

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

May 10, 2017

Board of Supervisors Chambers
Martinez, CA

July 12, 2017
Agenda Item 5

1. Chair Don Blubaugh 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:

County Members Candace Andersen and Federal Glover and Alternate Diane Burgis.
Special District Members Mike McGill and Igor Skaredoff and Alternate Stanley Caldwell.
City Members Rob Schroder and Don Tatzin.
Public Member 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 Andersen, Commissioners, by a vote of 7-0, adopted the agenda.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

5. Resolution Celebrating the Life and Honoring the Memory of John T. Knox

Chair Blubaugh presented a resolution honoring John T. Knox, the “father of LAFCO,” to his son, John M. Knox, and grandson, Alex Knox, both of whom shared personal stories of Mr. Knox, one of California’s more important legislators.

6. Public Comments

Commissioners wished Commissioner Glover a happy birthday.
There were no comments from the public.

7. Approval of March 8, 2017 Meeting Minutes

Upon motion of Tatzin, second by Glover, the minutes were approved by a vote of 7-0.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

8. Reclamation District (RD) 2121 (Bixler Tract)

The Executive Officer provided background on this district, referencing a letter from the State Controller’s Office, classifying RD 2121 as an “inactive” district as part of the State’s efforts to clean up their records and eliminate inactive districts that do not follow the laws governing districts. Further, in 2015, following LAFCO’s 2nd round MSR, LAFCO adopted a

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zero SOI for RD 2121, signaling a future change of organization (i.e., dissolution or consolidation). This conclusion is consistent with the 2009 (1st round MSR) recommendation to dissolve the district. Both MSRs recommended various improvements for RD 2121, which have not been acted on.

Communication from the landowner following distribution of the staff report acknowledges that the district has no board, no finances, and has taken no efforts to improve governance. However, the district objects to being dissolved, noting the catastrophic year of precipitation, and that remaining a district is the only avenue available for a small business to improve levees.

Commissioners questioned what would change if RD 2121 were dissolved, given that it is their land and they are in fact going to protect it from flooding by maintaining their levees. The primary difference is that as a special district RD 2121 is eligible for state and federal funds, either as matching grants for major levee upgrades or in emergencies.

Commissioner McGill noted that in the past few years State legislators are paying more attention to special districts and LAFCOs and their efficacy. More legislation skirting LAFCOs is coming forward from legislators who are missing the full picture. Discussion ensued regarding what Commissioners can do to help legislators understand what LAFCOs can and cannot do, and at the same time, work harder with the districts in our county to ensure that they comply with state laws.

Commissioners returned to discussion of the status of RD 2121, suggesting that perhaps the landowners simply have not been pushed hard enough. Staff suggested that an approach similar to that taken with Castle Rock County Water District, whereby LAFCO requested a progress report in six months, might have some results.

The Executive Officer noted that this will also give LAFCO time to see what happens with SB 448, proposed legislation that would provide a streamlined process for dissolving inactive districts. Current law requires at least one public hearing and a protest hearing if necessary.

Upon motion of Tatzin, second by Andersen, the Commission directed staff to send a detailed letter to the landowners of RD 2121, outlining the actions expected from the district and setting a reporting deadline of October 1. The Commission will then consider next steps following the response.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

9. LAFCO Strategic Planning Workshop

The Executive Officer noted that the FY 2017-18 work plan includes conducting a strategic planning session. Previous strategic planning sessions in 2011 and 2013 provided a valuable opportunity for Commissioners and staff to explore LAFCO's mission and priorities.

Commissioner Blubaugh favored going over the status of MSRs. Commissioner Tatzin suggested evaluating LAFCO's success in those items that have been prioritized in past workshops, staffing/location and budgeting, and wondered if there were any legislative initiatives needing direct action from this LAFCO. Commissioner McGill applauded the idea of spending time on this sort of exercise, and suggested that this LAFCO consider what is going on in Sacramento while compiling ideas for a strategic planning session.

Commissioner McGill also suggested that the multipurpose room of Central Contra Costa Sanitary District could be made available for this session; he also can probably secure the use of one of the meeting rooms at John F. Kennedy University in Pleasant Hill.

Following discussion of priorities, Commissioners addressed the issue of whether or not to have a facilitator, and a convenient date for the workshop. September was deemed the preferred month, with October as a second choice—using the regular LAFCO meeting date for the workshop.

Regarding the use of a facilitator, Commissioners agreed that they would prefer that Chair Blubaugh serve as the facilitator for the workshop.

10. Fiscal Year 2017-18 Final Budget and Work Plan

The Executive Officer presented the final budget for Fiscal Year 2017-18, which is comparable to the proposed budget presented in March, with the addition of \$30,000 to begin paying down the CCCERA liability. The final budget reflects an overall increase of 5.45%, which is primarily attributable to the addition of the CCCERA fund.

Brief discussion ensued regarding the comparable costs of relocating LAFCO to the new government center when it is built or to 40 Muir Road, which is scheduled to take place in early 2018. Staff responded that the 40 Muir Road location will allow for an earlier hiring of an additional staff member. Additionally, in response to other questions, Commission monthly meetings can be held either in the Zoning Authority Hearing Room at 30 Muir Road, or in the Board of Supervisors Chamber at 651 Pine Street or in the new government center once built.

Chair Blubaugh opened the public hearing - there were no speakers. The public hearing was closed and discussion returned to the Commissioners.

Upon motion of Tatzin, second by McGill, Commissioners, by a 7-0 unanimous vote, approved the final budget for FY 2017-18 as presented, and directed staff to distribute the final budget to the County, cities, and special districts.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

11. Award Contract - Healthcare Services Municipal Services Review/SOI Updates

The Executive Officer reported that three consulting groups (Berkson Associates/The Abaris Group, Harvey M. Rose Associates, and RSG) had submitted proposals for the 2nd round Healthcare Services MSR. Interviews were held by a screening committee of LAFCO professionals, who agreed that all of the consultants were well qualified to take on the project. However, the screening committee believes that Berkson Associates/The Abaris Group offers several advantages, in that Berkson Associates has prepared special studies on two of the three healthcare districts in Contra Costa County and worked on the 2nd round EMS/fire services MSR last year. Also, the Abaris Group is a Martinez-based firm that has worked extensively with Contra Costa County and on LAFCO's inaugural healthcare MSR.

Upon motion of McGill, second by Skaredoff, Commissioners unanimously, by a 7-0 vote, authorized staff to execute a contract with Berkson Associates/The Abaris Group to prepare

the 2nd round healthcare services MSR/SOI updates for the term June 1, 2017 through January 31, 2018 in an amount not to exceed \$50,750.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

12. FY 2016-17 Third Quarter Budget Report

The Executive Officer reported that expenditures to date for the first three quarters of this fiscal year are approximately 53% of total appropriations. Application revenue is slightly below that of FY 2015-16; during the first nine months of FY 2015-16, LAFCO received five new applications, whereas four new applications have been received in the first nine months of FY 2016-17.

Upon motion of Glover, second by Schroder, Commissioners unanimously, by a 7-0 vote, received the FY 2016-17 third quarter fiscal report.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

13. Legislative Report - Update and Position Letters

The Executive Officer reported on the three bills (AB 1725, AB 464, AB 979) that CALAFCO is sponsoring this session and noted the letters sent by this LAFCO in support of the bills. CALAFCO is also tracking a number of bills which have direct and indirect impact on LAFCOs.

Upon motion of Tatzin, second by Glover, Commissioners unanimously, by a 7-0 vote, received the legislative report.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

14. Contract Extension - Lamphier-Gregory

The Executive Officer presented an extension to the current contract with Lamphier-Gregory for environmental planning services. The one-year extension includes minor increases to the hourly rates (average 6%), and the addition of \$20,000 to the original contract amount. The last rate adjustment occurred in 2013-14. Adequate funds are included in the FY 2017-18 budget.

Upon motion of Glover, second by Andersen, Commissioners unanimously, by a 7-0 vote, authorized staff to execute a one-year contract extension with Lamphier-Gregory extending the term of the contract through June 30, 2018; approving the increase of hourly rates; and adding \$20,000 to the contract amount.

AYES: Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: none
ABSTAIN: none

15. Plan Bay Area 2040 Update

The Executive Officer informed Commissioners that Plan Bay Area 2040, recently released, updates the initial Plan Bay Area 2013. In conjunction with the release of the plan, a Draft EIR was released. Several of the Bay Area LAFCOs, including Contra Costa, are working on a joint comment letter to be submitted to ABAG and MTC prior to the June 1st deadline. A copy of the letter will be provided to the Commission.

16. Correspondence – CALAFCO and CCCERA

There were no comments regarding correspondence.

17. Commissioner Comments and Announcements

Commissioner McGill reported that he attended the CALAFCO Legislative Committee meetings on March 24 and May 12, as well as the CALAFCO Board meeting on May 5.

Commissioner McGill commented on an op-ed piece by Oakley Councilmember Kevin Romick; he asked for clarification on the process to be followed in order for the cities of Oakley and Brentwood to provide fire protection services to their own residents.

18. Staff Announcements

The Executive Officer drew Commissioners' attention to the letter from CALAFCO thanking Commissioner Tatzin for his participation in the State Assembly Local Government Committee's oversight hearing on healthcare districts and LAFCOs.

The Executive Officer thanked the Commissioners for the opportunity to attend the 2017 CALAFCO Staff Workshop held in April in Fresno.

The Executive Officer also reported that with no actionable items scheduled for June, the June LAFCO meeting will be cancelled.

The meeting adjourned at 2:39 p.m.

Final Minutes Approved by the Commission July 12, 2017.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer