

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

MINUTES OF MEETING

August 12, 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 Alternate Don Tatzin.

County Members Gayle Uilkema and Federal Glover and Alternate Mary Piepho.

Public Member Martin McNair.

Special District Members Dwight Meadows and David Piepho and Alternate George Schmidt.

Present were Executive Officer Lou Ann Texeira, Legal Counsel Silvano Marchesi, Clerk Kate Sibley, and Consultant Alex Hebert-Brown of Burr Consulting.

4. Approval of the Agenda

Upon motion of D. Piepho, second by Glover, the agenda was adopted.

5. Public Comments

Tim Platt, resident of Martinez, spoke regarding the potential Pacheco annexation to the City of Martinez. He referenced his comments at the June 10 meeting, and stated that the fiscal figures presented by the City's consultant to the Martinez City Council have ballooned since that time. He will email further information to LAFCO.

6. Approval of June 25 (Fire Committee), June 26 (Delta Tour) and July 8 (Commission), 2009 Minutes

Upon motion of D. Piepho, second by Tatzin, the minutes for the June 25, June 26, and July 8, 2009 meetings were approved.

7. Appointment of Alternate Public Member

Commissioner George Schmidt provided background regarding the selection process for an Alternate Public Member. The selection committee consisted of Commissioners Glover and Schroder as well as Commissioner Schmidt. Thirteen people applied and 12 were interviewed; the thirteenth candidate was out of the country and wished to be considered on the basis of his written application. At the close of the process, the committee unanimously recommended Sharon Burke of Alamo from a top list of four candidates, including Iris Obregon, Robert Brown and Alfred Affinito.

Following a brief discussion with Ms. Burke and among Commissioners, and upon motion of D. Piepho, second by Allen, the Commission unanimously asked Staff to invite the top four candidates to the September meeting in order to interview them all, keeping in mind the committee's recommendation of Ms. Burke.

8. LAFCO 09-09 – Dadafarin Annexation to County Service Area (CSA) L-100

Upon motion of Tatzin, second by D. Piepho, the Commission found that the project is exempt from CEQA pursuant to Section 15061(b)(3); approved the proposal to be known as the Dadafarin Annexation to CSA L-100 as submitted, with specified conditions; determined that the territory being annexed is liable for taxes, assessments and charges; found that the subject territory is uninhabited; that all affected landowners have consented to the annexation; that the annexing agency has consented to the waiver of conducting authority proceedings; waived the conducting authority proceedings and directed staff to complete the proceeding.

9. Fire and Emergency Medical Services MSR/SOI Updates

The Executive Officer provided a brief introduction to Commissioner Allen's report, noting subcommittee members and committee meeting itinerary.

Commissioner Allen reported that the meetings were successful, and that the committee has developed a summary of recommendations for consideration by the Commission.

Commissioner D. Piepho noted that there are two phases to this process, urged adoption of the MSR report, and suggested that the SOI updates be continued for further discussion among the committee and the agencies. Commissioner M. Piepho agreed, and commented that LAFCO should take the lead in a comprehensive manner, as this is critical to the health of public safety in Contra Costa County.

The Chair opened the public hearing.

Michelle Fitzer, representing the City of Pinole, reported that the mayors of the West County cities have tasked their city managers to determine an appropriate committee of city and district representatives to address fire and related issues. The city managers will address this at their August 27 meeting. Commissioner McNair asked to be informed of the time and location of the meeting, and Ms. Fitzer agreed to provide LAFCO staff with details.

Ciara Wood, resident of Kensington, spoke in opposition to the proposal that the Commissioners consider consolidating the Kensington FPD and the Kensington Police Protection and CSD in the future.

Stephen Morgan, representing San Ramon Valley FPD, spoke in support of the SOI updates for SRVFPD, as proposed in the summary chart. He also responded to Commissioner Allen's questions regarding service in the Tassajara Valley and to Commissioner Mary Piepho's questions concerning service to Alamo.

At the request of the Chair, John Ross, Acting Fire Chief of ConFire, confirmed that ConFire is presently comfortable with what has been proposed for ConFire's SOI at this time.

Upon motion of Tatzin, second by D. Piepho, the Commission closed the public hearing.

The Chair outlined the tasks requested of the Commission: 1) to accept the MSR report and adopt the determinations; and following that 2) to adopt the SOI updates for East Contra Costa FPD, San Ramon Valley FPD, Moraga-Orinda FD, and Contra Costa County FPD. The Chair noted that the SOI updates as proposed, are, for the most part, clean up actions.

Upon motion of Glover, second by Tatzin, the Commissioners unanimously accepted the Fire and Emergency Medical Services MSR and directed staff to release the Final MSR Report.

Upon motion of Tatzin, second by Glover, the Commission unanimously adopted the MSR determinations.

Commissioners discussed the SOI update options as recommended by the committee and presented in the summary chart, and agreed that they are committed to continuing discussion, but are not comfortable with adopting any SOI update resolutions at this time.

Upon motion of Glover, second by Meadows, the Commissioners deferred action on the SOI updates and directed the committee to resume meeting, establish a timeline for further action and report back to the Commission at the October 14 meeting.

Commissioners further debated whether future discussions should focus on sub-regions (i.e., West and East County separately) or address the entire County. The committee will report with specific suggestions.

10. Reclamation Services MSR/SOI Updates

The Chair explained that the Commission is asked to adopt resolutions finalizing SOI updates for all of the reclamation districts, as summarized on the chart provided. Commissioners discussed the inherent value of the reclamation districts, the fact that they are underfunded, provide minimum services and are vulnerable.

Upon motion of Uilkema, second by McNair, the Commissioners appointed Commissioners Glover and Mary Piepho to a subcommittee and directed them to discuss reclamation districts and their issues with the Nomellinis, attorneys in Stockton who serve a number of reclamation districts, and report back to LAFCO at the September meeting.

All other actions were deferred pending the committee's report.

11. Call for Nominations for CALAFCO Achievement Awards and Executive Board of Directors and Designation of Voting Delegates

Upon motion of D. Piepho, second by Glover, Commissioners nominated Commissioner Allen to run for one of the city seats on the CALAFCO Executive Board of Directors.

Upon motion of Uilkema, second by McNair, Commissioners nominated Executive Officer Teixeira for Outstanding LAFCO Professional.

Upon motion of Meadows, second by Tatzin, Commissioners nominated Executive Assistant Sibley for Outstanding LAFCO Clerk.

Commissioners agreed by consensus that current Contra Costa LAFCO Chair Uilkema will serve as Voting Delegate at the 2009 CALAFCO Annual Conference, and that current Vice Chair McNair will serve as the Voting Alternate.

12. Commissioner Comments and Announcements

Commissioner M. Piepho noted that Iris Obregon, one of the candidates for the Alternate Public Member, was in the audience.

13. Staff Announcements and Pending Projects

The Executive Officer drew Commissioners' attention to the pending projects and legislative update, provided in the agenda packet, and noted particularly that AB 528, which revises financial disclosure requirements, and AB 1582, the omnibus bill pertaining to LAFCO law, had been chaptered.

The Executive Officer reported that all Annual Conference rooms at the Tenaya Lodge have been reserved; CALAFCO is now working on additional rooms at Wawona Lodge.

The meeting adjourned at 3:17 p.m.

The September meeting will begin at **1:00 p.m.**

Final Minutes Approved by the Commission on September 9, 2009.

AYES: Allen, Glover, McNair, Meadows, Schroder, Uilkema

NOES:

ABSTAIN:

ABSENT: D. Piepho (M), Schmidt (A), Tatzin (A)

By /s/ Lou Ann Teixeira
Executive Officer