

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

February 10, 2010

Board of Supervisors Chambers
Martinez, CA

1. Chair Martin McNair 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 Members Gayle Uilkema and Federal Glover and Alternate Mary Piepho.
Public Members Martin McNair and Alternate Sharon Burke.
Special District Members Dwight Meadows and David Piepho and Alternate George Schmidt.
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.
4. Approval of the Agenda
Upon motion of Allen, second by Glover, the agenda was adopted.
5. Public Comments
There were no public comments.
6. Approval of January 13, 2010 Minutes
Upon motion of D. Piepho, second by Uilkema, the minutes for the January 13, 2010 meeting were approved unanimously.
7. LAFCO 09-01 – Christ Annexation to County Service Area (CSA) L-100
Upon motion of Allen, second by D. Piepho, the Commission unanimously certified that it reviewed and considered the information contained in the Negative Declaration; approved the proposal to be known as the Christ 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 conducting authority proceedings and directed staff to complete proceedings.
8. Workshop – Parks, Recreation and Miscellaneous Services Preliminary Draft Municipal Services Review (MSR)/Sphere of Influence (SOI) Updates
The Executive Officer provided an overview and chronology of the Parks, Recreation, Cemetery, Mosquito and Vector Control, and Resource Conservation Services MSR, highlighting the fundamental framework of MSRs, LAFCO's purpose and role, criteria used to evaluate the agencies, and collaboration between agency staff and the MSR project team.
LAFCO staff introduced MSR consultants Alex Hebert-Brown and Jennifer Stephenson of Burr Consulting, who provided a PowerPoint presentation covering the following agencies: Ambrose Recreation & Park District (R&PD), Pleasant R&PD, Rollingwood-Wilart Park

R&PD, County Service Areas (CSAs) M-16, M-17, M-29, M-30, R-4, R-7, R-9, R-10, Alamo-Lafayette Cemetery District, Byron-Brentwood-Knightsen Union Cemetery District Contra Costa Mosquito & Vector Control District, and Contra Costa Resource Conservation District.

Hebert-Brown provided an overview of the recreation and park services, variances on governance and funding, and standards, noting potential problems with regard to the Rollingwood-Wilart Park R&PD, which was recommended for dissolution in a 2004 MSR; Ambrose R&PD, whose boundaries overlap with those of the City of Pittsburg; duplication of services with CSAs M-30 and R-7; and no advisory committees for CSAs M-17 and M-30.

Next, Hebert-Brown addressed cemetery district services, noting that both districts do not cover entire cities in their boundaries, making it difficult to determine residency and service eligibility.

In response to a question from the Chair regarding boundaries, Hebert-Brown noted that governance and SOI options will be included in the Public review Draft MSR.

Stephenson provided an overview of Contra Costa Mosquito & Vector Control District, which is countywide, noting that services provided by this district are free to the public; the district is financially solid and able to serve residents as needed.

Stephenson reported that Contra Costa Resource Conservation District (CCRCD) is also a countywide agency. Formed in 1941, its responsibilities include stewardship of and education about the County's natural resources, with an original focus on agricultural lands but evolving in recent years to the County's watersheds. Its grant income has decreased recently, but its finances are sufficient for operation at a minimum level.

Discussion ensued among Commissioners regarding service to constituents and community needs; LAFCO's role in making changes to districts; funding issues; boundary overlaps (i.e., CSAs M-30, R-7, R-10), and cemetery districts' boundaries with respect to city boundaries and capacity issues. Commissioner M. Piepho asked staff to address tax issues associated with Williamson Act lands.

Igor Skaredoff, Board President and Carol Arnold, General Manager of CCRCD noted that decreasing grant funds were related to finalizing projects funded by the U.S. Dept of Agriculture; and that CCRCD has been a leader in securing such funding. The district received a nationwide award in the past. In response to the option of consolidation, Mr. Skaredoff noted that while CCRCD collaborates with Alameda Resource Conservation District, its responsibility is to Contra Costa County, as are issues that are specific to the County's watersheds and agricultural lands.

Mark White, General Manager of BBKU Cemetery District provided clarification regarding cemetery district boundaries and burial restrictions; and provided additional information regarding long-term planning and property acquisition efforts.

Commissioners complimented Hebert-Brown and Stephenson on their presentation.

Upon motion of Glover, second by D. Piepho, the Commissioners voted unanimously to receive the report and directed the project team to release the Public Review Draft MSR report and return April 14, 2010 with a Final Draft MSR that includes public comments.

9. Fire Workshop Report

Commissioner D. Piepho reported on the February 3, 2010 Fire Services Workshop, thanking staff and Bill Chiat for their work. Commissioners who attended agreed that it was productive, with a number of good suggestions and ideas coming to the forefront. It was agreed that a second workshop should be scheduled, and a plan for that workshop presented to the Commission in advance. Commissioner D. Piepho will follow up with LAFCO staff and Bill Chiat. The Executive Officer reported that Bill Chiat is out of the country until the end of March.

10. LAFCO Fiscal Year 2010-11 Budget Schedule

Upon motion of Uilkema, second by D. Piepho, Commissioners unanimously directed the staff to prepare the LAFCO budget for FY 2010-11, present a Proposed Budget for review at the March 10 LAFCO meeting, distribute the Proposed Budget as approved to the County, cities and independent special districts, and schedule a hearing to review and adopt the Final Budget at the May 12 LAFCO meeting.

11. Commissioner Comments and Announcements

Commissioner D. Piepho asked staff to provide an update on the Attard property issue. Commissioner Uilkema asked that such a report be deferred until the issue has been appealed before the Board of Supervisors to avoid creating prejudice.

Commissioner M. Piepho commented on the productive discussion among Danville, San Ramon and the County regarding SOIs and Tassajara Valley.

Commissioner Meadows commented on the Orinda CARES communications.

12. Staff Announcements and Pending Projects

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

Staff noted that in response to a question raised at the January 13 meeting by Commissioner Tatzin regarding reference to a "material misstatement" in the FY 2007-08 audit, the financial auditor has provided written clarification that the term "misstatement" was incorrect, and that the appropriate term is "reclassification adjustment." This correction will be added to the FY 2007-08 audit file.

Staff reported on the CALAFCO proposal to regionalize. Based on feedback received in response to the original proposal, including notice from the five southern California LAFCOs that they will leave CALAFCO if a different path toward regionalization is not found, the CALAFCO Board has moved for a regionalization alternative to create four regions within the State solely for the purpose of electing members to the CALAFCO Board. Staff summarized the key aspects of the new proposal noting that details will be provided to the Commission in the spring. Chair McNair requested from LAFCO legal counsel on the regionalization proposal.

At 3:25 p.m., Commissioners adjourned to Closed Session to discuss employee performance evaluations.

At 3:53, Commissioners reconvened and the Chair reported that there was nothing to report. The meeting was adjourned.

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

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

NOES:

ABSTAIN:

ABSENT: Glover (M)

By /s/ Lou Ann Teixeira
Executive Officer