

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

September 9, 2015

Board of Supervisors Chambers
Martinez, CA

October 14, 2015
Agenda Item 5

1. Chair Rob Schroder 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 Rob Schroder and Alternate Tom Butt.
Special District Members Mike McGill and Igor Skaredoff and Alternate Stanley Caldwell.
Public Members Don Blubaugh and Alternate Sharon Burke.s (absent)

Present were Executive Officer Lou Ann Texeira, Legal Counsel Mary Ann Mason, and Clerk Kate Sibley.

4. Approval of the Agenda

Upon motion of Blubaugh, second by McGill, Commissioners, by a vote of 5-0, adopted the agenda.

AYES: Blubaugh, Butt (A), McGill, Schroder, Skaredoff
NOES: none
ABSENT: Glover (M), Piepho (M), Tatzin (M)
ABSTAIN: none

5. Public Comments

There were no public comments.

6. Approval of August 12, 2015 Meeting Minutes

Upon motion of McGill, second by Blubaugh, the minutes were approved by a vote of 4-0.

AYES: Blubaugh, McGill, Schroder, Skaredoff
NOES: none
ABSENT: Glover (M), Piepho (M), Tatzin (M)
ABSTAIN: Butt (A)

7. Informational Presentation - Town of Moraga - South Camino Pablo Annexation

The Executive Officer reported that the Town of Moraga is processing a development project that involves a potential annexation to the Town. Ellen Clark, Moraga Planning Director, stated that the Town's concern is that the proposed annexation might be considered to create an island next to the annexation area. Ms. Clark introduced Ben Noble, a consulting planner on the South Camino Pablo project, who presented an outline of the project and maps showing the area in question, which proposes a 13-unit single-family development as well as 16 acres of preserved open space east of the development. The project developer has indicated his preference for working with the Town rather than with the County, and the Town prefers to have more control over the project and the process by annexing the area before the development proceeds.

Commissioners expressed numerous concerns, especially the creation of a "semi-island" and the lack of interest in annexing Sky View, a development in an adjacent unincorporated area. Annexations to both Central Contra Costa Sanitary District and East Bay Municipal Utility District would be needed for this project to go forward. There seemed strong interest on the part of Commissioners in seeing a more orderly boundary proposed (with a concurrent annexation of the Sky View development).

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Mark Armstrong, representing the developer, stated that the Carr family, which owns a swath of property east of the proposed annexation area used for ranching activities, has no interest in participating in the annexation. Further, he indicated that if Commissioners wished for the Town to annex the Sky View development, perhaps which could be done as a follow-up to the South Camino Pablo annexation.

Commissioners agreed that this is currently not a project before them for action, but expressed their concerns about LAFCO's mission to create more logical, orderly boundaries in relation to this particular project. The Commission encouraged the Town to reach out to the Sky View community.

8. Informational Presentation – Town of Discovery Bay Community Services District – Drought Management Efforts

The Executive Officer introduced Rick Howard, General Manager of the Town of Discovery Bay Community Services District (TODBCSD), who has been with the District since 2010. His prior experience includes serving in executive level positions for the North County Transit District (Oceanside, CA); City of Mission Viejo, CA; and the City of Poway, CA.

Mr. Howard began by noting that the TODBCSD was designated a District of Distinction by the Special District Leadership Foundation. With 14,000 residents and 5,800 households, only 2,100 water connections are metered, leaving about 64% yet to be metered, which is scheduled to be finished by mid-2017. Despite this, TODBCSD has exceeded its State-mandated conservation level of 32% through a strong public relations and education campaign, coupled with gentle enforcement. In June 2013, TODBCSD residents consumed 145 million gallons (MG) of water, or 338 gallons of water per capita per day. In June of 2015, consumption was 87 MG, a reduction of 40%. The District is now beginning to reclaim water as well, with an estimated savings of 20 MG per year.

Commissioners provided comments, noting that TODBCSD has done well, encouraging the District to get the meters installed, and thanked Mr. Howard for his presentation. (TODBCSD presentation available on the LAFCO website)

9. LAFCO 08-30 – West County Wastewater District Annexation 312

The Executive Officer introduced this proposal to annex to West County Wastewater District (WCWD) two residential parcels located on Sobrante Avenue in unincorporated El Sobrante, both within the District's SOI and the Urban Limit Line. Staff noted that the proposed annexation will create an island to the west. While LAFCO encourages logical and orderly boundaries, it is not unusual for sewer and water districts to have islands and pockets within their service boundaries; as historically, annexations to these types of districts have occurred as the need for service arises. The island area is composed of six whole parcels and portions of three parcels that are already paying into WCWD. Of the six parcels, there are residential dwelling units on three of the parcels, miscellaneous buildings on one, an EBMUD reservoir on one, and one vacant parcel. Of the three remainder areas, one is an existing residential lot and the other two are vacant. This annexation proposal has 100% landowner consent, is uninhabited, and has been deemed categorically exempt.

Commissioners questioned the appropriateness of creating an island with this action. Staff responded that this is more of an issue with cities, and that traditionally water and wastewater districts supply services as needed.

Ken Deibert, WCWD Engineer, spoke on behalf of the District and confirmed staff's statement regarding the District's method of supplying wastewater services as needed by residents within their boundary.

Darrel DeBoer, landowner of the parcels in question, affirmed that he is applying only for his own property and has been awaiting this service for some time.

After further discussion of their preference to see the entire area annexed, upon motion of McGill, second by Blubaugh, Commissioners unanimously, by a 5-0 vote, continued the hearing to the October 14, 2015 meeting, and directed LAFCO staff to work with WCWD staff to determine what it would take to annex the island area, including the District's interest and the viability of such an expanded annexation.

AYES: Blubaugh, Butt (A), McGill, Schroder, Skaredoff
NOES: none
ABSENT: Glover (M), Piepho (M), Tatzin (M)
ABSTAIN: none

10. LAFCO 14-05 – Reorganization 186 (Magee Ranch/SummerHill): Annexations to CCCSD and EBMUD

The Executive Officer noted that the hearing on this item, a proposal submitted by CCCSD to annex property to CCCSD and EBMUD in conjunction with a 69 lot single family subdivision, had been continued from the August 12, 2015 meeting. There has not yet been a decision from the Court of Appeals, which scheduled oral arguments on August 4, starting the 90-day clock for the court to issue a decision. The staff report was updated to include additional information responding to the August 6th email and letter from MaryAnn Cella of SOS –Danville requesting a boundary reduction to the proposal.

Upon motion of Blubaugh, second by McGill, Commissioners, by a 5-0 vote, kept the public hearing open and continued it to the October 14, 2015 meeting.

AYES: Blubaugh, Butt (A), McGill, Schroder, Skaredoff
NOES: none
ABSENT: Glover (M), Piepho (M), Tatzin (M)
ABSTAIN: none

11. Award Contract – EMS/Fire Municipal Service Review (MSR)

The Executive Officer updated the Commission on the status of second round MSRs, including that the 2nd round Reclamation Services MSR was released for public review on September 3 and will be presented at the October 14, 2015 meeting. Further, following the distribution of an RFP for the EMS/ Fire Services MSR, staff received four proposals from Emergency Services Consulting International, Harvey M. Rose Associates, Municipal Resource Group & Berkson Associates, and Policy Consulting Associates and E. Mulberg & Associates.

A selection committee composed of a fire chief (David Rocha, Fire Chief, Alameda County Fire Dept.), labor representative (Kevin Brown, Firefighter/Paramedic, City of Vallejo and Board Member, Local 1186 Solano County), and public manager (Theresa Smith Rude, Analyst with the Alameda County Administrator’s Office) assisted with review of the written proposals and interviews of the four firms.

The committee unanimously selected Municipal Resource Group & Berkson Associates, which offers some advantages in that they have significant experience in government organization and finances, have experience preparing MSRs and LAFCO studies, have a fire expert on their team, and are local and familiar with the issues in Contra Costa County.

Commissioners suggested including additional information (e.g., scores, profiles, etc.) in future staff reports.

Upon motion of Blubaugh, second by McGill, Commissioners unanimously, by a 5-0 vote, authorized staff to execute a contract with Municipal Resource Group, LLC and Berkson Associates to prepare the 2nd round EMS/Fire Services MSR/SOI updates for the term of October 1, 2015 through September 30, 2016 in an amount not to exceed \$80,000.

AYES: Blubaugh, Butt (A), McGill, Schroder, Skaredoff
NOES: none
ABSENT: Glover (M), Piepho (M), Tatzin (M)
ABSTAIN: none

12. Special District Risk Management Authority (SDRMA) Special Acknowledgment Awards

The Executive Officer noted that Contra Costa LAFCO has received President’s Awards from SDRMA for its outstanding track records in filing no claims to either workers comp or property/liability insurance.

13. Correspondence from CCCERA

There were no comments on this item.

14. Commissioner Comments and Announcements

Commissioner Burke reported that she and the LAFCO Executive Officer attended the Concord City Council meeting on Tuesday, September 8. After much discussion and input from the public, the Council adopted, on a 4-1 vote, a non-binding resolution of intent to annex, by 2030, the Ayers Ranch island. Commissioner Burke felt that Supervisor Karen Mitchoff's comments were particularly helpful.

Commissioner McGill reported that the CALAFCO Board elected its new officers, essentially reelecting them to their same offices; there will be a full rotation of officers in 2016. Two new Board members (public and city) were elected for the Coastal Region, both from Alameda LAFCO.

Commissioner Skaredoff stated that he will be developing some ideas and suggestions for the open space aspects of LAFCO's proposed ag & open space preservation policy.

Commissioner Schroder announced that Contra Costa LAFCO's entries in the beer and wine competition took silver medals in each category. The winning beer entry came from Martinez's Rock Steady Brewery (Creek Monkey Tap House) and the winning wine was a white wine from Martinez's Climbing Monkey Winery. He is having the medals engraved and will present them to the owners.

15. Staff Announcements

The Executive Officer reported that there were almost 300 attendees, guests, and speakers at the just-finished CALAFCO Annual Conference. A number of good sessions were presented, including one on broadband services. Eighty-five people were in attendance at the LAFCO 101 session, which was moderated by Contra Costa's Executive Officer. All session materials are now on the CALAFCO website. Special awards of note went to a study of Dublin-San Ramon Services District, Zone 7, and the cities of Dublin, Livermore and San Ramon on the possibilities of collaboration and consolidation among the three agencies; and the Commissioner of the Year award to Matt Beekman, Mayor of Hughson, CA. The 2016 CALAFCO Annual Conference is scheduled for late October next year.

The meeting adjourned at 3:23 p.m.

Final Minutes Approved by the Commission October 14, 2015.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer