

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES
August 10, 2022

1. Welcome and Call to Order; Roll Call (Agenda Items 1&2)

Chair Schroder called the regular meeting of August 10, 2022, to order at 1:30 p.m.

The following Commissioners and staff were present:

| Regular Commissioners | Alternate Commissioners | Staff |
|----------------------------|-------------------------|------------------------------------|
| Rob Schroder, Chair | Stan Caldwell | Lou Ann Texeira, Executive Officer |
| Federal Glover, Vice Chair | Chuck Lewis | Tom Geiger, Commission Counsel |
| Candace Andersen | Diane Burgis (Absent) | Sherrie Weis, LAFCO Clerk |
| Don Blubaugh | Edi Birsan | |
| Patricia Bristow | | |
| Tom Butt | | |
| Mike McGill | | |

Announcement: Pursuant to Governor Newsom’s Executive Order and local county health orders issued to address the COVID 19 pandemic, the Commission meeting is being held via Zoom videoconference. The public may listen to the meeting telephonically and comment by calling in to the teleconference meeting per the instructions on page 1 of the agenda. As required by the Brown Act, all votes taken this afternoon will be done by a roll call vote of the attending Commissioners participating via teleconference.

3. Approval of Minutes

Upon motion by Commissioner Blubaugh and second by Commissioner Butt, the Commission unanimously, by a 7-0 vote approved the June 8, 2022, meeting minutes.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

4. Public Comments

Chair Schroder invited members of the audience to provide public comment. There were no speakers.

TELECONFERENCING

5. *Resolution Authorizing Teleconference Meetings Pursuant to Assembly Bill 361* – discuss future meeting format and adopt a resolution authorizing LAFCO to conduct teleconference meetings per Gov. Code §54953(e) and make related findings

Following Commissioner comments and upon a motion by Commissioner Glover and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote, adopted Resolution No. 2022-05 allowing Contra Costa LAFCO to conduct teleconference meetings pursuant to GC section 54953(e) and commencing with the September 14, 2022, meeting in a hybrid format, LAFCO staff attending in-person in the Board Chambers, Commissioners and public having the option to attend in-person or virtually.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

6. ***LAFCO 21-15 – Dissolution of County Service Area (CSA) R-10 – Results of Protest Hearing*** – on June 8, 2022, the Commission approved dissolution of CSA R-10 subject to a protest hearing. On July 13th a protest hearing was conducted by the LAFCO Executive Officer. On August 10th, the Commission received the results of the protest hearing and ordered dissolution of CSA R-10.

Following Commissioner comments and upon a motion by Commissioner Glover and second by Commissioner McGill, the Commission approved, unanimously, by a 7-0 vote, to receive the results of protest hearing.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

7. ***LAFCO 21-17 – Dissolution of CSA R-9*** – receive update and consider initiating dissolution of CSA R-9 comprising 3.1± square miles serving unincorporated El Sobrante Valley including parts of Richmond ***Public Hearing Continued from November 10, 2021***

Chair Schroder opened the public hearing and closed the public hearing there were no speakers.

Following Commissioner comments and upon a motion by Commissioner Blubaugh and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, deferred adopting a resolution initiating dissolution of CSA R-9, and requested an update within six months (February 8, 2023) regarding the status of CSA R-9 including future funding options

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

8. ***LAFCO 21-16 – Annexation to City of Concord and Detachment from CSA P-6 – Laurel Place IV, Subdivision 9495*** - consider annexation to City of Concord and detachment from CSA P-6 (3.6+ acres) of eight parcels (APNs 117-040-123 thru –130) located at 5175 Laurel Drive in unincorporated Concord and consider making determinations and findings as a responsible agency under CEQA ***Public Hearing***

Chair Schroder opened the public hearing and closed the public hearing there were no speakers.

Following Commissioner comments and upon motion by Commissioner Andersen, second by Commissioner Glover, the Commission, unanimously approved, by a 7-0 vote, the annexation/detachment as proposed and adopted Resolution No. 21-16.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

9. **LAFCO 21-09 – Annexation to East Bay Municipal Utility District (EBMUD) – Lark Lane** – consider annexing to EBMUD one parcel (APN 198-230-017) totaling 18.38± acres located at 285 Lark Lane (Alamo) and consider a categorical exemption under CEQA **Public Hearing**

Chair Schroder opened the public hearing and closed the public hearing there were no speakers.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote approved the annexation as proposed and adopted Resolution No. 21-09.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

10. **LAFCO 22-03 – SOI Amendment – EBMUD - Thomas Property** – consider expanding EBMUD’s SOI (32± acres) to include two parcels (APNs 365-23-037/-038) located at 4949 Happy Valley Road (unincorporated Lafayette) and consider a categorical exemption under CEQA. **Continue Public Hearing to September 14, 2022 at 1:30 pm**

Chair Schroder opened the public hearing and closed the public hearing there were no speakers.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, continued the Public Hearing to September 14, 2022 at 1:30 pm.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

BUSINESS ITEMS

11. **Contra Costa Mosquito & Vector Control District (CCMVCD) and Contra Costa Resource Conservation District (CCRCD) Public Review Municipal Services Review (MSR)/SOI Updates (2nd Round)** – receive an overview of the Public Review CCMVCD/CCRCD Draft MSR, receive public comments, and provide input. **Public Hearing**

Chair Schroder opened the public hearing.

Dr. Paula Macedo – General Manager Contra Costa Mosquito & Vector Control District answered questions from the Commission regarding placement of mosquito fish.

Chair Schroder closed the public hearing.

Following Commissioner comments and upon a motion by Commissioner McGill and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote, approved to receive staff report and consultants' presentation, and directed LAFCO staff to set a public hearing for November 9, 2022, at which time the Commission will be asked to accept the Final MSR, make the required determinations, and update SOIs.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

12. ***LAFCO Fee Schedule Update*** – consider amending the LAFCO fee schedule to establish a \$4,200 fee for processing and review of out-of-agency fire protection services by contract - ***Public Hearing***

Chair Schroder opened and closed the public hearing there were no speakers.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote, adopted the updated *LAFCO Schedule of Processing Fees and Deposits* to add the out-of-agency fire protection services by contract processing fee to the LAFCO fee schedule.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

13. ***LAFCO 20-08 – Bay's Edge Subdivision – Request for Extension*** – consider request for extension of time

Following Commissioner comments, and upon a motion by Commissioner Glover and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, approved the request for a one-year extension of time to August 31, 2023, to allow the City of Martinez to complete the General Plan amendment and submit an annexation application to LAFCO.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

14. ***Contract Extension – SWALE, Inc*** - consider approving a one-year contract extension with SWALE, Inc. which provides environmental planning services to Contra Costa LAFCO

Following Commissioner comments, and upon a motion by Commissioner Andersen and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote extended the term of the contract through July 31, 2023. The contract amendment also includes the addition of \$9,000 to the contract amount.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

15. CALAFCO 2022 Annual Conference Material, Call for Board of Directors Nominations and Voting Delegates – appoint voting delegate(s) and provide direction regarding nominations

Following Commissioner comments, and upon a motion by Commissioner Glover and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote nominated Commissioner McGill to run for another term on the CALAFCO board and appointed Commissioner Schroder as the voting delegate and Commissioner Bristow as the alternate voting delegate.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder
NOES: None
ABSENT: None
ABSTAIN: None

16. Legislative Update and Position Letter – receive an update legislative update and position letter – informational update – no action required by the Commission.

INFORMATIONAL ITEMS

17. Current and Potential Applications – receive an update on pending proposals –informational update – no action required by the Commission.

18. Correspondence from Contra Costa County Employee’s Retirement Association (CCCERA) – informational update – no action required by the Commission

19. Commissioner Comments and Announcements

Commissioner McGill updated the Commission on the CALAFCO Board meeting of July 20, 2022

20. Staff Announcements

Executive Officer updates:

- 3rd Round Wastewater MSR kick-off being done by SWALE, Inc., with Baracco Associates
- Provided an update on Green Valley Recreation & Park District in response to Commissioner Birsan’s questions

ADJOURNMENT

The next regular LAFCO meeting is September 14, 2022, at 1:30 pm.

By  _____, Executive Officer