

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

November 9, 2011

Board of Supervisors Chambers
Martinez, CA

1. Vice Chair Don Tatzin 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 Rob Schroder and Don Tatzin.

County Members Federal Glover and Gayle Uilkema and Alternate Mary Piepho.

Special District Members Dwight Meadows and George Schmidt.

Public Members Martin McNair 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 Uilkema, second by Glover, the agenda was adopted unanimously.

5. Public Comments

There were no public comments.

6. Approval of October 12, 2011 Meeting Minutes

Upon motion of Glover, second by Uilkema, the minutes for the October 12, 2011 meeting were approved unanimously.

7. Northeast Antioch Update

The Chair asked Victor Carniglia, representing the City of Antioch, to expand on the written report submitted to the Commission.

Mr. Carniglia reported that there would be more tangible news following the November 28 committee meeting.

Discussion ensued regarding the applicability of SB 244 (Wolk) to the proposed annexation area and whether this recent law conflicts with island annexations. Clarification on some of the language of SB 244, especially Section 10, was requested.

There was discussion regarding grant opportunities and the timeline. Commissioner Tatzin asked if there is anything that will delay the schedule as set out; Carniglia said there is not.

The Vice Chair thanked Carniglia for his time.

8. Cemetery and Recreation & Parks Progress Reports

The Executive Officer gave an overview of the MSR examining cemetery and recreation & park districts and noted that progress reports had been requested from Alamo-Lafayette Cemetery District, Byron-Brentwood-Knightesen Union Cemetery District, County Service Areas (CSA) R-4, CSA R-9, and Rollingwood-Wilart Park Recreation & Park District. The Vice Chair suggested that each progress report be discussed separately.

Alamo-Lafayette Cemetery District (ALCD)

The Executive Officer noted that the MSR identified boundary and SOI irregularities for this District, and recommended that the District review these irregularities as well as property tax, fee, and capacity issues.

Primo Facchini, ALCD Board Chair, agreed that the boundary and SOI should be changed. He also indicated that the board would like to include Walnut Creek in the service boundary as well, without adding that city to the tax rolls (residents would be eligible for services in exchange for fees).

Upon motion of Uilkema, second by McNair, Commissioners unanimously received the report and directed staff to meet with the ALCD staff to determine exact boundary and SOI lines.

Commissioner Burke asked Facchini about including parts of Alamo (Stonegate) that are not currently included in the service boundary.

Byron-Brentwood-Knightsen Union Cemetery District (BBKUCD)

The Executive Officer noted that the MSR also recommended that BBKUCD review its boundary and SOI as well as its fees and capacity. The District has notified LAFCO that it is planning to annex the remaining portion of Oakley that is not already in the District's boundary. An SOI adjustment will be needed prior to this annexation.

Cecilia Larez, with BBKUCD, stated that the BBKUCD Board has already submitted a resolution to request an adjustment to the SOI in anticipation of annexation.

Upon motion of Uilkema, second by McNair, Commissioners unanimously received the report and directed staff to proceed in working with BBKUCD staff to update the SOI and prepare an annexation application.

CSA R-4

The Executive Officer stated that the MSR raised questions as to why this CSA was not dissolved upon the incorporation of Moraga, and possible duplication of services, and identified governance options. Staff is working with Moraga and County staff to set up meeting to discuss these issues and come to resolution.

Upon motion of Uilkema, second by McNair, Commissioners unanimously received the report.

CSA R-7

The Executive Officer noted that the MSR had identified a number of boundary options for this CSA. Supervisor Piepho's previously worked with the Alamo MAC, the Round Hill community on outreach and education regarding possible annexation of Round Hill to CSA R-7, and gained support. County staff is currently preparing the annexation application to be submitted to LAFCO in the near future.

Upon motion of Uilkema, second by McNair, Commissioners unanimously received the report.

CSA R-9

The Executive Officer stated that the MSR noted a lack of community interest as well as no regular source of revenue other than developer fees/park dedication funds for CSA R-9. Since the MSR, the County has folded the R-9 advisory body into the El Sobrante MAC, and community interest has increased. Efforts are underway to study the feasibility of developing two community centers in the area, and R-9 will explore opportunities for shared use facilities at school sites.

Commissioner Schmidt verified that the El Sobrante MAC wishes to pursue the above possibilities for the District.

Upon motion of Uilkema, second by McNair, Commissioners unanimously received the report and directed the staff to request an update from the District in 12 months.

Rollingwood-Wilart Park Recreation & Park District (RWPRPD)

The Executive Officer noted that according to the MSR report the District faces ongoing governance and operational challenges, and was operating with only three Board members, with one Board member serving as District staff, which may be a legal conflict. The District has reported that it now has four board members and is actively seeking a fifth. It has not yet addressed the operational issues identified in the MSR. Staff has contacted Supervisor Gioia's office to arrange a meeting to discuss both RWPRPD and CSA R-9.

Commissioners discussed the possibility of annexing RWPRPD to the City of San Pablo. Commissioner Schmidt noted that there is some land outside of RWPRPD that could also be annexed into San Pablo at the same time.

Upon motion of McNair, second by Uilkema, Commissioners unanimously received the report and directed staff to request an update from the District in 12 months.

9. Professional Service Contract – Burr Consulting

The Executive Officer gave an overview of those districts still awaiting a first round MSR—including library services and a number of miscellaneous CSAs. It is proposed that Burr Consulting, which has previously prepared this LAFCO's MSRs for Fire & Emergency Medical Services, Reclamation Services, Parks & Recreation and Cemetery Services, Resource Conservation and Mosquito & Vector Control Services, be retained to prepare the library/misc services MSR.

Upon motion of Uilkema, second by Burke, Commissioners unanimously authorized LAFCO staff to execute a service agreement with Burr Consulting in an amount not to exceed \$35,000.

10. 2012 LAFCO Meeting Schedule

Upon motion of McNair, second by Uilkema, Commissioners unanimously approved the 2012 LAFCO meeting schedule as presented.

11. Professional Services Contract – R.J. Ricciardi, Inc.

Upon motion of Uilkema, second by McNair, Commissioners unanimously authorized LAFCO staff to execute a contract with R.J. Ricciardi, Inc. to prepare the financial audits for years ending June 30, 2011 and June 30, 2012, with an option to prepare the financial audit for year ending June 30, 2013 in an amount not to exceed \$18,000 for three annual financial audits.

12. Correspondence

There were no comments on the CCCERA correspondence provided.

13. Commissioner Comments and Announcements

Commissioner Tatzin reminded Commissioners that the Chair has asked that they provide their staff evaluations by the end of November.

14. Staff Announcements and Pending Projects

The Executive Officer announced that the next CALAFCO U class will be held in San Jose on February 3rd, and that the topic will be healthcare districts. Staff has been asked to present a case study based on the Mt. Diablo Health Care District review. There will be a presentation of the draft MDHCD special study at the December LAFCO meeting, and the final report is due in January 2012.

The Executive Officer also informed Commissioners that there will be an out-of-agency service extension application on the December agenda. It has been submitted by Contra Costa Water District, to provide service to the Clayton Regency Mobile Home Park.

The meeting was adjourned at 2:18 p.m.

Final Minutes Approved by the Commission on December 14, 2011.

AYES: Butt, Glover, McGill, McNair, Meadows, Tatzin, Uilkema

NOES:

ABSTAIN:

ABSENT: Schroder (M)

By  _____
Executive Officer