

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

MINUTES OF MEETING

March 11, 2009

Board of Supervisors Chambers
Martinez CA

1. Chair Gayle Uilkema called the meeting to order at 1:30 p.m.
2. The Pledge of Allegiance was recited.
3. Roll was called. A quorum was present of the following Commissioners:

City Members Helen Allen and Rob Schroder and Alternate Don Tatzin
County Member Gayle Uilkema and Alternate Mary N. Piepho
Public Member Martin McNair
Special District Member David A. Piepho and Alternate George Schmidt

Present were Executive Officer Lou Ann Texeira, Legal Counsel Silvano Marchesi,
Commission Clerk Kate Sibley, and Consultant Michael McCormick (PMC)

4. Approval of the Agenda

Upon motion of McNair, second by Allen, the agenda was unanimously adopted.

5. Public Comments

There were no public comments.

6. Approval of February 11, 2009 Minutes

Upon motion of Schmidt, second by D. Piepho, the minutes for the February 11, 2009 meeting were approved, with Commissioner Schroder abstaining.

7. LAFCO 08-33 – Annexation 170 to Central Contra Costa Sanitary District

The Executive Officer presented an overview of this annexation, which consists of 188 parcels (124+ acres) in 14 separate sub-areas, all in the unincorporated Alamo area, that are either converting from septic systems to municipal wastewater service, developing new single-family residential units, and/or are new developments to be connected to CCCSD.

Staff reported that the territory is inhabited and that one homeowner had protested the proposed annexation, which would necessitate protest proceedings. Further, that CCCSD wished to respond to concerns raised by homeowners affected by this annexation.

Jarred Miyamoto-Mills, Principal Engineer for CCCSD, presented background information regarding the batching of annexation application to clean up islands and out of agency service. In addition he provided information regarding costs and benefits of being included in these batched annexation proposals. He also clarified the District's policy to not require property owners to connect to the public sewer system involuntarily.

Stuart Proffitt, affected homeowner, commented about what he believes is the lack of information provided by CCCSD, and asked that the Commission continue the item until the District can meet with property owners and distribute requested documentation providing further details on the costs of annexation. Mr. Proffitt denied that he was protesting the annexation.

Dabney Miller, resident, questioned the County's Health Code regarding septic systems.

Commissioners offered questions and comments regarding the process, notification of affected property owners, and CCCSD policies regarding annexation, and encouraged the District to enhance its communication with affected property owners.

LAFCO stated that given there is no official objection to the annexation, it can proceed without protest proceedings.

Following further discussion, and upon motion of D. Piepho, second by Schroder, the Commission found that all areas are exempt from CEQA pursuant to CEQA Guidelines Class 3, Section 15303 and Class 19, Section 15319; approved the proposal to be known as Annexation 170 to CCCSD, with specified conditions; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory is inhabited, has less than 100% consent of the affected landowners and registered voters, that no affected landowners/registered voters opposed the annexation, that the annexing agency has given written consent to the waiver of conducting authority proceedings, waived the protest proceeding, and directed staff to complete the proceeding, but also encouraged CCCSD to provide additional information in the future to and hold a meetings with affected property owners.

8. Informational Update – Proposed Sphere of Influence (SOI) Expansion Study – City of Pittsburg, Contra Costa Water District and Delta Diablo Sanitation District

The Executive Officer provided a brief overview and background on the Initial Study of the SOI expansions for Delta Diablo Sanitation District (DDSD), Contra Costa Water District (CCWD), and the City of Pittsburg, and introduced Michael McCormick, consultant with PMC.

Michael McCormick gave a brief report on progress made since amending the Initial Study to include the City of Pittsburg; and the array of information and scenarios being

analyzed, with particular attention to the current drought and future water supplies. A public review draft is planned for release at the end of March.

Louis Parsons, with Discovery Builders Inc., reiterated their desire to adhere to the schedule and offered to assist in any way possible to assure the timely release of the public review document.

Michael Sarabia, resident of Bay Point, pointed out that the City of Pittsburg's plans for thousands of new homes will have a high impact on traffic, and hoped that the Initial Study will address this.

9. Status Report - Municipal Service Reviews/Sphere of Influence Updates

The Executive Officer presented an update regarding baseline and second round MSRs.

On a related issue, Chair Uilkema suggested that there be a matrix for Commissioners to use in reviewing the Fire and Emergency Medical Services MSR. All agreed that this would be helpful, and directed staff to create such a document for distribution prior to the April meeting when this MSR will be deliberated.

10. Proposed LAFCO Budget for Fiscal Year 2009-10

The Executive Officer presented the proposed budget for Fiscal Year 2009-10, providing a brief overview of the 2008-09 budget, noting that revenues are lower than anticipated, reflecting the economic downturn. As a result, FY 2009-10 revenues have been estimated conservatively. Municipal service reviews will continue, with a focus on those that have not received substantial baseline reviews to date.

Staff commented that FY 2009-10 expenditures are expected to remain comparable to 2008-09, and although revenues will likely be down, the year-end fund balance will help to offset that, so agency contributions will remain constant.

Chair Uilkema commented on several line items including training and conferences.

Upon motion of Schroder, second by Allen, the Commission unanimously approved the Proposed Budget for FY 2009-10, directed staff to distribute the Proposed Budget to the County, cities, and independent special districts as required by Government Code §56381, and scheduled a public hearing for May 13 to adopt the Final FY 2009-10 LAFCO Budget.

11. Lease Agreement

The Executive Officer reported that the County's General Services Department is currently working to finalize a lease agreement with LAFCO for use of office space at 651 Pine

Street. It is anticipated that the Board of Supervisors will approve the lease on March 31, and the Commission will be presented the lease in April.

12. Commissioner Comments and Announcements

Commissioner Schroder responded to a public speaker's comment, earlier in the meeting, regarding the Alamo incorporation process. He congratulated the Executive Officer and Commissioners on a good job.

13. Newspaper Articles

The Executive Officer drew Commissioners' attention to the copies of articles that had been included in their agenda packets.

14. Staff Announcements and Pending Projects

The Executive Officer noted the pending projects and legislative update as included in the agenda packet.

Meeting adjourned at 2:51 p.m.

Final Minutes Approved by the Commission on April 8, 2009.

AYES: Allen, McNair, M. Piepho, Schmidt, Schroder, Uilkema

NOES:

ABSTAIN: Meadows

ABSENT: Glover (M), D. Piepho (M), Bristow (A), Tatzin (A)

By /s/ Lou Ann Texeira
Executive Officer