

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

August 14, 2013

October 9, 2013
Agenda Item 5

Board of Supervisors Chambers
Martinez, CA

1. Chair Federal Glover 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 Don Tatzin and Alternate Tom Butt.
County Members Federal Glover and Mary Piepho, and Alternate Candace Andersen.
Special District Members Michael McGill and Alternate George Schmidt.
Public Member Don Blubaugh and Alternate Sharon Burke.
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.
4. Approval of the Agenda
Upon motion of Tatzin, second by Blubaugh, Commissioners unanimously adopted the agenda.
5. Public Comments
There were no public comments.
6. Approval of July 10, 2013 Meeting Minutes
Upon motion of Piepho, second by Blubaugh, the minutes for the meeting of July 10, 2013 were approved, with Commissioner Butt abstaining.
7. LAFCO 11-11 – Annexation 182 to the Central Contra Costa Sanitary District (CCCSD)
The Executive Officer provided an overview of a proposal filed by CCCSD to annex 44 properties in nine separate areas located in the cities of Lafayette and Martinez and in unincorporated Martinez. It was noted that to date no protests had been received.
The public hearing was opened and, with no public comments, closed. Commissioner McGill asked approximately many more of these “batch” proposals would be forthcoming. Russ Leavitt, representing CCCSD, responded that there is only a handful left for developed properties already surrounded by the District.
Upon motion of Tatzin, second by McGill, Commissioners unanimously approved the proposal to be known as Annexation 182 to CCCSD, with specified conditions; determined that the project is exempt pursuant to CEQA Guidelines; 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.
8. Northeast Antioch Update
Victor Carniglia, representing the City of Antioch, reported that the City Council, in a special meeting on July 30, unanimously approved the rezoning for this project. On August 13, they approved 4-0 (one councilmember absent) the second reading of the rezoning and tentatively

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approved the tax sharing and infrastructure agreements provided the same agreements pass the Board of Supervisors on tentatively scheduled for September 10. Mr. Carniglia reported that one person from Area 2a spoke in opposition to the annexations, but it seemed as if most people are no longer as concerned.

Commissioners offered comments and observations, thanked City and County staff for their efforts, and received the report.

9. Special District Risk Management Authority (SDRMA) Board Election

Commissioner Burke presented the report on behalf of the committee, noting that she and Commissioner Schroder reviewed all of the nominees for the four seats, and called each of the seven candidates, three of whom are incumbents. Commissioner Burke indicated that all candidates seemed highly qualified, and noted the recommendations as shown on the ballot.

Upon motion of Blubaugh, second by Tatzin, Commissioners unanimously adopted Resolution 2013-01 containing the Official 2013 SDRMA Election Ballot and directed staff to file the resolution with SDRMA prior to August 27, 2013.

10. Policies and Procedures Update

Commissioner Tatzin presented the report. He noted that on July 30th, the Policies & Procedures Committee met to discuss updates to the Commissioner Handbook. While Contra Costa LAFCO currently has procedures specific to incorporation proposals and processing multi-county boundary changes, as well as general procedures relating to boundary change proposals, it currently has no specific procedures relating to other types of changes of organization or reorganizations, such as district mergers, establishing subsidiary districts, district formation/dissolution/consolidation, city consolidation/disincorporation, new or different services, and LAFCO-initiated proposals.

This report includes six (of 11) procedures that have been developed using San Diego LAFCO's procedures as templates. These are procedures only; once all eleven procedures have been developed, the committee will initiate work on related policies.

Commissioner Piepho suggested that, for future procedures, if the committee uses the San Diego documents as templates, it would be helpful to show the tracked changes.

Upon motion of Piepho, second by Blubaugh, Commissioners unanimously approved the procedures as presented, and thanked the committee and staff for their work.

11. Letters of Support – AB 743 (Logue) Island Annexations and AB 1427 (CALAFCO Omnibus Bill)

The Executive Officer reported that, since the agenda was released last week, Governor Brown has signed AB 1427, the CALAFCO Omnibus Bill, and that AB 743, the Island Annexation Bill, is now on the Governor's desk awaiting signature. Consequently, no letter on AB 1427 is needed, and the letter for AB 743 has been modified to urge the Governor to sign the bill.

Pamela Miller, CALAFCO Executive Director, was in attendance and spoke briefly about how the Omnibus Bill was developed.

Upon motion of McGill, second by Blubaugh, Commissioners unanimously approved the letter urging the Governor to sign AB 743 and authorized the Chair to sign the letter.

12. Correspondence from CCCERA

There were no comments.

13. Commissioner Comments and Announcements

Commissioner McGill announced that he attended the CALAFCO Board meeting on July 12, and participated in the CALAFCO Legislative Committee conference call on July 26. He also attended a

one-day conference on farmland conservation presented by the Napa County Farm Bureau in partnership with the American Farmland Trust.

Commissioner Burke pointed out that something positive has come from the recent annexation of portions of Alhambra Valley into the City of Martinez; people whose properties were annexed to the City will get relief from the Cal Fire State Responsibility Area Tax. They have been calling the LAFCO office asking for proof of the annexation.

14. Staff Announcements and Pending Projects

Pamela Miller, CALAFCO Executive Director, spoke about Executive Officer Lou Ann Texeira's work for CALAFCO over the past four years (two years as a Deputy EO, and the past two years as EO). Ms. Miller thanked Ms. Texeira for all her work on behalf of CALAFCO; Ms. Texeira has always been available whenever needed, and her dedication and strong contributions to the operations of CALAFCO have garnered great respect and deep appreciation from everyone involved with CALAFCO.

Ms. Miller thanked Commissioner McGill, noting his work as a CALAFCO Board member and member of three committees is commendable. She also thanked Clerk Kate Sibley for her support.

The Chair agreed with Ms. Miller's assessment of Ms. Texeira's talent, and expressed the Commission's appreciation that Ms. Miller would take the time to travel from Sacramento to recognize Ms. Texeira's work.

The Executive Officer announced that the City of Antioch has submitted the third and final Northeast Antioch Reorganization proposal for Area 2a.

Staff reported that the Contra Costa County chapter of the Special Districts Association presented a resolution commemorating the 50th anniversary of the formation of LAFCOs which will be displayed at the upcoming annual CALAFCO conference.

Staff noted that the Contra Costa County Fire Protection District (CCCFPD) met on August 13 and received an update from Fitch & Associates regarding the fire and EMS studies. The consulting team will host a series of town hall meetings to engage citizens regarding current and future service delivery. Also on the CCCFPD agenda was discussion regarding appointment of a new Fire Chief. Commissioner Piepho noted that a final report from Fitch & Associates should be forthcoming in October.

Staff announced that on July 29, she attended an Alameda LAFCo meeting where they discussed agricultural and farm land preservation. It was well attended and informative, and that we may wish to have a similar conversation in Contra Costa County.

Staff announced that, with no immediate actionable items, the September 11 meeting will be cancelled, and the next meeting will take place on October 9.

The meeting was adjourned at 2:10 p.m.

Final Minutes Approved by the Commission October 9, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer