

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
SPECIAL MEETING

November 29, 2012

1. Call to Order and Pledge of Allegiance

Because Chair Miley was participating in the meeting via teleconference, Vice Chair Sblendorio chaired the meeting, calling the meeting to order at 4:40 p.m. The Pledge of Allegiance was recited.

2. Roll Call.

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

City Members: John Marchand

County Members: Nate Miley (via teleconference)

Special District Members: Ayn Wieskamp and alternate Louis Andrade

Public Members: Sblend Sblendorio

Excused: Jennifer Hosterman and Tim Sbranti, city members; Ralph Johnson, special district member; Scott Haggerty, County member and Wilma Chan, alternate County member; David Haubert, alternate public member

Staff present: Mona Palacios, Executive Officer; Brian Washington, Legal Counsel; Ineda Adesanya, LAFCo Planner; and Sandy Hou, Clerk

3. Appreciation to Jennifer Hosterman and David Haubert

Since neither Commissioner was able to attend today's meeting, it was decided to invite them to the next meeting in order to recognize their service on the commission.

4. Public Comment

Vice 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 were no comments.

5. Approval/Correction of Minutes

Upon motion by Commissioner Wieskamp and second by Commissioner Marchand, the minutes of October 18, 2012 were approved.

6. Public Member Alternate Recruitment

Staff provided a summary of the written report regarding the recruitment process for an alternate public member, which is currently vacant due to Commissioner Haubert's recent election to the Dublin city council. Staff noted the various methods being considered, beyond the usual newspaper posting and sending to each City, Special District and the County, to publicize the vacancy more widely, such as using the 12 Patch sites in Alameda County and through the County Supervisors constituent communication channels. Further suggestions from the Commission included requesting

cities and special districts to put the vacancy notice on their website, sending the notice to the Castro Valley Advisory Commission and San Leandro Home Owners Association and to the Mayor's Conference. The following Commissioners volunteered or were recommended to serve on the Ad Hoc Committee for selecting the Alternate Public Member: Ayn Wieskamp, Tim Sbranti and Scott Haggerty.

7. Guidelines, Policies and Procedures Update

Staff summarized the written report, noting that adding sphere of influence (SOI) types to the Commission's local guidelines, policies and procedures manual would enable all stakeholders to understand the meaning of SOIs adopted by LAFCo. Staff elaborated upon two new types of sphere types: a provisional sphere of influence and a service specific zone within a sphere and gave examples of how the Commission might apply these spheres in the current SOI update process (possibly a provisional SOI for Eden Township Health Care District and a service specific zone for the Oro Loma Sanitary District which may take over territory in which it will provide limited types of services).

Questions/comments/discussion followed Staff's remarks.

- Staff responded to an inquiry from Commissioner Sblendorio that the consultants did consider these two types of sphere options in the current Municipal Service Review/SOI Updates process. And they are included in the options for some of the agencies where applicable.
- Commissioner Andrade recommended adding language that would clarify that the intent of designating service specific zones would not be to circumvent annexation.
- Following further discussion about the use of service specific zones, Staff noted that the intent of service specific zones would be to limit the types of services an agency could provide. Staff further suggested that the Commission might want to add another policy dealing with the prioritization of service provision, indicating annexation as the preferred manner.

It was motioned by Commissioner Andrade to approve the modifications as suggested, incorporating clarification of the intent of service specific zone designation as mentioned in their discussion. The motion was seconded by Commissioner Wieskamp and unanimously approved.

8. Agricultural Land Preservation Policy

Staff provided a summary of the written report, pointing out that the intent was to stimulate discussion among the Commissioners regarding the direction they may want to take regarding establishing a local agricultural and open space preservation policy. A discussion among the Commission resulted in the recommendation to have a workshop meeting to include various stakeholders to occur after March 2013. It was recommended to invite the following stakeholders to a workshop: park districts, Agricultural Advisory Council, Tri-Valley Conservancy, trade associations such as the Cattleman's Association and Livermore Valley Wine Growers Association, rancher Tim Koopman, East County Conservation Group, County planning directors. Commissioner Wieskamp suggested asking Commissioners not present today for further recommendations of who to invite to such a workshop. LAFCo Planner, Ineda Adesanya shared her findings from research into buffer zones in the County, identifying the cities of Livermore, Pleasanton and Piedmont as having buffer zone policies.

5. Sphere of Influence (SOI) Update/Municipal Service Review (MSR)

Staff summarized the written report, noting that the Commission was being asked today to consider final approval for the 11 abbreviated review level special districts: Castle Homes County Service Area (CSA); Curbside Recycling CSA; Emergency Medical Services CSA, Extended Police Protection CSA; Extended Public Works CSA; Five Canyons CSA; Lead Abatement CSA; Morva CSA; Street Lighting CSA; Estuary Bridges CSA; and San Lorenzo Library CSA. Staff pointed out that Curbside Recycling is set to be the subject of a reorganization application to LAFCo that includes dissolving the CSA and subsequently having the Oro Loma Sanitary District annex the territory to provide similar recycling and solid waste services.

PUBLIC COMMENT: Vice Chair Sblendorio opened the public hearing on this item. Comments were received from Howard Beckman a resident of San Lorenzo, regarding the San Lorenzo Library CSA. Mr. Beckman, reiterating the main points of a written protest he had recently provided to the Commission, spoke in opposition to the recommendation of assigning a zero sphere of influence, as he believes it is not in the best interest of the community to dissolve the CSA, as there may be a need for the CSA in the future.

County Librarian Jean Hofacket addressed the Commission, responding to some of the issues brought forth by Mr. Beckman and to questions from the Commission. Ms. Hofacket stated that the County Library supports the dissolution of the San Lorenzo Library CSA. She shared that the County is funding a \$9 million expansion/improvements to the current San Lorenzo library building that will provide cutting edge library services upon its completion within the next two years. She assured the Commission that the local community had been involved in the planning process. In response to an inquiry about services in Ashland and Cherryland, she noted that the County's approach is to put libraries in communities in a manner that fits the needs of the area being served and emphasized that the service population as defined 40 years ago when the CSA was established is not currently accurate. Commissioner Miley noted that the Ashland Youth Center has a library component and that there are plans to have a library presence at the Cherryland Community Center as well – a type of mini library branch.

Commissioner Sblendorio offered remarks about the Commission's decision regarding San Lorenzo Library CSA during the MSR/SOI process 5 years ago, noted that the County seems to have accomplished what the CSA was intended for and stated that it seems logical to have the recommended one-year time frame before dissolution to allow time for any party to make a convincing case for keeping the CSA.

There was no discussion about any of the other 10 CSAs that the Commission was being asked to approve today, so the public hearing was closed.

Upon motion by Commissioner Marchand and second by Commissioner Wieskamp, the Commission unanimously approved the recommendation of Option 1 as stated in the written report for the 11 abbreviated review level special districts (enumerated in paragraph one above), namely:

1. Determined that the MSR/SOI update project is Categorical Exempt pursuant to §15306, Class 6 and §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines;
2. Accepted the MSR reports for the 11 districts;
3. Adopted resolutions making MSR and SOI determinations and updating the SOI for each agency;

4. Directed staff and consultants to prepare and distribute the final MSR report to each subject agency and all interested parties; and
5. Directed staff to file Notices of Exemption as lead agency under §15062 of the CEQA guidelines.

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

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

a. Application Update

b. Legislative Update

Staff noted that she was reappointed to serve on the CALAFCO Legislative Committee and that the committee, at the request of the state legislature, is currently working on updating a LAFCo document (recently posted to our own website) titled “It’s Time to Draw the Line: A Citizen’s Guide to LAFCo,” with completion expected to occur in February 2013.

c. Other

2013 CALAFCO Annual Conference – Staff noted there is a date change for the conference due to a conflict with a Jewish holiday. It has been changed from Sept. 4-6 to **August 28-30**. It will be held at Squaw Creek Resort in Lake Tahoe.

Castro Valley Incorporation – Staff reported that she had heard from a Castro Valley resident that there had recently been a debate at the Castro Valley library about Castro Valley incorporating. Commissioner Miley, recounting past failed attempts at incorporation, assured the Commission that there most likely is no chance of an incorporation attempt at this time – and probably not for years to come.

News Article - Staff informed Commissioner Miley (participating via teleconference) that she would make sure he received a copy of an article from the Chronicle provided to the Commission today regarding two high school students’ attempts to eliminate the borders between Oakland and Piedmont, i.e., have Piedmont be annexed to Oakland.

Commissioner Andrade noted a recent blog article regarding Eden Township Health Care District had appeared in the East Bay Citizen. Staff provided information about her recent interactions with the district, noting that some misinformation had been given to the district’s board of directors about LAFCo’s intention to dissolve the district. She assured the Commission that she will stay informed of developments involving the district.

12. **Adjournment of Regular Meeting** –The meeting was adjourned at 5:50 pm.

13. **Next Meetings of the Commission**

Thursday, January 10, 2013 at 4:30 pm – back at the regular meeting location of Dublin San Ramon Services District board room in Dublin, CA

Respectfully submitted,



Sandy Hoti, LAFCo Clerk

Minutes\2012\min_approved_2012_11_29

These minutes were approved by the Commission on January 10, 2013.

Attest:



Mona Palacios, Executive Officer