

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

**Hosted by Zoom Video-Conference Service**

**April 8, 2021**

**1. Call to Order**

Chair Sblendorio called the meeting to order at 2:00 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>	Bob Woerner, Karla Brown, and Alternate Melissa Hernandez
<u>Special District Members:</u>	Ayn Wieskamp, Ralph Johnson, and Alternate Georgean 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, April Raffel, Commission Clerk and Andrew Massey, LAFCO Legal Counsel

**3. 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 was one comment made by Public member Kelly Abrios. Mr. Abrios mentioned as a public commission, meetings are subject to the Brown Act and the Public Records Act; therefore, he would like audio records available to the public.

Mr. Abrios stated that a couple of months ago, two special studies examined the impact of Measure D on agriculture. Mr. Abrios also wanted to know the effect of LAFCO city annexations on urban growth boundaries (UGBs), as well as the microbrewery ordinance, and their impact on traffic safety and events.

Mr. Abrios mentioned that there was a County independent investigation of County permitting released the day before yesterday sponsored by District 1. In a 2014/2015 Civil Grand Jury report, they found political interference in the permitting process, and they recommended structural changes in the management and the reporting structures.

**4. Proposed Annexation of North Livermore Avenue to the City of Livermore| APN (099-0100-004-04) and APN (099-0100-003-05) to the City of Livermore (Public Hearing)**

Staff provided an overview to the Commission on the proposed Annexation of the 1754 North Livermore Avenue “Chick-fil-A Project” to the City of Livermore. The proposal before the Commission was submitted by the City of Livermore, seeking approval for a change of organization

proposal to annex two unincorporated parcels totaling 22.8 acres for the development of a 4,737 square foot drive-through restaurant referred to as the Chick-fil-A Project. The project site has a situs address of 1754 North Livermore Avenue and is contiguous to the City's jurisdictional boundaries and is also within the sphere of influence of the City.

The primary purpose of the proposal is to provide municipal services to the affected territory consistent with commercial and open space use in the surrounding area. The municipal services proposed are consistent with services already provided within the area such as police and fire protection, wastewater services, road maintenance and flood control services.

The affected territory consists of two parcels; one totaling 1.6 acres that is zoned for industrial use and the other parcel totaling 21.2 acres currently zoned as agricultural located within a water management zone identified under the County General Plan.

Commissioner Brown raised a concern about queuing and Andy Ross, Senior Planner, City of Livermore, clarified that there is an existing signal light intersection that will be modified to accommodate access to that site and the traffic will be directed towards the western portion away from North Livermore Avenue for queuing capacity of 30 vehicles.

Commissioner Miley asked if Alameda County Planning or Public Works had any objections or concerns about the annexation. The Executive Officer commented that no objections were made by either department.

Chair Sblendorio had a concern under LAFCO policies that considering a property in the path of development and while he had no issue with the Chick-fil-A project, he did not understand why other development wasn't considered for the remainder of the property. The staff report referenced that the area is in a flood plain. Chair Sblendorio wanted further discussion of what was to be done with the rest of the property. Andy Ross stated that the City of Livermore assessed the development potential of the property, which is inappropriate for other urban uses, both because of the flood plain issues and the intrinsic habitat. Mr. Ross noted that land will be encumbered with a conservation easement for the future. The easement will help the City explore ways to restore the area to protect some of the habitat and some of the flood plain: a restoration-mitigation project. Commissioner Sblendorio added that the conservation easement might serve as mitigation for other developments or other amenities in the City that would also benefit the citizens. Chair Sblendorio wanted to make clear that vacant land should not be annexed into cities unless, those cities had a plan for use. Chair Sblendorio was satisfied that the City of Livermore has a conservation easement on the undevelopable land in place.

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

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

## **5. Adjournment of Regular Meeting**

Chair Sblendorio adjourned the meeting at 2:31 p.m.

**6. Next Meeting of the Commission**

**Regular Meeting**

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

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