

**CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION MEETING MINUTES
November 8, 2023**

1. Commissioner Blubaugh was acting Chair and conducted the meeting.
2. At 1:32 p.m., the meeting of **November 8, 2023**, was called to order, and **roll call was taken.** (**Agenda Items 1 - 2**).

The following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Federal Glover, Chair (absent until Item #5)	Charles R. Lewis, IV	Lou Ann Texeira, Executive Officer
Don Blubaugh, Vice Chair	Edi Birsan (absent)	Tom Geiger, Commission Counsel
Candace Andersen	Diane Burgis (absent)	Anna Seithel, LAFCO Clerk Analyst
Patricia Bristow	Scott Pastor	
Mike McGill		
Scott Perkins		
Gabriel Quinto		

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 and in person. The public may attend in person, via Zoom, or listen to the meeting telephonically and comment by calling in to the teleconference meeting per the instructions on page one 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 and in person.

3. **Approval of September 13, 2023, LAFCO Meeting Minutes**
The minutes were received and Vice Chair Blubaugh invited comments from the Commission and the public. Upon motion by Commissioner Andersen and second by Commissioner McGill, with one abstention by Commissioner Blubaugh, by a 5-0 vote, with one abstention, the Commission unanimously approved the meeting minutes of September 13, 2023.

VOTE:

AYES: Andersen, Bristow, McGill, Perkins, Quinto
NOES: None
ABSENT: Glover
ABSTAIN: Blubaugh

4. **Public Comments**
Vice Chair Blubaugh invited comments from the public; there were no comments.

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

5. **LAFCO 23-11 – County Service Area (CSA) R-7 – Activation of Latent Powers (Public Hearing).** *Chair Glover arrived at this time; acting Chair Blubaugh was authorized to Chair the meeting. Following the staff report, Vice Chair Blubaugh invited Commissioner comments. Commissioner Lewis noted the existing powers in place already provide the desired services. Commissioner Andersen responded by explaining why the MAC’s current latent powers do not allow enhanced services, and deferred to Carl Roner, County Public Works Senior Civil Engineer who noted that at the time the latent powers were enforced, no allowance existed for the current request. Commissioner Perkins asked the difference between Option 1 and Option 2 in the LAFCO staff report. LAFCO staff responded, and Commissioner Andersen provided additional comments. Commissioner McGill asked about the study, latent power conditions, and appropriate funding. Carl Roner, LAFCO legal counsel, Commissioner Andersen, Commissioner Lewis, and Vice Chair Blubaugh provided responses.

Vice Chair Blubaugh opened the public hearing. Alamo resident Sharon Burke, Chair of the Alamo Municipal Advisory Council, voiced support of the motion. Via teleconference, Derene Allen, Alamo Improvement Association board member, voiced support of the motion. Vice Chair Blubaugh closed the hearing and invited Commissioner comments and a vote. Commissioner Andersen motioned to approve option 1. The motion was seconded by Commissioner Perkins. By a 7-0 vote, the Commission unanimously approved option 1 re: Activation of Latent Powers (i.e., additional street landscape maintenance services; additional funding for the services of the Alamo Municipal Advisory Committee; community facilities such as a community center) for CSA R-7, and related actions as a responsible agency under the California Environmental Quality Act.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Glover, McGill, Perkins, Quinto
NOES: None
ABSENT:
ABSTAIN:

6. **LAFCO 23-12 – Dissolution of Alamo Lafayette Cemetery District (ALCD) (Public Hearing)** Following the staff report, Vice Chair Blubaugh invited Commissioner comments. Discussion followed regarding naming the County as successor agency and/or Board of Trustees for the ALCD and other governance options including consolidation. Commissioner McGill asked about these options and potential liabilities. LAFCO staff provided responses. Commissioner Andersen suggested preparing a fiscal and operational study.

Vice Chair Blubaugh then opened the public hearing. Patricia Howard, General Manager (GM) of the ALCD provided an overview of the district’s financial, maintenance, staffing and other challenges. GM Howard noted that the ALCD did not wish to file dissolution but had no other option due to \$5 million in deferred maintenance. GM Howard expressed opposition to consolidation of the two cemetery districts citing financial, logistical, and other issues.

Vice Chair Blubaugh closed the public hearing and Commissioners deliberated. Commissioner Bristow spoke in opposition to consolidation, and in favor of keeping the ALCD separate from the Byron Brentwood Knightsen Union Cemetery District (BBKUCD).

Commissioners discussed options including proceeding with a fiscal study. Commissioner Bristow supported the proposed study, noting that BBKUCD wishes to keep their board of directors, and

under that condition, she would be open to Option 1. Commissioner McGill referenced the 2021 LAFCO Municipal Services Review and supported a fiscal study to address governance options. Commissioner Andersen concurred and suggested adding operations to the study. Commissioner McGill inquired about cemetery districts and latent powers relative to CSAs. LAFCO legal counsel addressed this question. Vice Chair Blubaugh called for a motion and called for a roll call vote to continue the matter. The Commission directed staff to proceed with a special study to include fiscal and operational issues. Upon motion by Chair Glover and second by Commissioner Andersen, by a 7-0 vote, the Commission unanimously approved Option 1, with direction to staff as noted herein.

VOTE:

AYES: Andersen, Bristow, Glover, McGill, Perkins, Quinto, Blubaugh

NOES: None

ABSENT:

ABSTAIN:

BUSINESS ITEMS

7. ***LAFCO 2024 Meeting Schedule*** – staff presented the proposed 2024 LAFCO meeting schedule. Vice Chair Blubaugh invited comments from the Commission and the public. Upon motion by Chair Glover and second by Commissioner Quinto, by a 7-0 vote, the Commission unanimously approved the 2024 Meeting Schedule.

VOTE:

AYES: Andersen, Bristow, Glover, McGill, Perkins, Quinto, Blubaugh

NOES: None

ABSENT:

ABSTAIN:

8. ***FY 2023-24 First Quarter Budget Report*** – staff presented the FY 2023-24 first quarter budget report. Vice Chair Blubaugh invited comments from the Commission and the public. Commissioner McGill acknowledged Executive Officer for exceptional budget planning and management of Contra Costa LAFCO. Upon motion by Chair Glover and second by Commissioner Andersen, by a 7-0 vote, the Commission unanimously received the FY 2023-24 first quarter budget report.

VOTE:

AYES: Andersen, Bristow, Glover, McGill, Perkins, Quinto, Blubaugh

NOES: None

ABSENT:

ABSTAIN:

9. ***LAFCO Policies & Procedures*** – the LAFCO Policies & Procedures Committee proposed amendments to LAFCO's Commissioner Handbook section 1.5 – Budget & Financial Procedures regarding the annual audit. Vice Chair Blubaugh invited comments from the Commission and the public. Commissioner McGill acknowledged the Policies & Procedures Committee for thorough policy review. Upon motion by Commissioner Blubaugh and second by Commissioner Quinto, by a 7-0 vote, the Commission unanimously approved the proposed amendments to LAFCO Policies & Procedures.

VOTE:

AYES: Andersen, Bristow, Glover, McGill, Perkins, Quinto, Blubaugh

NOES: None

ABSENT:
ABSTAIN:

10. **Financial Audits** – staff presented a list of prequalified financial auditing firms to prepare Contra Costa LAFCO’s annual audits noting that a recommendation for retaining a firm would be brought to the Commission in 2024. Vice Chair Blubaugh invited comments from the Commission and the public. Commissioners provided questions and comments McGill voiced his support for this approach. Commissioner Blubaugh asked staff if the list presented was current as well as the eligibility of the existing auditor, to which staff replied affirmative. Commissioner McGill confirmed that staff would bring back the item regarding a final recommendation from the list in 2024. Upon motion by Commissioner McGill and second by Commissioner Bristow, by a 7-0 vote, the Commission unanimously approved a prequalified list of financial auditing firms to prepare Contra Costa LAFCO’s annual audits.

VOTE:
AYES: Andersen, Bristow, Glover, McGill, Perkins, Quinto, Blubaugh
NOES: None
ABSENT:
ABSTAIN:

INFORMATIONAL ITEMS

11. **Current and Potential Applications** - update on current and potential applications – *information only*
12. **Correspondence from Special District Risk Management Authority** – Contra Costa LAFCO recently received the SDRMA President’s Special Acknowledgement Awards (SDRMA) - for Property/Liability Program and Workers’ Compensation Program.
13. **Correspondence from Contra Costa County Employees’ Retirement Association (CCCERA)**
14. **Commissioner Comments and Announcements** - Commissioner McGill commented on the following CALAFCO meetings:
- September 18, 2023, CALAFCO University – Incorporations WEBINAR
 - October 18-20, 2023, CALAFCO Annual Conference – Monterey
 - November 3, 2023, CALAFCO Legislative Meeting
 - December 1, 2023, CALAFCO Board Meeting
 - December 8, 2023, Legislative Meeting has been canceled.
15. **Staff Announcements/Newspaper Articles/CALAFCO Updates** – staff commented on the successful annual CALAFCO conference and thanked the Commission for the opportunity to attend

ADJOURNMENT

Vice Chair Blubaugh adjourned the meeting at 3:02 P.M. The next regular LAFCO meeting is scheduled for December 13, 2023, at 1:30 pm.