

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MINUTES OF MEETING

November 13, 2013

December 11, 2013  
Agenda Item 5

Board of Supervisors Chambers  
Martinez, CA

1. Chair Federal Glover 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 Member Rob Schroder.  
County Members Federal Glover and Mary Piepho, and Alternate Candace Andersen.  
Special District Members Michael McGill and Dwight Meadows, and Alternate George Schmidt.  
Public Members Don Blubaugh and Alternate Sharon Burke.  
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.
4. Approval of the Agenda  
Upon motion of McGill, second by Blubaugh, Commissioners unanimously adopted the agenda.
5. Public Comments  
There were no public comments.
6. Approval of October 9, 2013 Meeting Minutes  
Upon motion of McGill, second by Piepho, the minutes for the meeting of October 9, 2013 were approved, with Commissioner Blubaugh abstaining.
7. LAFCO 13-07 – Annexation 184 to Central Contra Costa Sanitary District  
The Executive Officer provided an overview of a proposal filed by CCCSD to annex six properties in five separate areas located in the Town of Danville and in unincorporated Alamo. One property owner has petitioned for annexation; the others are infill. It was noted that to date no protests had been received, but the area is uninhabited with less than 100% landowner consent, and thus is subject to a protest hearing.  
The public hearing was opened and, with no public comments, closed. Commissioner McGill asked approximately how many more of these “batch” proposals would be forthcoming. Russ Leavitt, representing CCCSD, responded that there are a few District initiated proposals pending, and a few landowner driven applications in the works.  
Upon motion of Piepho, second by Blubaugh, the Commission unanimously closed the public hearing and certified that it reviewed and considered the information contained in the District’s Negative Declaration; approved the proposal to be known as Annexation 184 to CCCSD, with specified conditions; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory is uninhabited, has less than 100% consent of the affected landowners, is subject to a protest hearing; and authorized staff to conduct the protest proceedings.

**DRAFT**

8. Northeast Antioch Update

The Executive Officer reported that the Board of Supervisors approved a tax sharing agreement with the City of Antioch on Tuesday, November 12.

Victor Carniglia, representing the City of Antioch, reported that it is a happy day, thanks to Supervisor Glover and County staff. The County-approved agreement will now go to the Antioch City Council on November 26.

Mr. Carniglia also reported that the City is working with PG&E to secure indemnification from that agency for the City, which will in turn indemnify LAFCO. He looks forward to the Area 1 and Area 2b applications coming forward to LAFCO at the January 8, 2014 meeting.

Chair Glover thanked City and County staff for their work. Commissioner Meadows commented on the protracted timeframe.

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

9. Policies and Procedures Update

Commissioner Burke presented a brief report.

The committee has updated the *Membership* (1.2) and *Rules and Procedures* (1.4) sections. Commissioner McGill suggested that the section pertaining to ethics training be modified to *require* that all Commissioners, including Public Members, receive ethics training. Other Commissioners were in agreement.

Commissioner Andersen suggested that, in the *Membership* section, the subsection about City Members should reference the Contra Costa County Mayors' Conference as the City Selection Committee.

Commissioner Piepho commented on the availability of ethics training.

Upon motion of Blubaugh, second by Piepho, Commissioners unanimously approved the updated policies with the suggested changes to ethics training and city membership.

10. CALAFCO Regional Forums

The Executive Officer presented a letter from Ventura LAFCo suggesting that LAFCOs enhance their educational and networking opportunities through regional forums. They suggest hosting a pilot regional meeting in the Coastal region; and if there is interest, perhaps hosting a regional meeting on an annual basis.

Commissioner McGill, reporting on the discussion of this idea at the CALAFCO Board meeting on November 8, stated that there was general interest in encouraging all regions to hold such forums. The southern region already does this, but their counties are geographically closer together. The Board, however, does not want this to become a new responsibility for CALAFCO.

Commissioner McGill suggested that perhaps Alameda and Contra Costa LAFCOs could host the first such forum for the coastal region, perhaps focusing on Plan Bay Area. Commissioners agreed that they would be amenable to trying this.

11. 2014 LAFCO Meeting Schedule

The Executive Officer presented the 2014 meeting schedule, noting that there were no exceptions to the regular schedule for the coming year.

Upon motion of Blubaugh, second by Piepho, Commissioners unanimously approved the 2014 LAFCO meeting schedule as presented.

12. Response to Contra Costa County Grand Jury following up on Report No. 1105 “Ethics & Transparency Issues in Contra Costa County”

The Executive Officer reviewed the Contra Costa County Grand Jury Report No. 1105, entitled “*Ethics & Transparency Issues in Contra Costa County*” and presented a draft response to the request for an update.

Staff pointed out that the draft letter would need to be modified as a result of the changes made in the updated Rules and Procedures policy.

Upon motion of McGill, second by Blubaugh, Commissioners approved the response to the Contra Costa Grand Jury with the changes indicated, and directed LAFCO staff to send the response by November 19, 2013.

13. Authorization to Request the County Auditor-Controller to Collect Funds for Late Payment from the Rollingwood-Wilart Park Recreation & Park District (RWPRPD)

The Executive Officer reported that all agencies’ annual payments to LAFCO’s budget have been paid for Fiscal Year 2013-14 except from the RWPRPD, which owes \$16.58. The District has been unresponsive to the Auditor-Controller’s letters, and the Government Code allows LAFCO to utilize an alternative method for collecting payment from the agency’s property tax.

Commissioners discussed the amount of staff time expended on this situation, and expressed concern about the efficacy of the RWPRPD.

Commissioner Meadows encouraged the Commission to take a hard look at districts in the second round Municipal Service Reviews.

Upon motion of Piepho, second by Schroder, Commissioners unanimously authorized the Executive Officer to request the County Auditor to collect funds in the amount of \$16.58 from the RWPRPD from the District’s share of property tax pursuant to Gov. Code §56381(c).

14. CALAFCO 2013 Legislative Wrap-up

The Executive Officer presented a year-end summary of LAFCO-related legislation. Most notably, the island annexation bill passed, which deletes the Jan 1, 2014 sunset date for annexing small islands to cities using the streamlined process. In addition, the annual CALAFCO omnibus bill passed, which makes technical corrections to the CKH.

Also, the CALAFCO Legislative Committee will hold its kick-off meeting via conference call on Nov 25. Commissioner McGill and the Executive Officer were reappointed to the Legislative Committee by the CALAFCO Board.

Commissioner McGill added that he is now an at-large member of the Legislative Committee, and he is one of six board members on that committee. The next meetings will be on November 25 and December 6; if Commissioners are interested in bringing forward any issues, let him know. He suggested that committee members seek out freshmen legislators to cultivate relationships.

15. Correspondence from CCCERA

There were no comments on this correspondence.

16. Commissioner Comments and Announcements

Commissioner McGill reported that there has been a change in the 2014 CALAFCO calendar. The 2014 Annual Conference will now be held October 15-17 in Ontario. And as a point of information, the 2015 Annual Conference will be held September 1-3, 2015, most likely in Sacramento.

Commissioner McGill also asked that the CALAFCO Executive Director's report and the information about the CALAFCO 50<sup>th</sup> Anniversary class at UC Davis both be forwarded to all Commissioners.

17. Staff Announcements and Pending Projects

There were no staff announcements.

The meeting was adjourned at 2:12 p.m.

Final Minutes Approved by the Commission December 11, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

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