



Lou Ann Teixeira
Executive Officer

MEMBERS

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| Donald A. Blubaugh <i>Public Member</i> | Dwight Meadows <i>Special District Member</i> |
| Federal Glover <i>County Member</i> | Mary N. Piepho <i>County Member</i> |
| Michael R. McGill <i>Special District Member</i> | Rob Schroder <i>City Member</i> |
| Don Tatzin <i>City Member</i> | |

ALTERNATE MEMBERS

Candace Andersen
County Member

Sharon Burke
Public Member

Tom Butt
City Member

George H. Schmidt
Special District Member

September 12, 2012 (Agenda)

September 12, 2012
Agenda Item 9

Contra Costa Local Agency Formation Commission (LAFCO)
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Northeast Antioch Monthly Update

Dear Commissioners:

On February 9, 2011 the Commission approved the extension of out of agency service by the City of Antioch and Delta Diablo Sanitation District to the Marsh Landing Generating Station (GenOn) property located in unincorporated Northeast Antioch. The Commission’s approval requires that the City and County provide LAFCO with monthly updates regarding the status of the City/County Northeast Antioch Economic Development Strategy, the proposed annexation of the area, and the tax transfer negotiations. A subcommittee was formed to address these issues.

LAFCO representatives participated in monthly subcommittee meetings since April 2011; and the City and County have provided LAFCO with monthly updates since then. The subcommittee last met in October 2011. Since then, the parties have been engaged in the tax transfer negotiations, and it was reported in June that the tax agreement is complete.

City staff previously reported that the City Council directed its staff to initiate the annexation of Areas 2A and 2B. The City is currently working to retain a consultant to assist with public outreach and education to these areas. The City also reported that in response to comments from West Coast Homebuilders on the City’s CEQA document for Area 1, City staff is amending the document to address the concerns. The revised document will be available in September.

Since the June update, City, County and LAFCO staff received Attorney General (AG) Opinion No. 10-902 relating to island annexations. The opinion concludes that LAFCO may not split a larger island into smaller segments of 150 acres or less in order to utilize the streamlined annexation procedures set forth in Government Code section 56375.3 and thereby avoid the protest proceedings that would otherwise be required. We understand that City and County staff are discussing the AG opinion and potential effects on the Northeast Antioch annexation. The Northeast Antioch Annexation Subcommittee will reconvene on October 1st.

City and County staff will be present at the September 12th LAFCO meeting.

The Commission previously appointed Commissioners McNair and Meadows (regular members) and McGill (alternate) to the Northeast Antioch Annexation Subcommittee. With the departure of Commissioner McNair, the Commission may wish to consider appointing another Commissioner to the Subcommittee.

RECOMMENDATIONS

1. Consider appointing a Commissioner to the Northeast Antioch Subcommittee; and
2. Receive the monthly update and provide further direction as appropriate.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER