

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
DRAFT MEETING MINUTES
November 9, 2022

January 11, 2023
Agenda Item 5

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

Chair Schroder called the regular meeting of November 9, 2022, to order at 1:40 p.m.

The following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Rob Schroder, Chair	Stan Caldwell (Absent)	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 Andersen, the Commission unanimously, by a 6-0 vote approved the November 9, 2022, meeting minutes.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, McGill, Schroder
NOES: None
ABSENT: Glover
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 – adopt a resolution authorizing LAFCO to conduct teleconference meetings per Gov. Code §54953(e) and make related findings

Following Commissioner questions, upon a motion by Commissioner McGill and second by Commissioner Blubaugh, the Commission, unanimously, by a 6-0 vote, adopted Resolution No. 2022-07 allowing Contra Costa LAFCO to conduct teleconference meetings pursuant to GC section 54953(e) and make related findings.

VOTE:

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

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

6. ***LAFCO 22-04 – Annexation to – EBMUD – Thomas Property*** – consider annexing to EBMUD 35+ acres (APNs 365-230-037/-038) located at 4949 Happy Valley Road (unincorporated Lafayette) and consider a categorical exemption under the California Environmental Quality Act (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 Glover and second by Commissioner McGill, the Commission, unanimously, by a 7-0 vote, adopted Resolution 22-04 and approved the annexation as proposed.

VOTE:

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

7. ***LAFCO 22-07- Contra Costa County Fire Protection District (CCCFPD) and City of Pinole – Out of Agency Service Agreement (OAS)*** – consider a request by CCCFPD to provide fire, rescue and emergency medical services to the City of Pinole under a 5-year contract between CCCFPD and the City effective March 1, 2023, and consider a categorical exemption under CEQA **Public Hearing**

Chair Schroder opened the public hearing.

CCCFPD Chief Broschard spoke in favor of CCCFPD to provide fire, rescue and emergency medical services to the City of Pinole under a 5-year contract between CCCFPD and the City effective March 1, 2023. He disagreed with the condition, “*within five years after LAFCO’s approval of OAS under the contract, CCCFPD and/or the City of Pinole must submit to LAFCO an application to annex the City of Pinole to CCCFPD’s service area to allow for CCCFPD to continue to provide fire, rescue, and EMS in the City of Pinole.*”

City of Pinole – Chief Wynkoop spoke in support of Chief Broschard’s position.

Chair Schroder opened the public hearing

Vince Wells – President of Local 1230 representing CCCFPD and Pinole firefighters spoke in favor of the CCCFPD and City of Pinole – OAS.

CCCFPD – Chief Broschard asked clarifying questions regarding midterm update and 2028 update. Also, clarification of the statute if the contract is extended in size, time, or there is an annexation.

Dan Romero – spoke in opposition of the contract between CCCFPD and the City of Pinole.

Maureen Toms, City Council Member, City of Pinole - spoke in favor of the contract for services. She stated there is full support from all city council members and members of the public.

Andrew Murray, City of Pinole, City Manager - spoke in favor of the contract for services.

Chair Schroder closed the public hearing.

Following Commissioner comments and upon a motion by Commissioner Blubaugh and second by Commissioner Glover, the Commission approved, unanimously, by a 7-0 vote, adopted Resolution 22-07 authorizing CCCFPD to provide fire, rescue, and emergency medical services (EMS) to the City of Pinole under the proposed fire protection contract subject to the following terms and conditions: CCCFPD shall provide LAFCO with a mid-term status report by December 1, 2025 regarding services provided to the City of Pinole. Find that the project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15320, Class 20 – Changes in Organization of Local Agencies

VOTE:

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

BUSINESS ITEMS

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

Chair Schroder opened the public hearing.

Christopher Lim – Executive Director Contra Costa Resource Conservation District – spoke in support of the MSR process.

Chair Schroder closed the public hearing.

Following MSR consultant and Commissioner comments and upon a motion by Commissioner Blubaugh and second by Commissioner McGill, the Commission, unanimously approved, by a 7-0 vote. Determined that the MSR project is statutorily exempt from CEQA pursuant to §15262 of the CEQA Guidelines. Determined that the SOI updates are categorically exempt from CEQA pursuant to §15061(b)(3) of the CEQA Guidelines. Accept the final 2nd round CCRCD and CCMVCD Final MSR and SO) Updates. Adopt the MSR/SOI determinations for CCRCD and CCMVCD by resolutions

VOTE:

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

9. LAFCO 2023 Meeting Schedule – consider approving the 2023 LAFCO meeting schedule

Upon motion by Commissioner Andersen, second by Commissioner Glover, the Commission, unanimously approved, by a 7-0 vote, received the staff report; and approved the 2023 meeting schedule

VOTE:

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

10. 2022-23 First Quarter Budget Report - receive FY 2022-23 first quarter budget report

Upon a motion by Commissioner McGill and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, to receive the FY 2022-23 first quarter budget report

VOTE:

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

11. 2022 Legislative Wrap-up – a legislative update will be provided – *information only*

12. Updates to LAFCO Staffing, Budget, and Personnel – consider approving the LAFCO Clerk Analyst job description, updates to the LAFCO salary schedule, an increase in FY 2022-23 salary and benefit costs, and recruitment efforts for a Clerk Analyst position

Following Commissioner comments, and upon a motion by Commissioner Butt and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, approved LAFCO Resolution 2022-08 authorizing creation of the Clerk/Analyst job description and amending the LAFCO Salary Plan to include a salary range for the new Clerk/Analyst position

VOTE:

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

INFORMATIONAL ITEMS

13. Current and Potential Applications – update on current and potential applications – *information only*

14. Correspondence from Contra Costa County Employee's Retirement Association (CCCERA) – including GASB 68 Actuarial Report (Measurement Date 12/31/21), five-year projection of employer contribution rate changes and the of employer contribution rate, and unfunded actuarial accrued liability reconciliation by cost group based on the December 31, 2021 Actuarial Valuation letters

15. Commissioner Comments and Announcements

Commissioner McGill reported:

- October 21, 2022 – CALAFCO Board of Directors meeting
- November 4, 2022 – CALAFCO Legislative Committee meeting – reappointed to the committee
- Farewell comments to parting Commissioners Schroder and Butt
- Will not be attending January 11, 2023 Commission meeting

Commissioner Schroder

Parting comments to fellow LAFCO Commissioners. This is his last meeting, he has 20 years of LAFCO service

Commissioner Butt

Parting comments to fellow LAFCO Commissioners. He enjoyed serving on LAFCO; learned a lot; complimented LAFCO staff; and said LAFCO makes a difference.

16. Staff Announcements/CALAFCO Conference Highlights/Newspaper Articles

Executive Officer updates:

- 3rd Round Wastewater MSR in underway covering 20 local agencies
- Highlights from the CALAFCO Annual Conference – well attended and great sessions
- Commissioner McGill ran unopposed for a seat on the CALAFCO Board of Directors, he was reelected
- There will not be a December 2022 LAFCO meeting

ADJOURNMENT

The next regular LAFCO meeting is January 11, 2023, at 1:30 pm.

By _____
Executive Officer