

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MINUTES OF MEETING

April 11, 2012

Board of Supervisors Chambers  
Martinez, CA

May 9, 2012  
Agenda Item 5

1. Chair Don Tatzin 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 Don Tatzin and Alternate Tom Butt.  
County Members Federal Glover (arrived at 2:00 p.m.) and Alternate Mary Piepho.  
Special District Members Michael McGill and Dwight Meadows and Alternate George Schmidt.  
Public Members Martin McNair and Alternate Sharon Burke.  
  
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, Planner Nat Taylor, and Clerk Kate Sibley.
4. Approval of the Agenda  
Upon motion of Piepho, second by Glover, Commissioners adopted the agenda, revised April 4, unanimously.
5. Public Comments  
There were no public comments.
6. Approval of March 14 (regular meeting), and March 29 and March 30 (special meetings), 2012 Meeting Minutes  
Upon motion of Piepho, second by Meadows, the minutes for the regular meeting on March 14, 2012, and the special meetings on March 29 and March 30, 2012 were approved unanimously.
7. Northeast Antioch Update  
Victor Carniglia, representing the City of Antioch, stated that the proposed pre-zoning went to the City Planning Commission in March and was to be considered by the City Council on March 27. On March 27, the City received a letter from West Coast Homebuilders with extensive objections to the proposed rezoning and CEQA review. The letter has generated a need for additional time to review and respond to the comments with a report to the City Council on April 24.  
  
Carniglia added that the City and the County are "honing in on" the tax exchange agreement. There are two documents, the first having to do with the terms of the agreement and the second addressing utility issues.  
  
In response to questions and concerns from Commissioners, both Carniglia and Rich Seithel, representing the County, iterated that the process is complicated and continues to take more time than had previously been hoped. Carniglia and Seithel estimated that it will take two to three more months to finalize the tax exchange agreement documents. Staff confirmed that the application is being updated so that it will be ready for processing when the agreement is final.

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Upon motion of Piepho, second by McNair, Commissioners unanimously accepted the report with the new 2-3 month timeline for finalization of the tax exchange agreement.

8. City of Pinole Fire Department Update

Pinole City Manager Belinda Espinosa and Assistant City Manager Michelle Fitzter were in attendance. Ms. Fitzter reported that the City continues to maintain its Professional Services Agreement with the Rodeo/Hercules FPD to share that District's Fire Chief and administrative staff. The City's Fire Station 74 remains fully browned out. The City is drawing down its SAFER grant for Battalion Chief services, and they have been fulfilling their Battalion 7 rotation with an Acting Battalion Chief. The SAFER grant expires in December 2012.

The City has been in discussion with the Contra Costa County FPD and the Rodeo/Hercules FPD, both of which have submitted proposals to provide fire services to the City of Pinole on a contract basis. Staff's recommendation is that any decision should be deferred until after each district's and the city's pending revenue ballot measures are decided in November 2012 or Spring 2013. The City Council's final determination on whether to continue with a stand-alone department or contract for services with one of the districts will most likely be January or June of 2013.

Upon motion of McGill, second by Piepho, Commissioners unanimously accepted the report.

9. Mt. Diablo Health Care District (MDHCD) Update

The Executive Officer reported provided a brief update noting that on April 2 the Pleasant Hill City Council expressed an interest in staying within the boundary of the proposed reorganized MDHCD that will become a subsidiary of the City of Concord. On April 3, the Concord City Council adopted a resolution of application to LAFCO to reorganize the MDHCD to establish a subsidiary district to include the cities of Concord and Pleasant Hill; and on April 6, LAFCO received the City's application. On April 9, LAFCO issued a notice of receipt of the application to affected agencies.

Also on April 3, the MDHCD Board directed its staff to obtain a new actuarial report based on present value, and reviewed the District's options in response to the City of Concord's forthcoming application to LAFCO (including adopting a resolution consenting to the proposed reorganization, submitting an alternative proposal, or taking no action). The District and Concord City staff were scheduled to meet on April 5 to discuss mutual issues.

Daymon Doss, MDHCD General Manager, reported that the District is working on the actuarial for its health care coverage obligations and had met with Concord staff. He also presented that morning to the Assembly Committee on Accountability and Administrative Review's hearing on the "Purpose, Funding Mechanisms and LAFCO Oversight of Health Care Districts." He indicated that he is looking forward to seeing the City of Concord's application and plan for service in order to determine the District's response.

Upon motion of Piepho, second by McGill, Commissioners unanimously accepted the report.

10. LAFCO 11-05 - North Pacheco Annexation to City of Martinez

The Executive Officer provided brief background and a chronology of events and actions for this annexation.

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Upon motion of McGill, second by Piepho, Commissioners unanimously adopted a resolution ordering the annexation subject to confirmation by the voters, and set a special LAFCO meeting date for May 18 at 1:30 p.m. in accordance with applicable election laws.

11. County Service Area R-7/Zone A Sphere of Influence Update

The Executive Officer provided a chronology and background leading to this action. In April 2010, LAFCO completed a Municipal Service Review covering cemetery, parks and recreation services. In accordance with the MSR, the Commission approved sphere of influence updates for most agencies covered in the MSR report, with the exception of three including County Service Area R-7. The SOI update for this district was deferred pending further discussions with County staff, Supervisor Piepho's office, the Alamo MAC, Round Hill Country Club, two Round Hill HOAs, CSA P-6 advisory council and other interested parties. All of these groups expressed support for expanding the CSA R-7 boundary to include the Round Hill area. The County has since submitted an application to LAFCO to annex Round Hill and several small islands/pockets to CSA R-7.

In order to complete the MSR process and to facilitate the County's annexation proposal, it is recommended that the Commission update and expand the SOI for CSA R-7 to include Round Hill and the five islands/pockets as shown on the map.

Steve Mick, resident of Alamo, spoke in support of this SOI expansion.

Commissioner Burke commended Supervisor Piepho's office for facilitating this change and noted that CSA R-7 will now correspond to the Alamo MAC boundary.

Upon motion of Piepho, second by McGill, Commissioners unanimously approved the SOI expansion for CSA R-7/Zone A to include Round Hill and five small islands and pockets, and determined that the SOI update is exempt pursuant to §15061(b)(3) of the CEQA Guidelines.

12. Recognition of Outgoing Commissioner

Chair Tatzin read the Resolution of Detachment of Commissioner McNair from Contra Costa LAFCO, praising his achievements and navigation of various LAFCO issues.

Upon motion of McGill, second by Piepho, and following individual comments from the Commissioners, the Chair presented Commissioner McNair with the unanimously approved resolution and an engraved compass.

13. Selection of Public Member and Alternate Public Member

Chair Tatzin reported on the decisions of the Public Member Selection Committee (Commissioners Glover, Meadows, and Tatzin), noting that they had interviewed all 15 initial candidates on March 29 and 30 and had selected five finalists to be interviewed at this meeting. The candidates selected for final interviews were, in order of this day's interviews: Herb Moniz, Sharon Burke, Don Blubaugh, Kathy Hopkins, and Ivor Samson.

Each candidate gave an opening statement about his or her qualifications, and then answered questions from Commissioners.

Following the interviews, Commissioners ranked their choices. By roll call vote, Commissioners selected Don Blubaugh as the Public Member:

AYES: Glover, McGill, Meadows, Piepho, Schroder, Tatzin  
NAYS: None

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ABSENT: Uilkema (M)

By roll call vote, Commissioners then selected Sharon Burke as the Alternate Public Member:

AYES: Glover, McGill, Meadows, Piepho, Schroder, Tatzin

NAYS: None

ABSENT: Uilkema (M)

Commissioners thanked all of the candidates for their interest and their substantial contributions to the community.

14. Correspondence

There were no comments on the correspondence.

15. Commissioner Comments and Announcements

Commissioner McGill reported that he has been recommended to fill a vacant seat on the CALAFCO Board of Directors (Coastal Region/Special District Member), and he will be installed at the May 4 CALAFCO Board of Directors Meeting. Commissioners congratulated him on his successful campaign.

Commissioner Tatzin announced that he will be running for the City seat on LAFCO at the May Mayors' Conference meeting.

16. Staff Announcements and Pending Projects

The Executive Officer reminded Commissioners that on Monday, April 16, LAFCO staff will conduct the Independent Special Districts election for the regular member seat currently held by Commissioner McGill.

Staff was asked by the Assembly Committee on Accountability and Administrative Review to testify at this morning's hearing.

Staff will be attending the 2012 CALAFCO Staff Workshop in Murphys April 25-27.

The meeting was adjourned at 3:54 p.m.

Final Minutes Approved by the Commission on May 9, 2012.

AYES:

NOES:

ABSTAIN:

ABSENT:

By \_\_\_\_\_  
Executive Officer

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