

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

**March 8, 2012**

**1. Call to Order and Pledge of Allegiance**

Chair Miley called the meeting to order at 4:31 p.m. The Pledge of Allegiance was recited.

**2. Roll Call.**

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

City Members: Jennifer Hosterman

County Members: Nate Miley and Scott Haggerty (arrived 4:33, item 6)

Special District Members: Katy Foulkes, Ayn Wieskamp and alternate Louis Andrade

Public Members: Sblend Sblendorio and alternate David Haubert

Excused: Tim Sbranti, City member; John Marchand, alternate City Member; and Wilma Chan, Alternate County member

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

**3. Welcome to new alternate City Member, John Marchand**

Chair Miley noted that Commissioner Marchand would be officially welcomed at a future meeting since he was unable to attend today's meeting.

**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 Sblendorio and second by Commissioner Wieskamp, the minutes of January 12, 2012 were approved.

**6. Alameda County Water District Annexation 102-Tract 7409, Mayfield Housing**

Staff gave a summary of the written report. Commissioner Foulkes made a motion to approve the annexation and motion was seconded by Commissioner Hosterman. Motion passed unanimously.

**7. Alternate Public Member Recruitment Process**

Staff explained that the term of Alternate Public Member David Haubert would expire in May and that the Commission could choose to reappoint him if they so wished and if he were willing to continue understanding that an election to public office (which he has indicated an interest in) would disqualify

him from continuing to serve on LAFCo as a public member. Commissioner Haubert informed the Commission that he is willing to serve another term. Staff noted the Commission will vote on the matter at the May meeting and reminded the Commissioners that the policies and procedures of the Commission require that public members receive the vote of at least one of the commissioners representing each of the other three categories, i.e. from a City member, County member and Special District member.

Commissioner Foulkes and Commissioner Hosterman, whose terms also expire in May, each noted they would be willing to continue serving on LAFCo, if so requested by their respective appointing agencies, until later in the year when their terms as EBMUD Board member and Pleasanton Mayor, respectively, end.

## **8. Sphere of Influence (SOI) Update/Municipal Service Review (MSR) 2<sup>nd</sup> Cycle Update**

Staff provided a summary and update of the written report, noting that the City of Oakland was the only city left to interview and that Washington Township Health Care District had not yet provided a response to the request for information. (It was explained that Fairview Fire Protection District's response was in progress, expected to be received within a week or two).

Staff responded to Commissioner Sblendorio's inquiry regarding the City of Oakland's responsiveness during the previous SOI/MSR process by noting that she was not working with LAFCo until the end of the project at that time, but that she did recall that Oakland had been responsive during the Panoramic Hill SOI issue that involved both Berkeley and Oakland. Commissioner Sblendorio recommended that Staff inform the ad hoc committee if information was not received from Oakland in a timely manner; in such case, perhaps the committee would ask Chair Miley to follow up with the city. Staff responded that she would inform the committee if Oakland was still unresponsive by the end of the following week (March 16).

Commissioner Haggerty inquired about the status of review for Washington Hospital, noting that they were currently quite busy dealing with matters regarding St. Rose Hospital and perhaps it would be best to wait and see how it all worked out. He expected they would be recommending a SOI change. Staff responded that the SOI update process would be an opportunity for the Washington Township Healthcare District to communicate such information but that staff had not yet heard from the district. Staff and consultants will continue efforts to follow up with the district.

### PUBLIC SPEAKERS: Pleasanton Gravel Company

John Lynn Smith, representing Pleasanton Gravel Company (PGC), recommended that a 71 acre parcel of land owned by PGC, currently in Livermore's SOI be put back into Pleasanton's SOI, as it was prior to 1988. He provided background information and explanation for such a recommendation.

Don Kahler, PGC, also spoke in support of transferring the parcel from Livermore to Pleasanton.

Staff clarified that the change in the SOI was not due to an MSR process in 1988 (since MSRs did not exist then), but rather as part of a larger project at the time and that submitting a formal application to LAFCo for the recommended SOI change was an option available to PGC. Otherwise, discussions regarding the SOI boundary and this parcel could be included in the current SOI update process.

There was some discussion among the Commission resulting in the suggestion that the matter be addressed by the two cities and LAFCo during this current SOI update process. Staff indicated she

had been in contact with Livermore and Pleasanton staff already about PGC's request and that she would continue to follow-up regarding the matter.

**9. Transfer of Principal County Jurisdiction: Proposed Legislative Change**

Staff presented a summary of the written report and then responded to Commissioner Hosterman's inquiry into what made sense to staff regarding the proposed language change in legislation being considered for recommendation by the CALAFCO legislative committee.

Commissioner Foulkes noted that not only East Bay Municipal Utility District (EBMUD) had concerns about the proposed legislative language change, but that Dublin San Ramon Services District (DSRSD), the Association of California Water Agencies and the California Special Districts Association had concerns as well. Commissioner Foulkes indicated that EBMUD does not want to increase its sphere of influence because if it is increased the district would be required to provide water (an increasingly difficult-to-find commodity) to any development that would occur within its sphere. So, it would be very important to EBMUD that if a proposal would be transferred to another LAFCo for consideration, that the district would have the opportunity to veto the proposal. The district is hoping this proposal being considered by CALAFCO would be tabled until it was thoroughly discussed among the two LAFCOs (Contra Costa & Alameda) and the two agencies (EBMUD and DSRSD). Staff noted that most likely the proposal will be tabled while discussions continue with the stakeholders.

Following further discussion, the Commission requested staff to follow up by arranging a meeting regarding the matter with Contra Costa LAFCo, EBMUD and DSRSD.

**10. Proposed Fiscal Year 2012-2013 Budget and Work Plan**

Staff presented a summary of the written report. Commissioner Haggerty motioned to open the public hearing; motion was seconded by Commissioner Foulkes. There were no comments from the public. Commissioner Haggerty motioned to close the public hearing and approve the proposed budget and work plan for FY 2012-2013; Commissioner Wieskamp seconded and motion was unanimously approved.

**11. Matters Initiated by Members of the Commission** – Commissioner Andrade reported on the CALAFCO U class regarding health care districts that he recently attended in San Jose.

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

- a. Application Update
- b. Legislative Update
- c. CALAFCO University Course: Shared Services and Efficiencies – Tuesday, April 24, 2012 in Murphys
- d. 2012 CALAFCO Staff Workshop in Murphys, April 25-27
- e. 2012 CALAFCO Annual Conference in Monterey, October 2-5
- f. Commissioners with terms ending May 2012
  - 1. Katy Foulkes, Special District Regular Member (*see item #7*)
  - 2. Jennifer Hosterman, City Regular Member (*see item #7*)
  - 3. Nate Miley, County Regular Member
  - 4. David Haubert, Public Alternate Member (*see item #7*)

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

14. **Next Regular Meeting of the Commission – Thursday, May 10, 2012 at 4:30 p.m.**

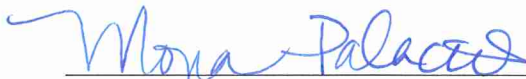
Respectfully submitted,



Sandy Hou, LAFCo Clerk

These minutes were approved by the Commission on May 10, 2012.

Attest:



Mona Palacios, LAFCo Executive Officer

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