

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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Action Minutes

San Mateo Local Agency Formation Commission Meeting

November 20, 2019

In the Board of Supervisors' Chambers, 400 County Center, Redwood City, California, Chair Draper called the Wednesday, November 20, 2019 meeting of the Local Agency Formation Commission (LAFCo) to order at 2:30 pm.

1. Roll Call

Members Present: Commissioners Don Horsley, Ric Lohman, Mike O'Neill, Harvey Rarback (Alternate), Warren Slocum and Chair Ann Draper

Members Absent: Commissioner Rich Garbarino and Vice Chair Joshua Cosgrove

Staff Present: Martha Poyatos, Executive Officer

Rob Bartoli, Management Analyst

Rebecca Archer, Legal Counsel

Janneth Lujan, Commission Clerk

2. Consent Agenda

- a. Approval of Action Minutes: September 18, 2019
- b. LAFCo File No. 19-10 - Proposed Outside Service Agreement for sewer and water by the City of Redwood City to a proposed single-family home at 1462 Edgewood Road, Parcel 2, Redwood City (APN 058-021-050) pursuant to Government Code Section 56133 (less than one acre)

Commission Action: Commissioner Rarback moved to approve the consent agenda consisting of the Action Minutes for September 18, 2019; LAFCo File No. 19-10 - Proposed Outside Service Agreement for sewer and water by the City of Redwood City to a proposed single-family home at 1462 Edgewood Road, Parcel 2, Redwood City (APN 058-021-050) pursuant to Government Code Section 56133 (less than one acre). Commissioner Slocum seconded the motion, which passed unanimously. (Ayes:

COMMISSIONERS: JOSHUA COSGROVE, CHAIR, SPECIAL DISTRICT ▪ WARREN SLOCUM, VICE CHAIR, COUNTY ▪ RICH GARBARINO, CITY ▪ DON HORSLEY, COUNTY ▪ MIKE O'NEILL, CITY ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ REBECCA ARCHER, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

Commissioners Horsley, Lohman, O'Neill, Rarback, Slocum, and Chair Draper. Abstentions: None; Noes: None)

3. Public Comment for Items Not on the Agenda

None

4. LAFCo File No. 19-07 – Proposed Outside Service Agreement for sewer by the City of South San Francisco to a proposed single-family home at 386 Dorado Way, unincorporated San Mateo County (APN 013-124-020) pursuant to Government Code Section 56133 (less than one acre)

Management Analyst Bartoli provided an oral presentation to the Commission. LAFCo File No. 19-07 requests LAFCo approval of an Outside Service Agreement for sewer by the City of South San Francisco to a proposed single-family home at 386 Dorado Way, unincorporated San Mateo County. Mr. Bartoli stated that the property is currently developed, but the property owner proposes to demolish the structure and build a new home on the property which will require abandonment of the existing septic system and connection to public sewer.

Mr. Bartoli noted that the project area is within the sphere of influence of the City of South San Francisco and is contiguous to the City boundary. However, the City's General Plan, which was adopted in 1999, currently does not permit the City to annex individuals parcels in the Country Club Park area.

Mr. Bartoli explained that the City's General Plan states that no portion of the area should be annexed unless the entire area is annexed. He stated that in recognition of this policy constraint and the City's on-going General Plan update, LAFCo staff supports an Outside Service Agreement in lieu of annexation conditioned upon the property owner recording a document consenting to future annexation of the property to the City.

Mr. Bartoli stated that LAFCo staff will also remain engaged through this process, noting that there have been several additional inquiries from other property owners in Country Club Park. He explained that there have also been a few changes in the demand for housing, including accessory dwelling units, since the City last adopted General Plan. He said that in light of these changes, LAFCo staff and the City will work with these property owners towards a comprehensive solution that allows for annexations within the County Club Park area. Mr. Bartoli restated the staff recommendation that the Commission approve the proposal.

Commission Action: Commissioner Horsley moved to approve LAFCo File No. 19-07 outside sewer service agreement by the City of South San Francisco for 386 Dorado Way. Commissioner Rarback seconded the motion, which passed unanimously. (Ayes: Commissioners Horsley, O'Neill, Rarback, Slocum, Lohman and Chair Draper. Abstentions: None; Noes: None)

5. LAFCo file No. 19-08 – Proposed Outside Service Agreement for sewer by the City of South San Francisco to an existing single-family home at 382 Dorado Way, unincorporated San Mateo County (APN 013-124-010) pursuant to Government Code Section 56133 (less than one acre)

Mr. Bartoli presented the proposal to the Commission. He explained that similar to item 4, this proposal is for an Outside Service Agreement for sewer by the City of South San Francisco to a proposed single-family home at 382 Dorado Way, unincorporated San Mateo County, which is adjacent to 386. He stated that the property is currently developed, but the property owner proposes to construct an addition to the existing house, along with the construction of an Accessory Dwelling Unit and a sewer connection is required as the existing septic system is not adequate.

Mr. Bartoli explained that the project area is within the sphere of influence of the City of South San Francisco and is contiguous to the City boundary. However, the City's General Plan currently does not permit the City to annex individual parcels in the Country Club Park area.

Mr. Bartoli stated that the City's General Plan states that no portion of the area should be annexed unless the entire area is annexed. In recognition of this policy constraint and City's ongoing General Plan update, LAFCo staff supports an Outside Service Agreement in lieu of annexation conditioned upon the property owner recording a document consenting to future annexation of the property to the City. Staff recommended approval of the proposal.

In response to Commissioner Horsley's question regarding incorporating the entire area of Country Club Park, Executive Officer Poyatos explained that based on the City's current regulations, the annexation would have to be the entire area, as parcel by parcel annexations are not permitted.

Chair Draper opened the public hearing and closed it as there were no speakers.

Commission Action: Commissioner O'Neill moved to approve LAFCo File No. 19-08, Outside Sewer Service Agreement by the City of South San Francisco for 382 Dorado Way. Commissioner Rarback seconded the motion, which passed unanimously. (Ayes: Commissioners Horsley, O'Neill, Rarback, Slocum, Lohman and Chair Draper. Abstentions: None; Noes: None)

6. Legislative and Policy Committee

a. Legislative Report

Mr. Bartoli provided a brief legislative report. He noted that staff continues to track 24 bills as mentioned at the last LAFCo meeting and noted that with the conclusion of the 18-19 legislative session, a number of state laws will come into effect on January 1.

Mr. Bartoli provided the following summary of bills that were chaptered:
AB 508 makes changes to statute related to the State Water Resources Control Board's authority to order the consolidation of drinking water systems.

AB 600 will make changes to LAFCo requirements for approving specified annexations to disadvantaged unincorporated communities. San Mateo LAFCo was opposed to this bill.

AB 1822 will make several non-controversial changes to LAFCo statutes which govern local government organization and reorganization.

AB 825 made changes to the San Mateo County Flood Control District Act. This District, however, is not under the purview of LAFCo.

Mr. Bartoli reported that both the California State Assembly – Local Government Committee and the California State Senate - Senate Committee have compiled end of the year summaries regarding state laws that were heard by the committees this year as well.

In response to Commissioner Lohman's comment, Ms. Poyatos answered that any bill that proposed circumventing LAFCo are very closely watched by CALAFCo.

7. California Association of Local Agency Formations Commissions (CALAFCO)

a. Report on Attendance at the 2019 Annual Conference in Sacramento

Ms. Poyatos and Mr. Bartoli noted that the conference included numerous workshops and sessions focused on best practices and case studies for local LAFCos. Sessions included, a mobile workshop on the annexation of West Sacramento, stress-testing local agencies in the face of climate change, a case study of a water utility in LA County, state legislation update, communication planning for LAFCos, and improving leadership skills.

Mr. Bartoli specifically attended the following sessions: Mobile Workshop, Stress-testing LAFCOs and local agencies in changing times, It takes a village: State, County and LAFCo collaboration to solve a local problem which occurred at the state capital building, Regional Roundtables, The legislative menu: Plan it rather than be served on it, What's your story? Crafting and communicating a compelling LAFCo narrative, Leading your LAFCo into the next decade with courage and independence, and CALAFCO legislative update: 2019 legislative impacts on LAFCo

Commissioners O'Neill, Lohman and Horsley also attended the Conference and shared their thoughts on the various sessions they attended.

b. *The Sphere*, October 2019

Ms. Poyatos noted that information was in the packet and available for review.

8. Appointment of Chair and Vice Chair for 2020

Commissioner Cosgrove was appointed to the position of Chair for 2020 and Commissioner Slocum was appointed Vice Chair for 2020.

9. Appointment of Budget Committee and Legislative/Policy Committee for 2020

Commissioners Mike O'Neill, Horsley and Draper were appointed to the Budget Committee and Commissioners Lohman, Martin and Jim O'Neill were appointed to the Legislative and Policy Committee for 2020.

10. Commissioner/Staff Reports

No reports were given by Commissioners.

Ms. Poyatos reported that she and Mr. Bartoli attended the California Special District Association's first Roundtable on Climate Adaptation in Berkeley on November 6th, 2019. Ms. Poyatos also updated the Commission on other projects that staff is working on.

In response to a question from Chair Draper regarding the Commission's role of the Commission in municipal service reviews and data collection, Ms. Poyatos stated that staff would provide the data gathering tools for MSR's to the Legislative and Policy Committee for review for subsequent review by the Commission.

Commissioner Lohman commented that another valuable experience at the Annual CALAFCO Conference was an appearance by Senator Robert Hertzberg, co-author of the Cortese Knox Hertzberg Local Government Reorganization Act of 2000.

11. Adjournment

Chair Draper adjourned the meeting at 3:02 p.m.