

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

MINUTES OF MEETING

November 10, 2010

Board of Supervisors Chambers - Martinez, CA

1. Chair McNair 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 Helen Allen and Rob Schroder and Alternate Don Tatzin.
County Members Federal Glover and Gayle Uilkema and Alternate Mary Piepho.
Public Member Martin McNair.
Special District Members Dwight Meadows and David Piepho and Alternate George Schmidt.
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.

4. Approval of the Agenda

Upon motion of D. Piepho, second by Uilkema, the agenda was adopted.

5. Public Comments

There were no public comments.

6. Approval of October 13, 2010 Minutes

Upon motion of Meadows, second by D. Piepho, the minutes for the October 13, 2010 meeting were approved by majority, with Commissioner Uilkema abstaining.

7. LAFCO 10-06 - Reorganization CCCSD 181 and MVSD 2010-1 - Central Contra Costa Sanitary District (CCCSD) and Mt. View Sanitary District (MVSD) Annexations/ Detachments

The Executive Officer provided an overview of the proposal, noting that this reorganization application will correct boundary and service irregularities in both sanitary districts.

Jarred Miyamoto-Mills, speaking for CCCSD, confirmed that the reorganization will adjust boundaries for both districts, and stated the district's support for the action. Stan Caldwell of MVSD was also in attendance.

Following the public hearing, and upon motion of Uilkema, second by Schroder, the Commission unanimously determined that CCCSD as lead agency found the project to be categorically exempt; certified that the Commission has reviewed and considered the information contained in the CEQA documents and declared the project exempt; approved the proposal to be known as the Reorganization CCCSD 181 and MVSD 2010-1 - CCCSD and MVSD as submitted with specified conditions; determined that the territory being annexed is liable for taxes, assessments and charges; found that the subject territory is uninhabited, that no landowners object to the annexation, that the annexing

agencies have consented to the waiver of conducting authority proceedings, waived conducting authority proceedings and directed staff to complete proceedings.

8. Fire Service Report

The Executive Officer provided an introduction and a brief synopsis of the progression of previous fire service discussions and activities by local fire service agencies, addressing critical needs and issues that were identified in the 2009 Fire Services MSR and in conjunction with the LAFCO fire workshops.

Commissioners Schroder and D. Piepho comments on redevelopment issues.

Commissioner Uilkema listed a number of short-, mid-, and long-term goals, which recognize current realities and encourage steps that can be taken by fire districts in response to fiscal and other challenges. Specific recommendations for LAFCO included formalizing a process of assessing any land use project in terms of its ability to fund future public safety service (police and fire protection); considering the feasibility of working to redirect redevelopment funds into fire service; and working with fire districts to develop longer-term service plans. (A list of these goals is available through the LAFCO office.)

Commissioner Meadows commented that all pay a portion of their property tax to support fire service, and all deserve comparable service. There would be a value in having one countywide fire agency, and such a process would be incremental.

Chair McNair suggested that Commissioners who attended the November 5 CALAFCO U workshop on "Fire Service Challenges and Cooperative Solutions" provide their comments. Commissioners D. Piepho and M. Piepho provided comments noting it was the best workshop to date, with accounts of what various fire districts have done or are doing to maximize services with shrinking resources. All of the material provided at the workshop is available on the CALAFCO website.

Commissioner D. Piepho suggested contacting Stewart Gary with Citygate Associates to see if they might be able to provide some guidance to LAFCO.

Clive Savacool, Local 1230, expressed concern over redevelopment agencies.

Michelle Fitzer, City of Pinole, gave an update on Battalion 7 and the work that the City is doing with Citygate Associates at this time in addressing its fire service issues; a report from Citygate is due in January of 2011 with options and recommendations.

Randy Bradley, Fire Chief, Moraga-Orinda Fire District, and former Chief with Alameda County, commented that Alameda County is a good model, but that the situation is quite different in Contra Costa County, where there are more special districts providing fire service than city-based fire departments. Further, that Alameda County Fire Department serves less than 30% of the County; whereby, Confire serves over 50% of the County. He also commented on the variation in taxes to support fire service in Contra Costa County. He suggested that LAFCO return the problem to the fire chiefs, who should work together to come up with some ideas.

Commissioner Tatzin responded that the Alameda County model sounds like the law enforcement model created in Contra Costa County, wherein the Sheriff's department serves a number of cities, with the level of service determined by each city. He noted that there needs to be agreement by the agencies and that LAFCO can play a role as an impartial party to help facilitate further discussions.

Robert Taylor, Mayor, City of Brentwood, stated that he never realized, when taking on a role with the newly created board for ECCFPD, the complexities of putting together logical plans of action when everyone comes to the issue with different needs and perceptions.

Hugh Henderson, Fire Chief, ECCFPD, reported on the polling that district is going to conduct to determine the feasibility of an assessment election in June of 2011, at which time the district also is considering asking its constituents if they want an elected board (if yes, a board election would be held in November of 2011). In response to questions from Commissioners, Henderson offered to report back to the Commission in January, once the poll has been completed.

Vince Wells, Local 1230, thanked the Commission for facilitating the dialogue. He reported on labor negotiations and discussions throughout the County and expressed concern about fire stations closures and the parcel tax that ConFire is hoping to assess.

Commissioner Schroder commented on insurance ratings related to fire station closures.

Lance Maples, Fire Chief, Kensington and City of El Cerrito, noted that the City of El Cerrito passed an additional sales tax, with a 7-year sunset, in the November 2 election. He commented that consolidation, or joint powers agreements, or whatever collaborative effort is developed, will come when agencies begin to fail.

Michael Banks, Fire Chief, City of Richmond, commented on the auto aid agreement reinstated in 2006 between Richmond and ConFire, and questioned what might be meant by "formalizing Battalion 7."

At the suggestion of Chair McNair, the Commission directed staff to talk to Stewart Gary at Citygate Associates and determine how much it would cost to have them assess the fire service situation in Contra Costa County.

9. 2011 LAFCO Meeting Schedule

The Executive Officer presented the proposed meeting schedule for calendar year 2011.

Upon motion by Uilkema, second by D. Piepho, Commissioners unanimously adopted the meeting schedule as presented.

10. First Quarter Budget Report for FY 2010-2011

The Executive Officer noted that with 25% of the fiscal year elapsed, the Commission's first quarter total expenses are at about 19% of approved expenditures, with salaries/benefits at 25% and services/supplies at 18% of budgeted amounts. Total revenues for the first quarter are at about 96% of projected revenues. Most local agencies have paid their prorated contributions to the LAFCO budget, with the exception of four agencies, and FY 2010-11 first quarter application activity is greater than first quarter

2009-10 activity, with five new applications this fiscal years as compared to two during first quarter 2009-10. The Commission received and filed the report.

11. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)

The Executive Officer presented recent correspondence from CCCERA.

12. Commissioner Comments and Announcements

Commissioner Allen thanked everyone for the good times she has had working with LAFCO. The Executive Officer invited her to attend the January meeting for a formal recognition of her service on LAFCO.

13. Staff Announcements and Pending Projects

The Executive Officer reported that the CALAFCO Legislative Committee held its first meeting for FY 2010-11. CALAFCO will be sponsoring some legislation this year.

The meeting adjourned at 3:40 p.m.

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

AYES: McNair, Meadows, M. Piepho, Schmidt, Schroder, Tatzin, Uilkema

NOES:

ABSTAIN:

ABSENT: Glover (M)

By _____ /s/ Lou Ann Texeira
Executive Officer