

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

**September 13, 2012**

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

Chair Miley called the meeting to order at 4:33 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 and alternate John Marchand

County Members: Nate Miley and Scott Haggerty

Special District Members: Ayn Wieskamp, Ralph Johnson, and alternate Louis Andrade

Public Members: Sblend Sblendorio and alternate David Haubert

Excused: Jennifer Hosterman, City member and Wilma Chan, alternate County member

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

**3. 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.

**4. Approval/Correction of Minutes**

Upon motion by Commissioner Haggerty and second by Commissioner Wieskamp, the minutes of July 31, 2012 were approved.

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

Staff provided introductory remarks, noting that the information being presented by the consultant was a continuation from the last meeting; informed the Commission that she was investigating a variety of types of financial indicators that the Commission might consider using to describe the financial condition of public agencies, including identifying general obligation bond ratings and specific information and ratios that might be useful from the comprehensive annual financial reports (CAFRs) prepared by public agencies. Staff also relayed a discussion that she had with the State Treasurer's office regarding work that office was undertaking with respect to looking at early warning financial indicators. Staff will share results of her research with the ad hoc committee and will provide a full report for Commission's consideration and direction. Staff also pointed out a relevant news article regarding declining financial viability of cities and reported that she had and would continue to talk with colleagues in order to increase her understanding of debt obligations and ratings.

Consultant Bruce Baracco then presented draft determinations and SOI recommendations for six abbreviated review level cities: Berkeley, Emeryville, Fremont, Newark, Piedmont, and Union City. Following are highlights of questions/comments from the Commission about the presented material.

- SOIs extending into Bay (Berkeley, Emeryville, Fremont)  
Commissioner Andrade inquired about the consultant's recommendation to reduce the SOI's of the cities bordering the Bay (Berkeley, Emeryville and Fremont) to include land area only, asking how boundary extensions into the water had come about originally, and if the boundaries were changed as recommended, then would a future application by one of these cities to provide services that do go into the water require a sphere amendment. It was explained that the boundaries were originally set to match the County line, which extends into the Bay, and yes, a sphere amendment would be required in the scenario given.

- Berkeley – Panoramic Hill Area  
Commissioner Sblendorio inquired about the provision of fire and police services in the Panoramic Hill area, since part of the area is actually in the city of Oakland, but only accessible via the city of Berkeley. The consultant responded that, although he is not certain, most likely Berkeley provides those services via a mutual aid agreement between the two cities.

Commissioner Andrade made a comparison to Oakland's Sheffield Village, which is accessible through San Leandro, and stated that he thought it was important to be consistent in establishing SOI's.

- Newark  
Regarding Newark's contracting with the County for fire services, Commissioner Sblendorio asked if the city had to provide the equipment. The consultant responded that he was not sure if that was the case, but noted that the contract did include provision of personnel services. Commissioner Sbranti indicated that cities were responsible for equipment provision and maintenance.

- Piedmont  
Commissioner Wieskamp inquired if there currently are any split parcels in Piedmont (part of parcel in Piedmont and part in Oakland). Staff responded that the Registrar of Voters and Assessor have both indicated there are.

- Union City  
Commissioner Sblendorio, noting that the unincorporated area bordering Hayward and Union City appeared to fit the LAFCo definition of an "island," inquired which city it would be most appropriate to be annexed to. Staff offered comments on the island identification and annexation process and noted that it was not clear if that particular area would be considered an island.

- Fremont  
Commissioner Johnson's inquiry into how a shoreline is defined prompted more discussion about the consultant's recommendation to exclude open water in boundaries of those cities bordering the Bay (Fremont, Berkeley, Emeryville). Staff clarified that even if the SOIs were reduced to exclude the water, the jurisdictional boundaries would stay in place and service provision responsibilities would remain with the cities.

Albany - Staff reported that she had recently met with city of Albany staff and information for preparing the review of that city should be forthcoming.

The consultant concluded with remarks about next steps in the MSR/SOI process, noting that draft reviews would be posted on the website for public comment and the agencies would be given ample opportunity to provide their input/feedback prior to public hearings that would be held for final adoption by the Commission.

**6. 2011-2012 Alameda County Grand Jury Report – *Accountability of Special Districts & Joint Powers Authorities***

Staff summarized the draft final response to the Grand Jury Report, noting that the response format, as requested by the Grand Jury, included an “Agree” or “Disagree” to each of the recommendations. Commissioner Wieskamp commented that the response sounded positive, informative and educational.

Upon motion by Commissioner Sblendorio and second by Commissioner Wieskamp, the Commission unanimously approved the response and directed staff to forward the response to the Grand Jury prior to September 24, 2012.

**7. 2013 Commission Meeting Schedule**

Upon motion by Commissioner Wieskamp and second by Commissioner Marchand, the following dates were unanimously approved for Commission meetings in 2013:

January 10, March 14, May 9, July 11, September 12, and November 14.

The meetings will continue to be held at 4:30 pm at the same location – Dublin San Ramon Services District board chambers in Dublin.

**8. Summer Youth Intern Report**

Staff reported on its second year of participation in the Alameda County Youth Leadership Summer Internship Program this past July-August, noting the many positive outcomes both for staff and the intern, Alice Timken, and expressed hopes for participation in the program again next year.

**9. Legislative Update**

Staff provided information on AB 1098 (Carter) – legislation that would restore vehicle license fee funding formulas that support city incorporations and annexations of inhabited territory that have occurred since 2004 – and noted that CALAFCO was requesting that individual LAFCOs consider sending a letter of support for the bill to the Governor. After some discussion and agreement that more information was needed, the Commission decided not to send a letter of support.

**10. Matters Initiated by Members of the Commission**

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

**a. Website Update – Commissioner Bios**

Staff thanked the Commissioners for their responsiveness to the youth intern's efforts to prepare biographical information on them for posting to the LAFCo website. A brief discussion about the website listing of contact information for the Commissioners resulted in the agreement to leave it as it currently is listed, i.e., via the LAFCo office.

**b. Applications Update**

**c. Newspaper Articles**

**d. CALAFCO University Class – CEQA for LAFCo – September 14, 2012**

Staff noted that she would attend the class.

**e. 2012 CALAFCO Annual Conference in Monterey, October 3–5**

Staff noted that Commissioners Sblendorio, Miley and Haggerty would be attending.

**11. Adjournment of Regular Meeting** - The meeting was adjourned at 5:25 pm.

**11. Next Meetings of the Commission**

**Special Meeting: Thursday, October 18, 2012 at 4:30 pm**

**Regular Meeting: Thursday, November 8, 2012 at 4:30 pm**

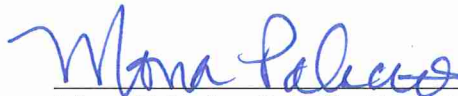
Respectfully submitted,



Sandy Hou, LAFCo Clerk

These minutes were approved by the Commission on October 18, 2012.

Attest:



Mona Palacios, LAFCo Executive Officer