

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

**Dublin San Ramon Services District, 7051 Dublin Blvd., Board Room, Dublin, CA**

**November 8, 2018**

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

Chair Wieskamp called the meeting to order at 2:04 p.m. The Pledge of Allegiance was recited.

**2. Roll Call.**

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

County Members: Scott Haggerty

City Members: John Marchand, Jerry Thorne and alternate David Haubert (arrived during item 4.b.)

Special District Members: Ayn Wieskamp, Ralph Johnson, and alternate Georgean Vonheeder-Leopold

Public Members: Sblend Sblendorio and alternate Tom Pico

Not Present: County Member Nate Miley and alternate County Member Richard Valle

Staff present: Rachel Jones, Executive Officer; Theresa Rude, Analyst; Andrew Massey, Legal Counsel; and Sandy Hou, Clerk

**3. Public Comment**

Chair Wieskamp 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. Consent Items**

**a. Approval of Meeting Minutes: September 20, 2018 Regular Meeting**

Upon Motion by Commissioner Marchand, second by Commissioner Johnson, the minutes of September 20, 2018 were approved.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)

NOES: 0

ABSENT: 1 (Miley)

ABSTAIN: 0

**b. Authorization to Approve Audit Expenditure**

Executive Officer Jones clarified that the proposed audit agreement with Harshwal & Company is for a full audit report in compliance with Government Auditing Standards. Upon motion by Commissioner Marchand, second by Commissioner Sblendorio, the audit expenditure was approved.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)

NOES: 0

ABSENT: 1 (Miley)

ABSTAIN: 0

**5. Budget Update for 2018-2019 and Year End Projections**

Executive Officer (EO) provided a summary of the written report, comparing budgeted and actual transactions for 2018-2019 through October 31, 2018. Commissioner Haggerty pointed out a spelling error on page 5 and asked questions about budgeted amounts for Staffing, Training, Consultants and Information Technology. EO responded and was requested to provide more detailed information on these items on the next report.

**6. Proposed Comprehensive Update to Fee Schedule (Public Hearing)**

EO provided a summary of the written report, recommending that the Commission adopt a comprehensive update to the agency's fee schedule to improve cost recovery and implementation. She pointed out the three ways that the proposed update was restructured from its first reading presented at the July meeting.

Chair Wieskamp opened the public hearing. There were no comments from the public. Chair Wieskamp requested a motion to close the public hearing. Commissioner Haggerty motioned to close the public hearing; Commissioner Johnson seconded.

Discussion:

Commissioner Haggerty requested that when the item returns, the Commissioners be provided with a comparison of old fees to the proposed new fees.

EO responded to a question from Commissioner Sblendorio on the frequency of fee updates by other LAFCOs, noting that generally it's done every two years and that actually this Commission has its own policy to review the fee schedule every two years.

Chair Wieskamp asked for a vote on the motion to close the public hearing. Motion passed unanimously.

Commissioner Marchand motioned to accept the proposed update and direct staff to initiate a 45-day public review of the proposed update and to schedule a public hearing to take formal action at the January 10, 2019 LAFCO meeting. At that meeting, the staff report for this item is to include a comparison of old fees to new ones. Commissioner Sblendorio seconded and motion passed.

AYES: 5 (Johnson, Marchand, Sblendorio, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 1 (Miley)  
ABSTAIN: 1 (Haggerty)

**7. Eden Township Healthcare District | Report (Public Hearing)**

A review of a report from the Eden Township Healthcare District (ETHD) summarizing its status on completing terms and conditions as a result of the special study conducted on the District and action taken by LAFCO to uphold coterminous sphere of influence (SOI) at its public meeting held on April 11, 2017.

EO provided summary of written report, highlighting a few notable items and indicated that based on the documentation provided to LAFCO, she found the District to have complied with the outlined terms and conditions and recommended the Commission reaffirm the District's coterminous sphere.

EO also reported back on Commissioner Haggerty's request to get feedback from the elected officials in the District's service area regarding the District's request that rather than sending individual mailed notices to all the registered voters in the service area, the District be allowed to submit the annual report to local newspapers in the area – Castro Valley, San Leandro and Hayward. She noted that while she had notified the elected officials, she had heard back only from the City Manager of San Leandro who had indicated that, while the city council had not seen the report, he believes it is a LAFCO matter and does not see any opposition to the District's request.

Commissioner Haggerty emphasized that the report should also be posted on the District's website, which the EO concurred with and noted the District was planning to do so.

Chair Wieskamp opened the Public Hearing.

Michael Mahoney, CEO of the ETHD, addressed the issue of widely distributing the District's annual report, indicating that besides publishing notices in the three local newspapers, it would be posted on the District's website with links to affected Supervisor's websites should they wish, and copies would be made available to the local libraries. Additionally, he agreed to send the report via email to the list they have (those signed up for education classes).

LAFCO EO requested that the Commission approve amending the draft resolution to state that the distribution of the annual report as requested by the District would suffice.

Commissioner Marchand motioned to close the public hearing and to adopt the draft resolution, amended as requested by Staff, reaffirming ETHD's coterminous SOI as a result of its compliance with the terms and conditions identified in Resolution 2017-05. Commissioner Johnson seconded.

Upon the suggestion of Commissioner Haggerty that the District purchase email addresses of registered voters in the District area from the Registrar of Voters, Commissioner Sblendorio requested that the motion be amended to make that a requirement in the resolution. Commissioners Marchand and Johnson agreed with the amendment. Motion passed unanimously.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 1 (Miley)  
ABSTAIN: 0

Chair Wieskamp thanked the District for providing the Commission with such a thorough, informative report.

**8. Public Hearing: Proposal for Boundary Adjustment of East Bay Municipal Utility District (EBMUD) and City of Hayward**

Reorganization proposal from EBMUD involving 273 parcels within the City of Hayward and the unincorporated communities of San Lorenzo and Fairview totaling 269.8 acres for the purpose of aligning EBMUD's existing service area with its jurisdictional boundary and to formalize public water services provided within the affected territory to the correct service provider. The item returned to the Commission from its last regular meeting to adequately notice all affected individual landowners with the affected territory of the proposed reorganization.

EO provided summary of written report, concluding with recommendation to adopt the draft resolution approving the reorganization proposal. She reported that notices had been mailed to all the property owners in the affected area and no written opposition had been received.

Chair Wieskamp opened the public hearing.

In response to a question from Commissioner Marchand, Mr. Andrew Lee from EBMUD clarified that the proposal was for water services only and did not include wastewater which EBMUD does not provide in this area. Mr. Lee noted that this proposal was an effort to clarify boundaries that began over 60 years ago. He expressed appreciation to LAFCO staff for their assistance in this administrative cleanup which was made possible by the advance in mapping technology.

Commissioner Sblendorio wondered how much the granting of Out of Area Service Agreements (OASA) in the area may have contributed to the boundary inaccuracies and stressed that it is important that the proper detachments occur when the Commission grants them. EO said that she had found only one in the Hayward area.

Don Keller, a property owner in the affected area, addressed the Commission, saying that he was in favor of the proposal and talked about what he perceived as a boundary overlap in the area that he lived in and requested that it be looked into.

Staff said that actually there was no overlap and that she would be in touch with Mr. Keller about it after the meeting. Mr. Lee from EBMUD further clarified that Mr. Keller is receiving water service from the City of Hayward through an out of area service agreement, and that he can continue doing so, or if he wishes to receive water from EBMUD, then he could submit an application for that. But it is not required.

Commissioner Marchand motioned to close the public hearing and to adopt the draft resolution approving the reorganization proposal of EBMUD and City of Hayward. Commissioner Johnson seconded and motion carried.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 1 (Miley)  
ABSTAIN: 0

## 9. Matters Initiated by Members of the Commission

Commissioner Haggerty noted that Joni Pattillo, Special Assistant to the County Administrator, was present to address the Commission. Ms. Patillo said that she was attending as a representative of the County Administrator to address comments that had been made at the previous LAFCO meeting (September 12<sup>th</sup> during the discussion of *item 11 - Report on LAFCO Operational Options*). Ms. Pattillo said that contrary to what had been expressed at that meeting, the previous LAFCO Executive Officer had been informed of LAFCO staffing changes implemented by the County and that the County Administrator would certainly answer any questions about the matter should the Commission so desire.

## 10. Informational Items – Staff provided brief remarks as noted.

### a. Current and Pending Proposals

No current or pending proposals. Expecting a potential proposal from the East Bay Regional Park District for the annexation of Dumbarton Quarry to the Union Sanitary District.

### b. CALFCO White Paper | Creating Sustainable Communities and Landscapes

Highlights the importance of LAFCOs collaborating with local agencies to successfully manage orderly development and growth within their regions and perhaps provides templates for Alameda LAFCO to foster its own policies to reflect current and best practices.

### c. Legislative Update

Relayed final status provided by CALAFCO Legislative Committee on the following bills: AB 1215, AB 2600, AB 2019, and AB 2258

### d. Strategic Plan Update

Projects completed or underway to completion: LAFCO's own E-GIS system that will provide in-time map-making abilities of all jurisdictional boundaries and spheres of influences of member agencies; LAFCO's Independence & Operational Study; Audit for the 2017-2018 Fiscal Year; identification of all Disadvantaged Unincorporated Communities with the County.

### e. CALAFCO Annual Report to the Membership

CALAFCO's recently completed annual report on current and pending activities to its 58-member LAFCOs includes: the financial outlook for CALAFCO and membership fees, future trainings and educational programs, taxation of electronic commerce transaction in the state, and the announcement of CALAFCO's 2019 Annual Conference to be held in Sacramento from October 30<sup>th</sup>-November 1<sup>st</sup>.

### f. Report on CALAFCO 2018 Annual Conference at Tenaya Lodge in Yosemite

LAFCO Analyst Theresa Rude provided a brief report on the conference and the three Commissioners who attended – Commissioners Vonheeder-Leopold, Johnson, and Pico – also shared some of their impressions and takeaways.

**15. Adjournment of Regular Meeting**

Chair Wieskamp adjourned the meeting at 3:02 p.m.

**16. Next Meetings**

**Policy & Budget Committee**

**Thursday, December 13, 2018 at 1:00 p.m. at the Castro Valley Sanitary District CIP office, 20211 Patio Drive, Castro Valley**

**Regular Meeting**

**Thursday, January 10, 2019 at 2:00 p.m. at City of Dublin, City Council Chambers, 100 Civic Plaza, Dublin**

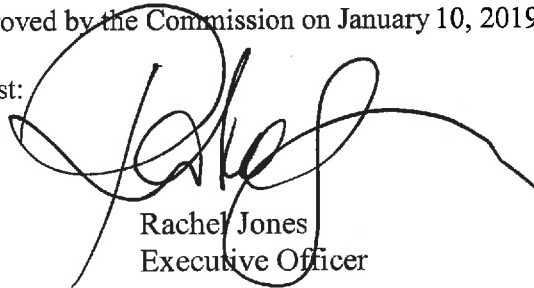
Respectfully submitted,



Sandy Hou, Commission Clerk

These minutes were approved by the Commission on January 10, 2019.

Attest:



Rachel Jones  
Executive Officer

