

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

September 14, 2011

Board of Supervisors Chambers
Martinez, CA

1. Chair Michael McGill 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 Member Don Tatzin; City Alternate Tom Butt arrived after roll call.
County Members Federal Glover and Gayle Uilkema and Alternate Mary Piepho.
Special District Members Michael McGill and Dwight Meadows and Alternate George Schmidt.
Present were Executive Officer Lou Ann Teixeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.
4. Approval of the Agenda
Upon motion of Tatzin, second by Uilkema, the agenda was adopted unanimously.
5. Public Comments
Wendy Lack, member of Contra Costa Taxpayers Association, commented on the most recent meeting of the Mt. Diablo Healthcare District (MDHCD) and that board's hiring of Ralph Ferguson for legal services.
Jack Weir, Pleasant Hill Councilmember and member of Contra Costa Taxpayers Association, echoed Ms. Lack's comments regarding the MDHCD).
6. Approval of August 10 and August 15, 2011 Meeting Minutes
Upon motion of Uilkema, second by Tatzin, the minutes for the August 10, 2011 (regular) and August 15, 2011 (special) meetings were approved unanimously. Commissioner Meadows abstained on both.
7. LAFCO 11-03 - Mt. Diablo Scenic Blvd. Annexation to Diablo Community Services District (DCSD)
The Executive Officer reported on the results of the August 17 protest hearing regarding Mt. Diablo Scenic Boulevard Annexation to DCSD. No protests were received, and the Commission was asked to order the annexation. Upon motion of Uilkema, second by Glover, the Commission ordered the annexation subject to the terms and conditions as specified in the Commission's resolution of approval, dated July 13, 2011.
8. Northeast Antioch Update
The Executive Officer gave an overview and brief chronology of the issues pertaining to the pending annexation of the Northeast Antioch area, and presented the written monthly report submitted by the City of Antioch and Contra Costa County, noting that the August 22 meeting was attended by Commissioner McNair and LAFCO staff.
Staff noted that the next meeting is scheduled for September 26.
Victor Carniglia, with the City of Antioch, answered questions from Commissioners relating to infrastructure costs (i.e., source of funding, timeframe) and the ultimate annexation of the area.

Mr. Carniglia expressed concern that annexation of the residential area does not require a vote by the residents as the area is an island, and that the residents will be deprived of their right to have a say in the action that will affect them. There was further discussion regarding the recent agreement between the City of Antioch and GenOn, and of the California Energy Commission's approval of the project.

On a related matter, upon motion of Uilkema, second by Glover, Commissioners unanimously appointed Commissioner McGill to serve as alternate whenever either of the appointed representatives to the Northeast Antioch Subcommittee cannot attend.

9. East County Fire Service Update

The Executive Officer provided the monthly update on recent actions and discussions involving East Contra Costa FPD (ECCFPD), the cities of Brentwood and Oakley, San Ramon Valley FPD, Cal Fire, and other interested parties.

Chief Hugh Henderson, ECCFPD, reported on that board's September 12 meeting, at which time the Fiscal Year 2011-2012 operating budget was approved. At this meeting the board also approved moving forward with a June 2012 ballot measure for a \$197 parcel tax and a contract with a consultant to conduct outreach and education efforts related to the ballot measure.

Chief Henderson asked if, given the ECCFPD workload, Commissioners would agree to reports on a quarterly or as-needed basis. After discussion, Commissioners asked that Chief Henderson provide an update at the May 2012 LAFCO meeting, just prior to the June ballot measure.

10. Progress Reports - Los Medanos and West Contra Costa Health Care Districts

The Executive Officer gave an overview and a brief chronology of activities of the two health care districts since the 2007 LAFCO Health Care Municipal Service Review (MSR). LMCHD has been actively involved in organizing and sponsoring programs and activities focusing on wellness and prevention services and raising community awareness of health related issues, and are continuing their efforts to improve their financial stability, community partnerships, grant-making and programs as detailed in the materials submitted to LAFCO.

Following the 2007 MSR, WCCHCD had recently declared bankruptcy, and had entered into a JPA with the County to address funding issues and keep the hospital open. In August 2008, the District provided LAFCO with a progress report, but no other reports since then. Based on their recent information, the District continues to face fiscal and operational challenges. In an effort to address these challenges, the District is working with other parties to bridge the financial gap, and will move forward in November 2011 with a proposed parcel tax.

Commissioners commented on the amount of the proposed parcel tax (\$47) and questioned whether it is adequate. Commissioner Tatzin had two questions for LMCHD regarding its Analysis of Revenue and Expenses: 1) Is there any information on their cash on hand; and 2) The projected Building Expenses dropped dramatically in the projection for 6/30/12; what is the cause of this?

LAFCO Legal Counsel Sharon Anderson noted that the JPA between WCCHCD and the County has been terminated, although Supervisor Gioia still sits on the WCCHCD Board.

Commissioners asked that WCCHCD be asked to provide an update following the November ballot measure, including their plans for going forward and ensuring that Doctors Medical Center can continue to provide necessary services.

11. Final Law Enforcement Services MSR

The Executive Officer drew Commissioners' attention to the Final Law Enforcement Services MSR, now posted on the LAFCO website. Staff will work with a number of the agencies on corresponding SOI, boundary and governance issues and will report back to the Commission in six months.

12. Fourth Quarter Budget Report for FY 2010-11

The Executive Officer gave a brief overview of the final quarter budget report for Fiscal Year 2010-11, noting that final expenses came in under budget, revenues exceeded the projected amount, and no funds were drawn from the contingency reserve. Staff noted that the available fund balance will be used to offset local agency contributions next year. The first quarter budget report for FY 2011-12 will be provided at the October meeting. The Commission received and filed the FY 2010-11 fourth quarter budget report.

13. Correspondence

There were no comments on the CCCERA correspondence provided.

14. Commissioner Comments and Announcements

Chair McGill reported on his attendance at the 2011 CALAFCO Annual Conference, including the highlights of LAFCO 101 and the session on terms and conditions. Commissioner Tatzin agreed with the Chair's overall assessment of the excellent programming at the conference, and congratulated the Executive Officer on her appointment to the position of CALAFCO Executive Officer.

Commissioner Piepho congratulated Contra Costa County's vintners on taking second place at the wine competition.

15. Staff Announcements and Pending Projects

Staff thanked Commissioners for the productive strategic workshop on August 15. Staff commented on the number of timely and useful sessions at the CALAFCO Annual Conference. Staff reported that in terms of legislation, this was a good year for LAFCOs. As CALAFCO Executive Officer, staff will be working on a number of projects over the next two years and will keep the Commission apprised.

The meeting was adjourned at 2:40 p.m.

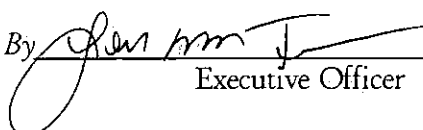
Final Minutes Approved by the Commission on October 12, 2011.

AYES: Burke, McGill, Tatzin, Uilkema

NOES:

ABSTAIN: Schroder

ABSENT: Glover (M), McNair (M), Meadows (M), Piepho, (A), Schmidt (A)

By  _____
Executive Officer