

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
JULY 14, 2022, REGULAR MEETING

1. CALL TO ORDER | ROLL CALL

The regular meeting was called to order at 2:05 p.m. by Chair Sblendorio.
The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: David Haubert, County of Alameda
 Melissa Hernandez, City of Dublin
 Ralph Johnson, Castro Valley Sanitary District
 Nathan Miley, County of Alameda
 Sblend Sblendorio, Public (CHAIR)
 Ayn Wieskamp, East Bay Regional Park District
 Bob Woerner, City of Livermore

Alternates Present: Karla Brown, City of Pleasanton
 John Marchand, Public
 Georgean Vonheeder-Leopold, Dublin San Ramon Services District

Members Absent: Dave Brown, County of Alameda (alternate)

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

Chair Sblendorio arrived at 2:05 p.m.

Commissioner Miley arrived at 2:24 p.m.

Alternative Commissioner Marchand arrived at 2:24 p.m.

2. PUBLIC COMMENT:

Chair Sblendorio 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 no public comments.

3. CONSENT ITEMS

Item 3a

Approval Meeting Minutes for May 12, 2022

Item presented to approve draft action minutes prepared for the Commission's May 12, 2022, regular meeting. Recommendation to approve.

Item 3b

Transfer of Jurisdiction Request from Contra Costa LAFCO – EBMUD

Item presented to review transfer of jurisdiction request from Contra Costa LAFCO – EBMUD. Recommendation to approve.

Item 3c

Approval of Resolution to Continue Virtual Meetings due to COVID-19 Pandemic

Item presented to consider a resolution authorizing LAFCO to conduct virtual meetings for the Commission for the next 30-day period as allowed under AB361, as circumstances warrant. Recommendation to approve.

Chair Sblendorio asked if any Commissioner would like to pull any consent agenda item. There were no Commissioners that wanted to pull any item from the consent agenda.

Commissioner Haubert motioned to approve the consent calendar with a second from Commissioner Hernandez. Roll call requested:

AYES: Haubert, Hernandez, Johnson, Sblendorio, Wieskamp, and Woerner
NOES: None
ABSENT: Miley
ABSTAIN: None

The Commission Clerk confirms the motion was approved 6-0.

4. PROPOSED RECOMMENDATIONS FOR LAFCO'S 20-YEAR REVIEW ON MEASURE D (BUSINESS)

Item to consider accepting proposed recommendations to further direct the Commission's own agricultural and open space policies and help aid in the future policy decisions to amend ballot Measure D.

- In summary, this item is for the Commission to accept the proposed recommendations prepared by staff and the Ad Hoc Subcommittee and submit these recommendations to the Alameda County Board of Supervisors ahead of the first reading of the ordinance on ballot Measure D scheduled for July 19th.

Commission discussion followed.

Chair Sblendorio invited public comments. Commission Clerk confirmed there were four public comments to address the Commission. Comments were received from the following persons:

- Dick Schneider, Measure D's co-author
- Larry Gosselin, Sustainable Food Network, LLC.
- Shweta Bonn, Senior Planner, City of Pleasanton
- Chuck Campos, Resident

Commissioner Haubert motioned to accept the recommendations and add to the record that we forward to the Board of Supervisors the comments received and summarized, with a second from Commissioner Woerner. Roll call requested:

AYES: Haubert, Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: None
ABSENT: None
ABSTAIN: None

The Commission Clerk confirms the motion was 7-0.

5. REQUEST FOR PROPOSALS | PRELIMINARY COMPREHENSIVE FISCAL ANALYSIS (BUSINESS)

Item to consider authorizing the circulation of a Request for Proposals (RFP) for a Preliminary Comprehensive Fiscal Analysis (PCFA) on the unincorporated communities of Castro Valley, Ashland, Cherryland, San Lorenzo, Fairview, and Hayward Acres, and direct staff to return to the Commission with a recommended contract award at its September 8, 2022 regular meeting.

To provide the public with clear and objective information about an incorporation proposal and its feasibility, Executive Officer Jones provided presentations to the Alameda County Agricultural Advisory Committee and Municipal Advisory Committees (MACs) on the interest of LAFCO in preparing a PCFA. If authorized, staff will circulate an RFP and scope of services that will address PCFA factors, focus areas, and required analysis. Recommendation to approve.

Chair Sblendorio invited Commissioner comments.

Commission discussion followed.

Chair Sblendorio invited public comments.

The Commission Clerk confirmed there was one public comment to address the Commission. A comment was received from the following person:

- Kelly Abreau, Resident

Commissioners Miley, Woerner, and Executive Officer Jones confirmed the Preliminary Comprehensive Fiscal Analysis's purpose is to provide the community with clear and objective information about an incorporation proposal, its service costs, and tax revenue implications. LAFCO cannot submit an incorporation proposal.

Commissioner Woerner motioned to authorize the circulation of the RFP for the PCFA with a second from Commissioner Miley. Roll call requested:

AYES: Haubert, Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: None
ABSENT: None
ABSTAIN: None

The Commission Clerk confirms the motion was approved 7-0.

6. CONFLICT OF INTEREST FOR PLANNING SERVICES WITH LAMPHIER-GREGORY (BUSINESS)

Item to consider reviewing a conflict of interest with consultant firm, Lamphier-Gregory and consider its ability to provide planning services for LAFCO after it has been retained by the County of Alameda to conduct the environmental review for the ballot amendment on Measure D. Government Code Section 56384(c) requires the Commission appoint alternate staff to assist it if staff for the Commission is subject to conflict of interest on a matter before the Commission.

Staff recommended continuing contracting services with Lamphier-Gregory outside of matters concerning the conflict of interest and appointing Alameda LAFCO Executive Officer to provide written comments on the environmental documents for the proposed ballot amendment.

Chair Sblendorio invited Commissioner questions or comments.

Chair Sblendorio invited comments from the public. The Commissioner Clerk responded there were no comments for this item.

Commissioner Woerner motioned to accept the staff recommendation as provided in the agenda report with a second from Commissioner Haubert. Roll call requested:

AYES: Haubert, Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: None
ABSENT: None
ABSTAIN: None

The Commission Clerk confirms the motion was approved 7-0.

7. AFFECTED AGENCIES' RESPONSES ON MUNICIPAL SERVICE REVIEW RECOMMENDATIONS (BUSINESS)

Alameda LAFCO received written responses from 8 of the 17 affected agencies requested to address the implementation of recommendations from Alameda LAFCO's 2021 Countywide Municipal Service Review (MSR) on Water, Wastewater, Stormwater, and Flood Control Services. These responses can be found in Attachment 1 of the staff report and will be posted on the LAFCO website. Staff will track each agency's implementation efforts and provide updates to the Commission, as necessary. Staff will also follow up with the staff and officials of those agencies that did not provide a written response to LAFCO by the June 10th deadline. Recommendation to accept and file and provide direction to staff as necessary.

Chair Sblendorio invited comments from the Commissioners and the public.

The Commission Clerk confirmed there were no public comments.

Commissioner Johnson motioned to approve the staff recommendation as provided in the agenda report with a second from Commissioner Woerner. Roll call requested:

AYES: Haubert, Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: None
ABSENT: None
ABSTAIN: None

The Commission Clerk confirms the motion was approved 7-0.

8. CALAFCO NOMINATIONS AND DESIGNATION OF VOTING DELEGATES (BUSINESS)

Item to consider action items relating to the California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference scheduled for October 19th to 21st in Newport Beach (Hyatt Regency Newport Beach John Wayne Airport). The Annual Conference will include Board of Directors elections and an achievement awards ceremony. Recommendation to appoint Alternate Commissioner Vonheeder-Leopold and Chair Sblendorio as voting delegate and alternate voting delegate, respectively.

Commissioner Haubert motioned to appoint Alternate Commissioner Vonheeder-Leopold as the voting delegate and Chair Sblendorio as an alternate voting delegate during the upcoming CALAFCO conference with a second from Commissioner Hernandez. Roll call requested:

AYES: Haubert, Hernandez, Johnson, Miley, Sblendorio, Wieskamp, and Woerner
NOES: None
ABSENT: None
ABSTAIN: None

The Commission Clerk confirms the motion was approved 7-0.

9. LAFCO LOCAL AGENCY DIRECTORY (BUSINESS)

This item is for Alameda LAFCO to receive a local agency directory prepared as part of the adopted work plan for the fiscal year 2021-2022. The directory identifies all elected and appointed local agency officials for the 43 cities and special districts under the Commission's jurisdiction in Alameda County as of July 2022. A link to the directory will be sent to local agencies and other state and regional governmental agencies. Presented for discussion and feedback only.

10. MATTERS INITIATED BY MEMBERS OF THE COMMISSION

There were none.

11. EXECUTIVE OFFICER REPORT

- a. Comment Letter on the Draft Supplemental Environmental Report for the South Livermore Sewer Expansion Project

On June 20, 2022, Alameda LAFCO submitted a comment letter on the Draft Supplemental Environmental Impact Report (EIR) for the South Livermore’s Sewer Expansion Project. The proposed project is to allow existing residences and wineries in the unincorporated part of South Livermore Valley to connect to the City of Livermore’s public wastewater system. LAFCO also requested that the report consider governance options of either an annexation proposal or out-of-area service agreement, given that the proposed project lies outside of the City’s jurisdictional boundary. LAFCO’s comment letter requested that the Draft Supplemental EIR include LAFCO as a responsible agency, given that the proposed project calls for LAFCO approval of one or more applications requesting the delivery of wastewater service to the affected territory.

- b. LAFCO Community Services Municipal Service Review RFP Update (verbal report)
- c. LAFCO SLVAP Study Update (verbal report)

Chair Sblendorio, Commissioner Woerner, and Commissioner Haubert wanted to have the study scope include an analysis of economics and include input from businesses, such as the Wine Growers Association, or other agritourism.

12. INFORMATIONAL ITEMS

- a. Current and Pending Proposals
- b. Progress Report on Work Plan
- c. CALAFCO Annual Conference, October 19th – 21st in Newport Beach, California
 - Please contact LAFCO Commission Clerk, April Raffel, to register for the Conference.

13. ADJOURNMENT OF REGULAR MEETING

Chair Sblendorio adjourned the meeting at 3:30 p.m.

Next Meetings of the Commission

Policy and Budget Committee Meeting

Cancelled - Thursday, August 4, 2022, at 2:00 p.m.

Regular Meeting

Thursday, September 8, 2022, at 2:00 p.m., Online Meeting

– Staff is looking into hosting a hybrid meeting DSRSD

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its July 14, 2022, videoconference meeting.

ATTEST,



April L. Raffel

Commission Clerk