

APPROVED

Action Minutes

San Mateo Local Agency Formation Commission

November 20, 2013

In the Board of Supervisors' Chambers, 400 County Center, Redwood City, California, Chair Horsley called the regular November 20, 2013 meeting of the Local Agency Formation Commission to order at 3:30 p.m.

Members Present: Commissioners Allan Alifano, David Altscher, Linda Craig, Richard Garbarino, Joe Sheridan, Warren Slocum (Alternate), Chair Don Horsley

Members Absent: Adrienne Tissier

Staff Present: Martha Poyatos, Executive Officer
Rebecca Archer, Deputy County Counsel
Brenda Bennett, Executive Secretary

Alternate Commissioners Jayne Herman and Joshua Cosgrove were present in the audience.

CONSENT AGENDA

- a) Approval of Action Minutes: September 11, 2013
- b) LAFCo File No. 13-11--Proposed Annexation of 1 Grove Court to the West Bay Sanitary District
- c) LAFCo File No. 13-12--Proposed Sewer Extension by City of Redwood City to 938 Upland Pursuant to Government Code Section 56133

Commission Action: M/S Craig/Garbarino to approve the consent calendar.

Motion carried 6-0 with Commissioner Altscher abstaining.

NEW MATTERS

Resolution Honoring David Altscher for his Service to the Commission

Commission Action: M/S Craig/Sheridan to adopt a resolution honoring David Altscher for his service to the Commission.

Motion carried 6-0 with Commissioner Altscher abstaining.

Public Comment

Mr. James Counts, former employee of the San Mateo Mosquito and Vector Control District, said he thought the County should take greater action to acquire governance over the District.

LAFCo File No. 13-05—Proposed Reorganization of the Granada Sanitary District involving sphere amendment and reorganization into the Granada Community Services District in order to add Park and Recreation Services

Executive Officer Poyatos said the Granada Sanitary District (GSD) applied to LAFCo in April 2013 to reorganize into a community services district to provide park and recreation service in El Granada, Princeton, and Miramar in addition to the existing sanitary sewer and garbage collection services. She said LAFCo issued a certificate of incomplete application on May 17, 2013 to allow GSD time to conduct outreach with the community and affected agencies. She noted that District reorganization was subject to registered voter approval if the application was approved by LAFCo.

Executive Officer Poyatos provided a map showing the boundaries of the GSD's existing area of services and the amended boundaries for the proposed provision of park and recreation services. She said the application was based upon a number of studies including the County's Midcoast Parks Needs Assessment.

Ms. Poyatos said the staff report summarizes the budget with a proposal by the District for a phased allocation of property tax over the first five years of operation, initially at \$50,000 a year and then increasing to \$250,000 a year. She said the expenditures were slated to begin in year two and included partnering with other agencies and for maintenance of District-owned lands. She said as revenue exceeded expenditures the District projected a \$482,000 capital fund in year five. She said the budget for sewer was contained in the same document and reflected the allocation of property tax for parks and recreation. She said the District was proposing a pass through agreement with the City of Half Moon Bay as the District territory overlaps with the City and the District receives property tax in the overlap area. She said an agreement for pass through of property tax was recommended as a condition of approval. She also noted a memorandum of understanding was being developed with the Farm Bureau.

Ms. Poyatos noted two letters received since the packet was distributed; one supporting and the other opposing. She said also the City of Half Moon Bay had written that there was a lack of detail about recreational services and facilities to be provided by the District, and the City requested more information if the application were to be approved. She clarified that the City would receive an annual payment from the District rather than a transfer of property tax. She reviewed the LAFCo process for the Commission including the need for an election.

Commissioners asked questions about District services, number of employees and agencies contacted about the proposal.

Public Hearing: Mr. Leonard Woren, President of the District Board, said there was a long acknowledged lack of park and recreation services on the coast. He said the County parks mission was to operate a regional park system, not neighborhood parks and active recreation programs. He said the proposal looked at partnering opportunities with the City of Half Moon Bay, County Parks Department, Cabrillo Unified School District, MROSD, POST, Montara Water and Sanitary District, and other agencies to provide parks and recreation services. He said they requested approval of the application and the holding of an election.

Ms. Sabrina Brennan, San Mateo County Harbor District Commissioner, speaking as a resident and individual, said she supported the reorganization of the Granada Sanitary District and more funding for parks in the midcoast. Regarding the letter attached to the staff report from the Harbor District, she stated that the response was not discussed with the Harbor District Commission.

Mr. Robert Riemer, Half Moon Bay, said he had concerns with the proposal as he believed the Granada Sanitary District was not fulfilling its current responsibilities, citing pollution in Pillar Point Harbor. He said there were no defined actions in the proposal and questioned whether there was sufficient staff to provide stewardship and staff for a parks district. He noted Farrallon School listed in the application was not within Granada Sanitary District.

Ms. Leni Schultz co-chair of the Burnham Strip Committee of the Midcoast Parklands, said that she and the group supported the proposed reorganization of Granada Sanitary District to a community services district. She urged the Commission to approve the proposal so that it could go to a public vote. She said the area was highly deficient in neighborhood parks and the reorganization was needed to address this deficiency.

Ms. Fran Pollard, El Granada, noted a plan for parks that had been adopted by the County 35 years ago. She said the Midcoast Recreation Needs Assessment previously conducted by the County indicated a strong desire for open space and recreational opportunities for the midcoast. She said they were able to get 300 signatures on a petition of support for the proposed reorganization.

Mr. Merrill Bobele, El Granada, said he was speaking on behalf of the Sierra Club Loma Prieta Chapter, noting that they supported the application for reorganization and the holding of an election. He said that the Chapter endorsed the officials elected to the Granada Sanitary District Board.

Mr. Len Erickson, El Granada, Midcoast Community Council member and Midcoast Parklands officer, said he was speaking as an individual. He said he thought Half Moon Bay should view this as an opportunity. He said he recommended approval of the proposed reorganization.

Mr. Dan Haggerty, El Granada, read a letter from another El Granada resident, Chris Johnson, supporting the proposed reorganization to address the lack of parks and recreation services in the midcoast. He said Granada Sanitary District has provided a complete application, and urged the Commission to approve the proposal and put the reorganization on the ballot.

Mr. Dan Haggerty, Midcoast Community Council, said he was speaking as an individual and that there was a great need for parks on the east side of Highway 1. He urged the Commission to approve and move the proposal forward to the ballot.

Mr. David Seaton, recently elected Board member of the Granada Sanitary District Board, said the area clearly needed parks but it was not clear that the current proposal was the best way to accomplish the best outcome. He expressed concern with the multiplicity of sewer and water districts on the midcoast for a relatively small population. He suggested using the proposal to get all of the different entities on the same page and consolidate resources.

Mr. Leonard Woren, Granada Sanitary District Board President, stated if the Granada Sanitary District did not reorganize who would meet the parks and recreation needs.

Mr. Louie Figone, San Mateo County Farm Bureau and Ag Advisory Committee, said he was speaking as an individual. He said that the Farm Bureau was developing a Memorandum of Understanding with the Granada Sanitary District to prevent eminent domain. He said he wanted that as a condition of approval for the application.

Commission Action: M/S Altscher/Garbarino to close the public hearing.

Motion carried unanimously.

Commission Comment: Commissioner Sheridan said he would like more detail on what a reorganized district would commit to providing.

Commissioner Garbarino said he concurred to see more detail as to recreation facilities and services being proposed on the east side of Highway 1. He asked what portion of property tax would be dedicated to parks and recreation.

Mr. Chuck Duffy, General Manager, Granada Sanitary District, said being a sanitary district the Board was not able to take action on any services outside of their jurisdiction. He stated he wanted it to be on the record that the a recent study by the San Mateo County Resource Conservation District found that the main source of pollution is bovine and canine and not sewer related.

Commission Alifano said he would like to see a simple explanation of revenue and expenditure currently and what it would look like if the district was reorganized. Mr. Duffy said that they

were making best projections but were upfront that there would eventually be an impact on sewer rates.

Commissioner Slocum asked if continuing the item would delay the desired election date.

Executive Officer Poyatos said if the District could provide the additional information for a special meeting in December they could keep the election date desired but if not, the election could be held at a later date.

Chair Horsley asked about a Proposition 218 challenge to increased rates.

Mr. Duffy said if that occurred and the rate increase failed, the property tax would need to fund sewer.

Chair Horsley asked if the District had discussed possible consolidation with other districts.

Mr. Duffy said that there have been discussions but no consensus on how to do that. He said delaying the application because of lack of consensus on consolidation would be a disservice to meeting the midcoast's park and recreational needs.

The Commission's consensus was to hold a special meeting on December 18 to allow the District to provide additional information.

Preliminary Consideration of Circulation Draft Municipal Service Review and Sphere of Influence Update for City of Burlingame and the Burlingame Hills Sewer Maintenance District

Executive Officer Poyatos said that the draft municipal service review and sphere of influence update for the City of Burlingame and the Burlingame Hills Sewer Maintenance District was being distributed for comment. She said since the publication of the agenda packet she had held a workshop with Burlingame Homeowner Associations, whose residents are served by the County's Burlingame Hills Sewer Maintenance District. She said some of the residents' expectations were beyond the scope of a municipal service review and that the review was not a proposal to annex but a look at how the area might be best served. She said the key issues of service being provided by the County was the distance of the County's Department of Public Works corporation yard from the area served and the costs of maintaining the system with a small user base and inadequate rates. She said some residents wanted their properties annexed to Hillsborough.

Public Comment: Mr. Kamran Ehsanipour, Burlingame Hills, said that the lots in Burlingame Hills were larger and on slopes. He said the lifestyle was quite different there from other portions of Burlingame and if annexation was necessary that Hillsborough was the better choice than Burlingame for Burlingame Hills properties.

Ms. Poyatos said that a revised circulation draft, comments, and recommended determinations would be presented to the Commission at the January 15, 2014 meeting.

Legislative Report & Update on Chaptered Bills Affecting LAFCo

There was no report.

Application Received but not yet Ready for Hearing: LAFCo File No. 13-13—Proposed Annexation of 3 Grove Court to the West Bay Sanitary District

Information only.

Appointment of Chair and Vice Chair for 2014

Commission Action: M/S Craig/Alifano to nominate Commissioner Garbarino as Chair for 2014.

Motion carried 7-0.

Commission Action: M/S Sheridan/Garbarino to nominate Commissioner Craig as Vice Chair for 2014

Motion carried 7-0.

Appointment of Budget Committee and Other Committees for 2014

By consensus for 2014, the Budget Committee members are Commissioners Alifano, Craig, and Horsley and the Legislative Committee members are Commissioners Garbarino and Horsley.

Commissioner/Staff Reports

Commissioner Craig said she had attended the Los Trancos County Water District community workshop conducted by the Executive Officer on November 19, 2013. She noted that the workshop was well presented and attended, and residents' main concerns were about risk and property owned by the District.

Adjournment

The meeting was adjourned at 5:10 p.m. in memory of Mr. William J. "Bill" Schumacher, former San Mateo County Supervisor.