

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

March 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 Member Gayle Uilkema. Alternate Mary Piepho arrived at approximately 1:40 p.m.
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 Mary Ann Mason, Planner Nat Taylor, and Clerk Kate Sibley.
4. Approval of the Agenda
Upon motion of Allen, second by D. Piepho, the agenda was adopted.
5. Public Comments
There were no public comments. Commissioner McNair acknowledged Executive Officer Texeira's birthday.
6. Approval of February 3 (Fire Workshop) and February 10, 2010 Minutes
Upon motion of D. Piepho, second by Allen, the minutes for the February 3 and February 10, 2010 meetings were approved unanimously.
7. Executive Officer Salary Adjustment
Upon motion of Allen, second by D. Piepho, the Commission unanimously approved the subcommittee's recommendation of an increase of 2.5% to the Executive Officer's salary in 2010 and a 2.5% increase in 2011.
8. Sphere of Influence (SOI) Updates – City of Antioch, Town of Danville and City of San Ramon
The Executive Officer provided an overview and background on the SOI update for the City of Antioch, which had been deferred following the East County Sub-regional MSR due to a special study to expand the SOIs for the City of Pittsburg, Delta Diablo Sanitation District, and Contra Costa Water District. The City of Antioch was asked to participate in the special study, but decline to participate for fiscal and other reasons..
LAFCO staff noted that the MSR identified three SOI options. Staff recommends reducing Antioch's SOI and removing the open water area of the San Joaquin River and other areas outside the ULL and the City's corporate limits, including a portion of the Roddy Ranch area.
City of Antioch staff has reviewed this recommendation and generally agree with the proposed adjustments.

Victor Carniglia, representing the City of Antioch, thanked the Commission for the update and agreed that the adjustments are acceptable.

The Executive Officer next reported on the SOI updates of the Town of Danville and the City of San Ramon, which had been deferred at the time of the Central County Sub-regional MSR. Since that time, officials and staff representing Danville, San Ramon, and the County met several times to discuss their interests in the Tassajara Valley and the SOI updates. We understand that consensus was reached through these agreements. Both cities are currently proceeding with their General Plan updates. Staff recommends deferring the SOI updates to allow Danville and San Ramon to complete their respective GP updates, as well as related environmental studies.

The two cities plan to complete their GP processes by the end of 2010, and conduct the corresponding environmental reviews.

Commissioner Uilkema inquired as to the timing of the SOI updates following the MSR process, and whether LAFCO could affirm the existing SOIs at this time. LAFCO staff responded that affirming the existing SOIs is an option.

Joe Calabrigo, Danville Town Manager, confirmed this and indicated that the Town would not be opposed to LAFCO confirming the existing SOI in the meantime.

Phil Wong, City of San Ramon Planning Director, agreed on all points.

Following further discussion regarding the pros and cons of deferring a decision on the SOI updates or confirming the existing SOIs, Jerry Cambra, with the Greenbelt Alliance, asked Commissioners to defer the decision until the two cities have updated their general plans in order to gauge adherence to urban growth boundaries.

Allen moved, with a second by D. Piepho, that Commissioners accept the staff recommendations. There was some confusion, and the motion was withdrawn.

Upon motion by Allen, second by Schroder, Commissioners unanimously determined that the SOI of the City of Antioch should be adjusted per staff recommendations; determined that the SOI updates are exempt pursuant to §15061(b)(3) of CEQA Guidelines; and directed staff to execute the SOI update resolution for the City of Antioch.

Upon motion by Allen, second by D. Piepho, Commissioners voted by roll call to defer SOI updates for Danville and San Ramon pending future action by the cities, and directed staff to return with an update by the end of 2010.

AYES: Allen, McNair, Meadows, D. Piepho

NOES: Schroder, Uilkema

ABSENT: Glover (M)

9. Proposed LAFCO Budget for Fiscal Year 2010-11

The Executive Officer presented the proposed budget and work plan for Fiscal Year 2010-11. The proposed budget reflects an overall decrease of 6%, due primarily to the winding down of municipal service reviews (MSRs), and a decline in applications and related processing costs.

Staff commented that while FY 2009-10 had been busy with MSRs, there is only one new MSR scheduled for FY 2010-11, a countywide review of police services.

In response to a question about the fund balance, Staff reported that the final fund balance won't be known until the books close on FY 2009-10, but that an estimated balance is accounted for in the proposed budget. Commissioners made suggestions regarding budget presentation, including showing variations of 5% or more, presenting Commissioners' stipends and expenditures in a separate line item, and preparing a bi-annual budget. Commissioner Schroder asked about the level of funding for MSRs.

There were no public comments on this item.

Upon motion of Allen, second by D. Piepho, the Commission unanimously approved the Proposed Budget for FY 2010-11, recommended that staff consider a two year budget in the future, directed staff to distribute the Proposed Budget to the County, cities, and independent special districts as required by Government Code §56381, and scheduled a public hearing for May 12 to adopt the Final FY 2010-11 LAFCO Budget.

10. Status Report – Municipal Service Reviews (MSR)/Sphere of Influence (SOI) Updates

The Executive Officer reviewed progress made on MSRs and related SOI updates. The last baseline MSRs covering Recreation and Parks, Cemetery, Mosquito and Vector Control, and Resource Conservation services, will be presented at a public hearing on April 21.

Commissioner M. Piepho noted that she received comments regarding the MSR discussion on CSA R-7. As noted in the budget and work plan presentation, the only MSR proposed for FY 2010-11 will be a countywide review of police services.

Commissioners asked about the current MSR as well as the follow-up fire services workshop, which will be scheduled once Bill Chiat returns at the end of March.

11. Commissioner Comments and Announcements

Commissioner D. Piepho commented on the upcoming CALAFCO University Fire Service Workshop in Santa Rosa on April 13.

In response to Commissioner McNair's question about the Attard issue, Commissioner Uilkema reported on the Board of Supervisors decisions at a hearing on March 9: Both appeals were heard, and both denied. Following brief discussion among Commissioners, Counsel Mason noted that given this is not an agenda item, and it would be appropriate to provide direction to staff to consult with counsel and bring the item back for further discussion and possible action in the future. Commissioner Uilkema noted that the Commission should use caution as to not prejudice its own actions in the future, as well as those of the Board of Supervisors or any other agency that might be involved.

12. Staff Announcements and Pending Projects

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

Staff reminded the Commissioner that the April meeting will be the *third* Wednesday of April (the 21st) due to the Annual CALAFCO Staff Workshop April 14-16.

Staff provided information concerning the CALAFCO proposal to regionalize and the Chair's prior question about the legality of a shift to a regional makeup. CALAFCO, as a 501(c)(3), is a legal entity and is within its statutory rights to make such a change.

The meeting adjourned at 2:46 p.m.

Final Minutes Approved by the Commission on April 21, 2010.

AYES:

NOES:

ABSTAIN:

ABSENT:

By /s/ Lou Ann Teixeira
Executive Officer