

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

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

May 9, 2019

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

Chair Wieskamp called the meeting to order at 2:02 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 2:06, item 6)

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

Public Members: Alternate Tom Pico

Not Present: County Member Nate Miley, alternate County Member Richard Valle, and Public Member Sblend Sblendorio

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

**3. Welcome Returning/New Commissioners**

Executive Officer acknowledged that Commissioner Haggerty, Commissioner Wieskamp, and alternate Commissioner Haubert had been reappointed to new four-year terms by their respective appointing authorities.

**4. 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.

**5. Approval of Meeting Minutes: March 14, 2019 Regular Meeting (Consent Item)**

Upon motion by Commissioner Johnson, second by Commissioner Marchand, the minutes of March 14, 2019 were approved.

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

NOES: 0

ABSENT: 2 (Miley, Sblendorio)

ABSTAIN: 0

**6. Budget Update for 2018-2019 and Year End Projections (Consent Item)**

Executive Officer provided a summary of the written report, comparing budgeted and actual transactions for 2018-2019 through April 30, 2019, projecting that Alameda LAFCO is on pace to finish the fiscal year with an operating surplus of \$157,951 including a \$176,000 fund balance applied to offset agency apportionments.

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

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

NOES: 0

ABSENT: 2 (Miley, Sblendorio)

ABSTAIN: 0

7. **Proposed Out of Area Service Agreement | 27440 and 27489 Fairview Avenue to the City of Hayward (Regular)** – Proposal from the City of Hayward requesting approval to extend public wastewater services outside of its jurisdictional boundary to two affected lots located at 27440 and 27489 Fairview Avenue in the Castle Homes area of the unincorporated community of Fairview due to a failing septic system and potential health and safety hazards.

Executive Officer provided summary of written report. In response to Commissioner Wieskamp’s inquiry, she noted that the Oro Loma Sanitary District had been informed of the proposal and explained that the City of Hayward was the closest provider. Commissioner Johnson commented it would be helpful to see a map showing the locations of properties in that unincorporated area that have been hooked up to Hayward’s water service.

Upon motion by Commissioner Haggerty, second by Commissioner Johnson, the Commission adopted a resolution approving the proposal as recommended by staff.

AYES: 6 (Haggerty, Johnson, Marchand, Pico, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 2 (Miley, Sblendorio)  
ABSTAIN: 0

8. **Proposed Annexation of the “Bayside Newark Project” to the Union Sanitary District (Public Hearing)** – A proposal filed by Lennar Homes of California and the FMC Corporation on behalf of two landowners to annex approximately 57.5 acres of territory located within the City of Newark to the Union Sanitary District (USD). The affected territory is within USD’s sphere of influence and includes 297 parcels. The purpose of the proposal is to facilitate the planned development of 768 single-and multi-family residential units through public wastewater services.

Following summary remarks by Executive Officer, Chair Wieskamp opened the public hearing. There were no comments from the public.

The proposal applicant, Don Barnett of Lennar Homes, responded to questions from Commissioner Pico concerning how climate change/sea level rise was taken into account in this project by noting that the development would exceed current FEMA guidelines. A representative from Integral Communities assured Commissioner Pico that the planned development area is not Bay infill.

Commissioner Haggerty motioned to close the public hearing and to adopt the resolution approving the annexation with standard terms as recommended by staff. Commissioner Thorne seconded and motion was approved.

AYES: 6 (Haggerty, Johnson, Marchand, Pico, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 2 (Miley, Sblendorio)  
ABSTAIN: 0

9. **Adoption of Final Workplan and Budget for FY 2019-2020 (Public Hearing)** – Intact from the approved initial draft. The final budget expenses total \$793,880, a decrease of \$2,964 or 0.4% from the current fiscal year with adjustments tied in services and supplies and resources drawn to accomplish items in the final work plan. Revenues matched to expenses with a slight decrease in agency contributions by \$14,464 or 2.4% in conjunction with an increase in the use of reserves by \$4,000.

Following her summary of the written report, the Executive Officer, in response to Commissioner Haggerty’s inquiry, concurred that the current two part time LAFCO staff (Analyst & Clerk) would be succeeded at the end of the year by one new employee (an Analyst/Clerk), whose hiring would be approved by the Commission.

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

Upon motion by Commissioner Pico, second by Commissioner Haggerty, the Commission approved the final budget and work plan for FY 2019-2020 as presented by staff.

AYES: 6 (Haggerty, Johnson, Marchand, Pico, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 2 (Miley, Sblendorio)  
ABSTAIN: 0

**10. Legislative Report (Business)**

Executive Officer summarized the written report, providing an update from the CALAFCO Legislative Committee regarding proposals impacting LAFCOs and recommended the Commission approve a support position for CALAFCO sponsored bill, Assembly Bill 1822 (Omnibus) and authorize the Executive Officer to issue a letter of support to the authors.

Upon motion by Commissioner Haggerty, second by Commissioner Johnson, the Commission approved staff's recommendation and authorized her to send a letter of support.

AYES: 6 (Haggerty, Johnson, Marchand, Pico, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 2 (Miley, Sblendorio)  
ABSTAIN: 0

**11. Update | Memorandum of Understanding with County of Alameda (Business)**

Executive Officer provided an update on progress to date between Alameda LAFCO and the County of Alameda regarding its Memorandum of Understanding (MOU) for administrative and support services set to expire on June 30, 2019. She noted that the existing MOU is still under negotiation, but that with both parties in agreement to the overall terms outlined, it is expected an MOU agreement to be ready for Commission approval at Alameda LAFCO's special meeting scheduled for May 29, 2019. She also pointed out some notable changes to the existing MOU contract.

Following staff's remarks, Joni Patillo, representing the County as a member of the new MOU ad hoc committee, addressed the Commission. She wished to clarify that the recommendation to seek office space outside the present location in the County Administrator's office came from LAFCO, not the County. Regarding the change in the MOU requiring that staff not be removed, replaced or changed without communication with the Commission, she said that a situation might arise, probably rarely, that would not allow prior communication.

There was brief discussion concerning the date/time of the Special Meeting posing a possible conflict for Commissioner Haggerty. Chair Wieskamp requested staff to look into the need for possibly changing the date/time of the May 29<sup>th</sup> meeting.

**12. Nomination and Election of Chair and Vice Chair (Business)**

Upon motion by Commissioner Pico, second by Commissioner Johnson, the Commission elected Commissioner Haggerty to serve as Chair and Commissioner Sblendorio to serve as Vice Chair for two years, until May 2021.

AYES: 6 (Haggerty, Johnson, Marchand, Pico, Thorne, Wieskamp)  
NOES: 0  
ABSENT: 2 (Miley, Sblendorio)  
ABSTAIN: 0

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

Commissioner Pico commended Commissioner Wieskamp for her “splendid” work as chair over the past two years. Commissioner Wieskamp responded that serving on LAFCO has been one of the most “interesting” jobs she has had.

Commissioner Vonheeder-Leopold inquired about the City of Alameda Healthcare District, whether or not they are still a special district or if they have been dissolved – merged into the County, which, if true, means they bypassed the LAFCO process. Commissioner Haggerty indicated a County connection. Executive Officer Jones was requested to look into the matter.

Commissioner Vonheeder-Leopold, at the request of Commissioner Wieskamp, informed the Commission that the Dublin San Ramon Services District’s rebuilding/remodeling was not expected to be complete before January 2020.

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

- a. Current and Pending Proposals
- b. Strategic Plan Update
- c. Report on 2019 CALAFCO Staff Workshop
- d. 2019 Annual Conference October 30, - November 1, 2019 in Sacramento

**15. Adjournment of Regular Meeting**

Chair Wieskamp adjourned the meeting at 2:41 p.m.

**16. Next Meetings**

**Special Meeting**

**Wednesday, May 29, 2019 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin, CA**

**Policy & Budget Committee**

**Thursday, June 7, 2019 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin, CA**

**Regular Meeting**

**Thursday, July 18, 2019 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin, CA**

Respectfully submitted,



Sandy Hou, Commission Clerk

These minutes were approved by the Commission on July 18, 2019.

Attest:



Rachel Jones  
Executive Officer