1. **Call to Order and Pledge of Allegiance**
Chair Marchand called the meeting to order at 4:32 p.m. The Pledge of Allegiance was recited.

2. **Roll Call.**
Roll was called. A quorum was present of the following commissioners:

- **County Members:** Scott Haggerty (arrived 4:35 during item 3) and Nate Miley (arrived 4:44 during item 5)
- **City Members:** John Marchand, Jerry Thorne and alternate David Haubert
- **Special District Members:** Ayn Wieskamp, Ralph Johnson and alternate Georgean Vonheeder-Leopold
- **Public Members:** Sbland Sblandorio and alternate Tom Pico

**Not Present:** Wilma Chan, alternate County Member

**Staff present:** Mona Palacios, Executive Officer; Andrew Massey, Legal Counsel, and Sandy Hou, Clerk

3. **Public Comment**
Commission Chair Marchand invited members in the audience to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission. There were no comments.

**CALAFCO Award Presentation** (part of 11.c. – taken out of order in consideration of the awardees’ time constraints)

Chair Marchand announced that the California Association of Local Agency Formation Commissions (CALAFCO), the State association of Local Agency Formation Commissions, had recently awarded its 2015 Government Leadership Award to six local agencies participating in the Tri-Valley Integration Study because of the example of good government they demonstrated by working together to improve efficiency of services delivered to the public. Chair Marchand presented the award certificates to representatives from the six agencies: Dublin Mayor David Haubert, Pleasanton Mayor Jerry Thorne, San Ramon Vice Mayor Harry Sachs, Zone 7 Water Agency Board President Sarah Palmer, Dublin San Ramon Services District Board member Georgean Vonheeder-Leopold, and himself as Mayor of Livermore.

4. **Approval/Correction of Minutes – July 9, 2015**
Commissioner Sblandorio pointed out that he did not vote on item 12 of the agenda – the nominations for CALAFCO Board of Directors and CALAFCO Annual Achievement Awards. On condition that the minutes would be changed to reflect such, Commissioner Wieskamp motioned and Commissioner Johnson seconded to approve the minutes of the July 9, 2015 regular meeting. Motion passed.

- **AYES:** 6 (Haggerty, Johnson, Marchand, Sblandorio, Thorne, Wieskamp)
- **NOES:** 0
- **ABSENT:** 1 (Miley)
- **ABSTAIN:** 0

5. **Presentation on Countywide Solid Waste Services**
Following introductory remarks by staff, Dr. Gary Wolff, Executive Director of StopWaste, an agency governed jointly by the Alameda County Waste Management Authority, the Alameda County Source
Reduction and Recycling Board, and the Energy Council that focuses on reducing the stream of waste in Alameda County, provided an overview of the solid waste system in the county - a system that includes public agencies that make solid waste service decisions, private garbage hauling and recycling companies, transfer stations, landfills, and small open market service providers. The Commission had a variety of comments and questions during and after Dr. Wolff’s presentation and expressed appreciation to him for all the information he shared, as this was a topic of wide concern and interest.

6. Fairview Fire Protection District Annual Update

In her introductory remarks, staff explained that the update being provided at today’s meeting was a requirement of LAFCo resolution 2014-08 and that the LAFCo Fairview Fire Protection District (FFPD) ad hoc committee had met with district representatives a few days prior, on September 8th, at which time FFPD Consultant Mike Preston and Board member Michael Justice had provided the committee with an update.

Following staff’s introduction, Mr. Preston provided an update on the District’s progress of implementing its strategic plan, noting the District’s hope and request was that the Commission would, in view of the progress made by the District, lift the provisional status of the District’s Sphere of Influence (SOI), and grant it a coterminous SOI.

Commission Discussion

Commissioners Miley and Vonheeder-Leopold, members of the Commission’s FFPD ad hoc committee that had met with District representatives on September 8th, commended the District for making progress on its strategic plan and noted that the District’s expansion of consultant Mike Preston’s responsibilities was especially reassuring. They recommended that the Commission consider eliminating the provisional SOI and assign a coterminous SOI, with the only condition being that the District return in a year to report on the further progress of its strategic plan implementation. At that time the Commission could decide if they want any further reports or not.

Staff and Counsel explained that because the item had been placed on the agenda as informational only, no action to change the SOI could occur at today’s meeting, but would have to wait for a subsequent meeting.

Commissioner Marchand expressed strong disagreement with the recommendation of the ad hoc committee, noting various concerns he has that show the District is not demonstrating due diligence that he would expect to grant a coterminous SOI. His concerns included:

- The District taking credit for the ISO rating (by association), when, actually credit should go to the City of Hayward whom the District contracts with for provision of services, as the District itself does not have any employees.
- The website is very outdated. Minutes from recent Board meetings are not posted and disaster preparedness training for the public lists 2007 dates.
- The budget includes $10,000 every year for an election, when elections occur only every two years.
- A significant discrepancy in Mr. Preston’s comments concerning the operating budget for 2016 decreasing by $57,000 and what appears on the website indicating that the 2016 budget increased by 32%.

Commissioner Marchand also pointed out that the Educational Revenue Augmentation Fund (ERAF) take is higher for special districts than for cities, so there may be potential for savings for taxpayers if operations were handled directly under the city rather than under a special district.

Mr. Preston replied that he did not create the budget and he was not prepared to respond to budget questions noted by Commissioner Marchand, but assured the Commission that he would look into the matter.

Hayward Fire Chief Garrett Contreras responded to Commissioner Haggerty’s inquiry into response times of the Hayward Fire Department in the Fairview area, noting the excellent ratings achieved by the department. Chief Contreras also indicated his frustration with the District’s website, but noted that under the competent
leadership of new District Board president Leslie West, the District is working on hiring a new webmaster to redesign and update it.

Commissioner Sblendorio thanked the subcommittee members for their efforts to provide guidance to the District. He commented that having a strategic plan was a good step in the right direction, but that it must be implemented. Progress still needs to be made.

Chair Marchand emphasized that the District needs proper oversight and recommended not lifting the provisional coterminous SOI status.

Commissioner Miley recommended giving the District a chance to address the concerns expressed by Commissioner Marchand, and having the District return to a future meeting for the Commission to consider taking action on the SOI status.

After brief discussion, the Commission agreed to Mr. Preston’s request that the District return to the Commission at its next regularly scheduled meeting on November 12, 2015.

7. **2016 Commission Meeting Schedule**

Upon motion by Commissioner Wieskamp and second by Commissioner Sblendorio, the following dates were unanimously approved for Commission meetings in 2016:

January 14, March 10, May 12, July 14, September 8, and November 10.

| AYES: | 7 (Haggerty, Johnson, Marchand, Miley, Sblendorio, Thorne, Wieskamp) |
|NOES: | 0 |
|ABSENT: | 0 |
|ABSTAIN: | 0 |

The meetings will continue to be held at 4:30 pm at the same location – Dublin San Ramon Services District board chambers in Dublin.

8. **CALAFCO Changes**

Staff highlighted changes to CALAFCO that the Board of Directors had adopted in July and had presented to the membership at the September 3rd business meeting during the annual conference in Sacramento:

- Increased hours for its Executive Director – from 24 hours a week to 32 hour per week, resulting in an expected annual membership fee increase of $530 next year
- CALAFCO Annual Conference Location Changes – instead of the host changing each year, there will be three anchor locations - San Diego, Sacramento and Monterey – with a 4th location to rotate every 4th year. Will take effect in 2017 (2016 Conference already scheduled for Santa Barbara)
- CALAFCO Annual Conference hosting obligations will be taken over by CALAFCO who will hire a sponsorship coordinator to assist with offsetting conference costs.

Staff also mentioned that Commissioners Sblendorio and Marchand were elected to serve on the CALAFCO Board of Directors – Commissioner Sblendorio as the public member for the Coastal region and Commissioner Marchand as the City member for the Coastal region.

9. **Summer Youth Intern Report**

Staff provided a summary report on the various projects and assignments that summer youth intern, Ariana Yu, had focused on during her time with LAFCo this past summer, and noted that due to her familiarity with LAFCo from interning two years in a row, her productivity was quite impressive. It was noted that Ariana had expressed sincere appreciation for her internship opportunity and had shared during the program’s closing
session several valuable insights that she had learned from her experience, in addition to practical skill building. Staff thanked the Commission for the opportunity to again participate in the Alameda County Youth Leadership Summer Internship Program and hopes to host an intern again next year.

10. Matters Initiated by Members of the Commission

Commissioner Haggerty recommended that, in future meetings, Countywide service presentations (such as item 5 on Solid Waste Services) be presented later on the agenda. He noted that three fire chiefs had been in attendance waiting for quite some time for the discussion of agenda item 6 (Fairview Fire Protection District Update) and, in consideration of the critical nature of their responsibilities, it would have been preferable to have had that item precede the Countywide presentation.

Commissioner Pico asked two questions for Commission consideration, both of which were to clarify LAFCo’s authority. One was regarding whether LAFCo approval should be required prior to the direct injection of reverse osmosis (RO) treated wastewater into a groundwater basin – something he believes is a major change with potential environmental impacts. The second question was whether LAFCo approval should be required before any expansion of the Tesla off road vehicle park, as again, that would be a major change with significant environmental impact. He referenced Article 1.5, sections 56824.12 and 56824.14 of the law governing LAFCos concerning proposals to provide new or different services. Following some discussion, Commissioner Splendorio requested staff and legal counsel provide an explanation of what the law allows at a future meeting.

11. Informational Items – Discussion, if any, or further information is noted after the item.

a. Application Update
   - Staff noted that a property owner in the Panoramic Hill area of Berkeley was seeking LAFCo follow up with Berkeley and Oakland to get them to detach the territory from Oakland and annex it to Berkeley. In response to Commissioner Marchand’s inquiry, staff confirmed that the letter from Bashir Anastas provided in the agenda packet with this item was regarding that matter, and explained that although LAFCo can recommend a boundary change through its assignment of spheres of influence, it does not have authority to initiate a boundary change. She further shared that she had invited Mr. Anastas to attend a meeting and address the Commission in person about his concerns if he so wished.
   - Staff also noted that the Commission could expect to see a request on the November agenda to waive the application fee from a property owner in the Happy Valley area seeking to get sewer services.

b. Legislative Update
   Staff provided information and there was some discussion about:
   - AB 72 (Bonta), a special provision to clarify that the Eden Township Healthcare District can place a special tax on the ballot. This was a “gut & amend” bill that was recently introduced on September 4th.
   - SB239, a bill proposing to expand the review requirement for the extension of fire protection services beyond a jurisdiction’s boundary.
   - SB 25 which would rectify funding that was taken away from four recently incorporated southern California cities.

   - Staff noted that Alameda LAFCo had garnered 1st Place for its red wine entry and 3rd place for its beer entry in the Beer and Wine Competition, and that the winners would be invited to the Commission’s November meeting to receive their respective medals.
   - Staff also mentioned the successful Sustainable Groundwater Management Act presentation session as well as a session on broadband that was moderated by Commissioner Splendorio.
   - Commissioner Marchand found the session on Leadership challenges in current times presented by (former CALAFCO Executive Director) Bill Chiat very interesting.
• Commissioner Vonheeder-Leopold had high praise for the LAFCo 101 session, which she found very informative and interesting.

12. **Adjournment of Regular Meeting**
The meeting was adjourned at 6:45 p.m.

13. **Next Meeting of the Commission**
Thursday, November 12, 2015 at 4:30 p.m.

Respectfully submitted,

Sandy Hou, Commission Clerk

These minutes were approved by the Commission on November 12, 2015.

Attest: Mona Palacios, LAFCo Executive Officer