

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

**Hosted by Zoom Video-Conference Service**

**March 11, 2021**

**1. Call to Order**

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

**2. Roll Call.**

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

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

**3. Welcome New Commissioners**

Chair Sblendorio, the Commission, and staff acknowledged the appointment of regular Commissioners Brown and Woerner, and Alternate Commissioner Hernandez, by the Alameda County Mayors' Conference on February 10, 2021.

**4. 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.

There were none.

**5. Consent Items –**

- a.** Approval of Meeting Minutes: January 14, 2021 Regular Meeting
- b.** Special Meeting Request for April 1, 2021
- c.** Budget Update for Fiscal Year 2020-2021 and Third Quarter Report

Staff noted a change for Consent Item No. 5b and requested to change the Special Meeting date to April 8, 2021.

Upon motion by Commissioner Haubert, and second by Commissioner Wieskamp, the item passed.

AYES:	7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)
NOES:	0
ABSENT:	0
ABSTAIN:	0

**6. Concurrent Sphere of Influence Amendment and Annexation | Terrace View and Keller Property to Oro Loma Sanitary District (Public Hearing)**

Staff provided an overview to the Commission on the proposed change of organization proposal filed by the Oro Loma Sanitary District (OLSD) to annex approximately 65.1 acres of territory located within the unincorporated area of Eden Township. Staff noted that the purpose of the proposal is to provide wastewater services in support of the development of 25 single-family residences. Staff highlighted that the affected territory lies outside the established sphere of influence for the District and a concurrent amendment is necessary to facilitate an annexation.

Commissioner Miley questioned why the applicant did not meet with the Fairview Municipal Advisory Committee or the Castro Valley Municipal Advisory Committee before the proposal was presented at today's meeting. Commissioner Miley requested that as part of a condition of approval, the applicant should make a presentation to the appropriate municipal advisory committee.

The developer of the proposed subdivision, Mike White from City Ventures, addressed to the Commission that the present development project is not ready to be presented at this time and is still in preliminary stages. Mr. White wanted to make sure that a wastewater connection was established before construction began.

The applicant agreed that they would attend the next appropriate municipal advisory committee meeting to discuss the proposed development. The Commission agreed to not include this meeting requirement as a condition of approval and applied standard terms to the annexation request.

Upon motion by Commissioner Miley, and second by Commissioner Wieskamp, the Commission opened the public hearing.

There were no comments from the public.

Upon motion by Commissioner Miley, and second by Commissioner Woerner, the item passed and the Commission closed the public hearing.

AYES:	7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)
NOES:	0
ABSENT:	0
ABSTAIN:	0

**7. Presentation from the Tri-Valley Conservancy District (Regular)**

Alameda LAFCO received an overview on the current agricultural and open space issues facing the Tri-Valley region provided by the Tri-Valley Conservancy and presented by Executive Director, Laura Mercier. A PowerPoint Presentation was provided at the time of the meeting.

Laura Mercier emphasized the need to promote agricultural tourism in the region, the need for further review on policies, such as Measure D, and the support of medium-sized wineries. Laura also stated that infrastructure needs, such as public wastewater, to accommodate wineries and businesses will be a necessity in the near term.

**8. Lamphier-Gregory | Contract for Planning Services and Special Studies (Regular)**

Staff recommended that the Commission enter into three new contracts for planning services and special studies with planning consultant, Lamphier-Gregory, and in partnership with the planning firm Economic Planning Systems (EPS), at a not-to-exceed cost of \$103,000 over a three-year period. Staff noted that Alameda LAFCO obtains planning services on an as-needed basis to provide the maximum amount of flexibility to conduct its day-to-day operations, including special projects or studies to fulfill its growth management duties within the region.

Commissioner Wieskamp commented on the need for a study to examine the economic impacts of Measure D, and noted that a map should be included as a part of the report.

Upon motion by Commissioner Woerner, and second by Commissioner Brown, the item passed.

AYES: 7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

**9. Contract Award | Fire Protection and Emergency Services Municipal Service Review (Regular)**

The Ad Hoc Selection Committee (Commissioners Johnson, Vonheeder-Leopold and Executive Officer Rachel Jones) recommended the firms PCA and Berkson Associates to perform work associated with LAFCO's Fire Protection and Emergency Medical Services Municipal Service Review, and relevant sphere of influence updates, for the contract period of twelve months, starting in April or May 2021; in an amount not to exceed \$99,710.

Commissioner Sblendorio emphasized that the Municipal Service Reviews (MSRs) are the main pillars of what LAFCOs do.

Commissioner Vonheeder-Leopold commented that PCA and Berkson Associates has sufficient experience working with fire protection districts in Alameda County and that the total project costs of the MSR were reasonable.

Commissioner Miley suggested that if an agency is not providing efficient and effective services, Alameda LAFCO should request that an agency provides an improvement plan as an MSR recommendation.

Upon motion by Commissioner Johnson, and second by Commissioner Wieskamp, the item passed.

AYES: 7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)

NOES: 0  
ABSENT: 0  
ABSTAIN: 0

**10. Agricultural Conservation Planning Grant with the Department of Conservation | Approval of Draft Grant Agreement and Related Items (Regular)**

The Alameda Local Agency Formation Commission (LAFCO) has been awarded \$249,988 for the agricultural planning grant with the Department of Conservation and its Sustainable Agricultural Lands Conservation (SALC) Program. Alameda LAFCO applied for the SALC grant to serve as the lead applicant and partner with the Alameda County Resource Conservation District (ACRCD) as the project manager to create an Alameda County Agricultural Resiliency Project that would establish a Countywide coalition of agricultural preservation policies and urban agricultural land use opportunities.

Staff recommended the Commission review the draft grant agreement with the Department of Conservation and approve a contract agreement with ACRCD.

Commissioner Miley asked staff if input from the County was considered, and more specifically if Liz McElligott of the County Planning Department would be a member in the stakeholders group. Staff confirmed that Liz McElligott is included on the stakeholders list and that a meeting with Ms. Elligott had been scheduled this month to discuss the project.

Upon motion by Commissioner Miley, and second by Commissioner Wieskamp, the item passed.

AYES: 7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

**11. Adoption of Proposed Budget and Workplan for FY 2021-2022 (Public Hearing)**

Staff presented a draft budget and workplan for FY 2021-2022 in anticipation of taking final action at its next regular meeting. Proposed budget expenses total \$655,335 and represents a decrease of \$1,557 or 0.2% from the current fiscal year.

Staff recommended the Commission adopt the draft resolution approving the proposed budget and workplan for FY 2021-2022, direct the Executive Officer to circulate the proposed budget for review and comment by the funding agencies and return a final budget to the Commission as part of a noticed public hearing on May 13, 2021.

Upon motion by Commissioner Brown, and second by Commissioner Johnson, the Commission opened the public hearing.

Upon motion by Commissioner Brown, and second by Commissioner Woerner, the Commission closed the public hearing and the item passed.

AYES: 7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)  
NOES: 0

ABSENT: 0  
ABSTAIN: 0

**12. San Diego LAFCO's Legislative Initiative to Amend Government Code Section 56133(e) (Regular)**

Staff requested the Commission consider preliminary support for San Diego LAFCO's legislative initiative to clarify that LAFCOs must determine whether out of area service agreements (OASAs) are exempt from LAFCO approval under Government Code Section 56133(e). Staff recommended that the Commission give its preliminary support, pending a review of the final bill language. Once the final bill language is received, staff stated that they will return the item at a future meeting for Commission consideration.

Chair Sblendorio asked staff if the California Association of Local Agency Formation Commissions (CALAFCO) were leading this legislative initiative. Staff responded that CALAFCO did not have enough resources at this time to petition for this amendment.

Upon motion by Commissioner Woerner, and second by Commissioner Brown, the item passed.

AYES: 7 (Brown, Haubert, Johnson, Miley, Sblendorio, Wieskamp and Woerner)  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

**13. Alternate Public Member | Selection Process (Regular)**

The Commission appointed City Member Woerner, County Member Haubert, and Special District Member Johnson to the ad hoc committee for the Alternate Public Member selection process.

**14. Matters Initiated by Members of the Commission**

Commissioner Woerner requested that for future meetings, a motion is not required to open and close a public hearing.

Commissioner Miley noted that staff attended and provided a presentation on Community Service Districts at the Unincorporated Services Committee Meeting held on February 24, 2021.

**15. Executive Officer Report –**

- Commission Clerk Recruitment Update
  - The Executive Officer, Rachel Jones revealed that Alameda LAFCO hired Ms. April Raffel, as LAFCO's Commission Clerk, with a scheduled start date on April 5, 2021.
- Policy and Budget Committee Appointments at next regular meeting
  - The Executive Officer, Rachel Jones, mentioned that appointments to the Policy and

Budget Committee will be made at the Commission's next regular meeting.

- 11. Informational Items** – Staff offered brief remarks on the following items.
- a. Current and Pending Proposals
  - b. Progress Report on Work Plan
  - c. Legislative Update
  - d. CALAFCO Quarterly and Annual Reports
  - e. Alameda County Civil Grand Jury Nominations for 2021-2022 Term
  - f. Form 700 and Conflict of Interest: Due April 1, 2021
  - g. Commissioners with terms ending May 2021
    - 1. Georgan Vonheeder-Leopold
    - 2. Karla Brown

**12. Adjournment of Regular Meeting**

The Commission adjourned the meeting at 3:54 p.m.

**13. Next Meetings of the Commission**

**CANCELLATION of Policy and Budget Committee Meeting**  
**Thursday, April 1, 2021 at 2:00 p.m.**

**Regular Meeting**  
**Thursday, May 13, 2021 at 2:00 p.m.**

It is anticipated both meetings will be held telephonically due to COVID-19 pandemic.