



NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, May 8, 2013, 1:30 PM

PLACE: Board of Supervisors Chambers
651 Pine Street, Martinez, CA 94553

NOTICE IS HEREBY GIVEN that the Commission will hear and consider oral or written testimony presented by any affected agency or any interested person who wishes to appear. Proponents and opponents, or their representatives, are expected to attend the hearings. From time to time, the Chair may announce time limits and direct the focus of public comment for any given proposal.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by LAFCO to a majority of the members of the Commission less than 72 hours prior to that meeting will be available for public inspection in the office at 651 Pine Street, Six Floor, Martinez, CA, during normal business hours as well as at the LAFCO meeting.

All matters listed under CONSENT ITEMS are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

For agenda items not requiring a formal public hearing, the Chair will ask for public comments. For formal public hearings the Chair will announce the opening and closing of the public hearing.

If you wish to speak, please complete a speaker's card and approach the podium; speak clearly into the microphone, start by stating your name and address for the record.

Campaign Contribution Disclosure

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

Notice of Intent to Waive Protest Proceedings

In the case of annexations and detachments it is the intent of the Commission to waive subsequent protest and election proceedings provided that all of the owners of land located within the proposal area have consented and those agencies whose boundaries would be changed have consented to the waiver of protest proceedings.

American Disabilities Act Compliance

LAFCO will provide reasonable accommodations for persons with disabilities planning to attend meetings who contact the LAFCO office at least 24 hours before the meeting, at 925-335-1094. An assistive listening device is available upon advance request.

As a courtesy, please silence your cell phones during the meeting.

MAY 8, 2013 CONTRA COSTA LAFCO AGENDA

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. Public Comment Period (please observe a three-minute time limit):
Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.
5. Approval of Minutes for the April 15, 2013 Special Meeting (Strategic Planning Session) and April 17, 2013 regular LAFCO meeting.

MUNICIPAL SERVICE REVIEWS/SPHERE OF INFLUENCE UPDATES

6. *Sphere of Influence (SOI) Updates – Reclamation District (RD) 2137 and County Service Area (CSA) R-4* - the Commission will be asked to update the SOIs for these two districts

BUSINESS ITEMS

7. *Northeast Antioch* – the Commission will receive an update regarding the proposed annexation and strategic planning efforts for Northeast Antioch, and be asked to provide input and direction.
8. *Adoption of Final FY 2013-14 LAFCO Budget* – the Commission will be asked to review and adopt the FY 2013-14 Final LAFCO Budget. **Public Hearing**
9. *Second Round Water/Wastewater Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates* – the Commission will be asked to authorize staff to release a Request for Proposals for consulting services to assist with the second round water/wastewater MSR and SOI updates.
10. *Contract Extension – Lamphier Gregory* - the Commission will be asked to authorize staff to execute a one-year contract extension with Lamphier Gregory, who provides environmental planning services to Contra Costa LAFCO. This is a time only extension.
11. *Mt. Diablo Health Care District Update* - the Commission will receive an update on the District's recent activities following the 2012 reorganization.
12. *CALAFCO 2013 Conference Material and Call for Board of Directors Candidates and Achievement Award Nominations* – the Commission will receive the annual CALAFCO conference packet and be asked to appoint the voting delegate and provide other direction as appropriate.

CORRESPONDENCE

13. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)

INFORMATIONAL ITEMS

14. Commissioner Comments and Announcements
15. Staff Announcements
 - CALAFCO Updates
 - Pending Projects
 - Newspaper Articles

ADJOURNMENT

Next regular LAFCO meeting – June 12, 2013 at 1:30 p.m.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
COMMISSION STRATEGIC WORKSHOP

MINUTES OF SPECIAL LAFCO MEETING

April 15, 2013

Oak View Room
Walnut Creek Library
1644 N. Broadway, Walnut Creek, CA

May 8, 2013
Agenda Item 5a

1. Vice Chair Dwight Meadows called the meeting to order at 1:05 p.m.
2. The Pledge of Allegiance was recited.
3. Roll was called. A quorum was present of the following Commissioners:
City Members Rob Schroder and Don Tatzin.
County Members Federal Glover and Mary Piepho, and Alternate Candace Andersen.
Public Member Don Blubaugh.
Special District Members Michael McGill, Dwight Meadows, and Alternate George Schmidt.
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, Planner Nat Taylor, and Clerk Kate Sibley.
Bill Chiat, of Alta Mesa Group, was in attendance.
4. Commission Strategic Workshop
In a strategic workshop facilitated by Bill Chiat, the commissioners and staff discussed progress made in the past two years since the last strategic workshop, lessons learned from first-round municipal service reviews (MSRs), goals for second-round MSRs, and general goals and objectives for fiscal year 2013-14.

The meeting adjourned at 4:22 p.m.

Final Minutes Approved by the Commission on May 8, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer

DRAFT

CONTRA COSTA LAFCO
STRATEGIC PLANNING WORKSHOP NOTES
APRIL 15, 2013

DISCUSSION TOPICS FOR THE DAY

- How to use Municipal Service Reviews (MSRs)
- How to continue the work and be effective, especially with fire service studies
- Strategic plan for goals and objectives
- Getting the most out of MSRs
- Prioritizing what it is we're accomplishing
- Island annexations
- Where is our focus and intent
 - Service voids - budgets
 - Use of terms and conditions
- What to accomplish with second-round MSRs
- Fire service: model for solution
 - Leadership role
- Out of agency services
- Prioritize:
 1. Fire
 2. Out of area agreements
 3. Island annexation

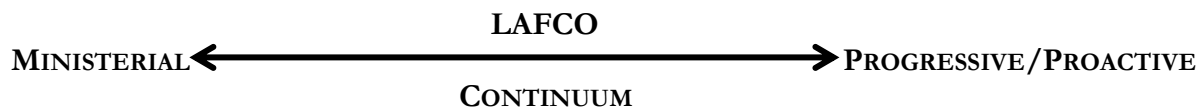
PUBLIC VALUE

- Making government efficient
 - Through MSRs: how structured and where to make recommendations
- MSRs vehicle for transparency
 - Strengths and weaknesses
 - Transparency on any concerns raised
- Facilitator, problem solver, change agent, local advocate
 - Fire; specific projects
 - Propose out-of-box solutions
 - Sustainable community strategy
- Help shape appropriate growth
 - Short- and long-term
 - Think three or four approvals down the line
- Advocacy at state level
 - LAFCO to be more effective
 - Efficiency and authority
 - Advocate locally as well
- Model shifting
 - Reactive → Proactive
 - Change: altitudinal shifts in what LAFCO does

- Ask public to advocate to us
- LAFCO viewed as transparent

SUCSESSES SINCE AUGUST 2011 WORKSHOP

- Island annexations
 - Central Contra Costa Sanitary District cleaning up all islands within its district boundary
 - 16 islands within cities (under 150 acres) throughout county
- Proactive on annexations
- More aware of opportunities to apply conditions to annexations
- Mt. Diablo Health Care District no longer an independent special district
- Discovery that it's difficult to successfully sue LAFCO
- Tied out of agency service requests to future annexations
- Recognition of the role LAFCO can play in fire service issues
- More effective use of terms and conditions



ON THE HORIZON

- Disadvantaged unincorporated communities (DUCs)
- Mutual water companies
 - Public agencies (LAFCO)
 - Mutual (Corporation Commission)
 - Private (PUC)
- Special districts that provide limited services
- Reclamation districts
- What big government entities should be combined
- Fire services
- Island annexations

FIRST ROUND MSRs RECAP

| Liked | Disliked |
|--------------------------------------|--|
| They're done! | New experience |
| Sense of problems | Too much/not enough information |
| Building relationships | Our authority not connected to agency problems |
| Agencies using as justification | Same review for all agencies |
| Got better at them | Spending equivalent resources? |
| Understood process | Resident perspective vs. agency perspective |
| Common denominators for measurements | Learning experience for consultants |
| Agencies more efficient | |

SECOND-ROUND MSRS

1. Focus on agencies where change or improvements most needed
 - a. Identify priority 1 - 2 – 3 agencies
 - b. Streamline process
2. Budgets
 - a. Include unlisted liabilities
 - b. Reserve policy
3. Collect baseline information (DUC, finances) from all agencies
4. Agency and public engagement policy (i.e., understandable to public)
 - a. LAFCO press releases
5. Require corrective action plan
6. Order of MSRs
7. Coordinate with the county fire services study and move fire services MSR up in queue
 - a. LAFCO will incorporate county study into MSR of all fire agencies

2013-14 PRIORITIES

1. MSRs, with budget component as defined in second round
2. Respond to incoming applications
 - a. Review CEQA documents for projects that may become LAFCO applications
 - b. Look for good terms and conditions
3. Fire service
 - a. Be active participant in county study
 - b. Morph that study into MSR
4. Update policies and procedures
 - a. Expand to include every kind of change of organization
5. Island annexations
 - a. Get islands annexed as opportunities arise

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

April 17, 2013

Board of Supervisors Chambers
Martinez, CA

May 8, 2013
Agenda Item 5b

1. Vice Chair Dwight Meadows called the meeting to order at 1:30 p.m.
2. The Pledge of Allegiance was recited.
3. Roll was called. A quorum was present of the following Commissioners:
City Members Rob Schroder and Don Tatzin.
County Members Mary Piepho and Alternate Candace Andersen.
Special District Members Michael McGill and Dwight Meadows, and Alternate George Schmidt.
Present were Executive Officer Lou Ann Texeira, Legal Counsel Mary Ann Mason, and Clerk Kate Sibley.
4. Approval of the Agenda
Because Commissioner Schroder announced his plan to recuse himself from consideration of Agenda Item 7 (Miscellaneous CSAs MSR and SOI Updates), it was suggested that that item be moved to the end of the agenda.
Upon motion of Tatzin, second by Piepho, Commissioners unanimously adopted the agenda as amended.
5. Public Comments
There were no public comments.
6. Approval of March 13, 2013 Meeting Minutes
Upon motion of Schroder, second by Piepho, the minutes for the March 13, 2013 meeting were approved; Commissioner Tatzin abstained.
7. LAFCO 12-05 – Central Contra Costa Sanitary District Annexation 183
The Executive Officer provided an overview of a proposal filed by CCCSD to annex 23 properties located in six separate areas in Orinda, Pleasant Hill and Walnut Creek to facilitate the extension of sewer services and eliminate islands within the District. It was noted that to date no protests had been received.
The public hearing was opened.
Russ Leavitt, Planner for CCCSD, explained that he has taken over annexations from Jarred Miyamoto-Mills, who retired this past year. He introduced two colleagues from the District.
There were no other public comments.
Upon motion of Tatzin, second by Piepho, the Commission unanimously closed the public hearing and certified that it reviewed and considered the information contained in the environmental documents; and found the proposal categorically exempt from CEQA; approved the proposal to be known as Annexation 183 to CCCSD, with specified conditions; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory is inhabited, has less than 100% consent of the affected landowners and registered voters, that no affected landowners/registered voters opposed the annexation, that the annexing agency

DRAFT

has given written consent to the waiver of conducting authority proceedings, waived the protest proceeding, and directed staff to complete the proceeding.

8. Northeast Antioch Update

The Executive Officer provided a brief chronology of the Northeast Antioch annexation process and reported that the City expects to take action on its revised CEQA document and rezoning in June, and that on April 17, LAFCO staff will take part in a second community meeting with residents of Area 2b.

Victor Carniglia, representing the City of Antioch, confirmed that the Negative Declaration will be published May 1 or 2, and that the tax sharing agreement with the County is expected to be finalized in June by the City and in July by the County. City and County staff have met with Dudek, which is exploring possible grant programs that can provide funding for water and wastewater infrastructure costs.

Comments were made regarding the acquisition of GenOn by NRG, which raises questions regarding prior agreements and commitments of funding; however, at this time both Mr. Carniglia and Rich Seithel, representing the County, feel that the relationship is positive with NRG.

Commissioners discussed the current situation for residents and how that would change if Area 2b is annexed to the City: residents are not required to hook up to the sewer system unless their septic system fails (minor repairs to septic systems would still be allowed).

Ken Wentworth, resident of Area 2b, voiced his concerns about the process of annexation and changes to his and his neighbors' property rights with a shift from County to City jurisdictions.

Commissioners assured Mr. Wentworth that all parties have been working for a number of years to arrive at solutions that are beneficial to the residents of this area, and that LAFCO understands that the City is working to grandfather in nonconforming land uses.

9. FY 2012-13 Third Quarter Budget Report

The Executive Officer provided a brief update on the status of the Fiscal Year 2012-13 budget. With 75% of the fiscal year elapsed, the Commission's third quarter total expenses are at about 50% of approved expenditures, and revenues at 100% of projected income. Application activity and fees are slightly greater as compared to third quarter FY 2011-12 activity. During the first nine months of FY 2012-13, LAFCO has received 8 new applications, as compared to 6 applications during the first half of FY 2011-12.

Upon motion of Piepho, second by McGill, Commissioners unanimously received the FY 2012-13 third quarter budget report.

10. FY 2011-12 Financial Audit

The Executive Officer provided brief background, noting that R.J. Ricciardi, Inc. rotated its auditors this year per the Commission's recommendation; this year's auditor was Hiep Pham.

The auditors identified no deficiencies in internal control that they would consider to be material weaknesses, and no current year observations.

Commissioner Tatzin suggested that in future audits, the \$10,000 annual set-aside for OPEB liabilities be noted. Commissioner McGill complimented staff for the good work. Commissioner Piepho asked that the name of the auditor be included in the audit report in future.

Upon motion of Piepho, second by Andersen, Commissioners unanimously received the audit report.

11. Contra Costa Health Services EMS System Review

The Executive Officer provided background relating to both this study and a companion review of the Contra Costa County Fire Protection District. Initially, the focus of each study will be to review the current service levels and determine how best to deliver future services within operational capabilities and fiscal resources. On April 15, LAFCO staff met with County staff and Fitch and Associates, the firm hired to conduct the studies as part of the County's initial data gathering. As one of a number of interested stakeholders, LAFCO has been asked to identify representatives to be notified of the future stakeholder meetings.

Pat Frost, County Health Services, provided comments regarding the study and process.

Upon motion of Tatzin, second by Piepho, Commissioners unanimously appointed Commissioner Blubaugh to serve as the primary contact for these studies. Upon motion of Andersen, second by Piepho, Commissioners unanimously appointed Commissioner Tatzin to serve as the alternate contact.

12. 2013 Strategic Planning Session Recap

Commissioners took this opportunity to comment on the Strategic Planning Workshop held on Monday, April 15, which was generally considered to be useful.

Commissioner Tatzin suggested that the notes from the workshop, as well as the final budget to be presented in May, address any implications that the goals generated by the planning session may have on the FY 2013-14 budget.

13. Legislative Position Regarding AB 1427 – CALAFCO 2013 Omnibus Bill

The Executive Officer provided background on this legislation, which represents the annual technical changes, clarifications, and corrections to the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 (CKH Act).

Commissioner McGill noted the importance for LAFCOs to weigh in on CALAFCO legislation. Upon motion of McGill, second by Tatzin, Commissioners unanimously approved the letter as written.

14. Miscellaneous County Service Areas (CSAs) Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates

Commissioner Schroder recused himself from this item and left the meeting

The Executive Officer provided a brief overview of the Miscellaneous CSAs MSR, noting that this represents this Commission's final first-round MSR. Following the presentation in March, Beverly Burr, of Burr Consulting, researched a number of the issues identified during the public review process, and made some revisions to the MSR report. Staff also noted that Commissioner Schmidt provided several corrections to the MSR report and determinations, which were incorporated. Staff then reviewed the SOI and governance options and recommendations. Commissioners were asked to accept the Final MSR report, adopt a resolution making the required determinations, and update the SOIs as recommended for each of the seven districts covered in the MSR report as noted below.

CSA D-2 – Retain existing coterminous SOI.

CSA L-100 – Reduce to zero SOI.

CSA M-1 – Retain existing coterminous SOI.

CSA M-20 – Retain existing coterminous SOI.

CSA M-23 – Retain existing coterminous SOI.

CSA M-31 – Expand SOI to include interior roads.

CSA T-1 – Adopt provisional coterminous SOI (SOI not established when the CSA, which is currently providing no direct services, was formed); request a report on progress in one year.

Maureen Toms, with the County Department of Conservation and Development, suggested some minor edits pertaining to the CSA M-31 information.

Upon motion by Tatzin, second by Piepho, Commissioners determined that the MSR project and the SOI updates are Categorically Exempt; accepted the Final MSR report and adopted the MSR determinations, as amended; and adopted the resolutions updating the SOIs for CSAs D-2, L-100, M-1, M-20, M-23, M-31, and T-1.

15. Correspondence from CCCERA

There were no comments.

16. Letter from Contra Costa Taxpayers Association re: Sunshine Week

There were no comments.

17. Commissioner Comments and Announcements

Commissioner Schroder reported, before his departure, that Martinez City Councilmember Mike Menesini had had a heart attack on April 14, but was doing better following surgery.

Commissioner McGill reported that on March 22 he attended the CALAFCO Legislative Committee meeting, and that he will attend the CALAFCO Board meeting on May 3 and the CALAFCO Legislative Committee meeting on May 10.

Commissioner Piepho noted the upcoming CALAFCO U session on “Performance Measures and MSR Strategies,” to be held on June 6 in San Luis Obispo.

18. Staff Announcements and Pending Projects

The Executive Officer thanked Commissioners for allowing staff to attend the 2013 CALAFCO Staff Workshop and directed their attention to the report in their amended materials.

The meeting was adjourned at 2:45 p.m.

Final Minutes Approved by the Commission on May 8, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer



Lou Ann Texeira
Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
County Member
Rob Schroder
City Member

Don Tatzin
City Member

ALTERNATE MEMBERS

Candace Andersen
County Member
Sharon Burke
Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

May 8, 2013 (Agenda)

May 8, 2013
 Agenda Item 6

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

**Sphere of Influence Updates
 County Service Area R-4 and Reclamation District 2137**

Dear Members of the Commission:

On March 13, 2013, the Commission received an update summarizing the status of municipal service reviews (MSRs) and sphere of influence (SOI) updates in Contra Costa County.

The update included a list of pending SOI updates, including those for County Service Area (CSA) R-4 and Reclamation District (RD) 2137.

CSA R-4 was reviewed in 2010 as part of the countywide park & recreation services MSR; RD 2137 was reviewed in 2009, as part of the countywide reclamation services MSR.

SOI UPDATES

CSA R-4 - CSA R-4 is a dependent district formed in 1970 and administered by the Town of Moraga. The District provides financing for augmented operation and maintenance of park and recreation facilities. The District bounds include nearly all of the incorporated Town of Moraga, and unincorporated areas to the southeast of the Town.

The District's boundary is 17.6± square miles, including 9.3± square miles of the Town of Moraga, and 8.3± square miles of unincorporated territory, most of which is vacant agricultural land (Williamson Act), open space and outside the countywide urban limit line as depicted in the attached map (Attachment 1, Exhibit A). The District's current estimated population is approximately 16,341 residents, of which 16,204 are residents of the Town of Moraga, and the remaining 137 are residents of the unincorporated County.

CSA R-4 was formed prior to the incorporation of Moraga, which occurred in 1974. According to LAFCO and Board of Equalization records, the incorporated territory was never officially removed from the CSA. Landowners within the Town limits no longer pay a portion of their property tax to the CSA;

however, landowners within the unincorporated area continue to pay a portion of their property tax to CSA R-4.

It was previously recommended that the Commission defer the SOI update for CSA R-4; and direct LAFCO staff to further discuss with the County and Town of Moraga the various SOI options and report back to the Commission.

Following discussions with County and Moraga Town staff, the consensus was that LAFCO should retain the existing SOI. At the time the MSR was prepared, the District was receiving approximately \$27,000 entirely from property tax, of which less than one percent was being spent on administration, and 99% was being spent directly on services. The funds being generated from the CSA are being used to support park and recreation services and benefit those in the area.

The MSR identified the following four SOI options for CSA R-4:

1. Retain existing coterminous SOI
2. Adjust SOI to remove vacant unincorporated areas and include the entire Town of Moraga bounds
3. Expand SOI to include entire Moraga bounds
4. Adopt a zero SOI

County and Town of Moraga staff believe that the existing government structure is appropriate, and will enable the Town of Moraga to continue to include the unincorporated areas within the CSA R-4 SOI in its long-term planning for parks and recreation services.

Recommendation: Retain existing coterminous SOI.

Reclamation District (RD) 2137 - RD 2137 was formed in 2003 as an independent special district. The District was formed to “assume the maintenance of existing levees surrounding the proposed new district. RD 2137 is located within the boundaries of the City of Oakley as shown on the attached map (Attachment 2, Exhibit A). The District provides maintenance services to non-project levees and internal drainage facilities, and oversees habitat preservation/restoration.

RD 2137 relies primarily on landowner assessments to fund District functions. An assessment of approximately \$170 per acre is levied, which is the same as when the District was formed in 2003. The District does not receive any property tax revenue.

The MSR report identified the following SOI options for RD 2137:

1. Adopt a zero SOI to signal future dissolution, consolidation or establishment of a subsidiary district to the City of Oakley
2. Expand SOI to include the Burroughs property
3. Retain existing coterminous SOI

Following completion of the MSR report, the Commission adopted a zero SOI for RD 2137 as recommended in the MSR report. A zero SOI signals dissolution or some other type of government reorganization (e.g., consolidation, merger, establishing a subsidiary district, etc.). The Commission directed LAFCO staff to work with RD 2137 and the City of Oakley to initiate dissolution of RD 2137 and allow the State Department of Water Resources (DWR) to take over the functions of the District.

LAFCO staff has contacted the City of Oakley and RD 2137 for periodic updates. In response to a recent exchange, both RD 2137 and the DWR submitted letters expressing opposition to dissolution of the District, noting that dissolution would jeopardize the Dutch Slough Tidal Marsh Restoration Project, levee work, and millions of dollars of project funding.

The District and DWR request that LAFCO reinstate the District's coterminous for at least the next 10 years in order to complete the restoration project.

Recommendation: Reinstate the District's coterminous SOI until the next SOI update, and require RD 2137 to provide an annual update to LAFCO on project activities and progress.

RECOMMENDATIONS

1. Receive report,
2. Adopt the attached resolutions updating the SOIs for CSA R-4 and RD 2137, and
3. Provide input and direction as desired.

Sincerely,

Lou Ann Texeira
Executive Officer

Attachment 1 – Resolution/Map Updating SOI for CSA R-4
Attachment 2 – Resolution/Map Updating SOI for RD 2137

c: Jill Keimach, Town Manager,
Al Warren Hoslett, RD 2137
Ted Frink, State Department of Water Resources

**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA R-4**

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by County Service Area (CSA) R-4, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified four SOI options for CSA R-4: 1) retain existing coterminous SOI; 2) adjust SOI to remove vacant unincorporated areas and include the entire Town of Moraga bounds; 3) expand SOI to include entire Moraga bounds; or 4) adopt a zero SOI including retaining the existing coterminous SOI; and

WHEREAS, CSA R-4's corporate boundary and SOI are coterminous and comprise 17.6± square miles, including 9.3± square miles of the Town of Moraga (which was never detached following the Town's incorporation), and 8.3± square miles of unincorporated territory, most of which is vacant agricultural land (Williamson Act), open space and outside the countywide urban limit line; and

WHEREAS, after discussions with County and Town of Moraga staff, it was determined that the existing government structure is appropriate, and will enable the Town to continue to include the unincorporated areas within the district's SOI in its long-term planning for parks and recreation services; and

WHEREAS, it is hereby proposed that CSA R-4's SOI be retained as generally depicted on Exhibit A; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

WHEREAS, the SOI update was duly considered at public hearings held on May 12 and April 21, 2010, and at a LAFCO meeting held on May 8, 2013; and

WHEREAS, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Contra Costa LAFCO does hereby:

1. Retain CSA R-4's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.

3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:

a. *Present and planned land uses in the area, including agricultural and open-space lands* - The CSA bounds encompass the majority of the incorporated Town of Moraga, and an unincorporated area to the southeast of the Town. The unincorporated area is primarily zoned as agricultural land with parcels of at least five acres and limited residential parcels of at least 15,000 to 20,000 square feet. Town and County plans include land uses and population growth that may impact the district’s services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – There is a present and probable need for parks and recreation services provided by the CSA, especially at Rancho Laguna Park. The Town reported that this park has experienced the most significant increase in service demand, and it is the park in the closest proximity to the unincorporated residential areas immediately adjacent to the town boundaries. Growth within the CSA is anticipated to moderate with a projected growth rate of 10 percent within the Town between 2009 and 2025. Planned and proposed residential developments within the Town total over 650 dwelling units. Growth in the unincorporated areas of the CSA is projected to be low, as the area is outside of the countywide urban limit line. No changes in public facilities or services provided by CSA R-9 will result from this SOI update.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The Town of Moraga, and consequently CSA R-4, is slightly deficient in the amount of developed parkland and neighborhood parkland available to residents. To meet the Town’s General Plan standard, the Town must acquire an additional 7.8 acres of developed parkland, or at least 7.4 acres of neighborhood parkland. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA R-4 provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – The primary community of interest is the Town of Moraga, and the residents of the unincorporated area located to the southeast of the town boundaries. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – CSA R-4 was formed in 1970 and is administered by the Town of Moraga. The district provides financing for augmented operations and maintenance of park and recreation facilities. CSA R-4 bounds include nearly all of the incorporated Town of Moraga, and unincorporated areas to the southeast of the Town.

PASSED AND ADOPTED THIS 8th day of May 2013, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

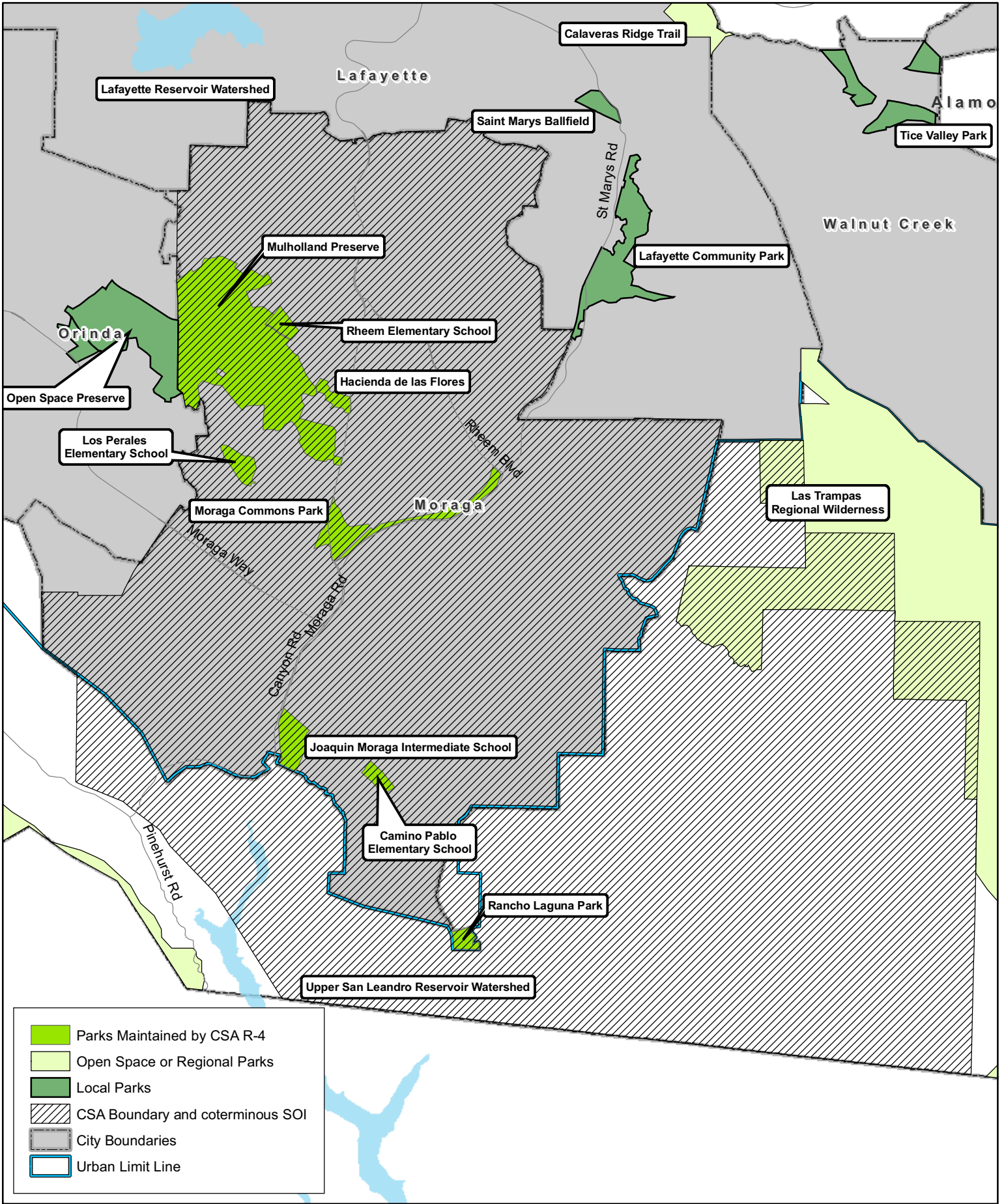
FEDERAL GLOVER, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 8, 2013

Lou Ann Texeira, Executive Officer

CSA R-4 and Coterminous Sphere of Influence



- Parks Maintained by CSA R-4
- Open Space or Regional Parks
- Local Parks
- CSA Boundary and coterminous SOI
- City Boundaries
- Urban Limit Line



RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
RECLAMATION DISTRICT 2137

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

WHEREAS, LAFCO conducted a countywide review of reclamation services, including those provided by Reclamation District (RD) 2137 and adopted written determinations as required by Government Code §56430 on July 8, 2009; and

WHEREAS, the MSR report identified a number of SOI and governance structure options for RD 2137 including adopting a zero SOI to allow for future dissolution, consolidation or establishment of a subsidiary district to the City of Oakley; expansion to include the Burroughs property; or retaining the existing coterminous SOI; and

WHEREAS, RD 2137 land is owned by the State Department of Water Resources (DRW) and private parties. The City of Oakley has the option to acquire the privately owned parcels. Restoration of the tract in conjunction with the Dutch Slough Tidal Marsh Restoration project, along with any necessary new levee construction or repair and maintenance of existing levees could be assumed by the State and/or the City of Oakley; and

WHEREAS, the District's service boundary and coterminous SOI encompass approximately 785 acres, primarily within the bounds of the City of Oakley; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

WHEREAS, the SOI update was duly considered at public meetings held on July 8, August 12, October 14, and November 18, 2009, and on May 8, 2013; and

WHEREAS, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update; and

WHEREAS, on November 2009, LAFCO adopted a zero SOI for RD 2137 signaling dissolution or some other type of government reorganization, and directed LAFCO staff to work with RD 2137 and the City of Oakley to initiate dissolution of RD 2137 and allow the State DWR to take over the functions of the District; and

WHEREAS, since 2009, LAFCO staff has contacted the City of Oakley and RD 2137 for periodic updates; and

WHEREAS, in March 2013, RD 2137 and the DWR submitted letters expressing opposition to the zero SOI and potential dissolution of the District, noting that dissolution would jeopardize the Dutch Slough Tidal Marsh Restoration Project, levee work, and millions of dollars of project funding, and requested that LAFCO reinstate the District's coterminous SOI.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that Contra Costa LAFCO does hereby:

1. Adopt a coterminous SOI for RD 2137.
2. Require annual updates from the District and the City of Oakley on the status of the Dutch Slough Tidal Marsh Restoration Project, levee work, and project funding.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
4. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands*
The District bounds encompass primarily pasture, fallow ground and open space/habitat area and includes Prime Farmland, Farmland of Statewide Importance, Unique Farmland and Farmland of Local Importance. Contra Costa County and city plans include land uses and population growth that may impact the District's services. There is no Williamson Act contracted land within the District.
 - b. *The present and probable need for public facilities and services in the area – RD 2137*
provides levee maintenance, drainage service, habitat restoration and other services necessary to implement the Dutch Slough Tidal Marsh Restoration Project. There has been no recent growth within the District, and no growth is anticipated in the future. No changes in public facilities or services provided by the District will result from this SOI update.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide –* As with most Contra Costa reclamation districts, RD 2137 provides minimally adequate flood protection based on levee standards. Implementation of the Dutch Slough Tidal Marsh Restoration Project may alter or eliminate the need for levee and drainage maintenance services. Updating the SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2137.
 - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency –* RD 2137 was formed in 2003 and is financed primarily through assessments. The social and economic community of interest includes the City of Oakley and those members of the general public who will enjoy the various natural features and aspects of the tidal marsh project. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2137.

- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2137 maintains four miles of earthen levees and 1.8 miles of drainage ditches. The location of facilities includes levees necessary to implement the Dutch Slough Tidal Marsh Restoration Project.

PASSED AND ADOPTED THIS 8TH day of May 2013, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

FEDERAL GLOVER, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 8, 2013

Lou Ann Teixeira, Executive Officer

RD 2137 Boundary and Coterminous SOI





Lou Ann Texeira
Executive Officer

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Federal Glover
County Member
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May 8, 2013
Agenda Item 7

May 8, 2013 (Agenda)

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 GenOn (NRG Energy) 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 Northeast Antioch annexation and the tax transfer negotiations efforts. A subcommittee was formed to address these and other issues.

LAFCO representatives participated in monthly subcommittee meetings from April to October 2011; and the City and County have provided LAFCO with regular updates. In October 2012, the subcommittee resumed meeting, and last met on January 28, 2013.

As previously reported, a second community meeting was held on April 17 in Area 2b (Bridgehead Café). City and County staff addressed issues and questions relating to water, sewer, environmental health, utility connection fees and potential funding options, private vs. public streets, zoning. City staff indicated that the Antioch Planning Commission will consider taking action on the City’s CEQA document and pre-zoning at its meeting on May 15. Another community meeting in Area 2b is tentatively scheduled for May 22. City and County staff will be available at the May 8 LAFCO meeting to –provide additional information and respond to questions.

RECOMMENDATION - Receive the monthly update and provide comment and direction as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER



Lou Ann Texeira
Executive Officer

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May 8, 2013 (Agenda)

May 8, 2013
 Agenda Item 8

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

Final FY 2013-14 LAFCO Budget

Dear Members of the Commission:

DISCUSSION

The Contra Costa Local Agency Formation Commission (LAFCO) is responsible for adopting a proposed and final budget each year. The LAFCO budget is jointly funded by the County, cities and special districts, with each group paying one-third of LAFCO's net operating budget.

On March 13, 2013, the Commission approved the FY 2013-14 Proposed Budget and Work Plan (available on the LAFCO website at www.contracostalafco.org). The Proposed Budget was subsequently distributed to the County, cities and special districts for their review. One comment was received from Contra Costa Water District staff inquiring about the cost/benefit of Municipal Service Reviews (MSRs), to which LAFCO staff responded.

The Final Budget (attached) is comparable to the Proposed Budget presented to the Commission in March, and will enable Contra Costa LAFCO to focus on the following priorities identified by the Commission at its strategic planning session held on April 15:

1. Second round MSRs, with a focus on budget
2. Respond to incoming applications
 - a. Review CEQA documents for projects that may become LAFCO applications
 - b. Apply effective terms/conditions
3. Fire/EMS services
 - a. Be an active participant in the County studies
 - b. Utilize the County studies as a catalyst for second round fire/EMS MSR
4. Update policies and procedures
 - a. Expand to include all changes of organization
5. Island annexations
 - a. Annex islands as opportunities arise

The Final Budget reflects an overall increase of 2.66% as compared to the FY 2012-13 budget. The increase is primarily attributable to personnel costs, as discussed below. Also, we have updated FY 2012-13 year end estimates to reflect an additional two months of actual expenses and revenues since reported in March 2013.

Expenditures - The proposed expenditures for FY 2013-14 total \$765,016, and include *Salaries & Benefits*, *Services & Supplies*, *Contingency Reserve*, and *OPEB Trust* as summarized in the attached.

FY 2013-14 *Salaries & Benefits* maintains the current staffing of two full-time employees, and reflects an increase of 4.91% attributable to increases in salary and benefit costs.

Services & Supplies funds a range of items including rents/leases, equipment/supplies, communications, training/conferences, and professional/specialized services (i.e., audit/fiscal, legal, planning, mapping, MSRs, website maintenance, etc.). These expenses are expected to increase by 1.04%. Also, beginning July 1, 2013 a link to an audio posting of the LAFCO meetings will be available on the LAFCO website. The audio post will be available for four months following each meeting. The added cost for this service is \$240 per year.

The FY 2013-14 budget includes funding for second round MSR work. Services slated for second round reviews in FY 2013-14 include water and wastewater as previously discussed with the Commission.

The FY 2013-14 budget also includes a *Contingency Reserve* of \$80,000 comparable to FY 2012-13, and \$10,000 for the Other Post Employment Benefits *OPEB Trust* account, which was established in FY 2011-12 to fund the LAFCO liability.

Revenues - LAFCO's funding sources include local agency (i.e., County, cities and independent special districts) contributions, application fees, other revenues (e.g. interest earnings, special projects), and available year-end fund balance as summarized in the attached.

Local agency contributions represent the most significant LAFCO revenue source. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act") requires that the net operational costs of LAFCO be apportioned one-third to the County, one-third to the cities, and one-third to the independent special districts. Government Code §56381 describes how the County Auditor apportions and collects the revenues following adoption of the Final Budget. The city and district allocations are based on revenues reported to the State Controller and vary year to year.

Another source of revenue is application fees. Application activity decreased by over 50% in FY 2009-10 following the housing crash, and again in FY 11-12, following the replacement of County Service Area (CSA) L-100 with a community facilities district and the loss of revenue associated with processing annexations to CSA L-100. FY 2012-13 application fees are expected to come over the budgeted amount. The FY 2013-14 budget includes application fees

comparable to those included in the FY 2012-13 budget. Also, due to the distressed financial market, we have included no interest earnings for the current year or for FY 2013-14.

With regard to the available fund balance, Government Code §56381(c) provides “If at the end of the fiscal year, the Commission has funds in excess of what it needs, the Commission may retain those funds and calculate them into the following fiscal year’s budget.” The FY 2012-13 fund balance is currently unknown and will be calculated at year end (typically by September-October). However, based on the beginning year fund balance, and projected FY 2012-13 revenues and expenses, it is estimated that the available fund balance will be in excess of \$100,000. The LAFCO fund balance, or any portion thereof, can be used to offset the FY 2013-14 revenues, thereby reducing the revenues to be collected from the funding agencies. The FY 2013-14 budget provides that to the extent possible, the available fund balance be used to offset FY 2012-13 revenues thereby offsetting the cost to the funding agencies. As proposed, the total amount of revenue from other government agencies needed to fund the FY 2013-14 budget will be approximately \$585,016. This represents a decrease (1.46%) as compared to the FY 2012-13 contributions, and is due in part to the relatively status quo LAFCO budget, and in part due to the use of greater available fund balance to offset the agency contributions.

CONCLUSION

The Commission and LAFCO staff continue to exercise fiscal prudence, and recognize the economic realities of the times and the current constraints on local government. Approval of the Final Budget will enable the Commission to perform its core responsibilities effectively, and to continue work on MSRs/SOI updates and other projects.

RECOMMENDATIONS

1. Receive this report and open the public hearing to accept testimony on the Final FY 2013-14 LAFCO Budget,
2. After receiving public comments close the hearing,
3. After Commission discussion, adopt the Final Budget for FY 2013-14, with any desired changes, and authorize staff to distribute the Final Budget to the County, cities and independent special districts as required by Government Code Section 56381.

Respectfully submitted,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment - Final FY 2013-14 LAFCO Budget

PROPOSED FY 2013-14 LAFCO BUDGET

| | FY 2012-13 | | FY 2013-14 | | |
|--|-------------------|--------------------|-------------------|-----------------|--------|
| | <u>FY 2012-13</u> | <u>Year-End</u> | <u>FY 2013-14</u> | <u>% Change</u> | |
| | <u>Approved</u> | <u>(Estimated)</u> | <u>Proposed</u> | | |
| Salaries and Employee Benefits | | | | | |
| Permanent Salaries- 1011 | \$ 188,327 | \$ 193,505 | \$ 193,046 | | |
| Deferred Comp Cty Contribution - 1015 | | | | | |
| FICA- 1042 | \$ 12,570 | \$ 14,700 | \$ 14,768 | | |
| Retirement expense- 1044 | \$ 71,353 | \$ 76,260 | \$ 79,328 | | |
| Employee Group Insurance- 1060 | \$ 41,500 | \$ 42,175 | \$ 42,960 | | |
| Retiree Health Insurance- 1061 | \$ 20,000 | \$ 17,570 | \$ 20,000 | | |
| Unemployment Insurance- 1063 | \$ 716 | \$ 767 | \$ 734 | | |
| Workers Comp Insurance- 1070 | \$ 1,000 | \$ 1,069 | \$ 1,100 | | |
| Total Salaries and Benefits | \$ 335,466 | \$ 346,046 | \$ 351,936 | | 4.91% |
| Services and Supplies | | | | | |
| Office Expense- 2100 | \$ 4,000 | \$ 2,540 | \$ 4,000 | | |
| Publications -2102 | \$ 300 | \$ - | \$ 300 | | |
| Postage -2103 | \$ 2,000 | \$ 1,336 | \$ 2,000 | | |
| Communications - 2110 | \$ 230 | \$ 216 | \$ 230 | | |
| Tele Exchange Services 2111 | \$ 914 | \$ 913 | \$ 914 | | |
| Minor Comp Equipment - 2132 | \$ 1,000 | | \$ 1,000 | | |
| Pubs & Legal Notices 2190 | \$ 3,000 | \$ 2,767 | \$ 3,000 | | |
| Memberships - 2200 | \$ 8,025 | \$ 8,089 | \$ 8,319 | | |
| Rents & Leases - 2250 (copier) | \$ 4,000 | \$ 3,960 | \$ 4,000 | | |
| Computer Software - 2251 | \$ 500 | \$ 500 | \$ 500 | | |
| Bldg Occupancy Costs - 2262 | \$ 6,000 | \$ 5,234 | \$ 5,392 | | |
| Bldg Life Cycle Costs - 2265 | | | \$ 276 | | |
| Auto Mileage Emp. - 2301 | \$ 900 | \$ 782 | \$ 900 | | |
| Other Travel Employees - 2303 | \$ 12,500 | \$ 12,495 | \$ 12,000 | | |
| Prof & Spec Services - 2310 | \$ 226,914 | \$ 179,904 | \$ 230,359 | | |
| Assessor | \$ 17,000 | \$ 6,716 | \$ 13,000 | | |
| Financial Audit | \$ 6,000 | \$ 5,500 | \$ 6,000 | | |
| GIS/Mapping | \$ 20,000 | \$ 19,990 | \$ 20,000 | | |
| Legal | \$ 80,000 | \$ 80,000 | \$ 73,000 | | |
| MSRs | \$ 68,555 | \$ 35,000 | \$ 80,000 | | |
| Planning | \$ 30,000 | \$ 27,068 | \$ 33,000 | | |
| Special Projects (document imaging) | \$ 4,859 | \$ 3,654 | \$ 4,859 | | |
| Investment Services | \$ 500 | | \$ 500 | | |
| LAFCO Sponsored Training | - | \$ 1,976 | | | |
| Contracted Temp Help - 2314 (Web) | \$ 2,340 | \$ 2,340 | \$ 2,820 | | |
| Data Processing Services - 2315 | \$ 4,000 | \$ 2,669 | \$ 4,000 | | |
| Data Processing Security - 2326 | \$ 100 | \$ 87 | \$ 126 | | |
| Courier - 2331 | \$ 2,033 | \$ 2,268 | \$ 2,041 | | |
| Other Inter-Dept Costs - 2340 | \$ 123 | \$ 92 | \$ 123 | | |
| Liability/E&O Insurance - 2360 | \$ 4,080 | \$ 4,020 | \$ 4,080 | | |
| Commission Training/Registration/Stipends - 2467 | \$ 36,300 | \$ 29,237 | \$ 36,300 | | |
| NOD/NOE Filings - 2490 | \$ 500 | \$ 400 | \$ 400 | | |
| Total Services & Supplies | \$ 319,759 | \$ 259,849 | \$ 323,080 | | 1.04% |
| Fixed Assets | | | | | |
| Office Equipment & Furniture - 4951 | | | | | |
| Total Fixed Assets | | | | | |
| Total Expenditures | \$ 655,225 | \$ 605,895 | \$ 675,016 | | |
| Contingency Reserve | \$ 80,000 | | \$ 80,000 | | |
| OPEB Trust | \$ 10,000 | \$ 10,000 | \$ 10,000 | | |
| TOTAL APPROPRIATIONS | \$ 745,225 | \$ 615,895 | \$ 765,016 | | 2.66% |
| TOTAL REVENUES | \$ 745,225 | \$ 627,446 | \$ 765,016 | | |
| Agency contributions - 9500 & 9800 | \$ 593,684 | \$ 593,684 | \$ 585,016 | | -1.46% |
| Application & other revenues | \$ 30,000 | \$ 33,762 | \$ 30,000 | | |
| Interest Earnings | | | | | |
| Fund Balance | \$ 121,541 | | \$ 150,000 | | |



Lou Ann Texeira
 Executive Officer

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May 8, 2013 (Agenda)

May 8, 2013
 Agenda Item 9

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

**Requests for Proposals – Second Round Water/Wastewater
 Municipal Service Review and Sphere of Influence Updates**

Dear Commissioners:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) requires that on or before January 1, 2008, and every five years thereafter, LAFCO, as necessary, review and update the sphere of influence (SOI) of each local agency. As part of the SOI update, LAFCO must prepare a corresponding Municipal Service Review (MSR) to determine the range and adequacy of governmental services provided.

In April 2013, Contra Costa LAFCO completed its inaugural MSR cycle and the comprehensive review of all 19 cities and 75 special districts and corresponding SOI updates for most agencies.

In accordance with the CKH Act, LAFCO will initiate second round MSRs/SOI updates. For those agencies where an SOI update is not necessary, a cursory review may be performed. However, for the agencies where an SOI update may be necessary, a more comprehensive review will be conducted.

The second round MSRs/SOI updates were previously discussed with the Commission, and a complete status report was provided in March, in conjunction with the proposed budget. As discussed, the second round MSR cycle will begin with a countywide review of water/wastewater services.

Requests for Proposals

Contra Costa LAFCO has relied primarily on professional consultants to prepare its MSRs, with a few agency-specific MSRs prepared by LAFCO staff. Given the technical nature of water/wastewater services, it is recommended that LAFCO utilize professional consulting services for this MSR.

LAFCO staff has prepared the enclosed Request for Proposals (RFP) and draft Scope of Services for the Commission’s review and approval. The RFP calls for qualified consultants to prepare the MSR and SOI updates (as needed) for water/wastewater services. Under the direction of the LAFCO Executive Officer, the consultant will perform services as outlined in the attached RFP and draft Scope of Service.

Proposed Selection Process

In accordance with our previous MSRs, LAFCO staff proposes to establish a selection committee to help review and screen the written proposals, conduct the interviews, and make recommendations. The selection committee will be composed of LAFCO and municipal service professionals.

The review of proposals will include an assessment of written proposals, followed by interviews of the most qualified firms. Written proposals will be evaluated based on various criteria including, but not limited to, experience and qualifications of the firm, understanding of the required tasks, approach to conducting MSRs/SOI updates, experience and familiarity with LAFCO, qualifications of personnel who would be assigned to work with the Contra Costa LAFCO, and cost.

Following an assessment of the written proposals, the most qualified candidates will be invited to participate in an interview. Following the interviews, a summary of proposals and an award recommendation will be presented to the Commission in accordance with the proposed timeline as shown in the RFP.

Staff has compiled a list of potential bidders. A notice regarding the RFP will be sent to these firms. In addition, the RFP will be posted on the Contra Costa LAFCO, CALAFCO and California Special Districts Association websites.

FINANCING:

Adequate funding is included in the FY 2013-14 budget to cover the anticipated costs associated with the MSR/SOI updates.

RECOMMENDATION

1. Authorize the circulation of the Requests for Proposal for the Water/Wastewater MSR and SOI updates; and
2. Direct staff to return to the Commission with a recommended contract award in accordance with the proposed timeline.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachments

1. Request for Proposals – Second Round Water/Wastewater MSR/SOI Updates
2. Draft Scope of Services – Second Round Water/Wastewater MSR/SOI Updates

REQUEST FOR PROPOSALS FOR COUNTYWIDE SECOND ROUND WATER/WASTEWATER MUNICIPAL SERVICE REVIEW/SPHERE OF INFLUENCE UPDATES

The Contra Costa Local Agency Formation Commission (LAFCO) is soliciting proposals from qualified consultants to prepare a countywide second round municipal service review and sphere of influence updates of providers of water and wastewater services in Contra Costa County.

REQUEST FOR PROPOSALS

Countywide Second Round Water/Wastewater Services Municipal Service Review/Sphere of Influence Updates

I. Objective

The Contra Costa Local Agency Formation Commission (LAFCO) completed Municipal Services Reviews (MSRs) for water and wastewater services in Contra Costa County in 2008. Based on the requirement in the California Government Code that MSRs be conducted in conjunction with sphere of influence (SOI) updates every five years as necessary, Contra Costa LAFCO is now seeking proposals from professional consulting firms to prepare the second round MSR of all municipal water and wastewater service providers in the County, along with corresponding SOI updates (districts only) as needed.

In addition to reviewing public agencies, the scope of work also involves reviewing other service providers (e.g., private, regional, state, federal) related to the countywide provision of water and wastewater services.

The work is to be performed in accordance with applicable California Government Code provisions and Contra Costa LAFCO policies and procedures. The MSR is intended to serve as a tool to help LAFCO, the local agencies and the public better understand the public service structure; and to develop information to update SOIs of local agencies in Contra Costa County. LAFCO is not required to initiate boundary changes based on MSRs. However, LAFCO, local agencies or the public may subsequently use the MSRs, together with additional analysis where necessary, to pursue changes in jurisdictional boundaries and/or SOIs.

II. About Contra Costa County

Contra Costa County is adjacent to Alameda, San Joaquin, Sacramento and Solano counties. The County covers a total of 805 square miles, of which approximately 732 square miles are land; and contains a diverse social and physical environment, with many urban and suburban areas in the western and central areas, and agricultural areas in the eastern region.

The County is composed of three distinct areas: West County, Central County and East County. There are 19 cities and approximately 75 special districts. The County's population exceeds one million, representing the ninth largest county in the State. Approximately 16% of residents live in the unincorporated areas.

The voters in Contra Costa County approved an urban limit line which limits urban development in the County to no more than 35% percent of the land in the County. At least 65% of all land in the county shall be preserved for agriculture, open space, wetlands, parks and other nonurban uses.

III. Background

In 1963, the State Legislature created LAFCOs to help direct and coordinate California's growth in a logical, efficient and orderly manner. Each of the 58 counties in California has a LAFCO. LAFCOs are charged with discouraging urban sprawl, encouraging orderly boundaries and formation of local agencies, preserving agricultural lands and open space, and regulating the extension of services outside jurisdictional boundaries.

In 2001, pursuant to the enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"; Government Code §56000 et seq.), LAFCO acquired responsibility for preparing MSR. On or before January 1, 2008, and every five years thereafter, LAFCO shall, as necessary, review and update the SOI for each local agency. In conjunction with the SOI updates, LAFCO shall prepare corresponding MSR.

Contra Costa LAFCO is responsible for reviewing and updating SOIs for nearly 100 public agencies in Contra Costa County (19 cities and 75 special districts). Contra Costa LAFCO recently completed its first MSR cycle, and is now embarking on its second round reviews, beginning with water and wastewater services. This review is to be conducted by a professional consulting firm under the direction of the LAFCO Executive Officer and is the subject of this Request for Proposal (RFP).

IV. Scope of Services

A draft scope of services is enclosed with this RFP (Attachment 1). A final statement of services will be negotiated with the firm selected to conduct the service review and will be included as part of the professional services agreement.

V. Budget

LAFCO has limited resources to devote to the many MSR to be conducted over the next few years. **Proposals that demonstrate that the final product will meet the requirements of the CKH Act and provide useful information in a concise format at the lowest cost will be looked upon most favorably.** A final budget amount for this project will be negotiated with the firm selected for the work prior to an agreement.

VI. Schedule

The timeline will be negotiated with the firm selected to conduct this review, and will be included with the professional services agreement to be approved by LAFCO.

VII. Proposal Requirements

Responses to this RFP must include all of the following:

1. A statement about the firm that describes history, as well as the competencies and resumes of the principal and all professionals who will be involved in the work. This statement should address the following:

General Expertise

- Familiarity with the CKH Act, the role and functions of LAFCO, and the MSR process
- Understanding of how municipal services are financed and delivered
- Experience in governmental organization analysis, including performance measurement and evaluation
- Ability to analyze and present information in an organized format
- Ability to interpret varied budget and planning documents

- Ability to facilitate and synthesize input from stakeholders
- Familiarity with public input processes and experience presenting and disseminating public information for review and comment in a public setting
- Experience in fostering multi-agency partnerships and cooperative problem-solving
- Ability to provide flexible and creative alternatives where necessary to resolve service and policy issues
- Ability to work cooperatively with divergent interests

Water and Wastewater Service Expertise

- Expertise in various aspects of water service provision, including supply, quality, delivery, recycled water, water conservation and stewardship, groundwater recharge and pumping, flood control, storm-water runoff, etc.
 - Expertise in various aspects of wastewater service provision, including collection, conveyance, treatment, disposal, etc.
 - Expertise in the financial analysis of water and wastewater service delivery systems, including identifying financial constraints, opportunities and cost avoidance opportunities
 - Expertise in water and wastewater service organization analysis, including evaluating government structure options (e.g., consolidation, reorganization) and related advantages and disadvantages of these options
 - Experience with various types of water and wastewater service providers and regulators in California (i.e., public works departments, county environmental health departments, municipal water and sewer districts, flood control districts, private water companies, mutual water companies, shared water systems, county and state regulatory agencies, etc.)
2. Identification of the lead professional responsible for the project and identification of the professional(s) who will be performing the day-to-day work.
 3. Identification of any sub-consulting firms who will be involved. If sub-consultant firms are proposed, describe the work they will perform and include the same information for each sub-consultant as required for items 1 and 2 above.
 4. Description of similar or related experience accomplished in the last three years and references for each such project, including the contact name, address and telephone number.
 5. Description of the anticipated approach for this project, explicitly discussing and identifying any suggested changes to the draft Scope of Services (Attachment 1).
 6. Description of how you would utilize information from the first round MSR to avoid duplication of effort; and based on the first round MSR, and what you anticipate to be the critical areas to explore in the second round MSR.
 7. Disclosure of potential conflicts of interest with local agencies in Contra Costa County.
 8. Identification of any information, materials and/ or work assistance required from the Contra Costa LAFCO and/or subject agencies to complete the project. LAFCO staff has completed some preliminary data collection including initial requests for information

from the subject local agencies, and from private mutual water companies in Contra Costa County (refer to Attachment 1). The information collected by LAFCO staff will be provided to the selected consulting firm for use in preparing the MSR. The expectation is that the consultant will use this information and all available data sources (i.e., laws/statutes; local agency planning, financial and environmental documents, policies/procedures; LAFCO reports/ documents; regional/Census/demographic information; customer surveys, comments, etc.) to develop/ update information for the MSR report in an effort to minimize the workload for the subject agencies.

9. Provide a preliminary project schedule showing start and ending times for each work task, and indicate strategies for adhering to the schedule.
10. Information about the availability of all the professionals who will be involved in the work, including associate consultants.
11. The anticipated project cost, including:
 - a. A not-to-exceed total budget amount.
 - b. The cost for each major sub-task identified in the draft scope of services.
 - c. The hourly rates for each person who will be involved in the work, including the rates for any associate consultants.
12. Comments about the draft scope of services, ability of the firm to meet the insurance requirements, and other comments or questions.

VIII. Non-Discrimination & Equal Opportunity

It is the desire of the Contra Costa LAFCO to provide Minority-/Women-Owned, Local Small and Emerging Business Enterprises, and all other business enterprises an equal opportunity to participate in the performance of all contracts, subcontracts, and other LAFCO business activities. The Contra Costa LAFCO is an equal opportunity employer.

IX. Conflict of Interest

Proposers warrant and covenant that no official or employee of the Contra Costa LAFCO, nor any business entity in which an official of the Contra Costa LAFCO has an interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to the Contra Costa LAFCO. Proposers will notify LAFCO of any potential conflict of interest regarding other work or third party contracts.

X. Insurance Requirements

The successful proposer shall be required to maintain throughout the term of the contract, and for a minimum of six months following completion by Consultant and acceptance by LAFCO of all services under the contract, the following insurance coverage:

- 1) *comprehensive general liability insurance*, with a minimum combined single limit coverage of \$1,000,000 per occurrence for all damages, including consequential damages, due to bodily injury, sickness or disease, or death to any person or damage to or destruction of property, including the loss of use thereof, arising from each occurrence;
- 2) *personal automobile liability insurance* for owned, non-owned and hired automobiles, with a minimum combined single limit coverage of \$500,000 per occurrence;

- 3) *employer's liability insurance*, with minimum coverage of \$100,000 per employee;
- 4) *professional liability insurance*, with minimum coverage of \$1,000,000 per claim and \$1,000,000 aggregate; and
- 5) *workers' compensation insurance* coverage for its employees at statutory limits.

Additional Insured Endorsement

The comprehensive general liability insurance policy will be endorsed to include LAFCO and its officers and employees as additional insureds as to all services performed by Consultant under the contract. Said policies will constitute primary insurance as to LAFCO and its officers and employees, so that other insurance policies held by LAFCO or its self-insurance program(s) will not be required to contribute to any loss covered under Consultant's insurance policy or policies unless otherwise noted in the contract.

Evidence of Insurance - Before commencing any operations under the contract, the successful proposer shall furnish the Contra Costa LAFCO with a Certificate of Insurance and copies of all applicable endorsements evidencing compliance with the above insurance requirements and that such insurance will not be canceled or materially changed without thirty (30) days advance written notice.

Duration of Insurance Coverage - All required insurance coverages shall be maintained during the entire term of the contract. Insurance coverage written on a claims-made basis shall be maintained during the entire term of the contract and further until at least 6 month(s) following termination and acceptance of all work under the contract, with the retroactive date of said insurance concurrent with the commencement of activities pursuant to this contract.

All required insurance shall be placed with insurers with a current A.M. Best's rating of no less than A: VII or equivalent, and with deductible amounts acceptable to the Contra Costa LAFCO.

XI. Proposal Submittal

- One reproducible, unbound copy and one electronic copy (disk) of the proposal shall be received no later than 4:00 p.m., on Friday, June 7, 2013, at the office of Contra Costa LAFCO, 651 Pine Street, Sixth Floor, Martinez, CA 94553 Attn: Executive Officer. No faxed or e-mail transmitted proposals will be accepted. Proposals received after the deadline will not be considered. Note: If delivery is to be in person, please call the LAFCO office at (925) 335-1094 to arrange a delivery time.
- Each proposal shall be submitted in a sealed envelope that is clearly marked with the title of the RFP.
- All proposals will become property of the Contra Costa LAFCO.
- Cost of preparation of proposals shall be borne by the proposers.
- Proposals shall be signed by an authorized employee or officer in order to receive consideration.
- Contra Costa LAFCO is not responsible for proposals delivered to a person/location other than that specified herein.

XII. Selection Process

Based on relevant work experience, completeness of the responses, budget and the overall project approach identified in the written proposals received, the most qualified firms will be invited, at their expense, for an interview with a selection committee. Tentatively, interviews will be scheduled the week of June 24, 2013.

Final selection of the consultant will be based upon the evaluation of both the written and oral responses. Following interviews, the most qualified firm will be selected and a recommended agreement including budget, timeline and a final service agreement will be negotiated. The successful firm will enter into a contract to be awarded by Contra Costa LAFCO. Action by LAFCO on a recommended agreement is tentatively scheduled for Wednesday, July 10, 2013.

The selection committee will use the criteria listed below to evaluate the proposals. At the discretion of the selection committee, additional information may be requested to clarify and explain proposals.

- *Applicability of overall experience and qualifications relating to required services.* Consultant shall have experience preparing LAFCO MSR/SOI updates, and the general and technical expertise as described in Section VI above.
- *Evaluation of the scope of services, examining in particular any special techniques, approaches, ideas, and insights to be used in performing the services, along with additional consideration of how previous experiences may contribute to the proposer's ability to carry out the services.* Consultant shall possess the ability to initiate, develop and carry out effective strategies in preparing the MSR/SOI updates in accordance with State law and LAFCO requirements.
- *Evaluation of quality and comparability of previous service contracts/employment agreements on which the proposer was the sole or lead consultant.* Successful MSR experience with LAFCOs of similar size and scope to Contra Costa LAFCO within the last five (5) years. Successful experience is defined as that which was completed to the satisfaction of the client, on time and within budget.
- *Evaluation of background, general experience, knowledge, and special capabilities or qualities brought to the project by the consultant.* Consultant shall possess all permits, licenses and professional credentials necessary to perform the required planning services.
- *Cost.* LAFCO has limited resources to devote to the many MSRs to be conducted over the next few years. Proposals that demonstrate that the final product will meet the requirements of the CKH Act and provide useful information in a concise format at the lowest cost will be looked upon favorably. A final budget will be negotiated with the selected firm.

Contra Costa LAFCO reserves the right to award a contract to the firm(s) or individual(s) that presents the proposal which, in the sole judgment of Contra Costa LAFCO, best accomplishes the desired results.

Contra Costa LAFCO reserves the right to reject any or all proposals, to waive minor irregularities in said proposals, or to negotiate deviations with the successful firm.

After the award of the contract, the Contra Costa LAFCO may revise the work program to meet budget constraints.

XIII. Tentative Schedule

The tentative schedule associated with the circulation of the RFP and submission of proposal is as follows:

| DATE | TASK |
|-------------------------|---|
| May 8, 2013 | Commission to Review/Approve RFP and Selection Process |
| May 10, 2013 | Issue RFP |
| June 7, 2013 | Proposals Due |
| June 10-17, 2013 | Review of Written Proposals by Selection Committee |
| June 24-28, 2013 | Interviews of Selected Proposers |
| July 10, 2013 | Committee Recommendation to LAFCO; award of contract by LAFCO |
| August 1, 2013 | Consultant Begins Work |

XIV. LAFCO Contact

Lou Ann Texeira, Executive Officer
Contra Costa LAFCO
651 Pine Street, Sixth Floor
Martinez, CA 94553

Voice: (925) 335-1094
Fax: (925) 646-1228
Email: LTexe@lafco.cccounty.us

XV. Attachments

1. Draft Scope of Services (Attachment 1)

XVI. Reference Information

For general information about LAFCOs, visit the CALAFCO website: www.calafco.org

For information about Contra Costa LAFCO along with previously completed MSRs, please visit our website: www.contracostalafco.org

REQUEST FOR PROPOSALS
Countywide Second Round
Water and Wastewater Municipal Service Review

DRAFT SCOPE OF SERVICES

Second Round Countywide Water/Wastewater Service Review in Contra Costa County

Contra Costa LAFCO will conduct a second round municipal service review (MSR) for water and wastewater services provided in Contra Costa County. Contra Costa LAFCO completed its inaugural MSRs on these services in 2008-09. These reports are available online at www.contracostalafco.org.

California Government Code §56430 requires LAFCO to conduct the review in order to develop information for updating spheres of influence (SOIs). The current statute requires LAFCO to prepare and adopt a written determination for each of the following considerations:

- (1) Growth and population projections for the affected area
- (2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
- (3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence
- (4) Financial ability of agencies to provide services
- (5) Status of, and opportunities for, shared facilities
- (6) Accountability for community service needs, including governmental structure and operational efficiencies
- (7) Any other matter related to effective or efficient service delivery, as required by commission policy

The MSR report will include determinations for each local agency covered in the MSR report, and will include a recommendation regarding district SOIs as needed. Not all districts may require an SOI update; city SOIs will not be updated in conjunction with this MSR.

California Government Code §56425 requires LAFCO, when determining an SOI, to prepare and adopt a written statement of determination for each city and district regarding the following considerations:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
6. The nature, location, and extent of any functions or classes of services provided by existing districts.

Other Water and Wastewater Service issues and Topics

In addition to those issues contained in the statute, the following is a working list of water and wastewater service issues and topics that have also been identified for discussion in the countywide water and wastewater MSR report:

- Regulatory changes in water and wastewater service provisions since the last MSR in 2008-09
- Methods for evaluating the availability of adequate water supply and wastewater capacity
- Water service issues such as groundwater supplies and pumping, groundwater recharge and overdrafting, water conservation, recycled water, treated water, flood control and storm water runoff
- Reliability of water supply and wastewater systems in the event of an emergency, natural disaster, particularly given the age of some of the infrastructure in the County
- Status of water quality issues (e.g. septic system concerns, nitrates, etc.)
- Opportunities for improved water and wastewater services and public benefit from consolidation of service providers
- Coordination with and regulation of private water service providers
- Relationships between local water agencies and regional, statewide and federal water suppliers
- Impacts of city and county development on water and wastewater services
- Identification of best practices in long-term water and wastewater service planning

Other Important Considerations

1. In addition to the technical water/wastewater issues and topics identified above, the Commission is interested in reviewing the fiscal health and sustainability of local agencies in Contra Costa County. This was identified as a priority during the April 15, 2013 Contra Costa LAFCO strategic planning workshop. Consideration should be given to the following:
 - a. Impacts associated with the housing market crash, significant reductions in housing values and associated property tax revenue decline, and decline in new development, and the effects of these on projected demand for water supply and on the financial sustainability of local water and wastewater agencies.
 - b. Impacts on city revenues as a result of the dissolution of redevelopment agencies.
 - c. Ability for agencies to meet bond debt service and/or out-year pension and health care obligations.

- d. Local agency unfunded liabilities.
 - e. Other critical fiscal issues.
2. The 2008-09 water/wastewater MSR identified a number of governance issues which will warrant further review, including the following:
- a. The first round MSR identified a number of opportunities for sharing resources and facilities and/or consolidation of functions/government. We are interested in learning if any of these suggestions have been studied and/or implemented by the subject agencies.
 - b. We are interested to know of the impacts of the dissolution of redevelopment agencies on the agency's water and/or wastewater service delivery level, given that some system improvements anticipated the use of redevelopment funds or tax increment as the basis for future financing.
 - c. The previous MSR identified two governance and SOI options for CSA M-28: 1) maintain the status quo, and 2) dissolve CSA M-28 and annex the area to Diablo Water District (DWD). Following completion of the MSR, LAFCO adopted a zero SOI for CSA M-28, signaling the anticipated dissolution of the District and annexation to DWD.

M-28 provides water service to a 172 unit mobile home park on Bethel Island. The County previously contracted with DWD to maintain and operate the system. The County currently contracts with a private firm (Diversified) to manage the system. During the last MSR cycle, DWD expressed concern with taking over the system and the associated capital improvements costs. The County is currently pursuing the transfer of M-28 to the owner of the mobile home park; the transition is in process. We are interested in the status of this project.

- d. The previous MSR identified one governance and SOI option for County Sanitation District No. 6 (SD 6): adopt a zero SOI in anticipation of connection to the Central Contra Costa Sanitary District (CCCSD) system and dissolving SD 6. Following completion of the MSR, LAFCO adopted a zero SOI for SD 6, signaling the anticipated dissolution of the District and annexation to CCCSD.

SD 6 provides wastewater service to the Stonehurst subdivision (Alhambra Valley). The MSR noted that there is no other wastewater system infrastructure in the vicinity, although CCCSD has infrastructure less than one mile to the east of the subdivision. The MSR also noted that the Regional Water Quality Control Board Waste Discharge Permit requires SD 6 connect to a sanitary sewer line at the earliest possible time when services are available, following which the onsite wastewater treatment and disposal system would be closed.

The County recently issued a Request for Proposals for sanitary engineering consulting services to assist in the ongoing operation of SD 6 and possible future annexation to CCCSD. Included in the scope of services will be an analysis of the existing system and a feasibility study (including a cost estimate for planning, design

and construction) assisting the County with the annexation process. We are interested in the status of this project.

Service Review Task Overview

The countywide water/wastewater MSR will be conducted in accordance with the California Government Code and local LAFCO policies. Preparation of the MSR will include the following steps, although other activities may be necessary:

1. Data Collection and Review

- Review Contra Costa LAFCO's first round MSRs and recent initial request for information (RFI) as provided by Contra Costa LAFCO staff (see Exhibit 1 for example)
- Identify appropriate criteria to be used in service review
- Prepare and distribute a supplemental survey instrument relating to those determinations contained in CKH §56430 following consultation with LAFCO staff
- Collect information through survey, research, interview, meetings and other appropriate means
- Compile information in a database
- Verify compiled information with agencies

Timing and work products: On or before (insert deadline), Consultant shall deliver to LAFCO staff complete information for each agency

2. Data Analysis

- Analyze and prepare preliminary findings based on standards, where appropriate
- Present to and discuss preliminary findings with LAFCO staff
- Present to and discuss preliminary findings with agency staff

Timing and work products: On or before (insert deadline), Consultant shall deliver to LAFCO preliminary analysis and findings to LAFCO staff

3. Draft MSR Report

- Prepare a draft MSR report including required findings for public review and comment
- The MSR report shall include a table of contents, agency profiles, an executive summary and agency maps (mapping will be provided by LAFCO), along with recommended determinations per 56430, governance/boundary options, and recommended SOI updates, as appropriate
- Present draft MSR report to LAFCO at a public hearing

Timing and work products: On or before (insert deadline), Consultant shall deliver to LAFCO a MS Word formatted and PDF formatted version of the Draft MSR report

4. Final MSR Report

- Respond to comments (comment log) and prepare a final MSR report including required findings
- Present final MSR report to LAFCO at a public hearing for adoption

Timing and work products: On or before (insert deadline), Consultant shall deliver to LAFCO a MS Word formatted and PDF formatted version of the Final MSR report

In accordance with the work plan, Consultant is expected to:

- Conduct the service review process in a collaborative fashion with opportunities for input and review by each of the agencies being reviewed.
- Encourage public participation in the service review process.
- Conduct the required analysis in the most cost-effective manner possible.
- Utilize information that is currently available, such as LAFCO Request for Information, maps, etc., rather than initiate new tools and processes.
- Create a product that will be useful to the Commission in reviewing and updating SOIs and future proposals for changes of organization, beneficial to agencies as a planning tool, and readily accessible to, and easily understandable by, the general public.

Identification of Water/Wastewater Service Providers

The geographic area chosen for this MSR is all of Contra Costa County. Agencies that are required to have an SOI update (i.e., cities and special districts) will be the focus of the MSR. Upon completion of the MSR, LAFCO may update the SOIs for some or all of the special districts. For cities that provide water and/or wastewater services, LAFCO will not update city SOIs at this time.

The following cities and special districts provide water and/or wastewater services in Contra Costa County:

CITIES:

1. City of Antioch (water/wastewater)
2. City of Brentwood (water/wastewater)
3. City of Concord (wastewater)
4. City of Hercules (wastewater)
5. City of Martinez (water)
6. City of Pinole (wastewater)
7. City of Pittsburg (water/wastewater)
8. City of Richmond (wastewater)

SPECIAL DISTRICTS:

1. Byron Bethany Irrigation District (water – San Joaquin LAFCO is principal)
2. Central Contra Costa Sanitary District (wastewater)

3. Contra Costa Water District (water)
4. County Sanitation District No. 6 - Alhambra Valley (wastewater)
5. Delta Diablo Sanitary District (wastewater)
6. Diablo Water District (water)
7. Dublin San Ramon Services District (water/wastewater – Alameda LAFCO is principal)
8. East Bay Municipal Utility District (water/wastewater – Alameda LAFCO is principal)
9. East Contra Costa Irrigation District (water)
10. Ironhouse Sanitary District (wastewater)
11. Mt. View Sanitary District (wastewater)
12. Rodeo Sanitary District (wastewater)
13. Stege Sanitary District (wastewater)
14. West County Wastewater District (wastewater)

OTHER AGENCIES

Other agencies may also be included in the MSR to the extent necessary to establish relationships, quantify services and provide a comprehensive overview of services countywide. In addition to reviewing the public agencies, the scope of work may involve reviewing other public and private systems to the extent they relate to the overall provision of water and/or wastewater services in Contra Costa County (see Exhibit 2).

Of particular note, Assembly Bill 54 became effective on January 1, 2012. The legislation supports the State's goal of ensuring access to safe drinking water for all California residents by imposing new requirements on LAFCOs and mutual water companies (MWCs) that own and operate a public water system. The requirements are intended to improve access to information about the location of MWCs and the quality of water they provide.

In accordance with AB 54, LAFCO contacted each of the 28 of the MWCs in Contra Costa County and requested a map of their service area and additional information which may be used in our MSR (see Exhibit 3). To date, we have received responses from 15 MWCs, which will be shared with the selected consulting firm.



Lou Ann Teixeira
Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
County Member
Rob Schroder
City Member

Don Tatzin
City Member

ALTERNATE MEMBERS

Candace Andersen
County Member
Sharon Burke
Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

May 8, 2013 (Agenda)

May 8, 2013
 Agenda Item 10

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

Contract Extension – Lamphier-Gregory

Dear Commissioners:

In June 2011, following a formal bid process, the Commission approved a new contract with Lamphier-Gregory to provide professional planning services to LAFCO on an as needed basis. The firm has provided planning services to Contra Costa LAFCO since 2008.

Under the contract, Nat Taylor serves as Senior Planner and Project Manager, supporting LAFCO as follows:

- Review and analysis of, and preparation of written comments regarding various LAFCO applications
- Review and evaluation of, and preparation of written comments regarding environmental documents prepared by other agencies
- Preparation of environmental documents for LAFCO projects
- Assistance with development of new, and review of existing, LAFCO policies and procedures
- Assistance with municipal service reviews (MSRs) and sphere of influence (SOI) updates
- Attendance at LAFCO hearings, meetings with applicants, and other meetings as needed

Through the firm’s ongoing work, they have become familiar with projects and issues relating to Contra Costa LAFCO. The firm is currently working with LAFCO staff on a number of projects including several pending reorganization proposals and the upcoming second round water and wastewater MSR. Given the firm’s exemplary work and familiarity with Contra Costa LAFCO issues, staff recommends an extension of the current contract.

The current contract provides for amendment subject to written agreement by both parties. In addition to the time extension, an increase to the hourly rates as shown below is also proposed.

The proposed rate increase is the first and only increase since the original contract was entered into in 2008.

| <u>Position</u> | <u>2008 Rate</u> | <u>2013 Rate</u> |
|-------------------|------------------|------------------|
| Principal | \$190 per hour | \$215 per hour |
| Senior Planner | \$150 per hour | \$170 per hour |
| Associate Planner | \$130 per hour | \$160 per hour |

RECOMMENDATION

Authorize LAFCO staff to execute a one-year contract extension with Lamphier-Gregory extending the term of the contract from June 30, 2013 to June 30, 2014, and increasing the hourly billing rates. Adequate funds are included in the existing contract and in the FY 2013-14 LAFCO budget.

Sincerely,

Lou Ann Texeira
Executive Officer

c: Nat Taylor, Lamphier-Gregory
County Auditor-Controller

PO Number: _____

AGREEMENT AMENDMENT

Reference is made to that contract entered into on the 1st day of July 2011, by and between the Contra Costa Local Agency Formation Commission and Lamphier Gregory.

Said contract is hereby amended:

TERM will be from July 1, 2011 through **June 30, 2014**.

HOURLY RATES (Exhibit B) are amended as follows:

| | |
|-------------------|------------|
| Principal | \$215/hour |
| Senior Planner | \$170/hour |
| Associate Planner | \$160/hour |

This amendment is effective July 1, 2013.

IN WITNESS THEREOF, the parties hereto have executed this amendment this 8th day of May 2013.

CONTRA COSTA LAFCO

CONTRACTOR
LAMPHER GREGORY

By: _____
LAFCO Executive Officer

By: _____

Taxpayer ID#: _____

APPROVED AS TO FORM

LAFCO Legal Counsel

I hereby certify under penalty of perjury that the Executive Officer of the Contra Costa LAFCO was duly authorized to execute this document on behalf of the Contra Costa LAFCO by a majority vote of the Commission on May 8, 2013.

Date: _____

ATTEST:

Contra Costa LAFCO Clerk



Lou Ann Texeira
 Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
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Dwight Meadows
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May 8, 2013 (Agenda)

May 8, 2013
 Agenda Item 11

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

Mt. Diablo Health Care District – Status Report

Dear Commissioners:

On August 8, 2012, following a special LAFCO study, various meetings and two public hearings, the Commission approved the Mt. Diablo Health Care District (MDHCD) Reorganization. The reorganization involved the detachment of territory from the MDHCD and establishment of MDHCD as a subsidiary district of the City of Concord. The MDHCD bounds included the cities of Concord and Pleasant Hill.

Pursuant to the reorganization, the City of Concord assumed responsibility for the day-to-day operations of the MDHCD and the Concord City Council members serve as the District Board.

The City has successfully transitioned the MDHCD into the City organization as a subsidiary district to the City. As reported by the City, there are two aspects of this transition: (1) Administrative and (2) Grant Program Operation, which are described below.

Administrative Transition: All records and assets of the former MDHCD were transferred successfully to the City. The Concord City Manager was appointed as the Executive Director of the District and the Concord City Attorney as its legal counsel. The former MDHCD office has been closed and the official office of the MDHCD is now Concord City Hall located on Parkside Drive in Concord.

The Concord City Clerk's office has spent the last six months obtaining and organizing the historical files for the District and is working to digitize the documents. The City has replaced the former MDHCD website with a new a page for the MDHCD which is part of the City's website (<http://www.ci.concord.ca.us/mdhcd/>).

The MDHCD Board (i.e., Concord City Council) created an MDHCD Grant Committee as a subcommittee of Concord's existing Community Services Commission (CSC). Membership in this Grant Committee includes five members of the CSC (Concord residents) and two Pleasant

Hill residents appointed by Pleasant Hill City Council. The Board has tasked the Grant Committee with developing and implementing a grant process. Additionally, the Board has asked the Committee to evaluate a possible name change for the District that would reflect the District's new, smaller boundaries. The Committee has not yet taken up this task, but anticipates doing so in the future and will return to the Board with a recommendation.

Additionally, the MDHCD Board appointed the following City representatives to serve on the John Muir/Mt. Diablo Community Health Fund Board: Councilmember Laura Hoffmeister, Bill Gram-Reefer, and Ernesto Avila. The Pleasant Hill City Council appointed Councilmembers Jack Weir and David Durant. All five members have taken their seats on the Community Health Fund Board.

Grant Program: The MDHCD Grant Committee developed an official grant process which was approved by the MDHCD Board. A grant kickoff meeting was held in March 2013 for interested applicants for FY 2013-14 funding; the deadline for submittal was April 25.

The City reports that community response was robust; the Grant Committee received 34 applications requesting \$975,881 in funding. Approximately \$200,000 in grant funding is available, thus the Committee has its work cut out for them. The District's web page includes a comprehensive grant application packet containing information regarding the District, its mission, the grant application process/timeline, funding parameters, community health priorities, funding availability and other relevant information. According to the timeline, the Grant Committee will review all applications and make funding recommendations to the Board of Directors in July; the funding cycle will begin on August 1, 2013. The District's website also includes instructions for completing the grant application and the District's strategic plan.

RECOMMENDATION – Receive report.

Sincerely,

Lou Ann Texeira
Executive Officer

c: Distribution



Lou Ann Teixeira
Executive Officer

MEMBERS

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Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
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ALTERNATE MEMBERS

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George H. Schmidt
Special District Member

May 8, 2013

May 8, 2013
 Agenda Item 12

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

**CALAFCO Annual Conference and Call for Board Member and
 Achievement Award Nominations**

Dear Commissioners:

The Annual CALAFCO Conference will be held August 28-30, 2013 at the Resort at Squaw Creek in Lake Tahoe, CA. This year, LAFCO celebrated its 50th anniversary, as reflected in the Conference theme: "*Clarity of Vision: The Golden Age of LAFCO.*" Conference program planning is underway and additional conference information is forthcoming.

Each year, prior to the annual conference, CALAFCO calls for Board of Director candidates and Achievement Award nominations. The election of CALAFCO Board members and Achievement Award ceremony will take place at the annual CALAFCO conference on Thursday, August 29th.

The CALAFCO Recruitment Committee has opened nominations for the 2014 Board of Directors. There are eight seats up for election this fall, two from each of the four regions. The Coastal Region seats include a City Member and a Public Member. Candidates must be nominated by the Commission on which they serve. The deadline for Board nominations is **July 29**. See the attached Nomination packet for details (Attachment 1).

Also, nominations are now open for the 2013 CALAFCO Achievement Awards. The awards recognize outstanding achievements by individuals and organizations committed to LAFCO goals and principles. The deadline for award nominations is **July 9**. See the attached Achievement Awards packet for details (Attachment 2).

Last year, the Commission discussed the possibility of nominating the Mt. Diablo Health Care District Reorganization for a CALAFCO Achievement Award. Now that the reorganization is complete, the Commission may wish to consider an award nomination.

The CALAFCO bylaws require each member LAFCO to designate a voting delegate to vote on behalf of their Commission. The voting delegate may be a commissioner, alternate commissioner or executive officer. Voting delegates must be designated prior to the annual meeting in August 2013.

Recommendation: Advise as to any Board and/or Achievement Award nominations, and appoint a voting delegate and alternate for Contra Costa LAFCO.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachments

1. CALAFCO Board Nomination Packet
2. CALAFCO Achievement Awards Nomination Packet



30 April 2013



**2013
Board of Directors**

Chair

THEODORE NOVELLI
Amador LAFCo

Vice Chair

MARY JANE GRIEGO
Yuba LAFCo

Secretary

JOHN LEOPOLD
Santa Cruz LAFCo

Treasurer

STEPHEN TOMANELLI
Riverside LAFCo

JULIE ALLEN
Tulare LAFCo

MATTHEW BEEKMAN
Stanislaus LAFCo

ROBERT BERGMAN
Nevada LAFCo

LOUIS CUNNINGHAM
Ventura LAFCo

LARRY R. DUNCAN
Butte LAFCo

JERRY GLADBACH
Los Angeles LAFCo

JULIANA INMAN
Napa LAFCo

GAY JONES
Sacramento LAFCo

MICHAEL KELLEY
Imperial LAFCo

MICHAEL R. MCGILL
Contra Costa LAFCo

EUGENE MONTANEZ
Riverside LAFCo

JOSH SUSMAN
Nevada LAFCo

Staff

PAMELA MILLER
Executive Director

LOU ANN TEXEIRA
Executive Officer

CLARK ALSOP
Legal Counsel

MARJORIE BLOM
Deputy Executive Officer

STEPHEN LUCAS
Deputy Executive Officer

SAMUEL MARTINEZ
Deputy Executive Officer

JENI TICKLER
Executive Assistant

To: Local Agency Formation Commission
Members and Alternate Members

From: Jerry Gladbach, Chair
Board Recruitment Committee
CALAFCO Board of Directors

RE: Nominations for 2014 CALAFCO Board of Directors

Nominations are now open for the fall elections of the Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

The following offices on the CALAFCO Board of Directors are open for nominations.

| <u>Northern Region</u> | <u>Central Region</u> | <u>Coastal Region</u> | <u>Southern Region</u> |
|------------------------|-----------------------|-----------------------|------------------------|
| County Member | City Member | City Member | County Member |
| District Member | Public Member | Public Member | District Member |

The election will be conducted during regional caucuses at the CALAFCO annual conference prior to the Annual Membership Meeting on Thursday, August 29th, 2013 at the Resort at Squaw Creek in North Lake Tahoe, CA.

Please inform your Commission that the CALAFCO Recruitment Committee is accepting nominations for the above-cited offices until Monday, July 29th, 2013. Incumbents are eligible to run for another term. Nominations received by July 29th will be included in the Recruitment Committee's Report, copies of which will be available at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance.

Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form, or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee. **The nomination forms and materials must be received by the CALAFCO Executive Director no later than Monday, July 29th, 2013.**

Please forward nominations to:

CALAFCO Recruitment Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1215 K Street, Suite 1650
Sacramento, California 95814
FAX: 916-442-6535

Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to info@calafco.org. Alternatively, nomination forms and materials can be mailed or faxed to the above address.

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures. Members of the 2014 CALAFCO Recruitment Committee are:

Chair - Jerry Gladbach, Los Angeles LAFCo (Southern Region)
jgladbach@calafco.org 626-204-6500

Robert Bergman, Nevada LAFCo (Northern Region)
rbergman@calafco.org 530-265-7180

Gay Jones, Sacramento LAFCo (Central Region)
gjones@calafco.org 916-874-6458

Mike McGill, Contra Costa LAFCo (Coastal Region)
mmcgill@calafco.org 925-335-1094

Elliot Mulberg, Associate Member and former CALAFCO Board Member
Mulberg@gmail.com 916-217-8393

Former CALAFCO Board Member and Associate Member Elliot Mulberg has agreed to once again assist CALAFCO with the election process. We appreciate and value his expertise. Questions about the election process can be directed to him at elliott@mulberg.com or 916-217-8393.

Please consider joining us!

Enclosures

Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF A RECRUITMENT COMMITTEE

- a. Following the Annual Membership Meeting the Board shall appoint a Committee of four members of the Board. The Recruitment Committee shall consist of one member from each region whose term is not ending.
- b. The Board shall appoint one of the members of the Recruitment Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Recruitment Committee in cooperation with the CALAFCO Executive Director.
- c. Each region shall designate a regional representative to serve as staff liaison to the Recruitment Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

2. ANNOUNCEMENT TO ALL MEMBER LAFCoS

- a. No later than three months prior to the Annual Membership Meeting, the Recruitment Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFCoS listed by region.
 - iii. The dates by which all nominations must be received by the Recruitment Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Nominations Committee action."
 - iv. The names of the Recruitment Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.
 - v. The address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Recruitment Committee Chair shall send an announcement to the Executive Director for distribution to each member LAFCo and for publication in the newsletter and on the website. The announcement shall include the following:

**Key Timeframes for
Nominations Process**

| Days* | |
|-------|---------------------------|
| 90 | Nomination announcement |
| 30 | Nomination deadline |
| 14 | Committee report released |

*Days prior to annual membership meeting

- i. A statement clearly indicating which offices are subject to the election.
 - ii. The specific date by which all nominations must be received by the Recruitment Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Recruitment Committee action."
 - iii. The names of the Recruitment Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.
 - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

3. THE RECRUITMENT COMMITTEE

- a. The Recruitment Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Recruitment Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nominations the Recruitment Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Recruitment committee shall tally ballots at each caucus and provide the Recruitment Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Recruitment Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Member by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Annual Conference Planning Committee to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Recruitment Committee shall serve as the Presiding Officer for the purpose of the caucus election.
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Recruitment Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCos voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Recruitment Committee.

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING

- a. The Recruitment Committee Chairman, another member of the Recruitment Committee, or the Chair's designee (hereafter called the Presiding Officer) shall:
 - i. Review the election procedure with the membership.
 - ii. Present the Recruitment Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 1. For city member.
 2. For county member.
 3. For public member.
 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 1. Name the nominees and offices for which they are nominated.
 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
 - ii. For categories where there are more candidates than vacancies, the Presiding Officer

shall:

1. Poll the LAFCoS in good standing by written ballot.
2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
3. With assistance from CALAFCO staff, tally the votes cast and announce the results.

iii. Election to the Board shall occur as follows:

1. The nominee receiving the majority of votes cast is elected.
2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election.
3. In case of tie votes:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.
 - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
 - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
 - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Recruitment Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive

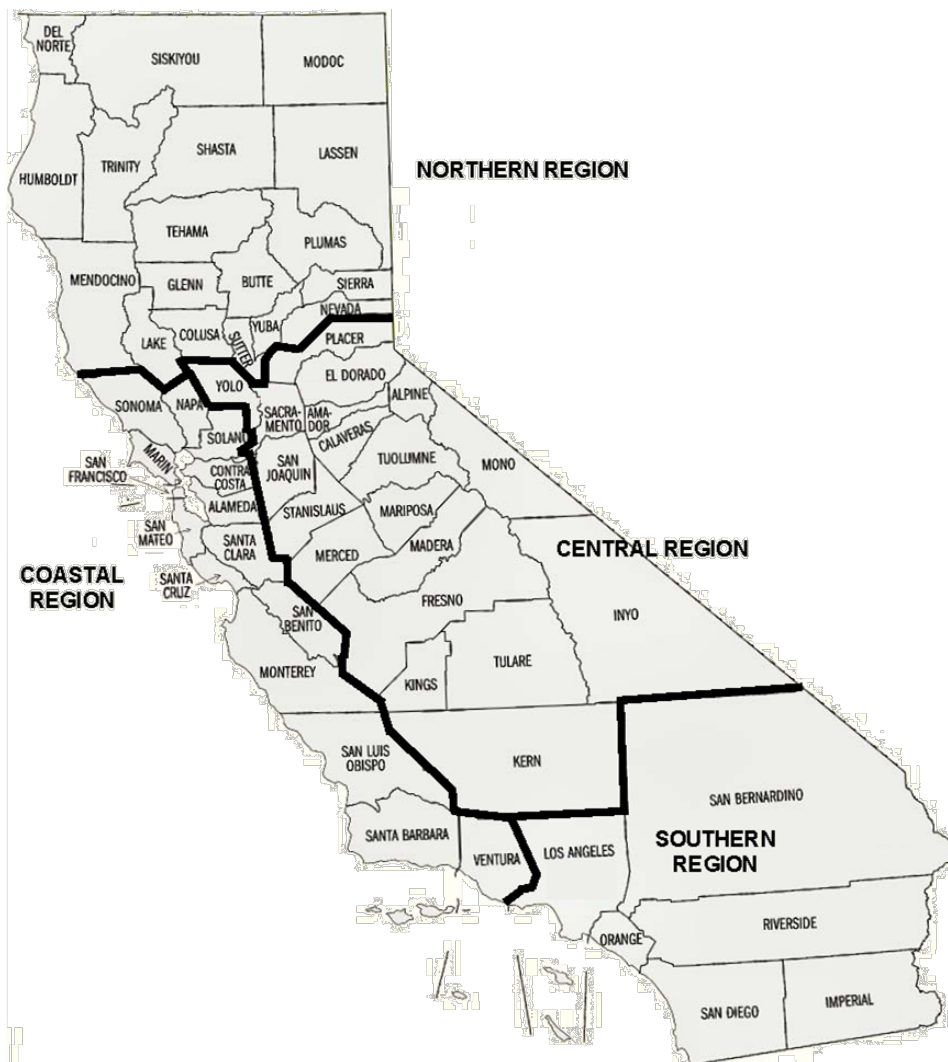
Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

These policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007, 8 February 2008, 13 February 2009, 12 February 2010, 18 February 2011, and 29 April 2011. They supersede all previous versions of the policies.

CALAFCO Regions



The counties in each of the four regions consist of the following:

Northern Region

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

CONTACT: Steve Lucas, Butte LAFCo
slucas@buttecounty.net

Southern Region

Orange
Los Angeles
Imperial
Riverside
San Bernardino
San Diego

CONTACT: Sam Martinez,
San Bernardino LAFCo
smartinez@lafco.sbcounty.gov

Coastal Region

Alameda
Contra Costa
Marin
Monterey
Napa
San Benito
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Ventura

CONTACT: Lou Ann Texeira, Contra Costa
LAFCo
ltexe@lafco.cccounty.us

Central Region

Alpine
Amador
Calaveras
El Dorado
Fresno
Inyo
Kern
Kings
Madera
Mariposa
Merced
Mono
Placer
Sacramento
San Joaquin
Stanislaus
Tulare
Tuolumne
Yolo

CONTACT: Marjorie Blom, Stanislaus LAFCo
blomm@stancounty.com

Board of Directors 2013 Nominations Form

Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCo of the _____ Region

Nominates _____

for the (check one) City County Special District Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual
Membership Meeting of the Association.

LAFCo Chair

Date

NOTICE OF DEADLINE

Nominations must be received by **July 29, 2013**
to be considered by the Recruitment Committee.
Send completed nominations to:
CALAFCO Recruitment Committee
CALAFCO
1215 K Street, Suite 1650
Sacramento, CA 95814

Board of Directors Candidate Resume Form

Nominated By: _____ LAFCo Date: _____

Region (please check one): Northern Coastal Central Southern

Category (please check one): City County Special District Public

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____ @ _____

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

NOTICE OF DEADLINE

Nominations must be received by **July 29, 2013**
to be considered by the Recruitment Committee.
Send completed nominations to:
CALAFCO Recruitment Committee
CALAFCO
1215 K Street, Suite 1650
Sacramento, CA 95814

**2013
Board of Directors**

Chair

THEODORE NOVELLI
Amador LAFCo

Vice Chair

MARY JANE GRIEGO
Yuba LAFCo

Secretary

JOHN LEOPOLD
Santa Cruz LAFCo

Treasurer

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CLARK ALSOP
Legal Counsel

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Deputy Executive Officer

STEPHEN LUCAS
Deputy Executive Officer

SAMUEL MARTINEZ
Deputy Executive Officer

JENI TICKLER
Executive Assistant

Date: 30 April 2013

To: LAFCo Commissioners and Staff
CALAFCO Members
Other Interested Organizations

From: Matthew Beekman, Co-Chair
Michael McGill, Co-Chair
CALAFCO Achievement Awards Committee

RE: 2013 CALAFCO Achievement Award Nominations

Each year at the annual conference, CALAFCO recognizes outstanding achievements by dedicated and committed individuals from throughout the state to LAFCo, CALAFCO and LAFCo principles through the annual Achievement Awards.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who go above and beyond in their work to advance the principles and goals of Cortese-Knox-Hertzberg and LAFCo. We invite you to use this opportunity to nominate the people and agencies you feel deserve this important recognition.

To make a nomination, please use the following procedure:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization. There is no limit to the number of nominations.
2. Please use a separate form (attached) for each nomination. Nominations must be submitted with a completed nomination form. The form is your opportunity to summarize the most important points of your nomination.
3. All nomination materials must be submitted at one time and must be received by the deadline. Electronic submittals are encouraged.
4. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. Endorsement letters from third parties are not necessary.
5. **Nominations and supporting materials must be received no later than 5:00 p.m., Tuesday, July 9, 2013.** Send nominations via e-mail, fax, or U.S. mail to:

Marjorie Blom
Stanislaus LAFCo
1010 Tenth Street, 3rd Floor
Modesto, CA 95354
Fax (209) 525-7643
E-mail: blomm@stancounty.com

Please contact Marjorie with any questions at (209) 525-7660. A list of the previous Achievement Award recipients is attached to this announcement.





Nomination Form

NOMINEE

Person or Agency Being Nominated:

Name
Organization
Address
Phone/E-mail

NOMINATION CATEGORY (check one – see category detail on attached sheet)

- Outstanding CALAFCO Member
- Distinguished Service Award
- Most Effective Commission
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Outstanding LAFCo Clerk
- Project of the Year
- Government Leadership Award
- Legislator of the Year
- Mike Gotch Courage and Innovation in Local Government Award

NOMINATION SUBMITTED BY:

Name:
Address:
Phone:
E-mail:

ACHIEVEMENTS

Please indicate the reasons why this person or agency deserves to be recognized (Use additional sheets as needed):

CALAFCO ACHIEVEMENT AWARD CATEGORIES

CALAFCO recognizes excellence within the LAFCo community by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are being accepted until Tuesday, July 9th 2013, in the following categories:

Outstanding CALAFCO Member

Recognizes a CALAFCO Board Member or staff person who has provided exemplary service during the past year.

Distinguished Service Award

Given to a member of the LAFCo community to recognize long-term service by an individual.

Most Effective Commission

Presented to an individual Commission to recognize innovation, streamlining, and/or initiative in implementing LAFCo programs; may also be presented to multiple Commissions for joint efforts.

Outstanding Commissioner

Presented to an individual Commissioner for extraordinary service to his or her Commission.

Outstanding LAFCo Professional

Recognizes an Executive Officer, Staff Analyst, or Legal Counsel for exemplary service during the past year.

Outstanding LAFCo Clerk

Presented to a LAFCo Clerk for service above and beyond the call of duty.

Project of the Year

Recognition for a project-specific program that involved complex staff analysis, community involvement, or an outstanding solution.

Government Leadership Award

Presented to a decision-making body at the city, county, special district, regional or state level which has furthered good government efforts in California.

Legislator of the Year

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals. Selected by CALAFCO Board.

Mike Gotch Courage and Innovation in Local Government Award

Presented to an individual who has taken extraordinary steps to improve and innovate local government. This award is named for Mike Gotch: former Assembly Member, LAFCo Executive Officer and CALAFCO Executive Director responsible for much of the foundations of LAFCo law and CALAFCO. He is remembered as a source of great inspiration for staff and legislators from throughout the state.



CALAFCO ACHIEVEMENT AWARD RECIPIENTS

2012

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Lifetime Achievement Award

Bill Chiat, CALAFCO Executive Director

Marty McClelland, Commissioner, Humboldt LAFCo

Sonoma LAFCo

Stephen A. Souza, Commissioner, Yolo LAFCo and CALAFCO
Board of Directors

Sherwood Darington, Monterey LAFCo

Carole Cooper, Sonoma LAFCo

Gwenna MacDonald, Lassen LAFCo

Countywide Service Review & SOI Update, Santa Clara
LAFCo

North Orange County Coalition of Cities, Orange LAFCo

P. Scott Browne, Legal Counsel LAFCos

2011

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Martin Tuttle, Deputy Director for Planning, Caltrans

Mike McKeever, Executive Director, SACOG

Carl Leverenz, Commissioner and Chair, Butte LAFCo

San Bernardino LAFCo

Keene Simonds, Executive Officer, Napa LAFCo

Louis R. Calcagno, Monterey LAFCo

June Savala, Deputy Executive Officer, Los Angeles LAFCo

Debbie Shubert, Ventura LAFCo

Cortese-Knox-Hertzberg Definitions Revision

Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper, and
George Spiliotis

Contra Costa Sanitary District

**Elsinore Water District and Elsinore Valley Municipal Water
District**

2010

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Helen Thompson, Commissioner, Yolo LAFCo

Kathleen Rollings-McDonald, Executive Officer, San
Bernardino LAFCo

Bob Braitman, Executive Officer, Santa Barbara LAFCo

Tulare LAFCo

Roger Anderson, Ph.D., CALAFCO Chair, Santa Cruz LAFCo

George Lange, Ventura LAFCo

Harry Ehrlich, Government Consultant, San Diego LAFCo

Candie Fleming, Fresno LAFCo



2013 Achievement Award Nominations

Project of the Year

Butte LAFCo

Sewer Commission - Oroville Region Municipal Service Review

Government Leadership Award

Nipomo Community Services District and the County of San Luis Obispo

Special Achievement

Chris Tooker, Sacramento LAFCo and CALAFCO Board of Directors

2009

Mike Gotch Courage & Innovation in Local Government Leadership Award

Paul Hood, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award

William Zumwalt, Executive Officer, Kings LAFCo

Most Effective Commission

Napa LAFCo

Outstanding CALAFCO Member

Susan Vicklund Wilson, CALAFCO Vice Chair

Jerry Gladbach, CALAFCO Treasurer

Outstanding Commissioner

Larry M. Fortune, Fresno LAFCo

Outstanding LAFCo Professional

Pat McCormick, Santa Cruz LAFCo Executive Officer

Outstanding LAFCo Clerk

Emmanuel Abello, Santa Clara LAFCo

Project of the Year

Orange LAFCo

Boundary Report

Government Leadership Award

Cities of Amador City, Jackson, Ione, Plymouth & Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD – Countywide MSR Project

Legislator of the Year Award

Assembly Member Jim Silva

2008

Distinguished Service Award

Peter M. Detwiler, Senate Local Government Committee Chief Consultant

Most Effective Commission

Yuba LAFCo

Outstanding Commissioner

Dennis Hansberger, San Bernardino LAFCo

Outstanding LAFCo Professional

Michael Ott, San Diego LAFCo Executive Officer

Martha Poyatos, San Mateo Executive Officer

Outstanding LAFCo Clerk

Wilda Turner, Los Angeles LAFCo

Project of the Year

Kings LAFCo

City and Community District MSR and SOI Update

Government Leadership Award

San Bernardino Board of Supervisors

Legislator of the Year Award

Assembly Member Anna M. Caballero

2007

Outstanding CALAFCO Member

Kathy Long, Board Chair, Ventura LAFCo

Distinguished Service Award

William D. Smith, San Diego Legal Counsel

Most Effective Commission

Santa Clara LAFCo

Outstanding Commissioner

Gayle Uilkema, Contra Costa LAFCo

Outstanding LAFCo Professional

Joyce Crosthwaite, Orange LAFCo Executive Officer

Outstanding LAFCo Clerk

Debby Chamberlin, San Bernardino LAFCo

Project of the Year

San Bernardino LAFCo and City of Fontana

Islands Annexation Program

Government Leadership Award

City of Fontana

Islands Annexation Program

Lifetime Achievement

John T. "Jack" Knox



2013 Achievement Award Nominations

2006

| | |
|---|--|
| Outstanding CALAFCO Member | Everett Millais , CALAFCO Executive Officer and Executive Officer of Ventura LAFCo |
| Distinguished Service Award | Clark Alsop , CALAFCO Legal Counsel |
| Most Effective Commission Award | Alameda LAFCo |
| Outstanding Commissioner Award | Ted Grandsen , Ventura LAFCo Chris Tooker , Sacramento LAFCo |
| Outstanding LAFCo Professional Award | Larry Calemine , Los Angeles LAFCo Executive Officer |
| Outstanding LAFCo Clerk Award | Janice Bryson , San Diego LAFCo Marilyn Flemmer , Sacramento LAFCo |
| Project of the Year Award | Sacramento Municipal Utility District Sphere of Influence Amendment and Annexation; Sacramento LAFCo |
| Outstanding Government Leadership Award | Cities of Porterville, Tulare, and Visalia and Tulare LAFCo Island Annexation Program |
| Legislator of the Year Award | Senator Christine Kehoe |

2005

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|---|---|
| Outstanding CALAFCO Member | Peter Herzog , CALAFCO Board, Orange LAFCo |
| Distinguished Service Award | Elizabeth Castro Kemper , Yolo LAFCo |
| Most Effective Commission Award | Ventura LAFCo |
| Outstanding Commissioner Award | Art Aseltine , Yuba LAFCo Henri Pellissier , Los Angeles LAFCo |
| Outstanding LAFCo Professional Award | Bruce Baracco , San Joaquin LAFCo |
| Outstanding LAFCo Clerk Award | Danielle Ball , Orange LAFCo |
| Project of the Year Award | San Diego LAFCo MSR of Fire Protection and Emergency Medical Services |
| Outstanding Government Leadership Award | Sacramento Area Council of Governments (SACOG) |

2004

| | |
|--------------------------------------|---|
| Outstanding CALAFCO Member | Scott Harvey , CALAFCO Executive Director |
| Distinguished Service Award | Julie Howard , Shasta LAFCo |
| Most Effective Commission Award | San Diego LAFCo |
| Outstanding Commissioner Award | Edith Johnsen , Monterey LAFCo |
| Outstanding LAFCo Professional Award | David Kindig , Santa Cruz LAFCo |
| Project of the Year Award | San Luis Obispo LAFCo Nipomo CSD SOI Update, MSR, and EIR |

2003

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|--------------------------------------|--|
| Outstanding CALAFCO Member | Michael P. Ryan , CALAFCO Board Member |
| Distinguished Service Award | Henri F. Pellissier , Los Angeles LAFCo |
| Most Effective Commission Award | San Luis Obispo LAFCo |
| Outstanding Commissioner Award | Bob Salazar , El Dorado LAFCo |
| Outstanding LAFCo Professional Award | Shirley Anderson , San Diego LAFCo |
| Outstanding LAFCo Clerk Award | Lori Fleck , Siskiyou LAFCo |
| Project of the Year Award | Napa LAFCo Comprehensive Water Service Study |
| Special Achievement Award | James M. Roddy |



2013 Achievement Award Nominations

2002

| | |
|---|---|
| Outstanding CALAFCO Member | Ken Lee , CALAFCO Legislative Committee Chair |
| Most Effective Commission Award | San Diego LAFCo |
| Outstanding Commissioner Award | Ed Snively , Imperial LAFCo |
| Outstanding LAFCo Professional Award | Paul Hood , San Luis Obispo LAFCo |
| Outstanding LAFCo Clerk Award | Danielle Ball , Orange LAFCo |
| Project of the Year Award | San Luis Obispo LAFCo |
| Outstanding Government Leadership Award | Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins |

2001

| | |
|---|---|
| Outstanding CALAFCO Member | SR Jones , CALAFCO Executive Officer |
| Distinguished Service Award | David Martin , Tax Area Services Section, State Board of Equalization |
| Outstanding Commissioner Award | H. Peter Faye , Yolo LAFCo |
| Outstanding LAFCo Professional Award | Ingrid Hansen , San Diego LAFCo |
| Project of the Year Award | Santa Barbara LAFCo |
| Outstanding Government Leadership Award | Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council |
| Legislator of the Year Award | Senator Jack O'Connell |

2000

| | |
|--------------------------------------|---|
| Outstanding CALAFCO Member | Ron Wootton , CALAFCO Board Chair |
| Distinguished Service Award | Ben Williams , Commission on Local Governance for the 21st Century |
| Most Effective Commission Award | Yolo LAFCo |
| Outstanding Commissioner | Rich Gordon , San Mateo LAFCo |
| Outstanding LAFCo Professional Award | Annamaria Perrella , Contra Costa LAFCo |
| Outstanding LAFCo Clerk Award | Susan Stahmann , El Dorado LAFCo |
| Project of the Year Award | San Diego LAFCo |
| Legislator of the Year Award | Robert Hertzberg , Assembly Member |

1999

| | |
|--|---|
| Distinguished Service Award | Marilyn Ann Flemmer-Rodgers , Sacramento LAFCo |
| Most Effective Commission Award | Orange LAFCo |
| Outstanding Executive Officer Award | Don Graff , Alameda LAFCo |
| Outstanding LAFCo Clerk Award | Dory Adams , Marin LAFCo |
| Most Creative Solution to a Multi-Jurisdictional Problem | San Diego LAFCo |
| Outstanding Government Leadership Award | Assembly Member John Longville |
| Legislator of the Year Award | Assembly Member Robert Hertzberg |



2013 Achievement Award Nominations

1998

| | |
|---|---|
| Outstanding CALAFCO Member | Dana Smith , Orange LAFCo |
| Distinguished Service Award | Marvin Panter , Fresno LAFCo |
| Most Effective Commission Award | San Diego LAFCo |
| Outstanding Executive Officer Award | George Spiliotis , Riverside LAFCo |
| Outstanding Staff Analysis | Joe Convery , San Diego LAFCo Joyce Crosthwaite , Orange LAFCo |
| Outstanding Government Leadership Award | Santa Clara County Planning Department |

1997

| | |
|--|--|
| Most Effective Commission Award | Orange LAFCo |
| Outstanding Executive Officer Award | George Finney , Tulare LAFCo |
| Outstanding Staff Analysis | Annamaria Perrella , Contra Costa LAFCo |
| Outstanding Government Leadership Award | South County Issues Discussion Group |
| Most Creative Solution to a Multi-Jurisdictional Problem | Alameda LAFCo and Contra Costa LAFCo |
| Legislator of the Year Award | Assembly Member Tom Torlakson |



Please join us for the CALAFCO Annual Conference
August 28 – 30, 2013
The Resort at Squaw Creek
North Lake Tahoe, CA



May 8, 2013
Agenda Item 13

RETIREMENT BOARD MEETING
SECOND MONTHLY MEETING

9:00 a.m.
April 24, 2013

Retirement Board Conference Room
The Willows Office Park
1355 Willow Way, Suite 221
Concord, California

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Accept comments from the public.
3. Consider and take possible action on semi-finalist list for Private Real Asset Manager.
4. Update from staff on Assessment and Determination of Compensation Enhancements.
5. Educational presentation on the Disability process for CCCERA.
6. Update from staff on status of current investment projects.
7. Consider and take possible action on CCCERA Mission Statement.

CLOSED SESSION

8. The Board will go into closed session pursuant to Govt. Code Section 54956.9(a) to confer with legal counsel regarding existing litigation (two cases):
 - a. *Board of Retirement v. County of Contra Costa, et al.*, Alameda County Superior Court, Case No. RG11608520.
 - b. *Contra Costa County Deputy Sheriffs Association, et al., v. CCCERA, et al.*, Contra Costa County Superior Court, Case No. N12-1870.

OPEN SESSION

9. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

CALAFCO Daily Legislative Report as of Wednesday, May 01, 2013

May 8, 2013
 Agenda Item 15a

1

[AB 453](#) ([Mullin D](#)) **Sustainable communities.**

Current Text: Introduced: 2/19/2013 [pdf](#) [html](#)

Introduced: 2/19/2013

Status: 4/17/2013-In committee: Set, first hearing. Referred to APPR. suspense file.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |
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Summary:

The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

Attachments:

[CALAFCO Support Letter_03_12_13](#)

Position: Sponsor

Subject: Sustainable Community Plans

CALAFCO Comments: This would allow LAFcos to apply directly for grants that support the preparation of sustainable community strategies and other planning efforts.

[AB 678](#) ([Gordon D](#)) **Health care districts: community health needs assessment.**

Current Text: Amended: 4/15/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/15/2013

Status: 4/30/2013-Do pass and be re-referred to the Committee on Appropriations.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |
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Summary:

Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of support April 17, 2014](#)

Position: Support

Subject: LAFco Administration, Service Reviews/Spheres

CALAFCO Comments: This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFcos to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

[AB 743](#) ([Logue R](#)) **The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.**

Current Text: Amended: 4/3/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/3/2013

Status: 4/25/2013-In Senate. Read first time. To Com. on RLS. for assignment.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
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| | 1st House | | | | 2nd House | | | | | | | |
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Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes a local agency formation commission to approve, after notice and hearing, a petition for a change of organization or reorganization of a city, if the petition was initiated on or after January 1, 2010, and before January 1, 2014, and waive protest proceedings entirely if certain requirements are met. This provision applies only to territory that does not exceed 150 acres. This Bill would delete the January 1, 2014, date and make conforming changes. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of support April 10, 2013](#)

Position: Support

Subject: Annexation Proceedings, CKH General Procedures

CALAFCO Comments: As amended, this bill removes the sunset date provision to waive protest proceedings for certain island annexations. The size of the island areas for the purposes of annexation under this provision has been amended back to 150 acres.

Unincorporated islands are more costly and inefficient for counties to administer as opposed to the local municipality. A sunset date was initially established on this ability to encourage the use of the provision and was extended to allow cities and LAFCOs additional time to implement island annexation programs. The unforeseen economic downturn over the past five years has significantly hampered the initial progress, and with the sunset ready to expire at the beginning of next year, cities and LAFCOs have yet to complete the work that the law intended them to do. Over the twelve year period since the law was established, hundreds of islands have been annexed, yet hundreds more remain.

Additionally, the bill was amended to reset the effective island creation date from January 1, 2000 to January 1, 2014 thus allowing smaller islands of less than 150 acres created after 2000 to be annexed under these provisions. Many of these current islands remained as remnants of larger substantially surrounded island areas that had irregular boundaries or were affected by the annexation of territory for newer development.

[AB 1427](#) (Committee on Local Government) Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Current Text: Amended: 4/30/2013 [pdf](#) [html](#)

Introduced: 4/1/2013

Last Amended: 4/30/2013

Status: 4/30/2013-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
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| | 1st House | | | | 2nd House | | | | | | | |
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Calendar:

5/8/2013 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary:

For purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, existing law defines an independent district or independent special district to include any special district having a legislative body all of whose members are elected by registered voters and landowners within the district, or whose members are appointed to fixed terms. This bill would specify that the definition excludes any independent special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. This bill contains other related provisions and other existing laws.

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: Cortese-Knox-Hertzberg Omnibus bill.

[SB 56](#) (Roth D) Local government finance: vehicle license fee adjustments.

Current Text: Amended: 4/23/2013 [pdf](#) [html](#)

Introduced: 1/7/2013

Last Amended: 4/23/2013

Status: 4/24/2013-Set for hearing May 8.

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|-------|-----------|--------|--------|-----------|------|--------|--------|-------|-------|----------|--------|-----------|
| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| Dead | 1st House | | | 2nd House | | | Conc. | | | | | |

Calendar:

5/8/2013 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary:

Would, for the 2013-14 fiscal year, provide for a new vehicle license fee adjustment amount, as specified. This bill would also, for the 2013-14 fiscal year and for each fiscal year thereafter, provide for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of support April 10, 2013](#)

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates revenues through ERAF (backfilled by the state general Fund) for cities incorporating after 2005 and annexations of inhabited territories.

SB 772 (Emmerson R) Drinking water.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 4/10/2013-Set, second hearing. Hearing canceled at the request of author.

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| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| Dead | 1st House | | | 2nd House | | | Conc. | | | | | |

Summary:

Would require the State Department of Public Health or the local health agency, where applicable, annually to provide the address and telephone number for each public water system and state small water system to the Public Utilities Commission and, as prescribed, to a local agency formation commission. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Opposition April 10, 2013](#)

Position: Oppose

Subject: LAFCo Administration, Service Reviews/Spheres

CALAFCO Comments: Requires LAFCos as part of a MSR, to request information from identified public or private entities that provide wholesale or retail supply of drinking water, including the identification of any retail water suppliers within or contiguous to the responding entity. Further requires LAFCos to provide a copy of the SOI review for retail private and public water suppliers to the Public Utilities Commission and the state department of Public Health.

AB 21 (Alejo D) Safe Drinking Water Small Community Emergency Grant Fund.

Current Text: Amended: 2/14/2013 [pdf](#) [html](#)

Introduced: 12/3/2012

Last Amended: 2/14/2013

Status: 4/10/2013-In committee: Set, first hearing. Referred to APPR. suspense file.

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|-------|-----------|--------|--------|-----------|------|--------|--------|-------|-------|----------|--------|-----------|
| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| Dead | 1st House | | | 2nd House | | | Conc. | | | | | |

Summary:

Would authorize the Department of Public Health to assess a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and deposit that money into the Safe Drinking Water Small Community Emergency Grant Fund, which the bill would create in the State Treasury. The bill would authorize the department to expend the money for grants for specified water projects that serve disadvantaged and

severely disadvantaged communities, thereby making an appropriation.

Position: Watch
Subject: Disadvantaged Communities

[AB 37](#) ([Perea](#) D) Environmental quality: California Environmental Quality Act: record of proceedings.

Current Text: Amended: 3/18/2013 [pdf](#) [html](#)
Introduced: 12/3/2012
Last Amended: 3/18/2013
Status: 4/16/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 15). Re-referred to Com. on APPR.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |
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Calendar:
 5/1/2013 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, GATTO, Chair
Summary:
 Would require, until January 1, 2017, for specified projects or upon the request of a project applicant and the consent of the lead agency, that the lead agency among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects. Because the bill would require, for specified projects, a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch
Subject: CEQA

[AB 115](#) ([Perea](#) D) Safe Drinking Water State Revolving Fund.

Current Text: Introduced: 1/14/2013 [pdf](#) [html](#)
Introduced: 1/14/2013
Status: 4/18/2013-In Senate. Read first time. To Com. on RLS. for assignment.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |
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Summary:
 Would authorize the State Department of Public Health to fund projects, by grant, loan, or a combination of the two, where multiple water systems apply for funding as a single applicant for the purpose of consolidating water systems or extending services to households relying on private wells, as specified. The bill would authorize funding of a project to benefit a disadvantaged community that is not the applying agency. By authorizing the use of a continuously appropriated fund for new purposes, this bill would make an appropriation. This bill contains other existing laws.

Position: Watch
Subject: Water

[AB 194](#) ([Campos](#) D) Open meetings: protections for public criticism: penalties for violations.

Current Text: Introduced: 1/28/2013 [pdf](#) [html](#)
Introduced: 1/28/2013
Status: 4/18/2013-In committee: Set, first hearing. Hearing canceled at the request of author.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |
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Summary:
 Would make it a misdemeanor for a member of a legislative body, while acting as the chairperson of a legislative body of a local agency, to prohibit public criticism protected under the Ralph M. Brown Act. This bill would authorize a district attorney or any interested person to commence an action for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of the protection for public criticism is null and void, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Prohibits legislative body from preventing public criticism of the policies, procedures, programs, or services of the agency, or ther acts or omissions of the legislative body. Creates new misdemeanor crime.

AB 543 (Campos D) California Environmental Quality Act: translation.

Current Text: Amended: 4/22/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 4/22/2013

Status: 4/29/2013-Do pass as amended and be re-referred to the Committee on Appropriations.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has a substantial number of non-English-speaking people, as defined. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: Requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impcated community has 5% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

AB 823 (Eggman D) Environment: California Farmland Protection Act.

Current Text: Amended: 4/23/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/23/2013

Status: 4/30/2013-From committee: Do pass and re-refer to Com. on AGRI. (Ayes 6. Noes 3.) (April 29). Re-referred to Com. on AGRI.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would enact the California Farmland Protection Act, which would require that a lead agency reviewing a development project, as defined, require that all feasible mitigation of the identified significant environmental impacts associated with the conversion of agricultural lands be completed by the project applicant, as prescribed, and would require the lead agency to consider the permanent protection or replacement of agricultural land as feasible mitigation for identified significant effects on agricultural land caused by a development project. By imposing new duties on a lead agency with regard to the review and approval of the mitigation measures required by the act, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Ag/Open Space Protection, CEQA

CALAFCO Comments: Adds a requirement for lead agencies to require certain mitigation measures for projects that convert ag lands for non-ag land use. These mitigation measures at a minimum require providing replacement acreage in perpetuity to preserve ag land and ensure the sustainability of ag production capacity.

AB 1235 (Gordon D) Local agencies: financial management training.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Com. on L. GOV.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary:

Would require that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, all local agency officials, except a member whose term of office ends before January 1, 2015, in local agency service as of January 1, 2014, or thereafter receive training in financial management, as specified. This bill would provide that if any entity develops criteria for the financial management training, then the Treasurer's office and the Controller's office shall be consulted regarding any proposed course content. Because this bill would impose new duties on local governments, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, the member shall receive one-4 hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCo Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties.

AB 1248 (Cooley D) Local agencies: internal control guidelines.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 4/25/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 24). Re-referred to Com. on APPR.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would require the Controller, on or before January 1, 2015, to develop internal control guidelines applicable to a local agency, as defined, to prevent and detect financial errors and fraud, based on specified standards and with input from any local agency and organizations representing the interests of local agencies. This bill would require a local agency to comply with the guidelines established by the Controller, starting on January 1, 2016. By mandating local agencies to comply with new internal control guidelines established by the Controller, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: None at this time

Subject: LAFCo Administration

SB 167 (Gaines R) Environmental quality: California Environmental Quality Act.

Current Text: Introduced: 2/4/2013 [pdf](#) [html](#)

Introduced: 2/4/2013

Status: 2/14/2013-Referred to Com. on RLS.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the

project will not have that effect. This bill would make technical, nonsubstantive changes to those provisions.

Position: Watch

Subject: CEQA

SB 181 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/6/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Status: 4/11/2013-In Assembly. Read first time. Held at Desk.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
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| | 1st House | | | | 2nd House | | | | | | | |

Summary:

This bill would enact the First Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position: Support

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

SB 182 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/6/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Status: 4/11/2013-In Assembly. Read first time. Held at Desk.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

This bill would enact the Second Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position: Support

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

SB 183 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/6/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Status: 3/21/2013-In Assembly. Read first time. Held at Desk.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

This bill would enact the Third Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Support

CALAFCO Comments: One of three acts which validate the boundaries of all local agencies.

SB 617 (Evans D) California Environmental Quality Act.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 4/1/2013

Status: 4/12/2013-Set for hearing May 1.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 12:30 p.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY SPECIAL ORDER, HILL,

Chair

Summary:

Would require specified notices to be filed with both the Office of Planning and Research and the county clerk and be posted by county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: This bill makes a number of substantive changes including: (1)expanding the definition of "environment" relating to an EIR such that the health and safety of people affected by the physical conditions at the location of a project must also be considered;(2)enhances the definition of "significant effect on the environment" by including exposure of people, either directly or indirectly, to substantial existing or reasonably foreseeable natural hazard or adverse condition of the environment;(3)requires concurrent online filing of notices in a database maintained by the Office of Planning and Research (OPR), and with the office of the County Clerk in which the project is located. Further, any time periods or limitation periods will begin at the time of the later filing of the two offices.(4)Adds to the EIR a requirement to address any significant effects that may result from locating development near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.

AB 168 (Wilk R) Local government finance: vehicle license fee revenues: allocations.

Current Text: Introduced: 1/24/2013 [pdf](#) [html](#)

Introduced: 1/24/2013

Status: 1/25/2013-From printer. May be heard in committee February 24.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Under existing law, the Controller is required to allocate vehicle license fee revenues in the Motor Vehicle License Fee Account according to a specified order, with moneys allocated on or after July 1, 2004, but before July 1, 2011, first to the County of Orange, next to each city and county meeting specified criteria, and on or after July 1, 2011, to the Local Law Enforcement Services Account in the Local Revenue Fund, for allocation to cities, counties, and cities and counties. This bill would make technical, nonsubstantive changes to these provisions.

Position: Placeholder - monitor

AB 262 (Waldron R) Local government: organization.

Current Text: Introduced: 2/7/2013 [pdf](#) [html](#)

Introduced: 2/7/2013

Status: 2/8/2013-From printer. May be heard in committee March 10.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 makes certain findings and declarations relating to local government organization, including, among other things, that it is the policy of the state to encourage orderly growth and development, and recognition that the logical formation and determination of the boundaries of local agencies is an important factor in promoting orderly development, as specified. This bill would make technical, nonsubstantive changes to these provisions.

Position: Placeholder - monitor

Subject: CKH General Procedures

[AB 380](#) (Dickinson D) California Environmental Quality Act: notice requirements

Current Text: Introduced: 2/14/2013 [pdf](#) [html](#)

Introduced: 2/14/2013

Status: 4/2/2013-From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 6. Noes 2.) (April 1). Re-referred to Com. on L. GOV.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary:

Would require the above mentioned notices to be filed with both the Office of Planning and Research and the county clerk and be posted by county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. The bill would require the county clerk to post the notices for at least 30 days. The bill would require the Office of Planning and Research to post the notices on a publicly available online database established and maintained by the office. The bill would require the office to stamp the notices with the date on which the notices were actually posted for online review and would require the notices to be posted for at least 30 days. The bill would authorize the office to charge an administrative fee not to exceed \$10 per notice filed. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

[AB 495](#) (Campos D) Community investment.

Current Text: Amended: 3/21/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 3/21/2013

Status: 4/23/2013-In committee: Set, second hearing. Hearing canceled at the request of author.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would establish the California Community Investment Initiative within the Governor's Office of Business and Economic development. The initiative would be governed by a 13 member oversight board comprised of 6 citizens appointed by the Governor, 4 members of the Legislature, the Treasurer, the Controller, and the Secretary of the Business, Consumer Services, and Housing Agency, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: Establishes the California Community Investment Initiative focused on serving low income communities through developing community development strategies.

[AB 515](#) (Dickinson D) Environmental quality: California Environmental Quality Act: judicial review.

Current Text: Amended: 3/11/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 3/11/2013

Status: 4/23/2013-In committee: Set, first hearing. Hearing canceled at the request of author.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would establish a CEQA compliance division of the superior court in a county in which the Attorney General maintains an office and would vest the division with original jurisdiction over actions of proceedings brought pursuant to CEQA and joined matters related to land use and environmental laws. The bill would require the Judicial Council to adopt rules for establishing,

among other things, protocol to govern the administration and efficient operation of the division , so that those judges assigned to the division will be able to hear and quickly resolve those actions or proceedings. This bill contains other existing laws.

Position: Watch
Subject: CEQA

CALAFCO Comments: As amended, this bill establishes a CEQA compliance division of the superior court in certain counties. This court has original jurisdiction over all CEQA compliance and joined matters related to land use and environmental laws. Reviews of the decisions made by this court are done through a petition for an extraordinary writ. This bill also adds that actions or proceedings filed with alleged grounds for noncompliance require enough specificity for the public agency to reasonably respond.

AB 629 (Wilk R) Local government.

Current Text: Introduced: 2/20/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Status: 2/21/2013-From printer. May be heard in committee March 23.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Current law authorizes various local entities to adopt rules and regulations to carry out the purposes of those entities. This bill would express the intent of the Legislature to enact legislation that would address the effect of the adoption of rules, regulations, ordinances, or requirements by local entities on the public and other local entities within the same jurisdiction.

Position: Placeholder - monitor
Subject: LAFCo Administration

AB 642 (Rendon D) Publication: newspaper of general circulation: Internet Web site.

Current Text: Introduced: 2/20/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Status: 3/11/2013-Referred to Com. on JUD.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/7/2013 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, WIECKOWSKI, Chair

Summary:

Current law requires that various types of notices are provided in a newspaper of general circulation. Current law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication. This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

Position: None at this time
Subject: LAFCo Administration

CALAFCO Comments: Allows for posting of agendas and meeting material on newspaper websites.

AB 690 (Campos D) Jobs and infrastructure financing districts: voter approval.

Current Text: Amended: 4/9/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/9/2013

Status: 4/16/2013-In committee: Hearing postponed by committee.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would revise and recast the provisions governing infrastructure financing districts and instead provide for the creation of jobs and infrastructure financing districts (JIDs) without voter

approval , and would make various conforming changes . The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to nontaxing authority or powers only. The bill would authorize a district to implement hazardous cleanup pursuant to the Polanco Redevelopment Act, as specified. This bill contains other existing laws.

Position: Watch

[AB 774](#) (Donnelly R) County service areas: zone dissolution.

Current Text: Amended: 3/19/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 3/19/2013

Status: 4/18/2013-From committee: Do pass and re-refer to Com. on JUD. (Ayes 6. Noes 2.) (April 17). Re-referred to Com. on JUD.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/7/2013 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, WIECKOWSKI, Chair

Summary:

Would require the county board of supervisors, upon dissolution of a county service area or a specified zone, to post signs indicating which services and facilities are no longer provided within the zone and require the board to provide adequate maintenance to the signs. This bill would provide that, once the signs are posted, the county and the dissolved zone shall not be held liable for death or injury resulting from the termination of services or facilities. This bill would also provide that the county, county service area, and zones would not be responsible for a loss or injury resulting from the failure to provide maintenance of services or facilities if the board is unable to raise revenues.

Position: Watch

[AB 792](#) (Mullin D) Local government: open meetings.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/1/2013

Status: 4/8/2013-Read second time. Ordered to third reading.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/2/2013 #32 ASSEMBLY ASSEMBLY THIRD READING FILE

Summary:

The Ralph M. Brown Act requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public, and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. This bill, if the local agency is unable to post the agenda or notice on its Internet Web site because of software or hardware, or network services impairment beyond the local agency's reasonable control, would require the local agency to post the agenda or notice immediately upon resolution of the technological problems. This bill contains other related provisions and other existing laws.

Position: None at this time

Subject: Public Records Act

CALAFCO Comments: Relates to public agencies who post their meeting information on their website pursuant to the Ralph M. Brown Act. In the instances where they are unable to post the agenda on the website in the prescribed timeframe due to technology difficulties, the agency is required to post the meeting agenda and information on the website as soon as the technological difficulties are resolved.

[AB 966](#) (Bonta D) Local government.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 2/25/2013-Read first time.

| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Dead | 1st House | | | | 2nd House | | | | | | | |

Summary:

Current law generally regulates the governance of cities, counties, and cities and counties. This bill would state the intent of the Legislature to enact legislation that would amend the Government Code.

Position: Placeholder - monitor

[AB 1237](#) (Garcia D) Local government finance.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 4/1/2013

Status: 4/30/2013-In committee: Set, final hearing. Hearing canceled at the request of author.

| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Dead | 1st House | | | | 2nd House | | | | | | | |

Summary:

Would specifically require the Controller to prescribe uniform accounting procedures for cities, conforming to Generally Accepted Accounting Principles, and in consultation with the Committee on City Accounting Procedures, which would be created by the bill. The bill would specify the composition of the committee. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Financial Viability of Agencies

CALAFCO Comments: Establishes uniform accounting practices for special districts and cities.

[AB 1244](#) (Bradford D) Williamson Act.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 2/25/2013-Read first time.

| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Dead | 1st House | | | | 2nd House | | | | | | | |

Summary:

Current law establishes the California Land Conservation Act of 1965, otherwise known as the Williamson Act, for purposes of preserving agricultural land within the state. This bill would make a technical, nonsubstantive change to these provisions.

Position: Watch

Subject: Ag Preservation - Williamson

[SB 184](#) (Committee on Governance and Finance) Local government: omnibus bill.

Current Text: Amended: 4/9/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Last Amended: 4/9/2013

Status: 4/30/2013-Read second time. Ordered to consent calendar.

| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Dead | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/2/2013 #70 SENATE CONSENT CALENDAR-FIRST LEGISLATIVE DAY

Summary:

Current law, the Public Cemetery District Law, defines the term "family member" for purposes of that law to include, among others, a person's spouse. This bill would additionally include within the definition of "family member" a person's domestic partner, and would define the term "domestic partner," as specified. This bill contains other related provisions and other current laws.

Position: None at this time

SB 268 (Gaines R) Political Reform Act of 1974.

Current Text: Amended: 3/18/2013 [pdf](#) [html](#)

Introduced: 2/13/2013

Last Amended: 3/18/2013

Status: 4/25/2013-Set, first hearing. Hearing canceled at the request of author.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Summary:

The Political Reform Act of 1974 requires candidates and committees to file specified campaign finance reports, including semiannual statements, preelection statements, supplemental preelection statements, and late contribution reports, that include prescribed campaign finance information. This bill would repeal the requirements to file these reports and would, instead, require that a candidate or committee who makes or receives a contribution of \$100 or more to report that contribution to specified filing officers within 24 hours of receiving the contribution. This bill contains other related provisions and other existing laws.

Position: Watch

SB 359 (Corbett D) Environment: CEQA exemption: housing projects.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 4/1/2013

Status: 4/12/2013-Set for hearing May 1.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 12:30 p.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY SPECIAL ORDER, HILL, Chair

Summary:

CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would instead exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: This bill would exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project.

SB 436 (Jackson D) California Environmental Quality Act: notice.

Current Text: Amended: 4/3/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/3/2013

Status: 4/12/2013-Set for hearing May 1.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 12:30 p.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY SPECIAL ORDER, HILL, Chair

Summary:

Would require a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: Requires lead agencies to conduct at least one public scoping meeting for proposed projects and increases notification requirements for lead agencies.

SB 633 (Pavley D) CEQA.

Current Text: Amended: 4/11/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 4/11/2013

Status: 4/12/2013-Set for hearing May 1.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 12:30 p.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY SPECIAL ORDER, HILL, Chair

Summary:

The California Environmental Quality Act prohibits a lead agency or responsible agency from requiring a subsequent or supplemental environmental impact report (EIR) when an EIR has been prepared for a project pursuant to its provisions, unless one or more of specified events occurs, including, among other things, that new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. This bill would specifically require that the new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete.

Position: None at this time

Subject: CEQA

SB 731 (Steinberg D) Environment: California Environmental Quality Act and sustainable communities strategy.

Current Text: Amended: 4/23/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 4/23/2013

Status: 4/26/2013-Set for hearing May 1.

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/1/2013 12:30 p.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY SPECIAL ORDER, HILL, Chair

Summary:

Would provide that aesthetic impacts of a residential, mixed-use residential, or employment center project, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and propose, and the Secretary of the Natural Resources Agency to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority areas. The bill would require the lead agency, in making specified findings, to make those findings available to the public at least 15 days prior to the approval of the proposed project and to provide specified notice of the availability of the findings for public review. Because the bill would require the lead agency to make the draft finding available for public review and to provide specified notices to the public, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Placeholder - monitor

Subject: CEQA

SB 739 (Calderon D) Environmental quality.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Com. on RLS.

| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Dead | 1st House | | | | 2nd House | | | | | | | |

Summary:

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would make a technical, nonsubstantive change to that definition. This bill contains other existing laws.

Position: Placeholder - monitor

Subject: CEQA

SCA 11 (Hancock D) Local government: special taxes: voter approval.

Current Text: Introduced: 1/25/2013 [pdf](#) [html](#)

Introduced: 1/25/2013

Status: 4/10/2013-Set for hearing May 15.

| 2Year | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Dead | 1st House | | | | 2nd House | | | | | | | |

Calendar:

5/15/2013 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary:

The California Constitution conditions the imposition of a special tax by a local government upon the approval of 2/3 of the voters of the local government voting on that tax, and prohibits a local government from imposing an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property. This measure would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.

Position: Watch

Total Measures: 40

Total Tracking Forms: 40

5/1/2013 10:42:32 AM

The California Association of Local Agency Formation Commissions is proud to present a popular, timely CALAFCO University Course ...



Performance Measures and MSR Strategies

ABOUT THIS COURSE

This course explores using performance measures as part of Municipal Service Reviews (MSRs) to help decision makers better understand a particular factor or issue related to a jurisdiction's services. Performance measures provide a quantifiable metric that assists in determining how well a function is being completed by an organization. Panelists will provide examples of how they are using performance measures in the MSRs being prepared in their Counties. Also hear from representatives from the San Luis Obispo County Administrative Office on how performance measures are being used by the County in the budgeting process. Don't miss this exciting opportunity to learn about performance measures and how they might make MSRs a more useful decision-making tool.

EXPERIENCED AND KNOWLEDGEABLE INSTRUCTORS

Panelists include:

- ◆ David Church, Executive Officer, San Luis Obispo LAFCo
- ◆ Keene Simonds, Executive Officer, Napa LAFCo
- ◆ Michael Tuerpe, Project Manager, San Bernardino LAFCo
- ◆ Leslie Brown, Administrative Analyst, San Luis Obispo County
- ◆ Emily Jackson, Administrative Analyst, San Luis Obispo County

Moderator:

- ◆ Marjorie Blom, Executive Officer, Stanislaus LAFCo

COURSE DETAILS

THURSDAY
June 6, 2013

9:45 a.m. (check-in)
10:00 am to 3:00 pm

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**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PENDING PROPOSALS – MAY 8, 2013**

May 8, 2013
Agenda Item 15b

| LAFCO APPLICATION | RECEIVED | STATUS |
|---|-----------------|--|
| Northeast Antioch Reorganization: proposed annexations to City of Antioch and Delta Diablo Sanitation District of 481± acres located north of Wilbur Ave | 8/17/07 | Incomplete; awaiting info from applicant |
| West County Wastewater District Annexation Nos. 310 and 312: proposed annexation of 3.33± acres located at 39 Kirkpatrick Drive and 5527 Sobrante Avenue in El Sobrante | 11/7/08 | Incomplete; awaiting info from District |
| UCB Russell Research Station (RRS): proposed SOI amendment to East Bay Municipal Utility District (EBMUD) of 313± acres located on Happy Valley Road, southeast of Bear Creek Rd, and north of the Lafayette city limits (with concurrent annexation application) | 11/25/08 | Incomplete; awaiting info from applicant |
| UCB RRS: proposed annexation of 313± acres to EBMUD | 11/25/08 | Incomplete |
| Annexation 168C.1 to Central Contra Costa Sanitary District (CCCSD): proposed annexation of 104± acres in the Alhambra Valley, all of which are located outside the Urban Limit Line | 4/13/09 | Incomplete; awaiting info from applicant |
| Laurel Place/Pleasant View Annexation to City of Concord: proposed annexation of 5.86± acres located on Laurel Dr and Pleasant View Ln | 5/8/09 | Pending property tax exchange agreement |
| Highlands Ranch Phase II SOI Amendment: proposed SOI amendments to the cities of Antioch (reduction) and Pittsburg (expansion) of 194± acres located east of Pittsburg city limits, within Antioch Somersville Road Corridor Planning Area | 10/23/09 | Incomplete; awaiting info from applicant |
| Discovery Bay Community Services District (DBCSD) SOI Amendment (Newport Pointe): proposed SOI expansion of 20± acres bounded by Bixler Road, Newport Drive and Newport Cove (with corresponding annexation application) | 7/28/10 | Incomplete; awaiting info from applicant |
| DBCSD Annexation (Newport Pointe): proposed annexation of 20± acres to supply water/sewer services to a 67-unit single family residential development | 7/28/10 | Incomplete; awaiting info from applicant |
| Annexation 182 to CCCSD: proposed annexation of 99.7± acres in Martinez and Lafayette | 11/29/11 | Incomplete; awaiting info from applicant |
| Northeast Antioch Reorganization Area 2B: Annexations to City of Antioch and Delta Diablo Sanitation District | 11/30/12 | Incomplete; awaiting info from applicant |
| Rodeo Sanitary District (RSD) SOI Amendments - proposed SOI expansion of 61± acres on the western, northwestern and northeastern boundaries of the District | 2/20/13 | Under review |
| Rodeo Marina Annexation to RSD – proposed annexation of 28± acres located along the northwestern edge of the Rodeo community | 2/20/13 | Under review |
| Bayo Vista Housing Authority Annexation to RSD – proposed annexation of 33± acres located south of San Pablo Avenue at the northeastern edge of the District's boundary | 2/20/13 | Under review |

latimes.com/local/lanow/la-lafd-chief-presses-ahead-with-plan-to-reassign-firefighters-to-ambulances-20130425,0,3357774.story

May 8, 2013
Agenda Item 15c

latimes.com

LAFD chief presses ahead with firefighter reassignment plan

Ben Welsh, Robert J. Lopez and Kate Linthicum

2:53 PM PDT, April 25, 2013

Los Angeles Fire Chief Brian Cummings vowed Thursday to press ahead with [a controversial plan](#) to reassign dozens of city firefighters from fire engines to ambulance duty, despite an outcry from groups representing city firefighters and the department's top commanders.

The plan would add 11 new ambulances to the LAFD's fleet by removing one member per shift from 22 firetrucks across the city. The chief said the change is necessary to reshape the department to fulfill its primary task: providing emergency medical care.

Medical calls account for more than 80% of 911 responses, according to department officials and an independent data analysis by The Times. And the chief says that lopsided figure is growing rapidly. In the first two months of this year, medical calls increased 6.2%, compared with the same period last year, Cummings said [in a written report](#).

Cummings' plan drew intense criticism from the firefighters' union and the association of chief officers at a special Fire Commission meeting Thursday on the redeployment. Labor leaders said the chief had failed to convince his rank-and-file force that his plan will work and not compromise the safety of firefighters battling fires.

“If you remove one firefighter, it's like asking the Dodgers to play without a center fielder,” said Andy Fox, president the LAFD Chief Officers Assn. “Yes, they can play the game. Over time, it would prove to be a very bad idea.”

The plan would affect about 60 firefighters assigned to so-called light forces, the combination of a ladder truck and fire engine that jointly responds to emergency incidents. Each light force is currently staffed by six firefighters who perform specialized roles during structure fires and complex rescues, such as removing victims trapped in car wreckage.

The chief's redeployment would leave many of the city's light forces with five firefighters, but allow the addition of 11 ambulances, LAFD officials said.

The ambulances would mainly respond to less serious emergencies that do not require a firetruck or more

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highly trained paramedic. Every LAFD firefighter is an emergency medical technician with some lifesaving skills.

Cummings said the change will take effect May 5 and increase the department's class of non-paramedic ambulances by about one-third, to 45. That will help free up about 90 overtaxed paramedic units to respond to the most life-threatening calls, officials said.

The shift also aims to reduce the responses by heavy firetrucks to less serious medical calls.

"To send an aerial ladder truck, or let alone lights and sirens, to someone with abdominal pains is dangerous and foolish," said Marc Eckstein, the LAFD medical director.

Opponents of the plan agree more ambulances are needed, but say [the chief's plan](#) was hastily drafted and thinly researched.

The department's data analysis has been under increased scrutiny since early last year, when [fire officials admitted](#) to publishing response times that made it appear rescuers arrived at emergencies faster than they actually did.

A task force of experts overseen by Fire Commissioner Alan Skobin found that fire officials responsible for crunching the numbers were poorly qualified and that previous departmental data analysis "should not be relied upon."

[A series of subsequent Times investigations](#) found delays in processing 911 calls and summoning the nearest medical rescuers from other jurisdictions, as well as wide gaps in response times in different parts of the city.

At Thursday's meeting, the chief officers association unsuccessfully urged the Fire Commission to block the change until Cummings prepares a more thorough analysis.

More details will be presented at a May 21 commission meeting, after the plan is in effect, Cummings said.

Given current budget constraints on his department, the chief said he's doing the best that he can.

"After asking for money and not receiving it, I am moving forward," he said. "What we need is additional ambulances."

ALSO:

[Document: Draft LAFD ambulance plan](#)

[Full coverage: Life on the line, 911 breakdowns at LAFD](#)

[Map: How fast is LAFD where you live?](#)

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latimes.com/local/lanow/la-lafd-ems-response-20130416,0,5010687.story

latimes.com

LAFD plan to add ambulances opposed by union, chief officers

By Ben Welsh, Robert J. Lopez and Kate Linthicum

2:44 PM PDT, **April 16, 2013**

With the overwhelming share of his agency's 911 calls now requesting emergency medical care, LAFD Chief Brian Cummings is moving forward with a controversial plan to shift more firefighters from engines to ambulances.

The LAFD plans to add 11 new ambulances to its fleet of medical rescuers by transferring in firefighters from other posts, [according to a draft plan](#) circulated at Tuesday's meeting of the city Fire Commission.

Cummings, who has been under pressure to improve response times, said the department must reconfigure its deployment practices to handle current workload demands. But the city's firefighter union and the association representing chief officers [oppose the change](#), saying it will put firefighters at risk.

[Full coverage: Life on the line, 911 breakdowns at LAFD](#)

Medical calls now account for more than 80% of the agency's 911 responses, according to department officials and an independent data analysis by The Times. Fire officials say the proportion of medical emergency calls is expected to increase.

“This is an EMS provider agency,” Cummings told the commission. “That is our core business.”

When responding to both fires and medical emergencies, the LAFD often sends a ladder truck paired with a fire engine -- a combination known as a light force. The team is staffed by six firefighters, who perform a variety of roles. They are trained to operate heavy power tools that cut holes in roofs during structure fires, for example. They also use specialized equipment such as the Jaws of Life to rescue victims from the twisted wreckage of vehicle accidents.

The draft plan, which the chief said would take effect May 5, would remove a firefighter from 22 light forces across the city and shift them to non-paramedic ambulances that can respond to 911 callers who have less severe medical emergencies. The firefighters are not licensed paramedics with advanced lifesaving skills, but do have basic training as emergency medical technicians. The proposed units would increase the LAFD's non-paramedic ambulances by about one-third, to 45, officials said.

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But Capt. Frank Lima, president of United Firefighters of Los Angeles City, which represents rank-and-file LAFD members, said the chief's proposal will put fire crews at risk by reducing key personnel needed for specialized duties during structure fires.

There will be fewer crew members on scene to do search-and-rescue operations or to hoist heavy ladders onto buildings and cut holes in roofs to release dangerous buildups of heat and toxic smoke, Lima said.

"It sounds good on paper," Lima said of the plan. "But to have one less firefighter, it absolutely puts our firefighters at risk."

Union leaders also expressed skepticism about the data analysis underpinning the chief's plan and called for a more thorough, written report on the issue. Cummings said that would have to wait until next month after the changes are in place.

The chief's sudden push for the changes drew questions from Fire Commissioner Alan Skobin, who suggested the plan might need more scrutiny. But the panel stopped short of blocking the chief, instead calling for a special meeting April 25 to review the proposal.

The department's data analysis has been under increased scrutiny since last March, when fire officials admitted to publishing response times that made it appear rescuers arrived at emergencies faster than they actually did. A task force of experts overseen by Skobin [found that](#) fire officials responsible for crunching the numbers were poorly qualified and that previous departmental data analysis "should not be relied upon."

[A series of subsequent Times investigations](#) found delays in processing 911 calls and summoning the nearest medical rescuers from other jurisdictions, as well as wide gaps in response times in different parts of the city. The problems worsened after cutbacks ordered by the mayor and the City Council during the economic downturn cost the department more than 300 positions.

The plan was also called into question Tuesday by Councilman Mitchell Englander, who chairs the Public Safety Committee. He plans to summon Cummings to the City Council to explain the plan.

"We know that the data has been flawed and has been wrong," he told The Times. "I'd like to see the numbers to back it up."

Marc Eckstein, the fire department's medical director, said the department needs more ambulances, but he declined to endorse the chief's plan.

"The bread and butter of the fire service in 2013 is a routine medical call," he said. "Sending a ladder truck with an engine to a medical call? There has to be a better way."

Cummings previously weighed a plan that would ask the City Council to restore the department cutbacks and add more staff. That plan had been [demanded last year](#) by councilmen Eric Garcetti and Mitchell Englander. But [Cummings withdrew](#) the restoration plan last month, saying it needed more work.

Lima said that the union is not opposed to adding ambulances, but that Cummings needs to approach the City Council and ask for additional funds to pay for ambulance staffing.

"Although the City Council has promised additional revenue, it's not there," Cummings said. "I can't print money."

Residential frustrations mount over northeast Antioch annexation plans

By Paul Burgarino Contra Costa Times Contra Costa Times

Posted:

Sunday, April 21, 2013

ContraCostaTimes.com

ANTIOCH -- Frustration continues to mount for many who live in the rural area off Viera Avenue over ongoing annexation efforts.

Antioch and Contra Costa County officials are hashing out a complex package for 678 acres to the city's northeast that would bring NRG Energy's 760-megawatt power plant within the city, netting \$1.2 million in new yearly tax revenue and providing other economic opportunities.

A package of documents detailing environmental studies, proposed zoning and infrastructure improvements and a tax-sharing agreement will be brought before the city's Planning Commission next month. If given the go-ahead, it will be considered by the City Council in June followed by the county Board of Supervisors, and then the county's Local Agency Formation Commission in the fall, said Victor Carniglia, a city-hired consultant.

Though annexation plans have been divided into three land swaths, focus has centered the past few months on the 103 acres of isolated properties.

"This amounts to nothing more than a land grab," resident Ken Wentworth said last week at a town-hall meeting at Bridgehead Cafe.

About 50 residents attended Wednesday's meeting, many voicing displeasure to city and county officials.

Antioch and the county propose to install about \$8 to \$10 million in water and sewer lines along existing streets, but not change the rural character of the roads, Carniglia said. Further, the city is creating zoning designations that "would be a good fit," said Mindy Gentry, a city planner.

However, concerns remain from residents in the area, which drew international attention in 2009 because of the Jaycee Dugard kidnapping case.

A primary worry is it would cost about \$18,000 to \$20,000 to connect to city water and sewer lines and abandon existing septic tank connections. Residents with properly operating septic systems, however, will not have to hook up to city sewer service, Carniglia said.

The other part that has residents enraged is that the county agency that oversees boundary changes may waive the hearing process for them to vote on the annexation.

Under state law, a county's Local Agency Formation Commission can approve annexation without a vote of property owners or registered voters for unincorporated land surrounded by a city or "land islands." The islands must meet certain conditions, including being smaller than 150 acres and substantially surrounded by a city or adjacent cities.

"We should have that chance to vote. It's feels like they're trying to circumvent that," said Michele McQuaid, a 25-year resident on Bown Lane.

Mary Tarango, who's lived on Viera since 1968, says the "very sizable" amount for water hookups is too much, especially given her fixed income from Social Security.

"If they want us to be annexed in, they should pay for it," she said. Carniglia said one possibility being explored is NRG may put the \$2 million GenOn offered the city and county as incentive to complete annexation toward covering the residents' costs.

Resident John Mitosinka retained legal counsel to dispute the issue, who sent a letter to the city arguing the county's approach is not permitted and entire area should be considered in one annexation, basing the argument on an opinion from the state Attorney General.

Antioch's first annexation proposal in 2007 was only for the 481 industrial acres off Wilbur Avenue, as 75 percent of Viera residents said in a survey they were against becoming part of the city. LAFCO countered by saying land islands cannot be created because it would be tough to provide county services. Antioch resubmitted an application that included the Viera area last June.

Contact Paul Bugarino at 925-779-7164. Follow him at [Twitter.com/paulbugarino](https://twitter.com/paulbugarino).

Byron Union to keep school resource officer for at least another year

By Paul Bugarino Contra Costa Times San Jose Mercury News

Posted:

Monday, April 22, 2013
ContraCostaTimes.com

BYRON -- Byron Union will have a school resource officer for the upcoming year, as an advisory group that manages local tax money for police protection decided this week the position should be funded.

The recommendation of the Discovery Bay P-6 Zone Citizen Advisory Committee, which still must be approved by the sheriff and county Board of Supervisors, gives the district time to identify ways to pay for the \$180,000 position, which includes the officer's salary, benefits, uniforms, car and more.

"We're grateful to the P-6 committee for supporting safety at our schools," trustee Jill Sprenkel said. "It bought us another year and starts the clock over again."

Until 2011, Byron Union had a five-year, \$500,000 federal grant that paid for the bulk of the cost. After that, the district has turned to local agencies for help.

The P-6, which manages taxes paid by residents in several Discovery Bay neighborhoods, has covered about 90 percent of the cost the past few years, with the rest being covered through groups such as parent-teacher associations and fundraising.

The P-6 is cutting into its reserve funds to pay for the resource officers, according to committee members.

Officials said having sheriff's deputy David Allain dividing time between the far East Contra Costa district's three campuses makes them safer. His presence also helps address response time, its greatest concern in the case of a tragedy such as the one at Sandy Hook Elementary in Newtown, Conn., in December.

"That's our greatest vulnerability. It's a school issue and a community issue," Sprenkel said.

Contact Paul Bugarino at 925-779-7164. Follow him at [Twitter.com/paulbugarino](https://twitter.com/paulbugarino).

Monday, April 22, 2013



Contra Costa Water District is First to Receive New Transparency Certificate of Excellence Recognition

The Contra Costa Water District recently became the first district to complete the Transparency Certificate of Excellence program through the Special District Leadership Foundation (SDLF). This program was created in 2013 as an effort to promote transparency in the operations and governance of special districts to the public and to provide special districts with an opportunity to showcase their efforts in transparency.

This is an SDLF sponsored program and is free for districts to participate and receive recognition by completing the [checklist of requirements](#).

Get started on your Transparency Certificate today!

Why should your district earn the District Transparency Certificate of Excellence?

- The certificate covers all general, website, and outreach best practices and requirements regarding transparency for special districts.
- Earning the certificate is a tangible acknowledgement of your transparency efforts.
- Demonstrate to your constituents and other stakeholders that your district is committed to being open and accessible to them.
- Earning the certificate demonstrates a commitment to engaging the public and creating greater awareness of your district's activities.

Submit your application for the Transparency Certificate of Excellence program by clicking [here](#) to go to the application, or contact Charlotte Lowe, SDLF program assistant, at (916) 231-2939.

Next Steps After Receiving Your Transparency Certificate

Completion of the Transparency Certificate is now also a requirement for the District of Distinction (DOD) accreditation program. After completing the Transparency Certificate, your district is well on the way to earning SDLF's top recognition: the District of Distinction Accreditation. Additionally, for any first time district applicants for the DOD program, application fees are waived through the end of 2013!

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News

CALAVERAS COUNTY

FIRE DISTRICT REPORT SUGGESTS THAT FEWER MIGHT BE BETTER

By **Dana M. Nichols**

April 23, 2013

Record Staff Writer

SAN ANDREAS - Calaveras County's 10 fire districts should consider consolidating into as few as four optimal districts, according to a new report written for the county Local Agency Formation Commission.

The report found that many county fire districts operate on shoestring budgets and don't have the necessary funds to replace aging equipment or make needed repairs to fire stations.

Those districts are still able to respond to about 5,600 calls a year, however, thanks to a large cadre of volunteers who do everything from putting out fires and pulling people out of wrecked cars to repairing fire engines.

The Jenny Lind and Foothill Fire agencies in the Valley Springs area are already moving toward consolidation. The two operate now under a single administration referred to as Calaveras Consolidated.

As a result, two chiefs are now the paid staff in a fire protection region that formerly had five.

John Benoit, the executive officer for the county Local Agency Formation Commission, said that move saves money that can then be spent elsewhere.

"It will be a lot less expensive to administer, for one thing. And everybody seems to be getting along," Benoit said.

That getting along is one of the bright spots in the report issued earlier this month. It notes that the various fire districts already cooperate in many ways.

The San Andreas Fire Protection District station, for example, serves as a training center for the entire region. The Altaville-Melones Fire Protection District keeps one of its engines in a Murphys Fire Protection District station in Vallecito. And all the districts regularly cooperate when responding to incidents.

The report suggests that districts along Highway 4 from Copperopolis to Arnold might be one region suitable for consolidation. Angels Camp Fire Department, which is in relatively strong condition, very compact, and is the only city fire department in the county, was not included in the suggested consolidation.

A second region suitable for consolidation could be the districts in Murphys, West Point, Mountain Ranch and San Andreas. And finally, the third region is the Valley Springs area, which is already on the consolidation path.

"I think if they get together and get a stronger organization they will have a better ability to improve their finances," Benoit said. "I have never seen any of these consolidations that have failed."

Contact reporter Dana M. Nichols at (209) 607-1361 or dnichols@recordnet.com. Visit his blog at recordnet.com/calaverasblog.

More online

View the Calaveras Fire Municipal Service Review draft report at recordnet.com/calfire.

Hercules poised to terminate long-standing police dispatch relationship with Pinole

By Tom Lochner Contra Costa Times Contra Costa Times

Posted:

Thursday, April 25, 2013
ContraCostaTimes.com

HERCULES -- The city is poised to break up a more than 30-year marriage and replace Pinole as its police dispatch service partner to save money.

Hercules police Chief Bill Goswick, praising Pinole's dispatchers as top-notch, said economy of scale makes it cheaper for Hercules to join a bigger dispatch pool than one consisting of just two small cities, with a combined population of fewer than 50,000. He said Pinole has been an excellent service provider for more than 30 years and that Hercules never had any complaints.

However, Goswick told the City Council on Tuesday that Hercules stands to save as much as \$190,000 a year by contracting with another agency.

Hercules is paying Pinole \$452,651 for dispatch service this fiscal year and is slated to pay slightly more, \$455,285, in 2013-14.

Goswick said he has held exploratory talks with Richmond and Contra Costa County and is preparing to talk to Martinez soon.

Richmond dispatches for El Cerrito, Kensington and San Pablo police in addition to its own police. Goswick suggested that Pinole might want to consider moving to Richmond also, if Hercules does. He said he has broached the subject of a move with Pinole police Chief John Hardester and will continue to talk to Pinole.

Pinole Mayor Debbie Long said Wednesday she understands Hercules' desire to save money but that she is disappointed Hercules did not hold discussions with her city before going forward.

"I understand the need for confidentiality, but we are partners," Long said. "I'm disappointed that they didn't respect our city and our employees enough to approach us to see if, as a unit, we could get a better deal."

The dispatch operation, which serves both cities but is run by Pinole, involves seven employees, Long said.

The Hercules council on Tuesday authorized City Manager Steve Duran to give Pinole a six-month termination notice, as mandated in the contract between the two cities, and to submit to the Hercules council a new negotiated police dispatch services contract as soon as practical after the June 4 election, once Hercules gains some clarity about its financial picture.

On that date, Hercules voters will decide whether to increase the city's utility user tax by 2 percentage points, to 8 percent, which would pour about an additional \$1 million a year into the general fund. The tax would sunset in five years.

Mayor John Delgado, citing Hercules' long police dispatching relationship with Pinole as well as other joint ventures such as the Pinole/Hercules wastewater treatment plant, recommended postponing a vote for two weeks to give the two cities time to talk about the matter.

"I'd like it to be done together, rather than unilaterally," Delgado said.

But Councilman Bill Kelly, saying he has to look out for Hercules' interests first, pushed for an immediate

vote in view of the six-month termination period. In the end, Delgado joined fellow council members Kelly, Sherry McCoy and Dan Romero in a 4-0 vote. Councilwoman Myrna de Vera was absent.

Goswick said a switch to Richmond would involve one-time costs of about \$50,000, whereas switching to Contra Costa County could entail a one-time cost of more than \$100,000. The reason for the difference is consolidation of record-management systems, which would be more expensive in a move to the county for reasons related to compatibility of the various agencies' current systems, Goswick explained.

Contact Tom Lochner at 510-262-2760 or tlochner@bayareanewsgroup.com. Follow him at twitter.com/tomlochner.

Joint Lafayette-Orinda fire station plan still alive

By Jennifer Modenessi Contra Costa Times Contra Costa Times

Posted:

Friday, April 26, 2013

ContraCostaTimes.com

ORINDA -- Plans for a new Lafayette fire station to be operated by the Moraga-Orinda Fire District and the struggling Contra Costa County Fire Protection District are still moving forward despite the threat of more county fire station closures and the impending retirement of Contra Costa Fire Chief Daryl Louder, who initiated the station consolidation.

A majority of Moraga-Orinda Fire District board members on Wednesday authorized Fire Chief Randy Bradley to pay the second half of a \$15,000 deposit for land on which the districts hope to build a new fire station to replace the Lafayette station the county fire district closed in January. A nearby fire station in Orinda slated for reconstruction will close if the new station is built.

The approval signals that MOFD directors Steve Anderson, Alex Evans and John Wyro remain in favor of a partnership with the county to construct the facility on the Lafayette-Orinda border in the hopes of saving their district an estimated \$1 million annually to address pension debt. Directors Frank Sperling and Fred Weil continue to oppose the idea.

The district has until May 25 to complete the purchase of the \$1.2 million property. The fire district wants to divide the cost equally with the county. The directors also greenlighted "deal points" they would like included in a legal agreement being negotiated between the chiefs.

The agreement will outline station operation, funding and staffing. County supervisors, who oversee ConFire and haven't yet authorized any spending on the project, will consider those points and whether to fund half of the deposit and environmental review costs at a board meeting May 7.

The county supervisors are also scheduled to vote on a budget proposal next month that includes the closure of two more stations -- one on July 1 and another Jan. 1, due to financial problems.

Chief Louder has said there is \$3.1 million in available capital outlay funds that can be used for land acquisition and construction, but not for station operations.

Should supervisors decide to proceed, they and the Moraga-Orinda fire board will need to enter into a joint powers agreement to purchase the property by the May 25 deadline. Under the 40-year contract, the districts would purchase the site as tenants in common. Construction, maintenance, use and other costs would be split by the districts.

But director Weil took issue with proposed staffing costs. He also wants to wait until the county votes on May 7.

"How many dollars are we going to commit directly or otherwise to pay for services, to pay for studies, to purchase the property without having a commitment from the county that they are in fact going to share any of this?" he asked.

In addition to the \$15,000 deposit, the district has spent \$6,800 of an estimated \$27,580 cost for environmental reports and studies.

Residents continue to raise concerns about issues including a ConFire suggestion to reduce service to another Lafayette station near St. Mary's College. They also question the fairness of ConFire building a new station

in Lafayette and Orinda when other cities have seen their fire stations close -- and more station closures loom.

"It just seems like if I lived in Martinez or somewhere out there that doesn't have as (many) services, I would feel like why are they building this new station when they've already got a station?" said Orinda resident Marie Gee. "It just doesn't feel right."

Long-awaited Pittsburg road extension project plans roll forward

By Paul Burgarino Contra Costa Times Contra Costa Times

Posted:

Saturday, April 27, 2013

ContraCostaTimes.com

PITTSBURG -- Environmental studies are rolling forward for a long-sought expressway that would cut through steep terrain south of the city while alleviating local traffic bottlenecks.

The public is invited to vet documents for the James Donlon Extension, a 1.7-mile road that would run from the western edge of Discovery Builders' planned Sky Ranch II subdivision to Kirker Pass Road. James Donlon Boulevard dead-ends at Antioch's western border, the road built as part of a housing development by the Seeno company.

Pittsburg released a draft version of an environmental impact report earlier this month. Comments on the plan will be accepted until May 29.

Originally added to Pittsburg's General Plan in 1980, the estimated \$50 million, two-lane road is viewed as a key route to take commuters to central Contra Costa from Antioch and farther east, pulling them off of Buchanan Road.

"They would be the primary beneficiaries," Mayor Nancy Parent said. "I think if you asked drivers from Antioch if they would prefer to go that way and never have to go down Buchanan, they would say yes."

Local drivers say Buchanan traffic constantly backs up during commute hours because of its tight intersections and the steady flow of merging cars from schools and neighborhoods onto the already-cramped road.

A study on the extension was completed in 1993, but details of the road's alignment were not explored, according to city engineers. Pittsburg conducted a more thorough initial environmental look in 2007.

In addition to identifying a definite road path, the latest draft adds a median, curbs and sidewalks to a near half-mile stretch of Kirker Pass from Nortonville Road to the Pittsburg city line. A free right turn lane from Kirker Pass onto James Donlon would be added, along with an approach on the west side of Kirker Pass for the future Montreaux Drive.

Documents identify several "potentially significant" effects, including aesthetics, biological resources, geology and soils, noise and air quality. The study also addresses landslide prevention, crossing seasonal stream beds and the likely relocation and raising of PG&E transmission lines.

Alternatives such as widening Buchanan and creating a James Donlon road alignment farther north were considered in the study. However, widening Buchanan would require right-of-way acquisition of 66 properties, while the north alignment would increase effects on noise, geology and air quality, according to the plan.

The regional environmental group Save Mount Diablo is among those that plan to submit comments outlining concerns.

Seth Adams, the group's land program director, said construction would require drastic "cuts and fills" and extensive grading for the sloping hills and half-dozen canyons in the vicinity, destroying some of the most pristine land in the region.

Approximately 2.1 million cubic yards of grading would be required for the roadway, according to city documents. Adams said Pittsburg is underestimating the scope and cost of the project.

The project's path would also bisect the Thomas Ranch property, where the pioneering Contra Costa family has raised cattle since the 1860s -- long before Pittsburg became a city. Pittsburg would likely have to use eminent domain to acquire right-of-way.

After assessing the environmental challenges, Pittsburg will have to figure out how to pay for the project and work with the county's Local Agency Formation Commission on annexation.

Contact Paul Burgarino at 925-779-7164. Follow him at [Twitter.com/paulburgarino](https://twitter.com/paulburgarino).

IF YOU GO

What: Public workshop on James Donlon Extension

When: 5:30 to 7 p.m. May 22.

Where: Pittsburg City Hall, 65 Civic Ave.

Information: The environmental report is available on the city's website, www.ci.pittsburg.ca.us. Written comments can be sent to city planner Leigha Schmidt or emailed to her at lschmidt@ci.pittsburg.ca.us.