

SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

May 14, 2009

1. Call to Order and Roll Call

Chair Foulkes called the meeting to order at 4:31 p.m.

Roll was called. A quorum was present of the following Commissioners:

City Members: Marshall Kamena and Jennifer Hosterman

County Members: Nate Miley, Gail Steele and alternate Scott Haggerty

Special District Members: Katy Foulkes, Ayn Wieskamp and alternate Louis Andrade (arrived after roll was called)

Public Members: Sblend Sblendorio and alternate David Haubert

Commissioners absent: Anthony Santos, City Member

Staff present: Mona Palacios, Executive Officer; Brian Washington, Counsel; Ineda Adesanya, LAFCo Planner; and Sandy Hou, Clerk

2. Welcome New/Returning Commissioner

Chair Foulkes noted that the Alameda County Mayors' Conference had recently reappointed Commissioner Kamena to serve on the Commission as a City member.

3. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Upon motion by Commissioner Kamena and second by Commissioner Sblendorio, the Commission unanimously agreed to continue item #7 (City of Livermore's Las Positas Road Reorganization #5) to the July meeting, thereby eliminating the need for a closed session at today's meeting.

4. Public Comment – There was none.

5. Approval/Correction of Minutes

Upon motion by Commissioner Wieskamp and second by Commissioner Kamena, the minutes of March 12, 2009 were approved.

**6. Alameda County Water District Annexation 102, Tract 7409 (Mayfield Housing Corporation)
Request to Waive Indemnification Requirement**

Staff provided a summary of the written report. Chair Foulkes inquired of Counsel if the Commission could change its policy regarding indemnification such that an applicant be required to either indemnify LAFCo itself or to identify another appropriate party to indemnify LAFCo. Counsel indicated that the Commission could choose to do that, but should perhaps keep in mind that such a

policy could possibly provide less protection. Chair Foulkes requested that LAFCo's Indemnification Policy be discussed at a future meeting.

Upon motion by Commissioner Steele and second by Commissioner Wieskamp, the Commission approved Alameda County Water District's request to allow the developer in this case to provide indemnification in place of the applicant.

7. Las Positas Road Reorganization No. 5 (also referred to as Hilliker) Annexation to the City of Livermore and Corresponding Detachment from and Sphere of Influence (SOI) Amendments to the Alameda County Library District and the Alameda County Fire Department

As noted above (see item 3), this item was continued to the July 9, 2009 meeting.

(NOTE: Subsequently, the City of Livermore requested this item be continued to the September 10, 2009 meeting.)

8. Final Fiscal Year 2009-2010 Budget and Work Plan

Staff summarized the written report. Chair Foulkes opened and closed the public hearing with no public comments received. Upon motion by Commissioner Kamena and second by Commissioner Hosterman, the final fiscal year 2009-2010 Budget and Work Plan was approved and Staff was directed to forward the budget to affected agencies.

9. Memorandum of Understanding with Alameda County for Operational Support

Staff provided brief remarks. Upon motion by Commissioner Kamena and second by Commissioner Wieskamp, the Commission approved staff's recommendation to renew the existing MOU with the County for a period of five years, from July 1, 2009 through June 30, 2014.

10. Matters Initiated by Members of the Commission

Chair Foulkes requested that discussion of the Commission's indemnification policy be an agenda item at a future meeting. (see item 6 above)

11. Informational Items – Written reports were provided for items a.-c. Items d. and e. were oral reports. Comments as noted below.

a. Application Update – Commissioners Foulkes and Steele expressed appreciation to Staff for the written update, noting its usefulness. Staff indicated her intent to provide this update at each future meeting.

b. City of Hayward Mt. Eden Phase II annexation status update

c. 2009 CALAFCO Staff Workshop report back

d. CALAFCO University – SB 375: So What Does It Mean for LAFCo – Staff provided summary remarks about this class that had been attended by herself, Commissioner Sblendorio, Audrey Beaman from Counsel's office and LAFCo Planner Ineda Adesanya.

- e. **2009 CALAFCO Conference in Yosemite, October 27-31** – Commissioners were reminded about this upcoming meeting and encouraged to attend.

12. Adjournment of Regular Meeting

The meeting was adjourned at 4:45 p.m.

13. Next Regular Meeting of the Commission

- Thursday, July 9, 2009 at 4:30 p.m.

NOTE: July meeting was subsequently cancelled due to lack of actionable items; so, the next regular meeting date is September 10, 2009.

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