommended that we resubmit the request for proposal for this MSR by next month, so the Commission may award a contract at its July Meeting.

14. Adjournment of Regular Meeting

Chair Sblendorio adjourned the meeting at 3:47 p.m.

Next Meetings of the Commission

Policy and Budget Committee Meeting
Thursday, April 7, 2022, at 2:00 p.m. Online Meeting

Regular Meeting
Thursday, May 12, 2022, at 2:00 p.m.

It is anticipated that both meetings will be held remotely up to our May 2022 Meeting.