

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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Action Minutes

San Mateo Local Agency Formation Commission Meeting

July 17, 2019

In the Board of Supervisors' Chambers, 400 County Center, Redwood City, California, Chair Draper called the Wednesday, July 17, 2019 meeting of the Local Agency Formation Commission (LAFCo) to order at 2:30 pm.

1. Roll Call

Members Present: Commissioners Joshua Cosgrove, Rich Garbarino, Don Horsley, Ric Lohman (arrived at 2:31 p.m.), Harvey Rarback (Alternate), Warren Slocum, and Chair Ann Draper

Members Absent: Mike O'Neill

Staff Present: Martha Poyatos, Executive Officer

Rob Bartoli, Management Analyst

Rebecca Archer, Legal Counsel

Janeth Lujan, Commission Clerk

Chair Draper acknowledged Alternate Public Member Jim O'Neill and alternate special district member Kati Martin present in the audience.

2. Consent Agenda

a. Approval of Action Minutes: May 15, 2019

Commission Action: Commissioner Horsley moved to approve the consent agenda consisting of the Action Minutes for May 15, 2019. Commissioner Rarback seconded the motion, which passed unanimously. (Ayes: Commissioners Cosgrove, Garbarino, Horsley, Rarback, Slocum, and Chair Draper. Abstentions: None; Noes: None; Absent: Lohman)

3. Public Comment for Items Not on the Agenda

None

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

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

Chair Draper said for the record (2:31 p.m.) that Commissioner Ric Lohman had joined the Commission at the dais.

4. Presentation – San Mateo County Hazard Mitigation and Planning, Dan Belville, San Mateo County Director of Public Safety Communications

Dan Belville, San Mateo County Director of Public Safety Communications, said he also assisted the Board of Supervisors and County Manager on emergency preparedness and fire risk planning. He reported on efforts to consolidate coordination among entities for emergency and safety planning within the County as well as efforts to obtain support and resources from the state. He said planning was in process to create evacuation routes and maps of those as well as to do topographical vegetation mapping. He discussed efforts related to home hardening and goals of that to improve the fire safety of residences. He answered Commission questions and invited further questions or comments be sent to him by email. Chair Draper said that the Commission in its municipal service reviews would take into consideration the impact of natural hazards and mitigation planning.

5. LAFCo File 19-04 – Proposed Emergency Sewer Extension by the City of Redwood City to an existing single-family home at 155 Harcross Road, Town of Woodside (APN 069-041-100) pursuant to Government Code Section 56133

Executive Officer Poyatos referred to her July 8, 2019 report for LAFCo File 19-04 noting that County Environmental Health supported the proposal. She said the City of Redwood City requested LAFCo approval of the sewer extension in June 2019. She said the action was supported by the Town of Woodside. She said this sewer extension was not subject to the deferred annexation policy as the property was outside the City of Redwood City's sphere of influence and located in another city. She said the project was exempt from CEQA and staff recommended approval.

Chair Draper confirmed there were no members of the public to speak on the item.

Commission Action: Commissioner Horsley moved to approve LAFCo File 19-04 – Proposed Emergency Sewer Extension by the City of Redwood City to an existing single-family home at 155 Harcross Road, Town of Woodside (APN 069-041-100) pursuant to Government Code Section 56133. Commissioner Slocum seconded the motion, which passed unanimously. (Ayes: Commissioners Cosgrove, Garbarino, Horsley, Lohman, Rarback, Slocum, and Chair Draper. Abstentions: None; Noes: None.)

6. LAFCo File 17-19 – Proposed Annexation of Assessor's Parcels 046-031-020 (1304 Elmer Street) and 046-031-030 (633 O'Neill Avenue) and associated road Right-of-Way on Old County Road and O'Neill Avenue, and detachment of subject parcels and road Right-of-Way

from the Harbor Industrial Sewer Maintenance District and the Belmont Highway Lighting District to the City of Belmont

Management Analyst Bartoli presented the staff report dated July 8, 2019. He said the applicant was proposing a multi-family development called Windy Hills on two of the subject parcels proposed for annexation and three other parcels already located in the City of Belmont. He said the project would provide 250 residential apartment units with 38 of those affordable for low income households. He said the proposal also included transferring road right-of-way to the City of Belmont so that all road right-of-way for the proposed project would be within one jurisdiction. He said the one neighboring property in unincorporated San Mateo County was not interested in annexation to the City of Belmont. He said the City of Belmont was supportive of the proposal and indicated it had sufficient resources and revenue to serve the future development. He said the proponent had received will serve letters from all of the related utility providers, and the proposal would not exceed the potential buildout of the Belmont Village Specific Plan. He said regarding the California Environmental Quality Act CEQA, the City of Belmont certified a final environmental impact report (FEIR) for the City's 2035 General Plan and Belmont Specific Plan in October 2017. He said the project environmental review required an addendum to the FEIR, which stated that the project would not result in any significant impacts that had not been considered by the original FEIR. He said the Belmont City Council adopted the Addendum on May 14, 2019. He reviewed the Commission's CEQA responsibility and concluded with the two recommended actions requested of the Commission.

Chair Draper opened public comment.

Carlos de Melo, Community Development Director, City of Belmont, said the City supported the proposal and 15% of the housing units would be affordable at a low-income level.

Todd Eicher, the project applicant noted he was available for any questions.

Commission Action: Commissioner Garbarino moved to certify that the Commission reviewed and considered the Belmont Village Specific Plan Environmental Impact Report and subsequent addendum for the Windy Hill project including any findings and the mitigation and monitoring program, prepared by the City of Belmont as lead agency and that mitigation measures are within the responsibility and jurisdiction of the City of Belmont and not LAFCo (Section 15091(a)(2)). Commissioner Slocum seconded the motion, which passed unanimously. (Ayes: Commissioners Cosgrove, Garbarino, Horsley, Lohman, Rarback, Slocum, and Chair Draper. Abstentions: None; Noes: None.)

Commission Action: Commissioner Garbarino moved to adopt a resolution approving LAFCo File 17-19 – Proposed Annexation of Assessor’s Parcels 046-031-020 (1304 Elmer Street) and 046-031-030 (633 O’Neill Avenue) and associated road Right-of-Way on Old County Road and O’Neill Avenue, and detachment of subject parcels and road Right-of-Way from the Harbor Industrial Sewer Maintenance District and the Belmont Highway Lighting District to the City of Belmont and direct the Executive Officer to waive conducting authority proceedings.

Commissioner Slocum seconded the motion, which passed unanimously. (Ayes: Commissioners Cosgrove, Garbarino, Horsley, Lohman, Rarback, Slocum, and Chair Draper. Abstentions: None; Noes: None.)

7. Legislative and Policy Committee

a. Municipal Service Reviews and Sphere of Influence Policy Updates

Chair Draper thanked alternate LAFCo members Kati Martin and Jim O’Neill for their active participation on the Legislative and Policy Committee.

Executive Officer Poyatos highlighted proposed changes to the Municipal Service Review Policy noting the addition of determination factors related to water resiliency and climate change and impact of natural hazards and mitigation planning. She outlined the process and proceedings for a Municipal Service Review. She noted that a draft letter to the County, cities, special districts, homeowner associations, and other interested parties for distribution of the draft policies was included in the agenda packet.

Mr. Bartoli reviewed the proposed changes to the Sphere of Influence Policy noting that the distinction between city sphere and district sphere were eliminated and the reference to urban service areas was eliminated. He noted the Commission had copies at the dais of a change on the first page. He said language was added to the second paragraph under *Background* specifically referencing that LAFCo would utilize general plans, local coastal programs, and other local planning documents to inform and guide decisions when going through the Sphere of Influence update process.

Commission Action: Commissioner Horsley moved to direct LAFCo staff to circulate the draft revised municipal service review and sphere of influence policy documents to the County, cities, special districts, homeowner associations, and other interested parties, and place the consideration of adoption of both policies on the September 18, 2019 meeting agenda.

Commissioner Lohman seconded the motion, which passed unanimously. (Ayes: Commissioners Cosgrove, Garbarino, Horsley, Lohman, Rarback, Slocum, and Chair Draper. Abstentions: None; Noes: None.)

b. Legislative Report

Mr. Bartoli said the Legislative and Policy Committee met on July 3, 2019 and at that time CALAFCO was reviewing and tracking 24 measures. He said there were no new letters of

support or opposition requested by CALAFCO. He said LAFCo staff and CALAFCO would continue to track the 24 items. He said there were a number of bills related to water consolidation and extension of utilities outside of jurisdictional boundaries. He noted AB 825 (Mullin) was legislation to form the San Mateo County Flood and Sea Level Rise Resiliency District. He said if enacted the enabling legislation of the County-governed Flood Control District would be amended to reorganize the District into an independent agency with board members appointed by the County Board of Supervisors and the 20 cities, and that reorganization would not be subject to LAFCo review.

8. CALAFCO

a. Nominations for 2019-2020 CALAFCO Board of Directors

Chair Draper noted that nominations were being accepted for County and Special District members for CALAFCO's Coastal Region, which was the region San Mateo LAFCo was located. Ms. Poyatos noted that she found out earlier that day that the Public Member would not continue on the CALAFCO Board and that was also open for nomination. She said that LAFCo alternate members could run for the CALAFCO Board. She said that if San Mateo LAFCo Commissioners were elected to the CALAFCO Board that the budget would need an amendment to provide funds for travel related to CALAFCO Board meetings.

b. CALAFCO Letter Regarding 2019 Staff Workshop

Item for information only.

9. Commissioner/Staff Reports

None

10. Adjournment

Chair Draper adjourned the meeting at 3:14 p.m.