

Alameda County Commission on Septic System Issues

September 29th, 2015

Meeting Minutes

Time: 6:00 pm

Location: Castro Valley Library
Community Meeting Room
3600 Norbridge Avenue
Castro Valley, CA 94546

1. **Call To Order** – *The meeting was called to order at 6:04 pm by Marcos Gandara, Septic Commission Chair*
2. **Roll Call**

Commissioners Present:

Dale Silva
Marcos Gandara
Paul Hodges
Connie DeGrange
Jacqueline Sommers

Commissioners Absent:

Darrel Sweet

Presence of a Quorum (Yes/No)

Yes

County Staff Present:

Dilan Roe
Hana AlBarazi
Natali Colom Cruz
Muhammed Khan
Ronald Browder
Kathleen Pacheco, County Counsel

Motions are italicized & bolded

3. **Pledge Of Allegiance**

4. Housekeeping

a. **Change of name from Septic Commission to Onsite Wastewater System Commission**

- i. Dilan proposed a vote to change the name of the Commission from ***“Alameda County Commission on Septic System Issues”***, to ***“Onsite Wastewater Commission”***
- ii. ***Vince Barletta made the motion to change the name***
 1. ***The motion was seconded***
- iii. ***The motion was put to a vote, and was approved unanimously***
 1. Dale Silva suggested the change be made in the by-laws
- iv. Kathleen Pacheco asked Dale if the by-laws were ever approved
 1. Dale replied that he didn’t recall
- v. Kathleen Pacheco stated that she didn’t think the by-laws were ever adopted, and that she would be working with Hana AlBarazi to place the review of draft by-laws on the next agenda.

b. **Septic Commission Roles & Responsibilities**

- i. Kathleen Pacheco gave a presentation on the roles of the Septic Commission and the Brown Act
- ii. Some details from the presentation:
 1. In order to change the name, the Commission (or ACDEH) has to submit a recommendation to the BOS to have the name changed
 2. Items that are not on the agenda may not be added after it has been posted, and may not be discussed in detail during the meeting.
 3. Quorum is when four of seven Commissioners are present
 4. Majority is the majority vote out of the total people present
 - a. If there are 7 Commissioners present, and a vote produces 5 yays, and 2 nays, the majority is 5.
 - b. If there are 6 commissioners present, and there are 3 yays, 2 nays and 1 abstention, the majority is 3.
 - c. If there are less than four people present, voting doesn’t matter because there is no quorum.

c. **Septic Commission Meeting Schedule**

- i. Dilan Roe recommended that the Commission meet more than twice per calendar year in 2016, due to increased urgency and frequency of meetings during development of Alameda County’s Local Agency Management Plan (LAMP).
- ii. Dale Silva moved to have more meetings
 1. Jacqueline Sommers second

- iii. **The vote was unanimous in favor.**
- iv. Dilan asked the Commission if they would like to see the draft resolution outlining this change, before it is sent to the BOS
- v. Marcos Gandara asked when the calendar year begins and ends in order to know how to change the resolution?
 - 1. Kathleen clarified that the calendar year falls from January to December, and proposed an addition to the resolution, which currently requires a meeting happen every 6 months, and no sooner.
 - a. "If ACDEH Staff or the Commission determines an additional meeting would be beneficial, and the Commission concurs, two additional meetings may be held in any calendar year"
 - b. (The statement was adjusted after Jacqueline Sommers suggested the Commission also have the authority to request for additional meetings).
 - 2. Dilan noted that the Commission meetings dedicated to discussing the LAMP would occur in January and in March of 2016, being the first two Commission meetings of the year.
- vi. ***The Commission made a motion to amend the resolution using the language in 1.a) above: "If ACDEH Staff or the Commission determines an additional meeting would be beneficial, and the Commission concurs, two additional meetings may be held in any calendar year"***
 - 1. ***The motion passed unanimously***
- vii. Dilan will forward the copy of the draft resolution to the Commissioners, for review before BOS approval
- d. **Special meeting to discuss agenda items brought forth by Commissioner Sommers**
 - i. Dilan presented the agenda items that Commissioner Jacqueline Sommers requested to be placed on the agenda for this meeting, but were not added due to time constraints of an already full agenda.
 - ii. Dilan let Jacqueline know that ACDEH is working on gathering the information that she requested, and will work to have the information ready to present at the next meeting.
 - iii. Jacqueline Sommers indicated that this would be acceptable. She also stated that she didn't intend for her request to be the impetus for a separate meeting, but instead felt that this information should be provided on a rolling basis as a handout at each meeting, because this is what she has seen at other commission meetings in other counties.

1. Dilan agreed that this is reasonable.
- iv. Jacqueline was surprised that she didn't see points from the last meeting on this meeting's agenda. For example: the number of surveys returned to ACDEH, offering information on their septic system.
 1. Hana made a guess that about 10-15% were returned.
 2. County Counsel advised Dilan that because these items are not on the agenda, they should not be discussed in detail.
- v. Dilan will provide a status update and report on these items at the next meeting.

5. Request for appointment of Sunol Septic Working Group by Septic Commissioners

- a. There is a request for the Commission to consider the establishment and appointment of a Sunol Septic Working Group.
 - i. Goal of the working group is to discuss items relating to septic in Sunol
 1. The working group is proposed to meeting one hour before the Septic Commission.
 - ii. Dilan provided a recommendation not to attach the working group meeting to the septic commission, because there are lot of other communities on septic, and she wouldn't want it to take time away from discussing issues that apply to everyone.
 - iii. Dilan also recommends that it be a standing committee
 - iv. Dale asked if a standing committee would report to the commission
 - v. Kathleen clarified that the commission can really make any decisions they like regarding the working group, in terms of its make-up, how many members, who they report to, when they meet, etc.
 - vi. Vince asked about the purpose of having a separate, and specific meeting for Sunol, how is this different than what the whole county is trying to accomplish?
 - vii. Rosemary Chang (SCAC Chair) in the audience explained that with the upcoming changes to septic permitting, Sunol would like to be in the loop, because there are about 700 residents on Septic, and they have would like better outreach, because of their special needs (site conditions, demographics, etc.)
 - viii. Vince clarified that there are two options: Standing Committee, or part of the Septic Commission
 1. Kathleen – would essentially be a permanent agenda item
 2. Marcos – it could bifurcate the septic commission, if it is a permanent agenda item, take more time away from the County as whole, rather than focusing on a specific area.

3. Vince – the role of the commission is the help with solutions for the LAMP, issues with building in septic areas, under the jurisdiction of the County as a whole
4. If there are too many subgroups, won't that take away from coming up with solutions for the County, and segment each area?
5. Dale – Subcommittees may help vet all the issues, and they will still be discussed at the Septic Commission meetings anyway
6. Vince – ultimately it's a county-wide, state mandated regulation, for the whole area, not just specific areas
7. Dilan – they already have existing regulations that govern septic permitting in alameda county, OWTS Policy only modifies the already existing ordinances
 - a. Different communities may have different solutions for their own challenges that are different from other areas of the county.
 - b. Example: some places are near sewer, but still on OWTS, but other places aren't near sewer at all
8. Connie – thinks it's a practical solution to meet LAMP deadline & address needs
9. Kathleen clarified that the Commission can adopt the recommendation, as it's written, can come up with a new idea, or just say no, or make a motion for further discussion.
10. Jacqueline asked the audience if there are representatives from Sunol that are interested in being a part of the working group.
 - a. (about 4 people raised their hand)
11. Dilan – Sunol does have a lot to say, even if there aren't a lot of people in the room. From a staff perspective, this would allow time to hear and work with Sunol, instead of going out at nights to Sunol, it would allow the County to be more transparent, tie it better to the septic commission.
12. Jacqueline so the Sunol Working group already exists, they are just proposing to have it better tied to the septic commission
13. Dale – moves to establish a standing committee of the septic commission (suggesting a meeting before this meeting)
14. Paul Second
15. Vince wants to know Dilan's preference
16. Dilan suggests that it be a separate meeting, and not take up time at the Septic Commission.

17. Kathleen – there are other options, if you are doing a standing committee, you don't have to limit the time of the meeting to meet before the septic commission, but rather, they can meet anytime, before the septic commission, so their time is not limited, and then report to the septic commission during the regular meetings.
 18. Paul – would we get a copy of the agenda?
 19. Kathleen – yes you can specifically request the staff sends an agenda, and you would need to appoint who will be on the committee, you may all attend, if you want to, or you can nominate 4 people or more, or less
 20. **Dale – motion: to establish a Sunol septic working group as a standing committee of the Septic Commission, that would meet prior to the commission meeting, and would report to the commission. The members will be discussed at a later time.**
 21. **Jacqueline Sommers second**
 22. **Vote – unanimously approved**
 23. Kathleen – now you can discuss and have a motion on who would like to nominate
 24. Jacqueline moves to elect Connie as representative of commission on Sunol Septic Working Group
 25. Kathleen – longevity: could make a motion that SCAC nominate 4 members to serve on the working group)
 - a. **Jacqueline motion: SCAC nominate 4 members to serve on working group**
 - b. **Vince second**
 - c. **Vote – unanimously approved**
 26. Jacqueline expressed her interest in nominating the members during the current meeting.
 - a. They will submit their nomination through Connie
- 6. Identification of additional working groups for Alameda County communities on Septic**
- a. Dilan wants to open the floor for other communities to establish a working group
 - b. Vince – would happy valley be a good candidate
 - i. (after some discussion from regional board & Dilan)
 - ii. Dilan – yes, happy valley is a good candidate
- 7. Update on Alameda County Local Agency Management Plan (LAMP) development**
- a. Rural Community Assistance Corporation (RCAC) – introduction from Karen McBride, RCAC.

- b. Questa Engineering Corporation – introduction from Norm Hantzsche, who has worked with other counties in the Bay Area on their LAMP.
 - c. Regional Water Quality Control Board staff update on LAMP approval process
- 8. Open Forum**
- 9. Board Announcements/Comments/Reports**
- 10. Next Meeting: TBD, Check ACDEH website at:**
http://www.acgov.org/aceh/landuse/events_announcements.htm
- 11. Adjournment** – meeting was adjourned at 8:06 p.m.