

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

City of Dublin Council Chambers, 100 Civic Drive, Dublin, CA

January 10, 2019

1. Call to Order and Pledge of Allegiance

Chair Wieskamp called the meeting to order at 2:03 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 (arrived 2:24, item 9) and Nate Miley

City Members: John Marchand and Jerry Thorne

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

Public Members: Sblend Sblendorio

Not Present: Alternate County Member Richard Valle, alternate City Member David Haubert, and alternate Public Member Tom Pico

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 Item – Approval of Meeting Minutes: November 8, 2018 Regular Meeting

Upon Motion by Commissioner Marchand, second by Commissioner Thorne, the minutes of November 8, 2018 were approved.

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

NOES: 0

ABSENT: 1 (Haggerty)

ABSTAIN: 1

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

Executive Officer provided a summary of the written report, comparing budgeted and actual transactions for 2018-2019 through December 31, 2018, projecting that Alameda LAFCO is on pace to finish the fiscal year with an operating surplus of \$121,434, which includes a \$176,000 fund balance applied to offset agency apportionments.

Upon motion by Commissioner Thorne, second by Commissioner Johnson, the Commission approved accepting and filing the report.

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

NOES: 0

ABSENT: 1 (Haggerty)

ABSTAIN: 0

6. Adoption of Comprehensive Update to Fee Schedule (Public Hearing)

Summary of written report was provided by Executive Officer who noted that the proposed update remained unchanged from the second reading that was presented at the November 2018 meeting, that it includes adjusting the fee schedule to emphasize fixed charges and amending the hourly staff rate to a composite from \$125.00 to \$164.00. She noted that a 45-day public review period initiated following the items second reading at the November meeting had produced no public comments.

Chair Wieskamp opened and closed the public hearing with no comments being offered.

Upon motion by Commissioner Marchand, second by Commissioner Johnson, the Commission approved the proposed update to be effective as of March 11, 2019.

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

7. Dissolution of Inactive Special Districts | San Lorenzo Library County Service Area and Livermore-Amador Valley Sewer County Service Area

Notification sent from State Controller’s Office that both districts are inactive. Commission required to initiate dissolution of the districts within 90 days of receiving notification or find that the districts are not inactive.

Summary of written report was provided by Executive Officer, who concurred that the districts are inactive and recommended dissolution proceedings be initiated.

Discussion:

Commissioner Marchand asked Counsel if it would be a conflict of interest for him to vote on the matter since he sits on the Livermore-Amador Valley Water Management Agency. Counsel responded that per CKH law it would not be a conflict. Commissioner Johnson asked about the status of the Castro Valley CSA. Staff said that she believed it was still active since the State Controller’s Office had not indicated it was not; but, she would look into it. In response to Commissioner Sblendorio, she noted that the County Public Work’s Agency and the County Library are aware of and agree with dissolution of the districts.

Upon motion by Commissioner Sblendorio, second by Commissioner Marchand, the Commission approved a resolution determining the two county service areas are inactive and approved continuing dissolution proceedings at its March 14, 2019 meeting.

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

8. Review of Draft Study Schedule for FY 2019 to FY 2024 (Business) – a draft five-year study schedule calendaring municipal service reviews (MSRs) and sphere of influence (SOI) updates beginning FY 2019. The study schedule represents a new methodical approach to manage and telegraph LAFCO’s planning requirement to regularly perform and focus on regional MSRs to inform SOI updates relative to LAFCO’s growth management duties. The draft calendars one to two MSRs per year and covers 47 local affected agencies.

Executive Officer summarized the written report, noting that the draft study schedule was being presented for feedback ahead of a 45-day formal review and comment period before the Commission considers taking final action at the next regular meeting.

Discussion:

In response to Commissioner Sblendorio, Staff concurred that this proposed study schedule differs from past MSRs in that rather than being agency specific, it is centered on services. She clarified that water, wastewater, flood control was not on the schedule because that study is being conducted currently in this fiscal year. Commissioner Sblendorio requested that broadband services be included in the study schedule. Staff said that she would include that in the study schedule that is brought back to the Commission at its March 14th meeting.

Upon motion by Commissioner Johnson, second by Commissioner Marchand, the Commission approved the draft study schedule, revised to include studying Broadband services, and directed the Executive Officer to initiate a 45-day public review of the proposed study and to schedule a public hearing to take formal action on March 14, 2019.

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

9. **Supplemental Report on LAFCO Operational Options and Other Related Items (Business) - Supplemental report conducted by Berkson Associates recommending LAFCO seek an alternative operational model transitioning away from the County of Alameda in light of Alameda LAFCO's Memorandum of Understanding (MOU) with the County set to expire as of June 30, 2019. Staff recommends that Alameda LAFCO continue to contract services with the County, but as a public-facing entity retain its own office space.**

Executive Officer summarized the written report, noting that her recommendation was to accept and file the report and authorize the Executive Officer in conjunction with Counsel to continue MOU negotiations with the County ahead of the June 30th deadline.

Discussion Summary:

The author of the report, Richard Berkson, responded to Commissioner Miley's question of what accounted for the estimated \$26,000 increase in costs should LAFCO become fully independent by identifying that the cost of office space accounts for that. Regarding the study's comparison to three other Bay Area LAFCO's, Mr. Berkson said he found costs overall were pretty similar.

In response to Commissioner Miley's inquiry concerning possible personnel costs increase, LAFCO Executive Officer indicated that would be part of the negotiated MOU. Commissioner Miley suggested that a commissioner – the Chair or Vice Chair maybe – should assist LAFCO EO and Counsel in the MOU negotiations.

Joni Pattillo, representing County Administrator Susan S. Muranishi, offered comments and observations about the report and noted that the consultant had not talked directly with the County in gathering information for the report. She pointed out an error in the report concerning CALPERS and clarified that actually only the County Fire Department is part of it. She expressed that a renegotiated MOU would have to make sense to the County as well as to LAFCO and noted that there were administrative costs to the County on behalf of LAFCO that weren't fully captured in the report.

Commissioner Haggerty expressed concerns about lack of oversight and increased costs should LAFCO go entirely independent from the County and that given that the activity of proposals brought before LAFCO has decreased and is expected to remain that way for some time, it doesn't make sense to make it bigger.

Commissioners Sblendorio, Johnson and Wieskamp agreed that having the report done was a worthwhile endeavor which assisted in identifying areas of the MOU that might need tweaking. Commissioners Johnson, Haggerty and Wieskamp suggested moving the LAFCO office out of Oakland to a County office closer to where LAFCO activity occurs makes sense – in Hayward or East County. The discussion concluded with agreement that the desire on both sides was to have friendly negotiations towards the new MOU. Commissioners Sblendorio and Johnson agreed to help with negotiations.

Commissioner Haggerty motioned to accept and file the report on LAFCO's supplemental operational study; to authorize an ad hoc committee consisting of the Executive Officer, Counsel and Commissioners Johnson and Sblendorio to continue negotiations with the County of Alameda in amending its MOU ahead of the June 30, 2019 deadline; and that a County building in East County be considered as a possible relocation site for the LAFCO office. Motion was seconded by Commissioner Johnson and unanimously approved.

AYES: 7 (Haggerty, Johnson, Marchand, Miley, Sblendorio, Thorne, Wieskamp)
NOES: 0
ABSENT: 0
ABSTAIN: 0

11. **Informational Items** – Staff comments as noted.

- a. Current and Pending Proposals
Currently no active proposals on file that remain under administrative review and awaiting hearings.
- b. Strategic Plan Update
QK Associates is underway with the data collection phase of the Commission's MSR on its Countywide Water, Wastewater, Storm water and Flood Control study.
- c. Legislative Update
A summary of bills and related matters at the end of the Legislature's 2018-2019 session provided by the State Legislature's Senate Governance and Finance Committee.
- d. CALAFCO Quarterly Report
Included in the report is an announcement that the 2019 staff workshop will be held April 10th-12th in San Jose.


15. **Adjournment of Regular Meeting**

Chair Wieskamp adjourned the meeting at 3:00 p.m.

16. **Next Meetings**

Policy & Budget Committee
Thursday, February 7, 2019 at 2:00 p.m. at the Dublin City Library, 200 Civic Plaza, Dublin, CA

Regular Meeting
Thursday, March 14, 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 March 14, 2019.

Attest:


Rachel Jones
Executive Officer