

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

January 12, 2012

1. Call to Order and Pledge of Allegiance

Chair Miley called the meeting to order at 4:34 p.m. The Pledge of Allegiance was recited.

2. Roll Call.

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

City Members: Tim Sbranti (arrived at 4:36 during item 6)

County Members: Nate Miley and Scott Haggerty

Special District Members: Ayn Wieskamp and alternate Louis Andrade

Public Members: Sblend Sblendorio and alternate David Haubert

Excused: Katy Foulkes, Special District member, Jennifer Hosterman, City member, and Wilma Chan, Alternate County member

Staff present: Mona Palacios, Executive Officer; Andrew Massey, Legal Counsel; and Sandy Hou, Clerk

3. Welcome to new City Member, Tim Sbranti

Chair Miley informed the Commission that the Mayor's Conference had selected Commissioner Sbranti, alternate City Member to replace Marshall Kamena as a regular City Member.

4. Public Comment

Chair Miley 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 no comments from the public.

5. Approval/Correction of Minutes

Upon motion by Commissioner Wieskamp and second by Commissioner Sblendorio, the minutes of November 11, 2011 were approved.

6. Sphere of Influence (SOI) Update/Municipal Service Review (MSR) 2nd Cycle Update

Staff provided an overall update on the project to date and referred the Commissioners to the two matrix documents provided to them – an updated detailed one on the special districts and a more abbreviated one on the cities – that showed in summary form various information on each agency pertinent to the project. It was pointed out, regarding the cities, that only Oakland remained to be interviewed and further information was being requested from the cities of San Leandro, Livermore and Albany. Staff noted that the Ad Hoc SOI update/MSR Committee, comprised of Commissioners Sblendorio, Andrade, and Haubert, had met with Staff and Consultants earlier in the day and had recommendations for the full Commission to consider and provide direction concerning the level of

review for the cities and special districts. The Consultant reported on the progress and recommendations for the cities and staff reported on the same for the special districts.

CITIES

Consultant Report

Project Consultant Bruce Baracco reported on the recommendations the Committee had arrived at regarding the level of review for each city. He explained the three levels to be considered:

1. **Abbreviated** – Just an update to the previous MSR with any necessary changes to the required determinations – a simple update without a lot of in-depth analysis.
2. **Moderate** – Update the previous review and add additional comments on any issues of note or concern with a summary of changes since the last MSR.
3. **In-depth** – Replace the previous MSR with additional comment, analysis and discussion of issues.

After looking at the various elements to be considered for review and the initial responses received from each city, the Committee was recommending seven abbreviated reviews, five moderate, and two in-depth as follows:

Abbreviated: Albany, Berkeley, Emeryville, Fremont, Newark, Piedmont, Union City

Moderate: Alameda, Hayward, Oakland, Pleasanton, San Leandro

In-Depth: Dublin, Livermore

The consultant explained that these recommendations were based primarily on what activity is going on in each community, the city's potential for development, as well as LAFCo issues that need to be addressed in the MSR. He noted that the committee, in its discussion on setting priorities wanted to suggest that the abbreviated MSRs be completed first and brought to the Commission for review, but not final formal action. Then the remaining seven could be brought forward as they are prepared, on an individual or smaller group basis. The consultant also briefly reviewed the preparation process.

Ad Hoc Committee Comments

Commissioner Haubert noted that the Committee was unclear about the status of the Camp Parks land – whether or not it was within the city of Dublin's city limits. Commissioner Sbranti (Mayor of Dublin) responded that it was within city limits and provided a brief update on the status of that land, noting that an EIR was just started and expected to come before the city council in March 2013.

Commission Discussion

Counsel, responding to an inquiry from Commissioner Sblendorio, indicated that there was really no means available to require the City of Oakland to respond to LAFCo's requests for information. As previously noted by Staff, the only effect of not providing information, as indicated in CKH language, would be an inability on the City's part to submit proposals for any change of organization – proposals that would not likely be forthcoming from Oakland anyway. Consultant Baracco noted that a change in staff most likely was causing the delay in Oakland responding in a timely fashion. He assured the Commission that he would continue working with Oakland staff to obtain the required information.

Mr. Baracco, in response to an inquiry from Commissioner Sbranti, explained what an in-depth review consisted of and affirmed that the controversial Doolan Canyon issue accounted for designating the cities of Livermore and Dublin for in-depth reviews. He also emphasized that city staff would review and approve the report before it was finalized.

Commissioner Wieskamp inquired how an issue between the City of Livermore and Livermore Area Recreation and Park District (district not interested in being taken over by the city) would affect the level of review of the two agencies. Mr. Baracco responded that the Ad Hoc Committee was recommending an in-depth study of the city and a moderate level of review for the district.

SPECIAL DISTRICTS

Staff Report

Executive Officer Palacios provided a report on the districts, taking special note of any changes the subcommittee was making that differed from those on the matrix. It was explained that those districts that provide a “backbone” service, i.e. fire protection, water and sewer, and health care, would be designated for an in-depth review.

Commission Discussion - Following is a summary of the discussion.

- Livermore Amador Valley Sewer Study CSA – Commissioner Haggerty seemed to recall that this CSA had already been dissolved back in 1997 by Board of Supervisor action. Staff noted that she would look into it, but her understanding was that it takes LAFCo action to dissolve a district. Commissioner Sblendorio recollected assigning it a zero sphere of influence in the last review process. Commissioner Haggerty suggested staff follow up with Adolph Martinelli, former director of the County’s Community Development Agency, to determine the status of the district.
- Eden Township HCD – Commissioner Wieskamp encouraged staff/consultants to look into public access to information issues.
- Alameda County Fire Department – Commissioner Wieskamp remarked on overlapping services with city of Livermore, noting that ACFD still had a station within Livermore. Commissioner Haggerty responded that the fire chiefs of the two agencies were working on a mutual aid dispatch agreement.
- Estuary Bridges – Commissioner Haggerty stated his concerns about dissolving Estuary Bridges, suggesting it not be dissolved.
- Washington Hospital – Commissioner Haggerty, noting the efficient operation of this agency, expressed that an in-depth study was unnecessary and actually would be offensive to the agency. Commissioners Wieskamp and Andrade expressed that a moderate study would be more appropriate for the agency. Commissioner Sblendorio expressed his viewpoint that similar agencies should have the same level of study and pointed out that the MSR would also be highlighting “best practices”.
- Zone 7 Water Agency – Commissioner Haggerty recommended the report include information regarding the district’s attempts to become independent from the County.

Direction

Following discussion, the level of study recommended for the cities as noted above was approved and level of study for the districts recommended as follows:

No Study: Castro Valley Library CSA, Dublin Library CSA, Livermore Amador Valley Sewer Study CSA

Abbreviated: AC Extended Police Protection CSA, Castle Homes CSA, Curbside Recycling CSA, Emergency Medical Services CSA, Estuary Bridges CSA, Extended Public Works CSA, Five Canyons CSA, Hayward Area Recreation and Park District, Lead Abatement CSA, Morva CSA, San Lorenzo Library CSA

Moderate: AC Flood Control & Water Conservation District, AC Library District, AC Mosquito Abatement District, AC Resource Conservation District, Castlewood CSA, City of Alameda Health Care District, East Bay Regional Parks District, Eden Township Health Care District, Livermore Area Recreation and Park District, San Lorenzo Library CSA, Vector Control CSA, Washington Township Health Care District

In-depth: Alameda County Fire Department, Alameda County Water District, Castro Valley Sanitary District, Dublin San Ramon Services District, East Bay Municipal Services District, Fairview Fire Protection District, Oro Loma Sanitary District, Union Sanitary District, Zone 7 Water Agency

7. Mid-year Financial Report FY 2011-202

Staff provided a summary of the written report. There were no questions or comments.

8. Matters Initiated by Members of the Commission – There were none.

9. Informational Items – Discussion, if any, or further info is noted after the item.

a. Application Update

b. Legislative Update

c. Newspaper Articles

d. Commissioners with terms ending May 2012:

- Katy Foulkes, Special District Regular Member
- Jennifer Hosterman, City Regular Member
- Nate Miley, County Regular Member
- David Haubert, Public Alternate Member

e. Announcements by Staff:

- Form 700 - Conflict of Interest Forms will be mailed to Commissioners later in the month
- The 2012 CALAFCO Staff Workshop will be hosted by Calaveras LAFCo in the city of Murphys, April 25-27. The Executive Officer and Clerk both plan to attend.
- CALAFCO University Course “Understanding Health Care Districts and the Role of LAFCo” will be on Friday, February 3 in San Jose. Commissioner Andrade indicated he would attend. Staff noted that the City of Alameda Healthcare District Administrator, Deborah Stebbins, will be one of the speakers.

10. Adjournment of Regular Meeting – The meeting was adjourned at 5:22 p.m.

12. Next Regular Meeting of the Commission – Thursday, March 8, 2012 at 4:30 p.m.

Respectfully submitted,

These minutes were approved by the Commission on March 8, 2012

Attest:


Sandy Hou, LAFCo Clerk


Mona Palacios, LAFCo Executive Officer