

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

November 8, 2017

Board of Supervisors Chambers
Martinez, CA

December 13, 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 Alternate Diane Burgis.
Special District Members Mike McGill and Igor Skaredoff and Alternate Stanley Caldwell (arrived at 1:35 p.m.).
City Members Rob Schroder and Don Tatzin.
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 Tatzin, second by Andersen, Commissioners, by a unanimous vote of 7-0, adopted the agenda.

AYES: Andersen, Blubaugh, Burgis (A), McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

5. Public Comments

There were no public comments.

6. Approval of October 11, 2017 Meeting Minutes

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

AYES: Andersen, Blubaugh, Burgis (A), McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

7. LAFCO 17-07 - Cities of Antioch and Pittsburg Sphere of Influence (SOI) Amendments

The Executive Officer reported that this proposal would expand the City of Pittsburg's SOI and reduce the City of Antioch's SOIs by 193± acres, composed of two parcels. The City of Pittsburg has submitted a corresponding application to annex the same area to the City of Pittsburg, CCWD and DD, which is currently pending. The area is an unincorporated island surrounded by the cities of Antioch and Pittsburg. The purpose of the SOI proposal is to allow for the eventual annexation and extension of municipal services to the Tuscany Meadows Residential Subdivision on the 170± acre parcel. The development will include 917 single-family lots, up to 353 multi-family units, parks, open space and storm water detention basins.

The proposal area also includes a 23-acre parcel owned by Chevron surrounded on three sides by the development site, zoned for industrial use and currently utilized as a pumping facility and field office. Chevron operates two active, high pressure buried pipelines, which are used to transport crude

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oil and natural gas, in the vicinity of project site. The existing Chevron facility will remain in place and unchanged, and is being included with the annexation to avoid creation of an island. This site is undergoing soil remediation in accordance with a 2006 Remedial Action Plan (RAP). The California Regional Water Quality Control Board (RWQCB) is responsible for overseeing the site's cleanup and remediation. The landowner indicates that in accordance with the RAP, the bio cells are stockpiled on site, and they will eventually be excavated and buried under the future streets below finished grade. The stockpiles are in the center of the site so it will probably be several years before the development reaches this area.

The City of Pittsburg, as Lead Agency, prepared and certified the Tuscany Meadows EIR, along with a statement of overriding considerations and mitigation monitoring and reporting program (MMRP). The MMRP includes a mitigation measure relating to the soil contamination.

Louis Parsons, representing the landowner, SeeCon Built Homes, thanked the cities of Antioch and Pittsburg for their work on this proposal; stating that it's been a long process, that the EIR was certified and that the RWQCB has approved the cleanup plan.

In response to Commissioner Skaredoff's questions about the Chevron pipelines and safety issues concerning them, Mr. Parsons assured Commissioners that there is no history of accidents, that the pipelines are not in the proposed residential area, much of the soil in the area doesn't exceed the maximum contamination allowed (but some does), and that the RWQCB has approved the mitigation and remediation. Commissioners Tatzin and McGill noted that they had previously talked with Mr. Parsons and thanked him for his answers. Commissioner McGill also noted that the groundwater in that area is not good in any case.

Upon motion of Tatzin, second by Schroder, the Commissioners unanimously determined that the City of Pittsburg prepared and certified the Environmental Impact Report, Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; certified that the Commission has reviewed and considered the information contained in the CEQA documents; found that there are no direct or indirect environmental effects that will result from LAFCO's approval; and approved the expansion of the City of Pittsburg's SOI and corresponding reduction to the City of Antioch's SOI to include 193.48± acres.

AYES: Andersen, Blubaugh, Burgis (A), McGill, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

8. Fire & Emergency Medical Services Update

The Executive Officer provided background on the status of fire and emergency medical services since the most recent municipal services review (MSR), and reported that Paige Meyer, on behalf of the fire chiefs association, had requested a continuation of this item from the October 11, 2017 meeting, as all fire protection districts were busy providing support to fighting the fires in Napa, Sonoma, and Solano counties and beyond.

Chief Paige Meyer, San Ramon Valley FPD, noted that as the chair of the Contra Costa County Executive Fire Chiefs Association, he was speaking for all of them in acknowledging the challenges and tough decisions that were navigated over the past several years. They all feel they have come a long way, with luck, innovation, and collaboration, and their new direction with EMS and the AMR/CCCFFPD joint venture has made them a model for the rest of the country.

Chief Meyer introduced the chiefs who were present, and turned reporting over to them.

Brian Helmick, East Contra Costa FPD Chief noted that last month he was appointed to the permanent position of Fire Chief. He reported that ECCFFPD has worked to come up with short-term solutions while recognizing long-term issues. The district has eliminated temporary funding, and is beginning to live within its means—knowing that it is underserving its jurisdiction, but working with

a sustainable three-station model. The district has stabilized and is working on personnel retention, along with a measurable strategic plan, operational fiscal plan and service plan with priorities and price tags. They have issued a Request for Proposals for a legislative consultant to help the district identify issues and related funding opportunities. The Chief thanked CCCFPD for being a good neighbor.

Chief Helmick introduced ECCFPD Board Director Joe Young, who has worked closely with the chief on many of the issues facing the district. Director Young commended the Chief for building morale and instituting programs and indicated that the Chief has the support of the Board.

Commissioner Tatzin asked if there is anything LAFCO can do. Chief Helmick responded that there is nothing right now, but if LAFCO Commissioners see something that needs to be addressed, he would welcome their input.

Commissioner Burgis stated how impressed she is with Chief Helmick, how he has improved morale both in the ranks, has reached out to critics, and partnered with stakeholders and the community.

Commissioner Skaredoff thanked Chief Helmick for participating in the recent presentation at Contra Costa Special Districts Association, and commended him for setting up a solid foundation for the future.

Bryan Craig, Interim Chief of Rodeo-Hercules Fire District, drew Commissioners' attention to the written statement he had provided for the agenda packet and noted that the plight of small fire districts is still challenging. RHFD is only able to succeed through mutual aid and automatic aid agreements.

Commissioner Tatzin thanked him and asked about the concept of three-way collaboration among RHFD, City of Pinole, and Contra Costa County FPD (CCCFPD). Chief Craig stated that has currently been tabled.

Scott Kouns, Pinole Fire Department Chief, noted that he is new to this job, and sees some challenges, the need for some changes, and opportunities. He has reached out to CCCFPD for EMS training. In response to a question from Commissioner Tatzin, Chief Kouns stated that Pinole has one fire station.

Lance Maples, Chief of El Cerrito Fire Department and Kensington FPD, noted that he has seen changes in LAFCO and in the fire districts in the time since LAFCO's first MSR. He reported that all three of the stations under his leadership are fully funded and fully staffed. Also, that Kensington FPD is in the design phase of a new station, and El Cerrito FD has re-established an agreement with the City of Berkeley. He also commented on the regional homeland security grant.

Jerry Lee, Moraga-Orinda Fire District Interim Chief, stated that the district is currently recruiting for a new chief, and should know in the next few weeks who that will be. MOFD continues to work with all other fire districts as needed.

Chief Paige Meyer, SRVFPD, returned to the lectern to report that his district found that the economic downturn a few years back helped the district reorganize its organization, and make changes that have benefitted both the organization and the employees—including overfunding their pension fund by \$200-300,000 a year, and buying down their OPEB fund. This has required a lot of education and collaboration, especially with labor. He gives all credit to the troops in this process.

Chief Meyer also delivered regrets from Chief Carman (Contra Costa County FPD) and others who could not be in attendance.

Commissioner Burke pointed out that SRVFPD is the only fire district in the county that has a different, much lower tax for EMS, because SRVFPD has its own ambulance service. She asked if that money is being returned to SRVFPD? Chief Meyer's response is that currently it is not. He noted that previously about \$250,000 was paid out, and SRVFPD would get \$30-33,000 back. Four years ago they went to a population-based model for calculating, and SRVFPD has suffered from that. It has not

been at the top of his priority list with everything else he's been working on. Commissioner Burke reminded Chief Meyer that those funds legally belong to the fire district. Chief Meyer will take this issue to his next meeting with the Local Emergency Medical Services Agency (LEMSA).

Gil Guerrero, Vice President Local 1230 and Captain with ECCFPD, thanked Chief Helmick and Director Joe Young for their 180-degree shift in operations the last couple of months, delegating, getting the troops on board, establishing committees—but the district is still severely understaffed. To loosely quote the Golden State Warriors coach Steve Kerr, "It's amazing what you can accomplish when no one cares who gets the credit." He's seeing good things happening in East County.

Michelle Fitzer, Pinole City Manager, reported that when Rodeo-Hercules FD decided it could not participate in a three agency collaboration, Pinole and CCCFPD looked into a similar arrangement for two agencies, but it was not a viable option for CCCFPD. At that point, the City of Pinole went forward with a search for a fire chief for the city's department. They're very impressed with Chief Kouns and they look forward to working with the other fire districts in the West County area.

Vince Wells, President Local 1230 and Captain/Paramedic with CCCFPD, reported that the district has opened/reopened two stations, in Concord and Pittsburg, and is looking ahead to opening a new station (#16) and rebuilding #78 in San Pablo. He also noted that there is a significant drain on resources in the east end of CCCFPD; and that the passage of Measure O has helped the problems at RHFD considerably. He thanked LAFCO for keeping these issues visible.

Chair Blubaugh brought the discussion back to the Commissioners, asking for ideas on what they may want to focus on; he noted there are still some pending SOIs, as well as MSRs for cities that will address their fire departments.

Commissioner Tatzin stated that, setting aside the city fire departments as they will be addressed in the upcoming city MSRs, there is not much to be done except reaffirm existing SOIs for agencies that the Commissioners have not yet addressed.

Commissioner McGill noted how impressed he is by the progress that has been made, but we're not out of the woods yet, especially in some districts. He would still like to see an annual update and would like to deal with the SOIs that have not yet been approved. He thanked the chiefs for their reports and for making a special effort to be there.

Commissioner Burgis commented on the progress made and the cooperation and collegiality demonstrated.

Commissioner Blubaugh noted that in the last five years, this is the first positive fire service update, as in the past, the updates were not positive. He recognizes a lot of work still needs to be done, but things certainly look better.

The Chair asked the Executive Officer to bring back some of the outstanding SOIs in the near future.

9. CCCERA Correspondence

There were no comments on this.

10. Commissioner Comments and Announcements

Commissioner McGill reported that he attended the CALAFCO Annual Conference, and will be attending the first CALAFCO Legislative Committee meeting by phone on November 18. On December 8, he will attend the CALAFCO Board meeting in Sacramento. He has been asked to chair the finance committee dealing with dues. It will be a busy year.

Commissioner Burke announced that she would be resigning LAFCO as of January 1, 2018, to travel around the world with her husband. Further it has been a great privilege to serve since she replaced Bill Bristow; she has had a great eight years.

Chair Blubaugh commented that Commissioner Burke has done great work, especially with policies and procedures.

Commissioner McGill expressed his concern, as he has come to rely on Commissioner Burke's research, which is so important.

Commissioner Skaredoff thanked Commissioner Burke for her mentorship—and for serving as his driver at the CALAFCO Annual Conference.

Commissioner Schroder noted that he has been on LAFCO for 15 years, and he is still learning, but he has always been impressed with Commissioner Burke's taxation knowledge.

Commissioner Andersen added that she would have more to say in December, but she really appreciates Commissioner Burke's expertise on the CSA P taxes.

Commissioner Burgis reported that the subcommittee formed to address Reclamation District 2121's status as a special district met with Tom Bloomfield on November 1st. She also noted that she found the CALAFCO Annual Conference interesting, and she is happy to be on LAFCO.

Commissioner Tatzin noted that the Policies and Procedures Ad Hoc Committee will need to be reconfigured.

11. Staff Announcements

The Executive Officer drew Commissioners' attention to her report on the CALAFCO Annual Conference. She reported on attending the recent Contra Costa Special Districts Association meeting that focused on property taxes, which was great. She has also attended: Richmond City Council (North Richmond annexation); met with CSDA Bay Area Field Coordinator; participated in the RD 2121 committee meeting/field trip; and attended the Board of Supervisors meeting where the proposal to submit an application for the dissolution of Los Medanos Community Healthcare District was approved. She has also agreed to serve a second year as co-chair of the CALAFCO Legislative Committee.

The meeting adjourned at 2:43 p.m.

Final Minutes Approved by the Commission December 13, 2017.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer