

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

MINUTES OF MEETING

January 13, 2010

Board of Supervisors Chambers
Martinez, CA

1. Chair Gayle B. Uilkema called the meeting to order at 1:31 p.m.
2. The Pledge of Allegiance was recited.
3. Outgoing Chair Uilkema commented on the Commission's accomplishments during the past year, and thanked the Commissioners and staff members.
4. Roll was called. A quorum was present of the following Commissioners:

City Members Helen Allen and Alternate Don Tatzin. Member Rob Schroder (arrived at 2:02 p.m.)

County Members Gayle Uilkema and Alternate Mary Piepho.

Public Members Martin McNair and Alternate Sharon Burke.

Special District Members Dwight Meadows and David Piepho.

Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, Clerk Kate Sibley, and consultant Bill Chiat.

5. Approval of the Agenda

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

6. Selection of Chair and Vice Chair

Upon motion of Allen, second by D. Piepho, the Commission unanimously elected Public Member Martin McNair as Chair for 2010.

Upon motion of Allen, second by Tatzin, the Commission unanimously elected Special Districts Member David Piepho as Vice Chair for 2010.

In his new capacity as Chair, Commissioner McNair presented Commissioner Uilkema with a proclamation and gift in appreciation for her year of service as Chair.

7. Public Comments

Vince Maiorana, resident of Orinda, expressed concern about the public's understanding of LAFCO's role and authority in potential changes to Moraga-Orinda Fire District. The Chair thanked Mr. Maiorana and noted that that this topic was not on the agenda, and the Commission could not respond, but directed staff to work with Mr. Maiorana.

8. Approval of November 18, 2009 Minutes

Commissioner D. Piepho requested clarification on two items and staff responded. Upon motion of Allen, second by D. Piepho, the minutes for the November 18, 2009 meetings were approved unanimously.

9. Fire Workshop Update

The Executive Officer presented brief background, chronology and logistics update regarding the Fire Workshop, scheduled for Wednesday, February 3, in the City Council Chamber in Martinez, then introduced workshop facilitator Bill Chiat. Mr. Chiat reviewed the proposed

workshop design and took questions from Commissioners, stating that fire district issues are becoming increasingly visible around the State, and that he has previously addressed such concerns elsewhere.

Belinda Espinosa, Pinole City Manager and representing the West County Mayors' Association, provided an update on the West County Fire Service Study. She noted the members of the Technical Advisory Committee and that they had met twice. The committee has narrowed its focus to four topics: 1) coverage for Battalion 7 from the City of Pinole; 2) feasibility of establishing a global vision for fire service in West County; 3) inequity of costs to provide fire service in the City of San Pablo; and 4) feasibility of consolidation among Rodeo-Hercules FPD, City of Pinole Fire and ConFire.

Ms. Espinosa commented on the retirement of Chief Parrott and short-term coverage for Battalion 7. She also noted a possibility that agencies in West County could enter into a joint powers of authority agreement. The next meeting of this committee will be January 27.

The Chair thanked Espinosa for her report and requested that a copy be sent to the LAFCO office.

Vince Wells, President, IAFF Local 1230, asked two questions of Chiat: 1) will he talk to the various agencies about the concerns presented; and 2) will there be an explanation of different collaborative options. Chiat responded that he will serve as facilitator, not mediator; his role is to get everyone together to talk with each other. As for service models that may work for Contra Costa County agencies, there will be discussion of options.

Richard Olsen, resident of Moraga, asked what role Bill McCammon will play beyond presenting the model with which he is most familiar. Chiat responded that his understanding is that McCammon will present a case study and provide answers to related questions if they arise.

There were questions regarding next steps following the February 3 workshop and availability of resources for a second workshop. The Executive Officer noted that the contract for facilitation services covers a second workshop, should one be necessary.

10. Letter from Kensington Fire Protection District

The Executive Officer directed Commissioners to the letter in their agenda packets, written by John Bakker on behalf of Kensington FPD. The District expresses concern that the Commission took action recommending against consolidation with the Kensington Police Protection and Community Services District but such action was not recorded in the minutes from the October 14, 2009 meeting.

John Bakker, with Meyers Nave Riback Silver & Wilson, commented on behalf of his client that there is confusion and that the KFPD would like the Commission to confirm that the action they took at the October 14, 2009 meeting included a recommendation against consolidation.

Commissioner Schroder responded that he made the motion, and his intent was clearly not to take action on that item, as the staff recommendation was "no action."

Vince Wells, President of IAFF Local 1230, supported KFPD's assertion.

Brenda Navellier, General Manager of KFPD, pointed out that they all listened to the audio recordings of the meeting and believe the Commission recommended against consolidation.

Lance Maples, City of El Cerrito Fire Chief and Chief of KFPD, asked what the Commissioners believe they approved.

The Commission affirmed its action of October 14, 2009, that it took no action on the option of consolidating the two Kensington districts.

11. 2010 LAFCO Meeting Schedule (September-December 2010)

The Executive Officer reported that at the November 18, 2009 meeting, when Commissioners approved the 2010 LAFCO meeting schedule, there were questions about potential meeting conflicts in September and beyond. After review, it was suggested that the September meeting date be moved to the third Wednesday of that month. Thus, the final four meetings for 2010 will be: September 15, October 13, November 10, and December 8.

Upon motion of Uilkema, second by Allen, Commissioners unanimously approved the 2010 LAFCO Meeting Schedule for September through December, with the September adjustment.

12. Second Quarter Budget Report

The Executive Officer provided an overview of expenses and revenues at the end of the second quarter of FY 2009-10, also noting that no funds have been drawn from the contingency reserve.

Upon motion of Allen, second by D. Piepho, Commissioners unanimously received the report.

13. Financial Audit – FY 2007-08

The Executive Officer presented the financial audit for FY 2007-08. Commissioner Tatzin questioned the statement in the Management Letter stating that “*Of the misstatements detected as a result of audit procedures and corrected by management most were material, either individually or in the aggregate, to the financial statements taken as a whole.*” Tatzin also questioned why the audit took so long, and asked staff to determine what procedures should be taken to correct material misstatements.

The Executive Officer agreed to report back on these questions and provide a timeline for the 2009 audit.

Upon motion of Allen, second by D. Piepho, Commissioners unanimously received the FY 2007-08 financial audit.

14. Expiring Commissioner Terms in 2010

The Executive Officer presented a report on Commissioner terms expiring in 2010: Uilkema and Glover, County Members; and Meadows and Schmidt, Special District Member and Alternate respectively. The County Members were reappointed by the Board of Supervisors on January 12. Special district elections will be held in April. Commissioner D. Piepho congratulated Commissioners Uilkema and Glover on their reappointments.

15. Commissioner Comments and Announcements

Commissioner Uilkema asked if the 2009-10 budget includes adequate funds for Commissioner participation in upcoming CALAFCO events. The Executive Officer responded in the affirmative.

16. Staff Announcements and Pending Projects

Staff drew Commissioners' attention to the pending projects list, the legislative update, and the news articles.

At 3:00 p.m., Commissioners adjourned to Closed Session to discuss employee performance evaluations.

At 3:29, Commissioners reconvened and the Chair reported that the performance review had been completed. The meeting was adjourned.

Final Minutes Approved by the Commission on February 10, 2010.

AYES: Allen, Glover, McNair, Meadows, D. Piepho, Schroder, Uilkema

NOES:

ABSTAIN:

ABSENT:

By /s/ Lou Ann Teixeira
Executive Officer