

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

May 10, 2012

1. Call to Order and Pledge of Allegiance

Chair Miley called the meeting to order at 4:30 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 and Tim Sbranti

County Members: Nate Miley and Scott Haggerty (left meeting after agenda item 10)

Special District Members: Ayn Wieskamp and alternate Louis Andrade (left meeting after agenda item 10)

Public Members: Alternate David Haubert

Excused: Sblend Sblendorio, Public Member; Katy Foulkes, Special District 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 Returning Commissioners

Chair Miley announced that he (County member) and Commissioner Hosterman (City member) were reappointed to serve on the Commission by their respective appointing bodies. Staff noted that Commissioner Foulkes will be continuing as Special District member until July 2012, when it is expected that her replacement will have been appointed following an election by the Special District Selection Committee.

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 Haggerty and second by Commissioner Sbranti, the minutes of March 8, 2012 were approved.

6. Alternate Public Member Reappointment

Upon motion by Commissioner Sbranti and second by Commissioner Hosterman, Commissioner Haubert was unanimously approved to serve another four-year term as alternate Public Member.

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

Staff provided introductory remarks prior to the Consultants' presentation, noting that the information to be presented had been reviewed by the ad hoc committee (Commissioners Andrade, Haubert and Sblendorio). Feedback provided by the Commission today would be considered in making any necessary modifications to the documents before distribution and website posting for public comments. The Commission was reminded that 14 cities and 32 special districts are under review and that three county service areas (Castro Valley Library, Dublin Library and the Livermore Amador Valley Sewer Study Area) will not be reviewed because they are to be dissolved. Batches of agencies will be brought to the Commission over the course of the next couple of meetings as the consultants prepare the public review documents and post them on the LAFCo website for an extended public review comment period. It is expected that final approval of the MSRs and SOI updates will occur at the Commission's November 8, 2012 meeting.

Staff pointed out that one interesting finding of the consultants was that the Alameda County Library District was formed as a county free library, and therefore, by law, is not subject to LAFCo.

Staff reported that she and the consultants had succeeded in meeting with City of Oakland staff on April 5th.

Commissioner Haggerty inquired about the status of review for Washington Hospital. Staff noted that the district had not responded to repeated requests for information, and following some discussion about their current negotiations with St. Rose, emphasized that it is important for the district to understand that the MSR is State-mandated and that any request for boundary change would need to come to LAFCo. Commissioner Haggerty said he would have his staff contact the district about providing LAFCo with the needed information and Staff indicated that another reminder letter would be sent, along with follow-up emails/phone calls as needed.

Project consultants Bruce Baracco, Jennifer Stephenson, and Oxana Kolomitsyna then presented their findings and highlights on the 11 abbreviated review level special districts – Castle Homes Community Service Area (CSA), Curbside Recycling CSA, Five Canyons CSA, Morva CSA, Street Lighting CSA, San Lorenzo Library CSA, Extended Police Protection CSA, Emergency Medical Services CSA, Extended Public Works CSA, Estuary Bridges CSA and Lead Abatement CSA.

Comments/discussion following the presentation included Commissioner Andrade offering remarks about Hayward Area Recreation and Park District and Commissioner Haggerty inquiring if residents in unincorporated areas paid for services provided by the Lead Abatement CSA. Response was they did not.

The consultants and staff went over next steps in the process for the reviewed agencies, noting that further feedback would be incorporated into the draft reviews for the presented agencies that would be posted on LAFCo's website for public review and comment, as well as directly distributed to the subject agencies for review prior to the final adoption by the Commission at their November meeting.

Staff requested input from the Commission regarding dissolution of the zero-SOI CSAs (Castro Valley Library CSA, Dublin Library CSA, and Livermore Amador Valley Sewer Study CSA), inquiring if the Commission would recommend that LAFCo initiate the dissolution process for these CSAs if their governing body (Alameda County), who seems currently to be in agreement about the appropriateness of dissolution, would, nevertheless, not initiate it. Following discussion, the consensus was to prefer a LAFCo-initiated dissolution over a prolonged wait for the County to

initiate it. Staff indicated that she would familiarize herself with that process, should the commission decide to implement it.

8. Proposed Policy Updates – Disadvantaged Unincorporated Communities (DUCs)

Staff summarized the written report regarding recently enacted legislation (SB244) that requires LAFCOs to make a determination regarding the location and characteristics of disadvantaged unincorporated communities (DUCs) for sphere of influence updates on or after July 1, 2012. Staff requested direction from the Commission regarding implementation. Following discussion and based on input from the Commission, staff indicated that she would look into the option of declaring that Alameda County has no DUCs, based on the current legal definition and research results, perhaps using the census-designated place as the “community”, as well as looking at some other options for defining “community”.

9. Zone 7 Water Agency: Proposed Legislative Change – Staff explained there was no need to discuss this item, as the author of the proposed State legislation had pulled the legislation from consideration prior to this meeting.

10. Final Fiscal Year 2012-2013 Budget and Work Plan

Staff provided a summary of the written report and responded to an inquiry from Commissioner Sbranti about the 2% reduction. Commissioner Hosterman offered praise for Staff’s efforts in preparing the budget. Commissioner Sbranti seconded Commissioner Wieskamp’s motion to open the Public Hearing. There were no comments from the public. Commissioner Wieskamp motioned and Commissioner Sbranti seconded to close the public hearing and accept the fiscal year 2012-2013 budget and work plan as recommended by Staff and to forward to the affected agencies. Motion unanimously passed.

11. Contract Extension with IPA Planning Solutions for LAFCo Planning Services

Staff summarized the written report. Upon motion by Commissioner Hosterman and second by Commissioner Sbranti, the Commission unanimously approved a one-year extension with IPA Planning Solutions (Principal: Ineda Adesanya, Oakland), extending the end date from June 30, 2012 to June 30, 2013.

12. Contract Extension with Baracco & Associates for Consultant Services

Staff summarized the written report. Upon motion by Commissioner Hosterman and second by Commissioner Sbranti, the Commission unanimously approved a one-year extension with Baracco & Associates (Principal: Bruce Baracco, Sutter Creek, extending the end date from June 30, 2012 to June 30, 2013 and increasing the contract by \$40,000 to a total of \$90,000.

13. 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.

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

- a. Application Update
- b. Legislative Update

- c. Report on CALAFCO University Course: Shared Services and Efficiencies
- d. Report on 2012 CALAFCO Staff Workshop – *Oral report was provided.*
- e. 2012 CALAFCO Annual Conference in Monterey, October 3-5

13. Adjournment of Regular Meeting – The meeting was adjourned at 6:06 p.m.

14. Next Regular Meeting of the Commission – **Thursday, July 12, 2012 at 4:30 p.m.**

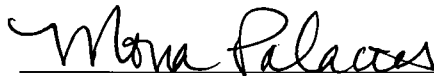
Respectfully submitted,



Sandy Hou, LAFCo Clerk

These minutes were approved by the Commission on July 12, 2012.

Attest:



Mona Palacios, LAFCo Executive Officer