



NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, June 11, 2014, 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 a change of organization consisting of an annexation or detachment, or a reorganization consisting solely of annexations or detachments, or both, or the formation of a county service area, it is the intent of the Commission to waive subsequent protest and election proceedings provided that appropriate mailed notice has been given to landowners and registered voters within the affected territory pursuant to Gov. Code sections 56157 and 56663, and no written opposition from affected landowner or voters to the proposal is received before the conclusion of the commission proceedings on the proposal.

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.

JUNE 11, 2014 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 May 14, 2014 regular LAFCO meeting

OUT OF AGENCY SERVICE REQUESTS

6. **LAFCO 13-06 – Spencer** – the Commission will consider a request by City of Martinez to provide municipal water service outside its jurisdictional boundary to a 0.82± acre parcel (APN 367-100-011) located at 172 Gordon Way in the unincorporated Alhambra Valley in order to serve a proposed single family home; and consider related actions under the California Environmental Quality Act (CEQA)

SPHERE OF INFLUENCE/BOUNDARY CHANGES

7. **LAFCO 13-08 – Northeast Antioch Reorganization (Area 2A): Annexations to the City of Antioch and Delta Diablo Sanitation District and Detachment from County Service Area P-6** – consider reorganization proposal of 116± acres (19 parcels) located immediately west of State Route 160 and the Antioch Bridge; and consider related actions under CEQA **Public Hearing – Continued from April 9, 2014 Meeting**

MUNICIPAL SERVICE REVIEWS (MSRs)/SPHERE OF INFLUENCE (SOI) UPDATES

8. **Countywide Water/Wastewater Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates (2nd Round)** – approve SOI updates for the following districts: Byron Sanitary District, Castle Rock County Water District, Central Contra Costa Sanitary District, Contra Costa Water District, Crockett Community Services District, County Sanitation District No. 6, County Service Area M-28, Delta Diablo, Diablo Water District, Ironhouse Sanitary District, Knightsen Town Community Services District, Town of Discovery Bay Community Services District; and consider related actions under CEQA **Public Hearing**

BUSINESS ITEMS

9. **Second Round Fire/EMS Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates** –authorize staff to release a Request for Proposals for consulting services to assist with the second round fire/EMS MSR and SOI updates.
10. **Financial Audit** – the Commission will be asked to receive and file the FY 2012-13 financial audit.

CORRESPONDENCE

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

INFORMATIONAL ITEMS

12. Commissioner Comments and Announcements
13. Staff Announcements
 - CALAFCO Updates
 - Pending Projects
 - Newspaper Articles

ADJOURNMENT

We will adjourn today's meeting in memory of Commissioner and LAFCO Chair Dwight Meadows, who passed away on May 13, 2014. Commissioner Meadows served on Contra Costa LAFCO since 1994 as a special district member. He was quiet, but not shy, and always spoke his mind. We will miss Dwight - his spirit, candor and wry sense of humor.

Next regular LAFCO meeting – August 13, 2014 at 1:30 p.m.

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

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

May 14, 2014

Board of Supervisors Chambers
Martinez, CA

June 11, 2014
Agenda Item 5

1. Vice Chair Rob Schroder called the meeting to order at 1:30 p.m.
2. The Pledge of Allegiance was recited.
3. Seating of Commissioners

Clerk of Contra Costa County Joe Canciamilla administered the oath of office to George Schmidt, elected to another term as Alternate Special District Member.

4. Roll was called. A quorum was present of the following Commissioners:

City Members Rob Schroder and Don Tatzin and Alternate Tom Butt.

County Members Mary Piepho and Alternate Candace Andersen.

Special District Members Michael McGill (arrived 1:36) and Alternate George Schmidt.

Public Members Don Blubaugh and Alternate Sharon Burke.

Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Andersen, and Clerk Kate Sibley.

5. Approval of the Agenda

Upon motion of Tatzin, second by Piepho, Commissioners, by a vote of 6-0, adopted the agenda.

AYES: Andersen, Blubaugh, Piepho, Schmidt, Schroder, Tatzin

NOES: none

ABSENT: Glover (M), McGill (M), Meadows (M)

ABSTAIN: none

6. Public Comments

There were no public comments.

7. Approval of April 9, 2014 Meeting Minutes

Upon motion of Piepho, second by Blubaugh, the minutes for the meeting of April 9, 2014 were approved unanimously by a vote of 6-0.

AYES: Andersen, Blubaugh, Piepho, Schmidt, Schroder, Tatzin

NOES: none

ABSENT: Glover (M), McGill (M), Meadows (M)

ABSTAIN: none

8. Countywide Water/Wastewater Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates (2nd Round)

The Executive Officer provided a brief update on the status of the MSR report. An overview of the Public Review Draft was provided at a public hearing at the April 9 LAFCO meeting. This hearing is to review changes made since the April hearing, hold a public hearing, accept the Final MSR report, determine its CEQA exemption, adopt the required determinations, adopt SOI resolutions for six districts, and provide additional direction on SOI updates for the remaining special districts.

DRAFT

Consultants Gary Thompson and Harry Ehrlich went through the changes made since April 9. Mr. Thompson noted that a number of changes had been made based on new comments and omissions noted since the April meeting as summarized below.

Cities of Concord and Martinez should update their policies and codes to conform to Government Code §56133 regarding out of area agreements; this has been added to the MSR determinations for each city. The cities of Pittsburg and Antioch should consider studying the feasibility of merging with Delta Diablo. A map of North Richmond as a Disadvantaged Unincorporated Community (DUC) was added to the City of Richmond's chapter.

Byron-Bethany Irrigation District (BBID) has some tax rate areas (TRAs) that overlap with those for Town of Discovery Bay Community Services District (TODBCSD); it is suggested that these overlaps be studied and addressed in cooperation with San Joaquin LAFCO.

Castle Rock County Water District serves properties within the City of Walnut Creek, in the unincorporated Walnut Creek area, and some outside the Urban Limit Line (ULL); added a Zero SOI alternative with explanatory determinations.

For Central Contra Costa Sanitary District (CCCSD), that district's significant progress in cleaning up out of agency areas into their boundaries was noted.

The area that County Sanitation District No. 6 (SD No. 6) serves was recently annexed to the City of Martinez. As a result, County Public Works will be working with the City of Martinez to establish a new City board of directors; as directed by State law. There were some other comments from the County regarding an engineering study to determine the feasibility of annexing SD No. 6 into CCCSD.

The County also made comments regarding County Service Area (CSA) M-28 and the difficulties that district is facing; these were noted in the report.

It was noted that the County Finance Committee will discuss the status of both SD No. 6 and CSA M-28 at an upcoming meeting.

Maps were updated to reflect the Northeast Antioch Reorganizations 1 and 2B, which affected boundaries of not only Delta Diablo (DD) but also the City of Antioch. Another government structure option was included that would reduce DD's SOI by removing four permanent open space areas outside the ULL—as was requested by DD.

Consultants have identified the specific fourth high school site for Liberty Union High School District (LUHSD) that could be served by Diablo Water District (DWD), and included a reference from County Planning regarding the inclusion of Bethel Island in the DWD SOI: they believe this would trigger a CEQA review.

In response to Commissioner Piepho's question about the fifth high school site for LUHSD, it was found that the development of this site will be well beyond the five-year MSR cycle, so it was referenced for consideration in the next cycle.

The LUHSD future sites have been better identified for Ironhouse Sanitary District.

Additional information was included concerning Knightsen Town Community Service District's (KCSD) activities and their work to improve operations; a Provisional SOI with annual updates was suggested as a third option for this district.

The consultants added to the TODBCSD chapter the discussion about the TRA overlap between TODBCSD and BBID.

As noted, the North Richmond DUC map has been added for West County Wastewater District (WCWD). Also included is information on the status of WCWD's master plan addressing infrastructure repair and updates.

Contra Costa Water District (CCWD) provided clarification concerning contracted water allocations and voluntary water reductions currently in place.

Regarding Stege Sanitary District (SSD) and the 101 homes outside of that district's boundary served under contract with the City of Richmond—consultants are still recommending reaffirming current SOI.

The Executive Officer noted for the record that an email was received from the City of Brentwood questioning the population projections. The city is in the process of updating its general plan, but it has not yet been adopted. The MSR project team will confirm the population projections and maintain consistency with the other cities (all figures from Association of Bay Area Governments, (ABAG).

Commissioners asked that a footnote be added with this clarification, and that the statistics used in the report be clearly attributed to their sources.

Commissioner Piepho asked about the TODBCSD treatment plant that is outside the district's boundary and why the SOI and annexation are not addressed in this MSR. Staff stated that the district is considering annexation but did not request expansion at this time. Commissioner Piepho requested that the district's SOI be expanded to include this treatment plant.

Commissioner Andersen asked if other districts have similar facilities outside of their spheres where they are not delivering services; staff confirmed this. LAFCO staff will follow up with TODBCSD staff on the matter.

Discussion ensued regarding school districts and the fact that they don't work with local agencies as they plan their facility siting and services.

Commissioner Piepho recommended that the status quo be retained on Knightsen Town CSD's SOI and that a report be required in 12 months.

Commissioner Butt referenced a recent Grand Jury report that strongly suggested that LAFCO should be more assertive in looking at special districts in terms of consolidation and efficiencies. In West County, it seems that this report prolongs the status quo, and misses opportunities to make an impact on inefficiencies and duplicated services. Commissioner McGill concurred.

The public hearing was opened.

Linda Weekes, representing KCSD, reported that the district has submitted two grant proposals to the Department of Water Resources (one failed due to lack of land) and has presented a land acquisition proposal to three landowners; they are waiting to hear further from the landowners. She prefers a one-year reporting period.

The public hearing was closed.

Following discussion regarding the KCSD and the SOI options presented to the Commission, the Chair asked for a motion.

Upon motion of Piepho, second by Blubaugh, Commissioners unanimously, by a vote of 7-0, accepted the report with changes and public comments, determined that the MSR is Categorically Exempt pursuant to §15306, Class 6 of the CEQA guidelines, adopted the required determinations, adopted the SOIs as recommended for East Contra Costa Irrigation District, Mt. View Sanitary District, Rodeo Sanitary District, Stege Sanitary District, and West County

Wastewater District, and noted that the remaining SOI updates will be discussed on June 11, 2104.

AYES: Andersen, Blubaugh, McGill, Piepho, Schmidt, Schroder, Tatzin
NOES: none
ABSENT: Glover (M), Meadows (M)
ABSTAIN: none

9. Adoption of Final FY 2014-15 LAFCO Budget

The Executive Officer presented the final LAFCO budget for FY 2014-15, which includes preparation of a second-round fire and emergency medical services MSR. A 4.8% increase in agency contributions is projected, with the use of available fund balance to offset agency contributions.

Upon motion of Blubaugh, second by McGill, Commissioners unanimously, by a vote of 6-0, commended staff's work, adopted the Final Budget for FY 2014-15, and authorized staff to distribute to the County, cities, and independent special districts as required by Government Code §56381.

AYES: Andersen, Blubaugh, McGill, Schmidt, Schroder, Tatzin
NOES: none
ABSENT: Glover (M), Meadows (M), Piepho (M)
ABSTAIN: none

10. Contract Extension - Lamphier-Gregory

The Executive Officer recommended that Commissioners extend the current planning services contract with Lamphier-Gregory for an additional year with an addition of \$15,000 to the contract.

Upon motion of Tatzin, second by Blubaugh, Commissioners unanimously, by a vote of 6-0, approved the contract extension from July 1, 2014 through June 30, 2015, with an additional \$15,000.

AYES: Andersen, Blubaugh, McGill, Schmidt, Schroder, Tatzin
NOES: none
ABSENT: Glover (M), Meadows (M), Piepho
ABSTAIN: none

11. Contract Extension - R.J. Ricciardi

The Executive Officer recommended that Commissioners extend the current financial auditing services contract with R.J. Ricciardi for one year at the cost of \$7,000.

Upon motion of Andersen, second by Tatzin, Commissioners unanimously, by a vote of 6-0, approved the contract extension for FY 2014-15 for the total cost of \$7,000.

AYES: Andersen, Blubaugh, McGill, Schmidt, Schroder, Tatzin
NOES: none
ABSENT: Glover (M), Meadows (M), Piepho
ABSTAIN: none

12. Contra Costa County EMS Modernization Project Update

The Executive Officer provided an update on the status of the County's EMS Study and presented a copy of the LAFCO comment letter on the County EMS study.

Commissioner Anderson highlighted some of the findings of the study.

13. James Donlon Boulevard Extension Project Update

The Executive Officer provided background and an update on the James Donlon Boulevard Extension project. Since 2006, LAFCO staff has regularly responded to requests for comments. In July, the City of Pittsburg will consider certifying an EIR for this project. The Draft EIR, released in April 2013 and found that the project will result in the loss of approximately 70 acres of prime agricultural land. The EIR found less than significant environmental impact and that no mitigation measures were provided. This is a concern to LAFCO staff. Upon the release of the Final EIR, in early April LAFCO staff requested a continuance in order to have more time to review the City's response to comments on the DEIR. Since that time, LAFCO staff met with City staff and suggested some measures that could be taken to mitigate the loss of prime agricultural land and an active Williamson Act contract. City staff provided a comment letter, which was distributed to the Commissioners and made available to the public.

A brief discussion ensued.

14. CCCERA Correspondence

There were no comments regarding this correspondence.

15. Commissioner Comments and Announcements

Commissioner McGill reported that he attended the CALAFCO Board meeting on May 2 and the Legislative Committee Meeting on May 9.

Commissioner Schmidt announced that he will not be at the June meeting.

16. Staff Announcements and Pending Projects

The Executive Officer thanked Commissioners for supporting staff attendance at the CALAFCO Staff Workshop April 23-25. It was very well attended, with 50 of 58 LAFCos represented.

The Executive Officer reported that staff sent a second letter regarding AB 2762 (amended), the omnibus bill for LAFCos.

The meeting was adjourned at 2:38 p.m.

Final Minutes Approved by the Commission June 11, 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

By _____
Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 11, 2014 (Agenda)

June 11, 2014
Agenda Item 6

LAFCO 13-01 City of Martinez - Out of Agency Service Request (Spencer)

SYNOPSIS

This is a request by the City of Martinez to provide water service outside its jurisdictional boundary to a 0.82± acre parcel (APN 367-100-011) located at 172 Gordon Way in the unincorporated Alhambra Valley (Attachment 1). The lot is currently vacant and is part of a subdivision approved by the County in 1955 (Subdivision 2037). According to County Planning, the property owner has obtained tree and grading permits; an application for a building permit to construct a single family residence has been submitted to the County, however, has not been issued pending completion of the plan check and submittal of a construction debris recovery plan.

The County zoning is Residential (R-20) with a General Plan designation of Single Family Residential Low Density. The subject parcel is located inside the County's voter-approved Urban Limit Line. The City's rezoning designation for the property is Rural Residential Single Family (RR-40). Surrounding uses include single family residential to the southeast and northeast. The areas north, west and south of the subdivision are primarily vacant; the County zoning and General Plan designations in these areas are A-2 (General Agricultural), and AL (Agricultural Lands), respectively.

The City of Martinez is currently providing water service to Subdivision 2037, and to all of the surrounding developed properties. The area is within the Central Contra Costa Sanitary District (CCCSD) service boundary.

DISCUSSION

Statutory Framework – Out of Agency Service - The Government Code and local LAFCO policies regulate the extension of out of agency service. Government Code §56133 states that “A city or district may provide new or extended services by contract or agreement outside of its jurisdictional boundary only if it first requests and receives written approval from the Commission.” Further, the law provides that LAFCO may authorize a city or district to provide new or extended services under specific circumstances: a) outside the agency's jurisdictional boundary but within its sphere of influence (SOI) in anticipation of a future annexation; or b) outside its jurisdictional boundary and outside its SOI in response to an existing or impending threat to the public health or safety.

The Commission's current policies regarding out of agency service are consistent with State law in that annexations to cities and special districts are generally preferred for providing municipal services. However, there may be situations where health and safety, emergency service, or other concerns warrant out of agency service. Historically, out of agency service is considered a temporary measure, typically in response to an existing or impending public health and safety threat (e.g., failing septic system, contaminated well); or in anticipation of a future annexation.

Out of Agency Service Request by City of Martinez and Background – As noted in the both the 2014 and 2008 *Water/Wastewater* and the 2009 *Central County Sub-regional* LAFCO Municipal Service Reviews (MSRs), the City is providing water services beyond its corporate limits to 1,500± water connections. These 1,500 water connections represent residents who do not have representation concerning policy, rates, or governance of their water supply. The MSRs recommend that the City of Martinez annex areas receiving city services, as appropriate.

The City previously attempted to annex portions of Alhambra Valley, and recently had some success. In 2011, the City submitted an application to annex 393± acres (139 parcels) in the Alhambra Valley. In response to community input, the City requested LAFCO to reduce the annexation boundary. In 2012,

LAFCO approved the Alhambra Valley annexation reduced boundary comprised of 316± acres (104 parcels). However, the Spencer property was not included in the previous annexation proposals.

The law permits LAFCO to authorize the City to extend services outside its jurisdictional boundary in specific situations as described above. The request by the City to provide water service to the property is in anticipation of a future annexation.

Although the Spencer property was not included in the previous annexation proposals, the City has taken the following actions in furtherance of the future annexation of the Alhambra Valley and the Spencer property:

- The Martinez General Plan includes policies and land use designations supporting the annexation of portions of Alhambra Valley to the City.
- The City has rezoned the Alhambra Valley.
- The City has established design guidelines for portions of Alhambra Valley.
- The City has prepared environmental and fiscal analyses and adopted a property tax sharing agreement for portions of Alhambra Valley.
- In December 2012, the Martinez City Council adopted a resolution reaffirming its intent to annex the Alhambra Valley to the City as opportunities arise. The resolution sets forth goals relating to community outreach and education.
- In May 2014, the Martinez City Council reaffirmed its commitment to annex Alhambra Valley and adopted a resolution “Establishing a Non-binding Strategy to Annex Alhambra Valley by the Year 2020 in a Single Phase Approach.”
- The City and the Spencers (property owners) have entered into a deferred annexation agreement.

Water Supply to the Project Area – The Alhambra Valley is characterized by steep hillsides with gently sloping hilltops. The boundary of the Alhambra Valley is roughly defined by the watershed surrounding Alhambra Creek. The topography of the area creates some challenges to using groundwater.

In 1992, the County Board of Supervisors adopted the Alhambra Valley Specific Plan (AVSP), which provides guidance relating to development in the Alhambra Valley. In recognition of some of the challenges associated with water availability in the Alhambra Valley, the AVSP provides goals and policies relating to water service, including the following:

Policy 3: Prior to approval of development entitlements, new development shall obtain verification from the appropriate water service agency, be it the City of Martinez or the County Environmental Health Services Department, that an adequate and safe water supply can be provided to serve development. All new subdivisions created after adoption of the Specific Plan within the Urban Limit Line shall be connected to the Martinez Water Department.

Policy 5: The establishment of small community well water systems to serve proposed subdivisions shall be prohibited.

County Environmental Health confirms that finding groundwater in the Alhambra Valley is challenging, and notes that it is not uncommon during dry periods for property owners to truck in water.

The Spencer property is located in the Alhambra Valley. The City indicates that it has adequate water to serve the property. According to the City Engineer, water service will be provided to the Spencer property from the City's existing four-inch water main on Gordon Way. The water service will consist of approximately 10 linear feet of one-inch diameter pipe, a water meter, and a backflow prevention device.

The property owner is responsible for all site development, improvement and start-up costs including those associated with the domestic water system; operational and maintenance costs will be funded through water service and water usage fees collected by the City of Martinez.

Environmental Review - In May 2014, the City of Martinez, as Lead Agency, filed a Notice of Exemption finding that the proposal for out of agency water service is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303. The LAFCO Environmental Coordinator has reviewed the document and finds it adequate for LAFCO purposes.

ALTERNATIVES FOR COMMISSION ACTION

LAFCOs were formed for the primary purpose of promoting orderly development through the logical formation and determination of local agency boundaries, and facilitating the efficient provision of public services. The CKH provides that LAFCO can approve with or without amendments, wholly, partially, or conditionally, or deny a proposal. The statute also provides LAFCO with broad discretion in terms of imposing terms and conditions. The following options and recommended terms and conditions are presented for the Commission's consideration.

Option 1 **Approve** the out of agency service request with the following terms and conditions.

- A. Find that the project is exempt pursuant to section 15303 of the CEQA Guidelines, consistent with the determination of the City of Martinez acting as Lead Agency.
- B. Authorize the City of Martinez to extend water service outside its jurisdictional boundary to the 0.82± acre parcel (APN 367-100-011) located at 172 Gordon Way in unincorporated Contra Costa County subject to the following terms and conditions:
 1. Water infrastructure and service is limited to the proposed single family dwelling unit, and
 2. The City of Martinez has delivered to LAFCO an executed and recorded deferred annexation agreement, and
 3. The City of Martinez has delivered to LAFCO an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions to challenging the out of agency service.

Option 2 **Deny** the request, thereby prohibiting the City of Martinez from providing water service to the project site.

Option 3 **Continue** this matter to a future meeting in order to obtain more information.

RECOMMENDATION

Option 1 – Approve out of agency service request

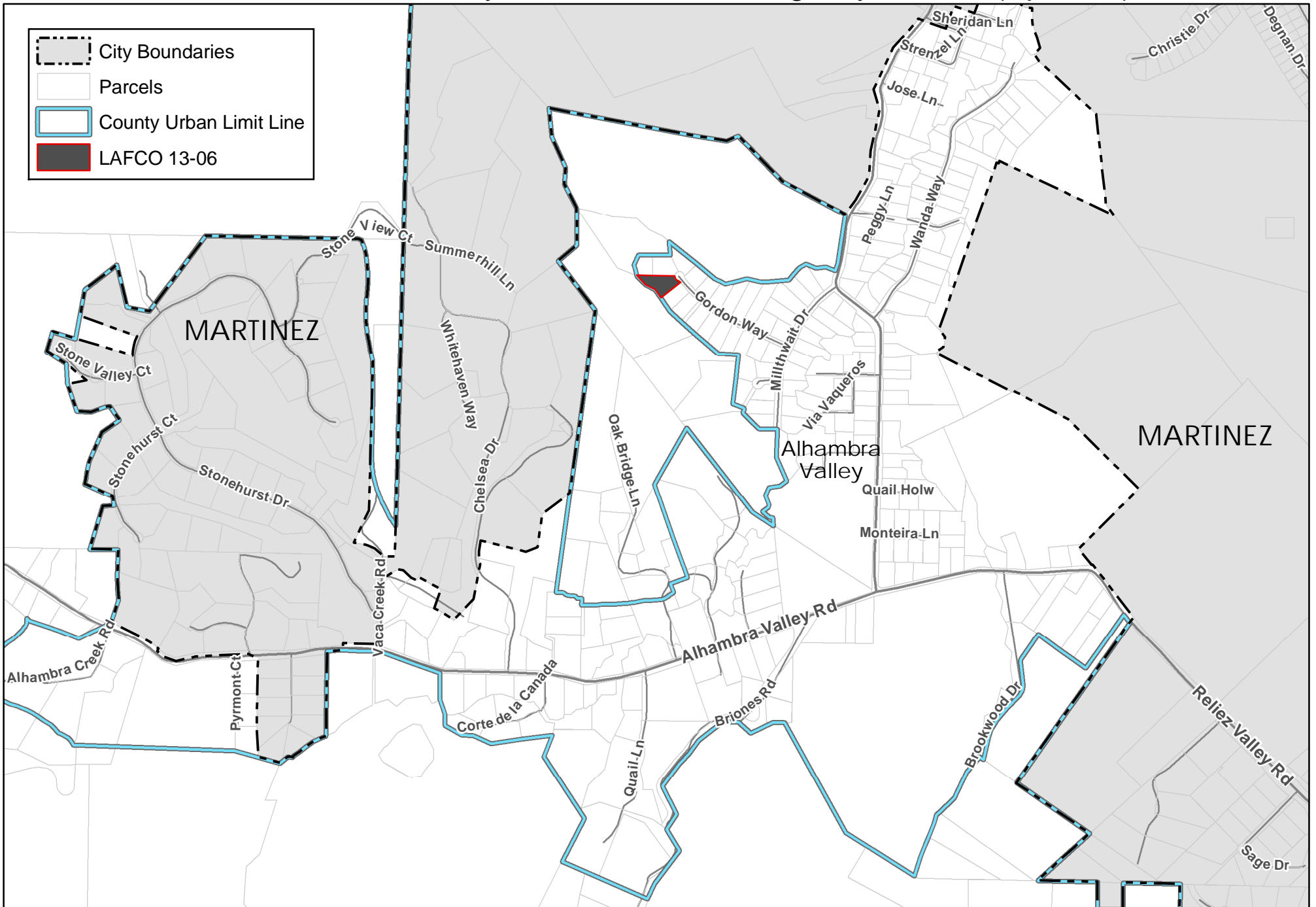
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LAFCO





Attachments

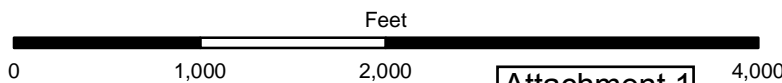
1. Map of Project Site
2. LAFCO Resolution 13-06

c: Tim Tucker, City of Martinez
 Rick Spencer, Property Owner

LAFCO No. 13-06 City of Martinez Out of Agency Service (Spencer)



-  City Boundaries
-  Parcels
-  County Urban Limit Line
-  LAFCO 13-06



Attachment 1

RESOLUTION NO. 13-06**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
AUTHORIZING THE CITY OF MARTINEZ TO PROVIDE OUT-OF-AGENCY WATER SERVICE TO THE
SPENCER PROPERTY LOCATED AT 172 GORDON WAY (APN 367-100-011)**

WHEREAS, the above-referenced request has been filed with the Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of this request; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to this request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, out of agency service approval is needed in order to provide water services to the property in anticipation of a future annexation; and

WHEREAS, the City of Martinez and the property owner have entered into a Deferred Annexation Agreement in support of the future annexation of the property to the City of Martinez.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Contra Costa Local Agency Formation Commission as follows:

- A. Find that the project is exempt pursuant to section 15303 of the CEQA Guidelines, consistent with the determination of the City of Martinez acting as Lead Agency.
- B. Authorize the City of Martinez to extend water service outside its jurisdictional boundary to a 0.82± acre property located at 172 Gordon Way (APN 367-100-011) in unincorporated Contra Costa County subject to the following terms and conditions:
 1. Water infrastructure and service is limited to one single family dwelling unit,
 2. The City of Martinez has delivered to LAFCO an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions to challenging the out of agency service, and
 3. The City of Martinez and the property owner(s) have signed a deferred annexation agreement (DAA), and that the DAA is recorded as prescribed by law and runs with the land so that future landowners have constructive notice that their property is encumbered by the DAA.
- C. Approval to extend City of Martinez services beyond those specifically noted herein is withheld and is subject to future LAFCO review.

* * * * *

PASSED AND ADOPTED AS REVISED THIS 11th day of June 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, VICE 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: June 11, 2014

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 11, 2014
Agenda Item 7

June 11, 2014 (Agenda)

LAFCO 13-08 Northeast Antioch Reorganization Area 2A - Annexations to the City of Antioch and Delta Diablo (DD) and detachment from County Service Area (CSA) P-6 *This item was continued from the April 9, 2014 LAFCO meeting*

PROPONENT City of Antioch (by Resolution)

ACREAGE & LOCATION Area 2A comprises 116± acres (19 parcels) and is located immediately west of State Route 160 (Attachment 1).

PURPOSE Provide municipal services to the area, which is largely built out with marina commercial, storage and incidental uses, along with several dwelling units.

SYNOPSIS

This is one of three separate boundary reorganization proposals submitted by the City of Antioch to annex the greater Northeast Antioch area to the City and to DD. Both the PG&E Reorganization (Area 1) and Northeast Antioch Reorganization Area 2B were approved by the Commission on January 8, 2014. In total, these areas comprise 678± acres and have significantly different characteristics and land uses (Attachment 2).

This report is for Area 2A, a proposal to annex 116± acres (19 parcels) to the City of Antioch and to DD, and detach the same area from CSA P-6, the County police district.

UPDATE: As previously reported, on April 8th, the Antioch City Council discussed a number of goals relating to Area 2A, which covered a range of issues aimed at grandfathering in existing 2A landowners and residents, including land use and zoning designations and connection to the City's sewer system. Also at this meeting, one of the speakers raised an issue concerning a drain pipe in the area that had failed a number of years ago, creating a large sinkhole. City staff researched the issue and confirmed that in 2004, a portion of a 48-inch storm drain line that runs north/south along the western boundary of Area 2A failed and resulted in a large sinkhole. In 2005, the County authorized \$850,000 to repair the drain line, and replace the plastic pipe with concrete pipe. The repair was substantial, covering 1,100 linear feet of the 48-inch pipeline; the remaining 1,600 linear feet of plastic pipe still needs to be replaced. The estimated cost to replace the remaining pipeline is estimated at \$1.7 million. The City continues to work with the County to better determine the condition of the pipeline. The City is concerned about the potential fiscal liability of the area.

On May 13, the Antioch City Council discussed the drain pipe issue and other concerns relating to the opposition to the annexation by some residents and property owners. The City Council discussed the following options: 1) delete the Sportsman Yacht Club and 48-inch storm drain pipeline, 2) split Area 2A geographically (as described below), 3) withdraw the Area 2A application, and 4) request LAFCO delay taking action until underlying issues facing Area 2A are addressed (as described below). The City Council expressed support for either of the following options:

Option #2 – Split Area 2A Geographically – Request that LAFCO modify the annexation boundary by removing the properties located west of Fleming Lane (Sportsman Yacht Club, Kiewit, Vortex) as these property owners do not wish to be annexed. Removal of this area would also delete the problematic drainage line from the annexation.

Option #4 – Request LAFCO Delay Taking Action on Annexation Until Underlying Issues Facing Area 2A are Addressed – The City Council also supported this option to allow more time to 1) work with the County on possible remedies to the drain line issue; 2) process General Plan and Zoning amendments to address the land issues of concern for some of the heavy industrial uses (e.g., Kiewit); and 3) initiate work to secure grant funding to offset costs associated with the sewer lateral needed to serve Area 2A. Given the tasks described, a 9-12-month deferral would be needed.

It is important to note that under Options 1, 2 and 3, the City proposes removing from the annexation area the narrow right-of-way/easement along the western edge of Area 2A where the problematic drain line is located and delete the Sportsman Yacht Club property (Attachment 3).

Should the Commission wish to take action on the proposed annexation today, and not delay, the staff analysis and options are presented below.

DISCUSSION

The Cortese Knox Hertzberg Act (CKH Act) sets forth factors that the Commission must consider in evaluating any proposed change of organization or reorganization as discussed below (Gov. Code §56668). In the Commission's review of these factors, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

1. Consistency with the Sphere of Influence of Any Local Agency:

LAFCO is charged with both regulatory and planning functions. Annexations are basically a regulatory act, while establishing spheres of influence (SOIs) is a planning function. The SOI is an important benchmark as it defines the primary area within which urban development is to be encouraged. In order for the Commission to approve an annexation, it must be consistent with the jurisdiction's adopted SOI. The annexation area is within both the City of Antioch and the DD SOIs, and within both the City of Antioch and County voter-approved Urban Limit Lines.

2. Land Use, Planning and Zoning - Present and Future:

Area 2A is part of the City's Eastern Waterfront Employment Focus Area as identified in the City's General Plan. In 2011, the City and County formed a committee to develop and implement a joint economic development strategy for the Northeast Antioch area. This committee was instrumental in addressing some of the concerns relating to the reorganization proposals, including fiscal and infrastructure issues.

The land in Area 2A is largely built out and includes some underdeveloped properties. Existing uses are predominately marina, commercial, storage and incidental uses, along with several residential dwelling units. The City's General Plan designations for Area 2A include "Marina/Support Uses" and "Commercial." The City has rezoned Area 2A as "Urban Waterfront" and "Regional Commercial."

Surrounding land uses include the San Joaquin River to the north; Highway 160 and heavy industrial to the east; heavy and light industrial to the south; and heavy industrial to the west.

The current and proposed uses are consistent with the City's plan and rezoning designations. No changes in land uses are proposed.

Other factors relating to land use and growth that LAFCO considers in its review of a proposal are a regional transportation plan and regional growth goals and policies.

In consideration of these factors, LAFCO staff reviewed the *Plan Bay Area* which is a long-range integrated transportation and land-use/housing strategy through 2040 for the nine county San Francisco Bay Area. In July 2013, the *Plan* was jointly approved by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). The *Plan* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

The *Plan* identifies Priority Development Areas (PDAs) - 25 in Contra Costa County, and Priority Conservation Areas- 12 in Contra Costa County. Area 2A is not identified as a PDA.

3. The Effect on Maintaining the Physical and Economic Integrity of Agricultural Lands:

The State Department of Conservation produces a map every two years which identifies California's agricultural lands (e.g., Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, etc.) based on ratings that take into account soil quality and irrigation status.

Both LAFCO law and the California Environmental Quality Act (CEQA) provide their respective definitions of "agricultural land" and "prime agricultural land."

Under CEQA, the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is considered a significant impact.

As noted in the City's environmental analysis, the Northeast Antioch reorganization area contains some Farmland of Statewide Importance and some Farmland of Local Importance in Areas 1 and 2B; however, there is no farmland located in Area 2A. Further, no portion of the reorganization area is under a Williamson Act Land Conservation Agreement.

4. Topography, Natural Features and Drainage Basins:

Area 2A is located just south of the San Joaquin River. A portion of Area 2A immediately adjacent to the San Joaquin River is located within a 100-year flood hazard zone. As discussed in the City environmental review, the City's project does not propose any new buildings or structures within an identified area of heightened flood risk.

The area has a relatively level topography. There are no other significant natural features affecting the proposal.

5. Population:

The area is designated primarily for marina, commercial, storage and incidental uses. There are an estimated four existing residential units in Area 2A, which appear to be caretaker quarters for existing storage facilities. Also, there is a small number of boat residents in the area. In accordance with the City's General Plan and zoning designations, no new residential development is proposed for this area. Thus, no increase in population is anticipated.

6. Fair Share of Regional Housing:

Pursuant to §56668 of the CKH Act, LAFCO must consider in the review of a proposal the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. Regional

housing needs are determined by the State Department of Housing and Community Development; the councils of government throughout the State allocate to each jurisdiction a "fair share" of the regional housing needs. Given the current and proposed land uses in Area 2A, there is no impact to regional housing needs associated with the proposed reorganization.

7. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

In accordance with Government Code §56653, whenever a local agency submits an annexation application, the local agency must also submit a plan for providing services to the annexation area. The plan shall include all of the following information and any additional information required by LAFCO:

- (1) An enumeration and description of the services to be extended to the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

The City has provided a "Plan for Services" as required by statute. The level and range of services will be comparable to those services currently provided within the City. City services will be needed to support future development in the area. As part of the reorganization proposal, the City and County have entered into a tax sharing agreement.

Following annexation, the City will provide a range of municipal services to Area 2A, including police, streets and roads, street lighting, drainage, parks & recreation, library, and other services. Fire services will continue to be provided by the Contra Costa County Fire Protection District (CCCFPD).

Following annexation, the City will provide sewer collection, and DD will provide sewer treatment and disposal. The City will provide retail water, and Contra Costa Water District (CCWD) will provide wholesale water as summarized below. The City has existing sewer and water lines located within Area 2A that can serve the area following annexation.

Police Services – Law enforcement services are currently provided to Area 2A by the Contra Costa County Sheriff's Department. Upon annexation, police services will be provided by the City, and the area will be detached from the County's police services district (CSA P-6).

The City's standard for providing police services is 1.2 sworn officers per 1,000 residents. By including Community Service Officers in the sworn officer category, Antioch has maintained this ratio. Police response times are dependent on the agency's staffing level and size of the jurisdiction served. The Antioch General Plan establishes a response time goal of 7-8 minutes for Priority 1 (emergency) calls. The Antioch Police Department reports that the average response time is 11 minutes due to a lack of staffing. The City's CEQA document concludes that the three Northeast Antioch annexation areas would not significantly impact or worsen the ratio of police staff to population or adversely affect the response times.

Streets and Roads – The City indicated that the road network is already in place in Area 2A. The City anticipates that as development occurs in Northeast Antioch, appropriate frontage improvements will be made to existing public streets in this area. The City currently

maintains 314 total centerline miles; 669 total lane miles. There is one mile of public streets within Area 2A that would be added to the City's road inventory following annexation.

Street Lighting - The City reports that there are several existing street lights in Area 2A in close proximity to Highway 160, which are installed and maintained by Caltrans. Any new street lights installed in Area 2A would be in conjunction with new development.

Drainage – The City indicates that there are currently no drainage facilities that serve the annexation area; however, there are two large storm drain trunk lines that cross Wilbur Avenue and drain into the San Joaquin River. The extent and location of any storm drainage improvements in Area 2A will depend on future development in the area. Capacity in the existing storm drain lines is limited, and significant new development within the Northeast Antioch reorganization area will require construction of a new outfall to the San Joaquin River. All new development in the annexation area must comply with provisions of various municipal, regional, State and federal requirements, including measures to remove pollutants from stormwater for compliance with the federal Clean Water Act and the National Pollution Discharge Elimination System.

Parks & Recreation – The City of Antioch has 33 parks. The City's General Plan Performance Standards for parks propose five acres of improved public and/or private neighborhood parks and public community parkland per 1,000 residents, including appropriate recreational facilities. The City exceeds this standard when the trail system, the Costa Loma Regional Park, and the Lone Tree Golf Course are factored in. There are currently no public parks in the Northeast Antioch reorganization area.

The City operates a comprehensive recreation program including aquatics, sports, leisure time activities, community and cultural events, Prewett Family Water Park, Senior Center, youth activities, excursions, and 300 instructional programs for pre-school, youth, adult, seniors, and on-line.

The annexation is not expected to create any significant demand on the City's existing parks & recreation facilities and programs due to the limited number of residents in the area.

Other Services – The City provides a multitude of other services, including art & cultural, capital improvements, code enforcement, landscape maintenance, library and special services which will be extended to Area 2A following annexation.

Fire Protection – Fire and emergency medical services are, and will continue to be, provided by CCCFPD following annexation. There are four fire stations located in Antioch: Station 81 - located downtown at 315 W. 10th St; Station 82 - located at 196 Bluerock Dr, just west of Lone Tree Way in the south central portion of the City; Station 83 - located at 2717 Gentrytown Dr, south of Buchanan Road in the western portion of the City; and Station 88 - located at 4288 Folsom Dr, just east of Hillcrest Avenue in the eastern portion of the City.

The City's CEQA document concludes that the annexation will result in no change to fire services and no impacts will occur.

Sewer Services – The City provides wastewater collection services, while DD provides conveyance, treatment and disposal services to the City.

Currently, Area 2A is served by onsite septic systems. Following annexation, municipal wastewater services will be available to the area. The existing sewer line in Wilbur Avenue,

which runs along Area 2A's Wilbur frontage, was installed by PG&E in conjunction with LAFCO's previous Out of Agency service approval; the line was later extended by NRG. Given that the existing Wilbur sewer line is at the "doorstep" of the Area 2A properties, connecting to this sewer line will be straightforward. However, there are a number of deep parcels in the area that will require lengthy connections, some as long as 1,000 lineal feet.

The City's current population is 105,117 in a 28± square mile service area. The City's wastewater collection system consists of 319 miles of gravity pipeline with three pump stations.

DD serves the cities of Antioch and Pittsburg and the unincorporated Bay Point community. DD serves 190,567 residents in a service area of 49± square miles. DD has over 49 miles of sewer main and five pump stations. The District's treatment plant capacity is 16.5 million gallons per day (mgd); in 2012, the average dry weather flow (ADWF) was 14.2 mgd.

Regarding capacity, the City's existing ADWF is 7.4 mgd; the future ADWF is 10.7 mgd. The City estimates that the future peak dry weather flow (PDWF) is 16.8 mgd. DD allows an ADWF of 16.5 mgd. As noted above, during 2012, the ADWF influent to the treatment plant was 12.7 mgd; in 2005 and 2010, the ADWF influent to the treatment plant was 14.2 mgd and 13.2 mgd, respectively. It is estimated that all three reorganization areas (Areas 1, 2A, 2B) have an existing estimated ADWF of 2.42 mgd which will increase to 3.71 mgd at buildout.

Both the City and DD indicate that they have the capacity to serve the Northeast Antioch reorganization area.

8. Timely Availability of Water and Related Issues:

Pursuant to the CKH Act, LAFCO must consider the timely and available supply of water in conjunction with a boundary change proposal. Contra Costa LAFCO policies state that any proposal for a change of organization that includes the provision of water service shall include information relating to water supply, storage, treatment, distribution, and waste recovery; as well as adequacy of services, facilities, and improvements to be provided and financed by the agency responsible for the provision of such services, facilities and improvements.

The City provides water treatment and distribution services, with 328 miles of main, seven pump stations and 11 reservoirs. The City obtains a majority of its water supply from CCWD, along with diversions from the San Joaquin River.

CCWD's boundary encompasses 220± square miles in central and eastern Contra Costa County. CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch. CCWD serves approximately 500,000 (61,085 water connections). The primary sources of water are the U.S. Bureau of Reclamation Central Valley Water Project and delta diversions.

Regarding the water distribution system, the City currently has existing "looped" water mains located in the Northeast Antioch annexation area, consisting of a 16-inch main that runs north/south along the length of Viera Avenue, a 12-inch water line that runs east/west along the length of Wilbur Avenue through Area 1, and 12-inch and 16-inch water lines that

run along East 18th Street. Also, there is an existing 8-inch water line in Bridgehead Road that can serve properties in that area. These existing water lines provide the backbone of a future water delivery system that will ultimately be developed to serve properties and businesses located in the Northeast Antioch reorganization area.

In its Water Master Plan, the City examined its ability to serve all three subareas. The analysis confirms that, given the City's allocation of raw water and the City's rights to future water supplies of raw water, and based on the City's current and planned treatment capacity, the City has the ability to provide potable water to all three subareas based on the level of existing and future development.

The City reports that most of the existing uses in Area 2A currently have City water; and that these water service connections pre-date LAFCO.

9. Assessed Value, Tax Rate Areas and Indebtedness:

The annexation area is within tax rate area 53004. The total assessed value (secured and unsecured) is \$18,346,281 (2013-14 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies, if applicable.

10. Property Tax Exchange

Revenue and Taxation Code §99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change. Both the City and County have adopted resolutions approving a tax revenue allocation agreement covering all three annexation areas.

11. Environmental Impact of the Proposal:

The City of Antioch, as Lead Agency, prepared and adopted the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration (IS/MND). The City's IS/MND identified potentially significant impacts resulting from Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials and Noise. Mitigation measures have been provided for each potentially significant impact, reducing all to a less than significant level. Copies of the City's document were previously provided to Commissioners and are available for review in the LAFCO office. The LAFCO Environmental Coordinator finds the City's CEQA document sufficient for LAFCO purposes.

12. Landowner Consent and Consent by Annexing Agency:

At the February 12 LAFCO hearing, members of the Sportsman Yacht Club advised LAFCO that they are opposed to the annexation. At the direction of the Commission, City, County and LAFCO staff met with members of the yacht club and property owners and residents of Area 2A to hear their concerns. A community meeting was held on February 27 at the New Bridge Marina Yacht Club, located in Area 2A. There were over 50 attendees at the meeting. City staff prepared a Frequently Asked Questions (FAQ) Concerning Annexation which was distributed at the community meeting. At the meeting, City, County and LAFCO staff addressed a range of issues and questions. City staff responded to questions relating to water and sewer services, utility connection fees/rates and potential funding/grant options, zoning and land use, police and marine patrol services, the City's ability to serve the area, curbs and sidewalks, access roads and easements, code enforcement and eminent domain. County staff

provided information regarding environmental health and septic system requirements. LAFCO staff provided information regarding LAFCO's role, mission and authority, LAFCO proceedings, protest thresholds, islands and Disadvantaged Unincorporated Communities (DUCs). The majority of attendees indicated opposition to the annexation.

At the March 12 LAFCO meeting, there were public comments and concerns regarding potential fiscal impacts to the residents of Area 2A following annexation, and requirements to connect to the City's water and sewer systems.

As explained in the FAQ and by City staff, there are no additional taxes or assessments associated with annexation. In November 2013, the Antioch voters passed a ½ cent temporary sales tax. The impact of this sales tax is insignificant given the lack of retail uses in Area 2A. As a sales tax, it would be paid by a customer buying a product or merchandise sold within Area 2A.

Regarding connection to the City's water and sewer utilities, City staff notes that all of the properties in Area 2A have City water service, and that all developed properties within Area 2A currently rely on onsite septic systems to handle wastewater flow. Many of these septic systems have been in operation for decades (in some cases 50 years). The age of the septic systems, as well as the proximity of Area 2A to the San Joaquin River and the high water table in the area, are cause for concern. Following annexation, property owners will have the ability to hook up to the City's sewer system, which is one of the benefits of annexation.

City staff explains that most properties within Area 2A will **not** be required to be hook up to City sewer, unless they are located a close distance from an existing sewer line. Annexation will give property owners the option to hook up, which would not otherwise exist without annexation. The City's existing ordinance stipulates that any property in the City with a septic system that is located with 200 feet of a City sewer line is required within 30 days to hook up to the sewer line. The distance is measured from the location of the sewer connection in the building to the sewer line. Most properties in Area 2A would not be impacted by this requirement, given how far they are located from the Wilbur sewer line.

In addition, after the February 12 LAFCO meeting, County Elections advised LAFCO that they had miscalculated the number of registered voters in the annexation area. County Elections reports that there are 13 voters in the annexation area, instead of nine, as previously reported. This makes the area "inhabited" instead of "uninhabited" as previously reported, and changes the protest proceedings and thresholds. Thus, the Commission's action is subject to notice, hearing, as well as protest proceedings. If the Commission approves the annexation as proposed, a subsequent notice and protest hearing will follow. Authority to conduct the protest hearing has been delegated to the LAFCO Executive Officer.

13. **Boundaries and Lines of Assessment:**

Area 2A is contiguous to existing City of Antioch boundary. A map and legal description to implement the proposed boundary change have been received and are subject to approval by the County Surveyor.

On January 8, 2014, the Commission approved the annexation of Area 1, which is adjacent to Area 2A. The annexation of Area 2A will prevent the area from becoming an island, which would be surrounded by the City of Antioch to the west and south, the City of Oakley to the east, and the San Joaquin River to the north.

14. Environmental Justice

One of the factors LAFCO must consider in its review of an application is the extent to which the proposal will promote environmental justice. As defined by statute, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed annexation is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

15. Disadvantaged Communities

In accordance with recent legislation (SB 244), local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County and City Planning Departments, the annexation area does not meet the criteria of a DUC.

16. Comments from Affected Agencies/Other Interested Parties

Members of the Sportsman Yacht Club expressed their opposition to the annexation at the February 12, March 12 and April 9 LAFCO meetings and at the community meeting on February 27.

On February 26, 2014, LAFCO received a letter from Steve Klee, Chairman and General Manager, The New Bridge Marina, Inc., expressing support for the annexation. Mr. Klee also expressed his support for the annexation at the April 9 LAFCO meeting.

At the April 9 LAFCO meeting, representatives from Kiewit Construction and Vortex Marine Construction expressed opposition to the annexation.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider taking one of the following options:

Option 1 Reopen public hearing to accept additional evidence and public comment, if any; close the public hearing and *defer action* on the proposed reorganization for 9-12 months. This is one of the City's preferred options.

Option 2 Reopen public hearing to accept additional evidence and public comment, if any; close the public hearing and *approve the reorganization as submitted by the City*.

A. Find that, as a Responsible Agency under CEQA, the Commission has reviewed and considered the information contained in the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration as prepared and adopted by the City of Antioch.

B. Adopt this report and direct staff to prepare a resolution approving the proposal to be known as **Northeast Antioch Reorganization (Area 2A) - Annexations to the City of**

Antioch and Delta Diablo and detachment from County Service Area P-6 subject to the following:

1. The territory being annexed shall be liable for the continuation of any authorized or existing special taxes, assessments and charges comparable to properties presently within the annexing agency.
- C. Find that the subject territory is inhabited, and the reorganization is subject to a subsequent conducting authority (protest) hearing.

Option 3

Reopen public hearing to accept additional evidence and public comment, if any; close the public hearing and *approve the boundary reorganization as modified by the Commission*. If the Commission chooses this option, the City requests that LAFCO modify the annexation boundary by removing the properties located west of Fleming Lane (Sportsman Yacht Club, Kiewit, Vortex) as these property owners do not wish to be annexed. Removal of this area would also delete the problematic drainage line from the annexation.

- A. Find that, as a Responsible Agency under CEQA, the Commission has reviewed and considered the information contained in the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration as prepared and adopted by the City of Antioch.
- B. Adopt this report and direct staff to prepare a resolution approving the proposal to be known as **Northeast Antioch Reorganization (Area 2A) - Annexations to the City of Antioch and Delta Diablo and detachment from County Service Area P-6** subject to the following:
 1. The territory being annexed shall be liable for the continuation of any authorized or existing special taxes, assessments and charges comparable to properties presently within the annexing agency.
- C. Find that the subject territory is inhabited, and the reorganization is subject to a subsequent conducting authority (protest) hearing.

Option 4

Reopen public hearing to accept additional evidence and public comment, if any; close the public hearing and take the following actions:

- A. Certify it has reviewed and considered the information contained in the City's Mitigated Negative Declaration.
- B. Adopt this report and DENY the proposal.

RECOMMENDED ACTION: Approve Option 1

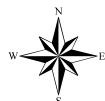
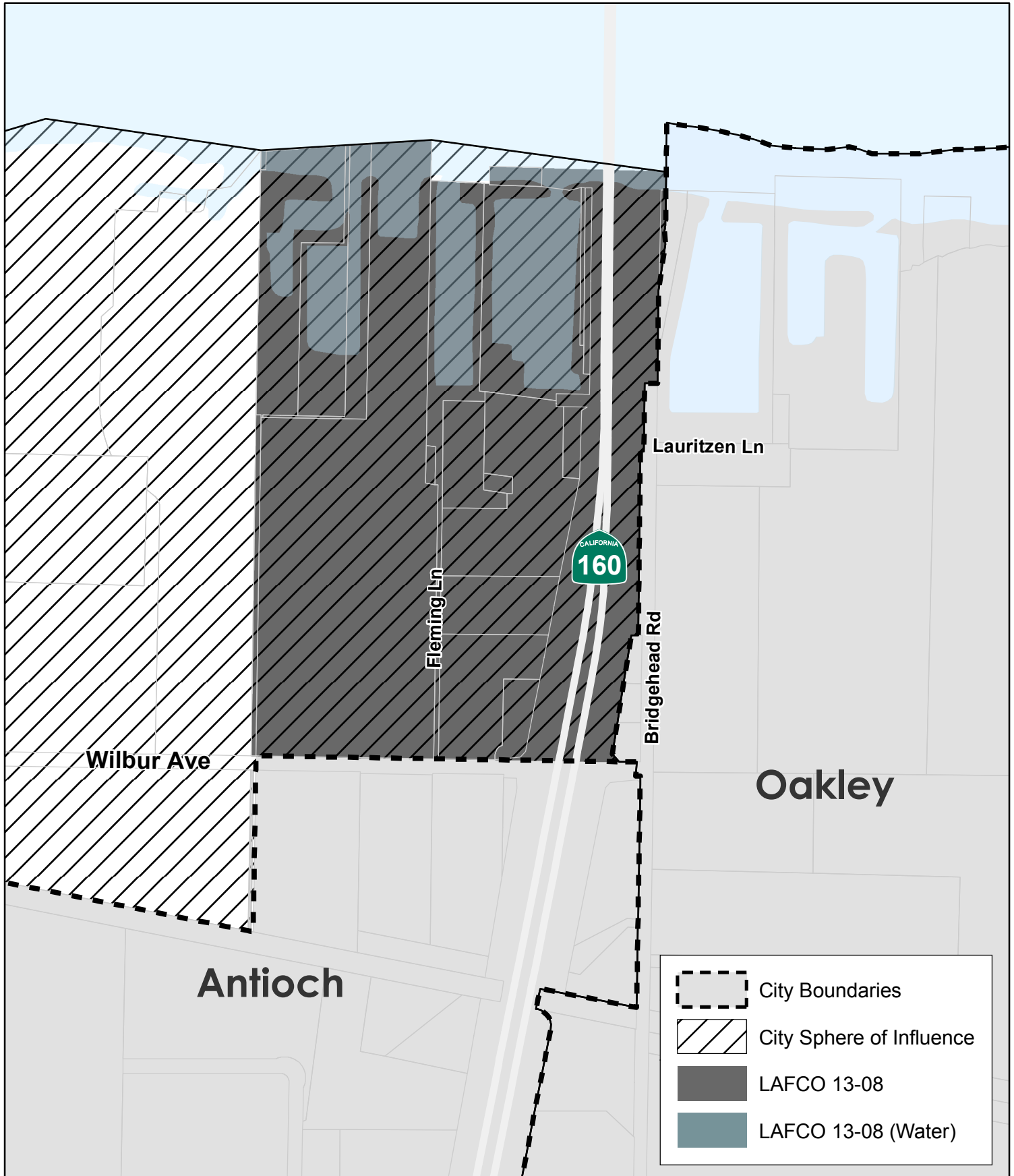
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

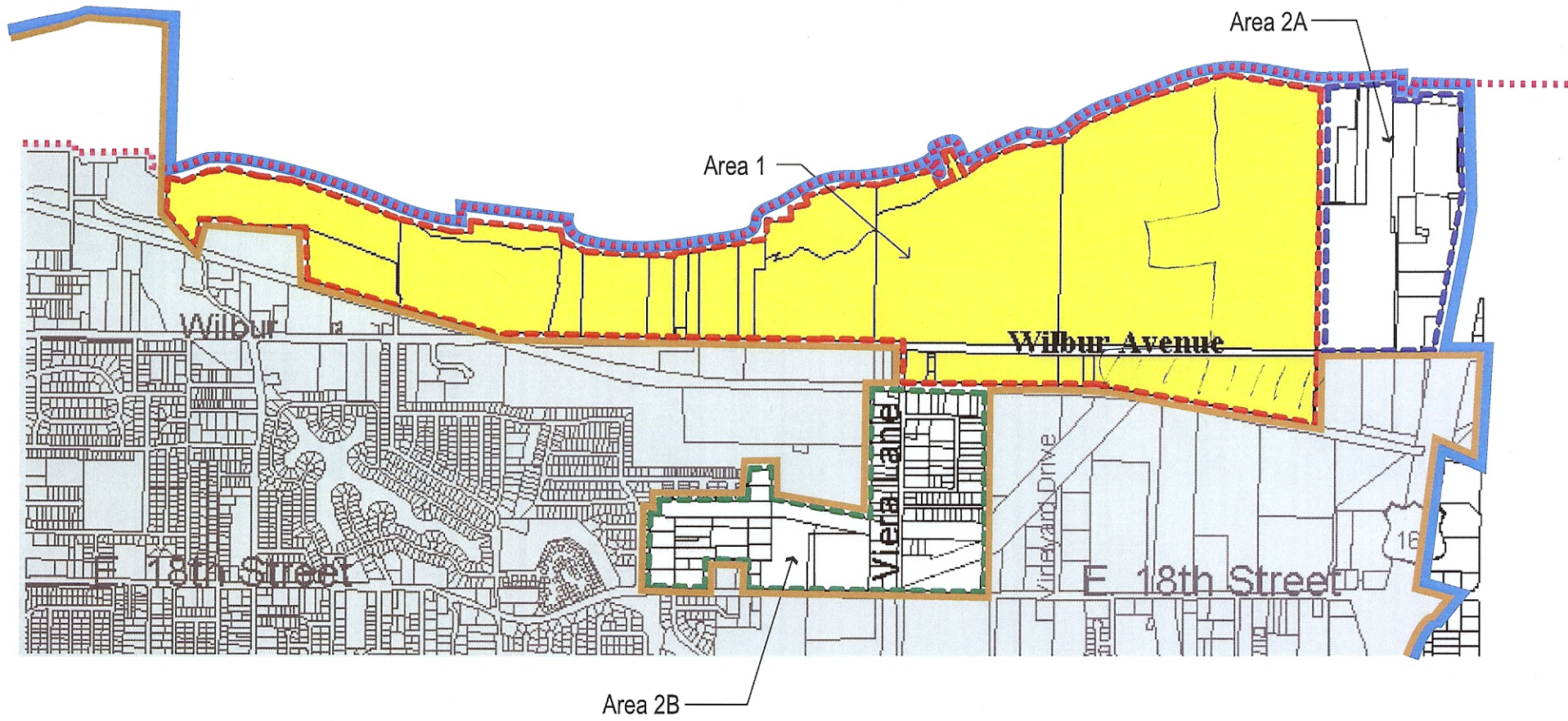
c: Distribution

Attachments

1. Map of Area 2A Reorganization
2. Map of Northeast Antioch (Areas 1, 2A and 2B)
3. Map Depicting Proposed Split of Area 2A

LAFCO No. 13-08 Northeast Antioch Area 2A Reorganization Annexations to City of Antioch and Delta Diablo Sanitation District Detachment from CSA P-6





LEGEND

- Urban Limit Line
- City Sphere of Influence (SOI)
- City Boundary
- DDSD Service Boundary and SOI
- Area 1
- Area 2A
- Area 2B

EXHIBIT 2
 Current Administrative Boundaries
 Industrial Areas Along Wilbur Avenue –
 Administrative Reorganization

Northeast Antioch Area 2A



**Approximate Boundary
for Splitting Area 2A
Under Option #2**

051040044
P O BOX 524

051040065
3301
WILBUR AVE

051040049
3305
WILBUR AVE

051040048
WILBUR AVE

051040023
WILBUR AVE

051040001
WILBUR AVE

051040035
6325
BRIDGEHEAD RD

051040047
NO ADDRESS

Fleming Ln

Bridgehead Rd

051040070
415
FLEMING LN

051040046
6321
BRIDGEHEAD RD

480
FLEMING LN

051040056
6317
BRIDGEHEAD RD

051040069
6301
BRIDGEHEAD

051040073
3551
WILBUR AVE

051040071
WILBUR AVE

State Hwy 160

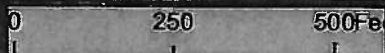
Bridgehead Rd



051040072
3625
WILBUR AVE

051040066
3665
WILBUR AVE

Wilbur Ave





Lou Ann Teixeira
Executive Officer

MEMBERS

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

ALTERNATE MEMBERS

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

June 11, 2014 (Agenda)

June 11, 2014
Agenda Item 8

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

**Countywide Water/Wastewater Municipal Services Review and
 Sphere of Influence Updates (2nd Round)**

Dear Members of the Commission:

On May 14, 2014, the Commission accepted the Final MSR report and adopted the required determinations in conjunction with the countywide Water/Wastewater Municipal Service Review (MSR) (2nd Round) covering the following local agencies:

City of Antioch	County Service Area M-28 (CSA M-28)
City of Brentwood	Crockett Community Services District (CCSD)
City of Concord	Delta Diablo (DD)
City of Hercules	Diablo Water District (DWD)
City of Martinez	Dublin San Ramon Services District (DSRSD)
City of Pinole	East Bay Municipal Utility District (EBMUD)
City of Pittsburg	East Contra Costa Irrigation District (ECCID)
City of Richmond	Ironhouse Sanitary District (ISD)
Byron Bethany Irrigation District (BBID)	Knightsen Town CSD (KCSD)
Byron Sanitary District (BSD)	Mt. View Sanitary District (MVSD)
Castle Rock County Water District (CRCWD)	Rodeo Sanitary District (RSD)
Central Contra Costa Sanitary District (CCCSD)	Stege Sanitary District (SSD)
Contra Costa Water District (CCWD)	Town of Discovery Bay CSD (TODBCSD)
County Sanitation District No. 6 (SD No. 6)	West County Wastewater District (WCWD)

Last month, the Commission also updated the spheres of influence (SOIs) for five of the local agencies covered in the MSR report (shown above in **bold**). Further, the Commission provided direction regarding the SOI updates for the remaining special districts, which will be considered on June 11, 2014. As noted in the MSR report, the SOI updates for the cities are not part of the water/wastewater MSR, and will be addressed in future MSRs covering city services. Also, as Contra Costa LAFCO is not the principal LAFCO for BBID, DSRSD and EBMUD, no SOI updates for these agencies will be considered.

DISCUSSION

Sphere of Influence Updates – The MSR serves as a basis for the SOI updates and future boundary changes. A summary of the governance and SOI options and recommendations is presented in Attachment 1.

In accordance with the SOI updates, the commission shall consider and prepare a written statement of its determinations with respect to each of the following:

- (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, the present and probable need for those public facilities and services of any DUCs within the existing SOI.
- (6) When adopting, amending, or updating an SOI for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.

The attached resolutions for each district provide the required determinations.

Environmental Analysis - It has been determined that LAFCO's actions on the proposed SOI updates are exempt under the General Rule exemption §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATIONS

1. Receive the staff report and open the public hearing to consider adopting the SOI updates;
2. After receiving public comments close the hearing;
3. Determine that the SOI updates are exempt under the General Rule exemption §15061(b)(3) of the CEQA Guidelines;
4. Update the SOIs as recommended for BSD, CCCSD, CCWD, CCSD, SD No. 6, CSA M-28, DD, DWD, ISD, KCSD, and TODBCSD; and
5. Defer the SOI update for CRCWD.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachment 1- Summary Table - Governance and SOI Options & Recommendations

Attachments 2A-2L – Resolutions/Maps Updating SOIs for BSD, CRCWD, CCCSD, CCWD, CCSD, SD No. 6, CSA M-28, DD, DWD, ISD, KCSD, and TODBCSD

**WATER/WASTEWATER MUNICIPAL SERVICE REVIEW (MSR) – SECOND ROUND
GOVERNANCE AND SPHERE OF INFLUENCE (SOI) OPTIONS & RECOMMENDATIONS**

Agency	SOI Options	Governance/Boundary Options	Consultant Recommendations	LAFCO Staff Recommendations
Byron Bethany Irrigation District (BBID)	San Joaquin LAFCO is principal and responsible for SOI update	<ul style="list-style-type: none"> Resolve boundary overlap with TODBCSD Study/evaluate potential consolidation with BSD Study/evaluate potential consolidation with ECCID Update website 	<ul style="list-style-type: none"> Support joint effort (TODBCSD, BBID, San Joaquin and CC LAFCOs) to study TODBCSD/ BBID overlap and evaluate fiscal/ service impacts of detachment of overlap area from BBID Study consolidation with BSD Study consolidation with ECCID 	<ul style="list-style-type: none"> Work with the affected agencies and San Joaquin LAFCO to study overlap issue and report back to the Commission within 12 months
Byron Sanitary District (BSD)	<ul style="list-style-type: none"> Expand SOI to include Orin Allen Youth Detention Facility (OAYDF) Maintain existing coterminous SOI 	<ul style="list-style-type: none"> Annexation of OAYDF Study potential consolidation with BBID Develop a website 	<ul style="list-style-type: none"> Expand SOI to include OAYDF Study potential consolidation with BBID Develop a website 	<ul style="list-style-type: none"> Expand SOI to include OAYDF Study potential consolidation with BBID Develop a website
Castle Rock County Water District (CRCWD)	<ul style="list-style-type: none"> Establish a coterminous SOI Establish a zero SOI Defer SOI update 	<ul style="list-style-type: none"> Consolidate with CCWD 	<ul style="list-style-type: none"> Establish coterminous SOI or zero SOI 	<ul style="list-style-type: none"> Defer SOI update pending discussions with CRCWD and CCWD
Central Contra Costa Sanitary District (CCCSD)	<ul style="list-style-type: none"> Retain existing coterminous SOI Expand SOI to include County Sanitation District No. 6 	<ul style="list-style-type: none"> None identified 	<ul style="list-style-type: none"> Retain existing coterminous SOI; consideration should be given to expanding CCCSD's SOI to include SD No. 6 	<ul style="list-style-type: none"> Expand SOI to include SD No. 6
Contra Costa Water District (CCWD)	<ul style="list-style-type: none"> Reduce SOI to remove Veale Tract Retain existing coterminous SOI 	<ul style="list-style-type: none"> Study/evaluate consolidation of water service with City of Martinez 	<ul style="list-style-type: none"> Reduce SOI to remove Veale Tract 	<ul style="list-style-type: none"> Reduce SOI to remove Veale Tract Expand SOI to include Liberty Union High School District (LUHSD) 4th high school site
County Sanitation District No. 6 (SD No. 6)	<ul style="list-style-type: none"> Retain existing zero SOI 	<ul style="list-style-type: none"> Study/evaluate consolidation with CCCSD 	<ul style="list-style-type: none"> Retain existing zero SOI 	<ul style="list-style-type: none"> Retain existing zero SOI
County Service Area M-28 (CSA M-28)	<ul style="list-style-type: none"> Retain existing zero SOI 	<ul style="list-style-type: none"> Dissolve CSA M-28 and annex to Diablo Water District (DWD) 	<ul style="list-style-type: none"> Retain existing zero SOI 	<ul style="list-style-type: none"> Retain existing zero SOI
Crockett Community Services District (CCSD)	<ul style="list-style-type: none"> Expand SOI to include one parcel receiving OAS Retain existing SOI 	<ul style="list-style-type: none"> Annex single property receiving OAS 	<ul style="list-style-type: none"> Expand SOI to include one parcel receiving OAS 	<ul style="list-style-type: none"> Expand SOI to include one parcel receiving OAS
Delta Diablo (DD)	<ul style="list-style-type: none"> Retain existing SOI Reduce SOI and remove open space areas outside ULL 	<ul style="list-style-type: none"> Study/evaluate consolidation with cities of Antioch and Pittsburg Detach permanent open space areas located outside ULL 	<ul style="list-style-type: none"> Reduce SOI to remove open space areas located outside ULL 	<ul style="list-style-type: none"> Reduce SOI to remove open space areas located outside ULL

Agency	SOI Options	Governance/Boundary Options	Consultant Recommendations	LAFCO Staff Recommendations
Diablo Water District (DWD)	<ul style="list-style-type: none"> Retain existing SOI Expand to include Bethel Island Expand SOI to include LUHSD 4th high school site 	<ul style="list-style-type: none"> Study/evaluate annexation of Bethel Island 	<ul style="list-style-type: none"> Expand SOI to include LUHSD 4th high school site and Bethel Island 	<ul style="list-style-type: none"> Expand SOI to include LUHSD 4th high school site
Dublin San Ramon Services District (DSRSD)	<ul style="list-style-type: none"> Alameda LAFCO is principal and responsible for SOI update 	<ul style="list-style-type: none"> Study overlapping boundaries (DSRSD, CCCSD, EBMUD) 	<ul style="list-style-type: none"> Alameda LAFCO is principal; no SOI recommendations included in MSR 	<ul style="list-style-type: none"> Consult with Alameda LAFCO on overlapping boundaries (CCCSD, DSRSD, EBMUD)
East Bay Municipal Utility District (EBMUD)	<ul style="list-style-type: none"> Alameda LAFCO is principal and responsible for SOI update 	<ul style="list-style-type: none"> Study overlapping boundaries (EBMUD, CCCSD, DSRSD) 	<ul style="list-style-type: none"> Alameda LAFCO is principal; no SOI recommendations included in MSR 	<ul style="list-style-type: none"> Consult with Alameda LAFCO on overlapping boundaries (CCCSD, DSRSD, EBMUD)
Ironhouse Sanitary District (ISD)	<ul style="list-style-type: none"> Retain existing SOI Expand SOI to include the LUHSD 4th high school site 	<ul style="list-style-type: none"> Annex 4th the LUHSD high school site when sewer service is requires 	<ul style="list-style-type: none"> Expand SOI to include the LUHSD 4th high school site 	<ul style="list-style-type: none"> Expand SOI to include the LUHSD 4th high school site
Knightsen Town Community Services District (KCSD)	<ul style="list-style-type: none"> Retain existing SOI and designate the SOI as a “Special Study Area” Adopt provisional SOI Adopt zero SOI 	<ul style="list-style-type: none"> Consolidate with another agency (i.e., Contra Costa Resource Conservation District or the County) Develop a website 	<ul style="list-style-type: none"> Adopt a zero or provisional SOI, or reconfirm District’s coterminous SOI; and require annual progress reports regarding the status of services, programs and governance issues as identified in the MSR 	<ul style="list-style-type: none"> Retain existing coterminous SOI; require annual progress reports regarding the status of services, programs and governance issues as discussed in the MSR
Town of Discovery Bay Community Services District (TODBCSD)	<ul style="list-style-type: none"> Retain existing SOI Expand SOI to include the District’s wastewater treatment plant property 	<ul style="list-style-type: none"> Resolve overlap issue with BBID 	<ul style="list-style-type: none"> Retain existing SOI or expand SOI to include the District’s wastewater treatment plant property 	<ul style="list-style-type: none"> Expand SOI to include the District’s wastewater treatment plant property

**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
BYRON SANITARY DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Byron Sanitary District (BSD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, BSD was formed in 1948 and became operational in 1958; and

WHEREAS, BSD provides wastewater collection, treatment and disposal services to the unincorporated community of Byron, and is currently serving 173 connections, 381 dwelling units, and a population of approximately 995 within two square miles; and

WHEREAS, BSD also provides service to the Orin Allen Youth Rehabilitation Facility (OAYRF) which is outside the BSD boundary; and

WHEREAS, the MSR report identified two SOI options for BSD: maintain the existing SOI, or expand the SOI to the OAYRF; and

WHEREAS, expanding the SOI to include the OAYRF is recommended. This will allow for future annexation of the facility; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Expand the SOI of the BSD to include the OAYRF as depicted on Exhibit A attached hereto.
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 Byron community is guided by two inconsistent planning documents: the "Byron Township General Plan, 1999-2020" and the County's General Plan, the official land use plan for Byron. The County's Urban Limit Line (ULL) includes only the developed township of Byron (which is largely built-out) and excludes the surrounding open space. The township of Byron includes

residential, commercial and educational facility uses. The OAYRF, which is served by the District, is located outside of the District's boundaries and the ULL.

- b. *Present and probable need for public facilities and services in the area* - Based on a review of the Association of Bay Area Governments (ABAG) population and employment figures, growth within BSD is expected to be limited over the next 10 to 20 years. In addition to the community of Bryon, BSD serves the OAYRF which is located outside the BSD boundary.
- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* - BSD has completed a Facilities Plan and is proceeding with needed improvements as funds become available. Improved security fencing, control building improvements, SCADA upgrades, and installation of control valves for the effluent disposal system are included. Aging sewer mains are also planned for replacement as trouble locations are identified. BSD has been able to contain or reduce operating costs through WWTP and collection system upgrades.
- 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 District was formed in 1948 and became operational, the property owners pay into the system and therefore have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to the District.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs within or contiguous to the BSD SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – The District provides wastewater collection, treatment and disposal services to the unincorporated community of Byron.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

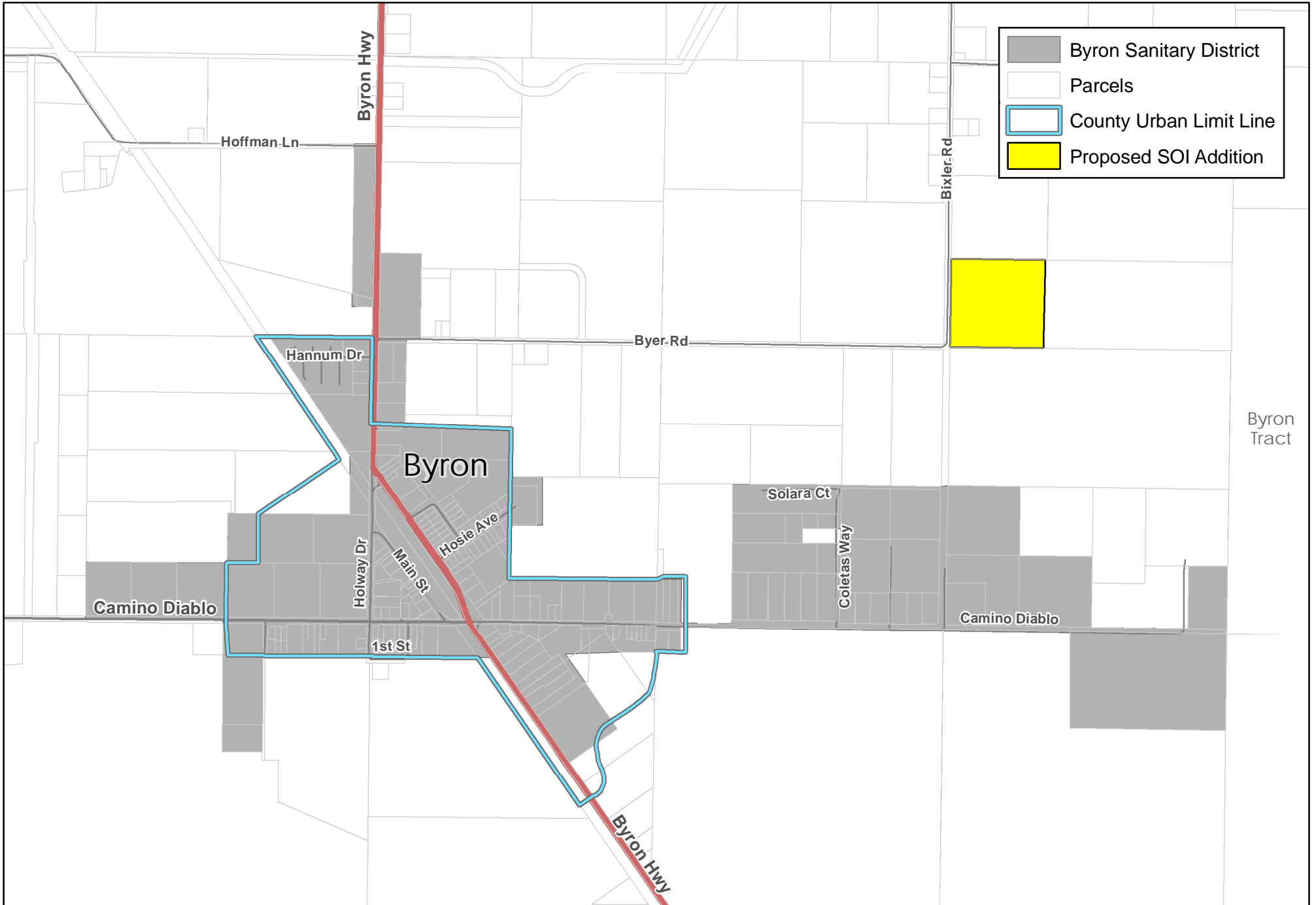
ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

Lou Ann Texeira, Executive Officer

Byron Sanitary District Boundary and SOI



	Byron Sanitary District
	Parcels
	County Urban Limit Line
	Proposed SOI Addition

Map created 05/29/2014
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Muir Road, Martinez, CA 94553
 37:59:41.791N 122:07:03.756W

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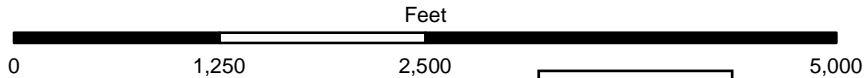


Exhibit A-2A



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
ADOPTING A SPHERE OF INFLUENCE FOR
CASTLE ROCK COUNTY WATER DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Castle Rock County Water District (CRCWD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, CRCWD was formed in 1955 and provides untreated water to rural residential areas for domestic use, landscape irrigation, and commercial horse stables within a 150 acre area located both within the City of Walnut Creek and surrounding unincorporated areas; and

WHEREAS, CRCWD has 55 connections providing untreated water for landscape irrigation, some commercial uses and four commercial stables; and

WHEREAS, CRCWD is located within the service area of Contra Costa Water District (CCWD), and CCWD provides treated, potable water to some homes within the CRCWD; and

WHEREAS, through the MSR process, it was discovered that the CRCWD is an independent special district subject to LAFCO's purview, therefore, LAFCO must adopt an SOI for the District; and

WHEREAS, the MSR report identified two SOI options for the District: adopt a coterminous SOI, or adopt a zero SOI signaling a future change of organization or reorganization to the District; and

WHEREAS, it is hereby proposed that LAFCO adopt a zero SOI for CRCWD, and that consolidation with CCWD be pursued; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Adopt a zero SOI for CRCWD as depicted on Exhibit A attached hereto.
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 service area is developed with large lot residential development. The minimum lot size is one

acre. Little or no growth is expected in the future. The District has no land authority, and no change to the present or planned uses will result from this SOI update.

- b. *Present and probable need for public facilities and services in the area* - The area is fully developed. Future connection to CCWD would allow connection to a treated, potable water source. Further study is required to determine to fiscal viability of this option.
- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* - Because CRCWD was formed in 1955, the system is likely aged and in need of repair and/or replacement of pumps, valves and meters based upon age. There is limited information available on District facilities at this time. A site review/study by a qualified engineer retained by CRCWD should be conducted to verify the condition of CRCWD’s facilities.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CRCWD was formed in 1955. The District collects property tax and service charges and fees from existing users. The District has no debt. Property owners and ratepayers with CRCWD have an economic interest in receiving District services. Adoption of the SOI will not affect the existence of any social or economic communities of interest in the area that are relevant to CRCWD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs located within, or contiguous to, the CRCWD’s SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – CRCWD provides untreated water to rural residential areas for domestic use, landscape irrigation, and commercial horse stables within a 150 acre area located both within the City of Walnut Creek and surrounding unincorporated areas.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

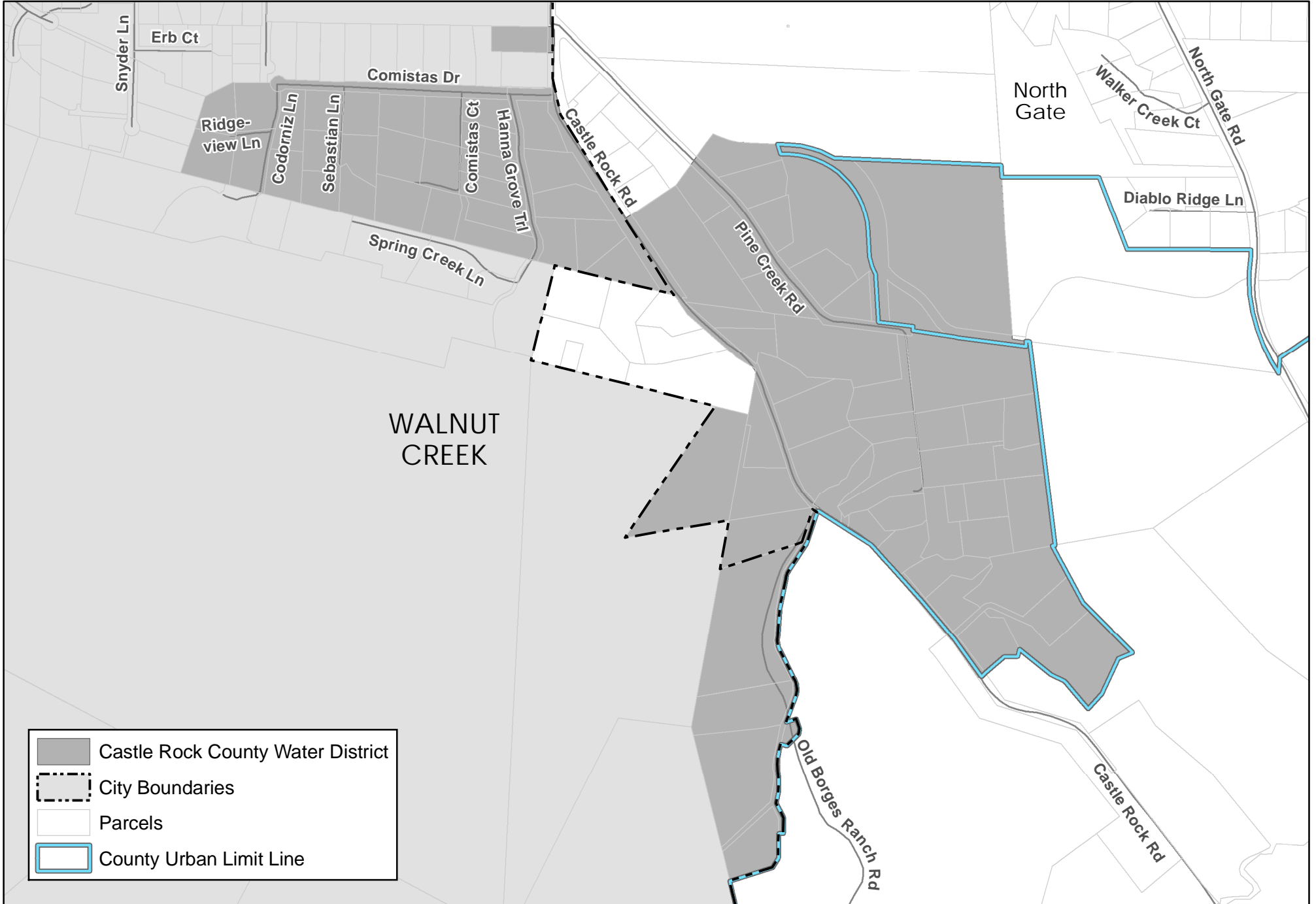
ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

Lou Ann Texeira, Executive Officer

Castle Rock County Water District Boundary and SOI - Establishing a Zero Sphere of Influence



- Castle Rock County Water District
- City Boundaries
- Parcels
- County Urban Limit Line

Map created 05/29/2014
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Muir Road, Martinez, CA 94553
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

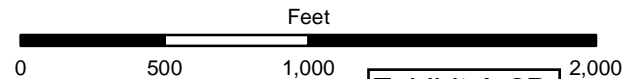


Exhibit A-2B



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
CENTRAL CONTRA COSTA SANITARY DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Central Contra Costa Sanitary District (CCCSD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, CCCSD was formed in 1946 and provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as to portions of Martinez, San Ramon and unincorporated areas within Central Contra Costa County; and

WHEREAS, CCCSD provides wastewater treatment and disposal services for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county; and

WHEREAS, CCCSD currently serves approximately 467,500 residents and 3,000 businesses, covering 144± square miles; and

WHEREAS, the MSR report identified two SOI options for the District: retain the existing SOI, or expand the SOI to include the service boundary of County Sanitation District No. 6 (SD No. 6) in anticipation of annexing this area; and

WHEREAS, it is hereby proposed that LAFCO expand the SOI to include the service boundary of SD No. 6 to facilitate the future annexation of this area; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Expand the SOI for CCCSD to include the service boundary of SD No. 6 as depicted on Exhibit A attached hereto.
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* – Land uses within the District's boundaries include residential, commercial, industrial, and institutional. The District has no land use authority. County and city plans include land uses and population

growth that will need increased wastewater services and recycled water supplies. County and city policies support the provision of adequate wastewater service for businesses and residents, as well as the protection of public health and the environment. Although there are agricultural and open space lands within the District's boundaries and SOI, wastewater services do not by themselves induce growth on agricultural or open space lands.

- b. *Present and probable need for public facilities and services in the area* - According to CCCSD's 2010 Collection System Master Plan Update, residential dwelling units are expected to increase from 180,000 in 2008 to 230,000 at build out in 2040, a 30% increase. Developed land is projected to increase from 43,000 acres to 55,000 acres during the same time period. There will be an increased need for comprehensive wastewater services, including a reliable recycled water supply. No changes in public facilities or services provided by CCCSD 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* - CCCSD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. The District has an aging sewer collection system. As a result of agreements with regional agencies and good operations practices, CCCSD has established a sewer main replacement program resulting in over \$15 million per year to replace trouble locations. Several major pump stations are scheduled for rehabilitation in the next four years. The Sewer System Master Plan was also updated and adopted in October 2012. Adoption of the SOI update as proposed will not affect the present capacity of public facilities and adequacy of services provided by CCCSD.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CCCSD was formed in 1946. The District collects service charges and receives a portion of the 1% property tax. Capital expansion is funded by new connection charges and capital contributions from Concord. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to CCCSD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs located within, or contiguous to, CCCSD's SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as to portions of Martinez, San Ramon and unincorporated areas within Central Contra Costa County. The District also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

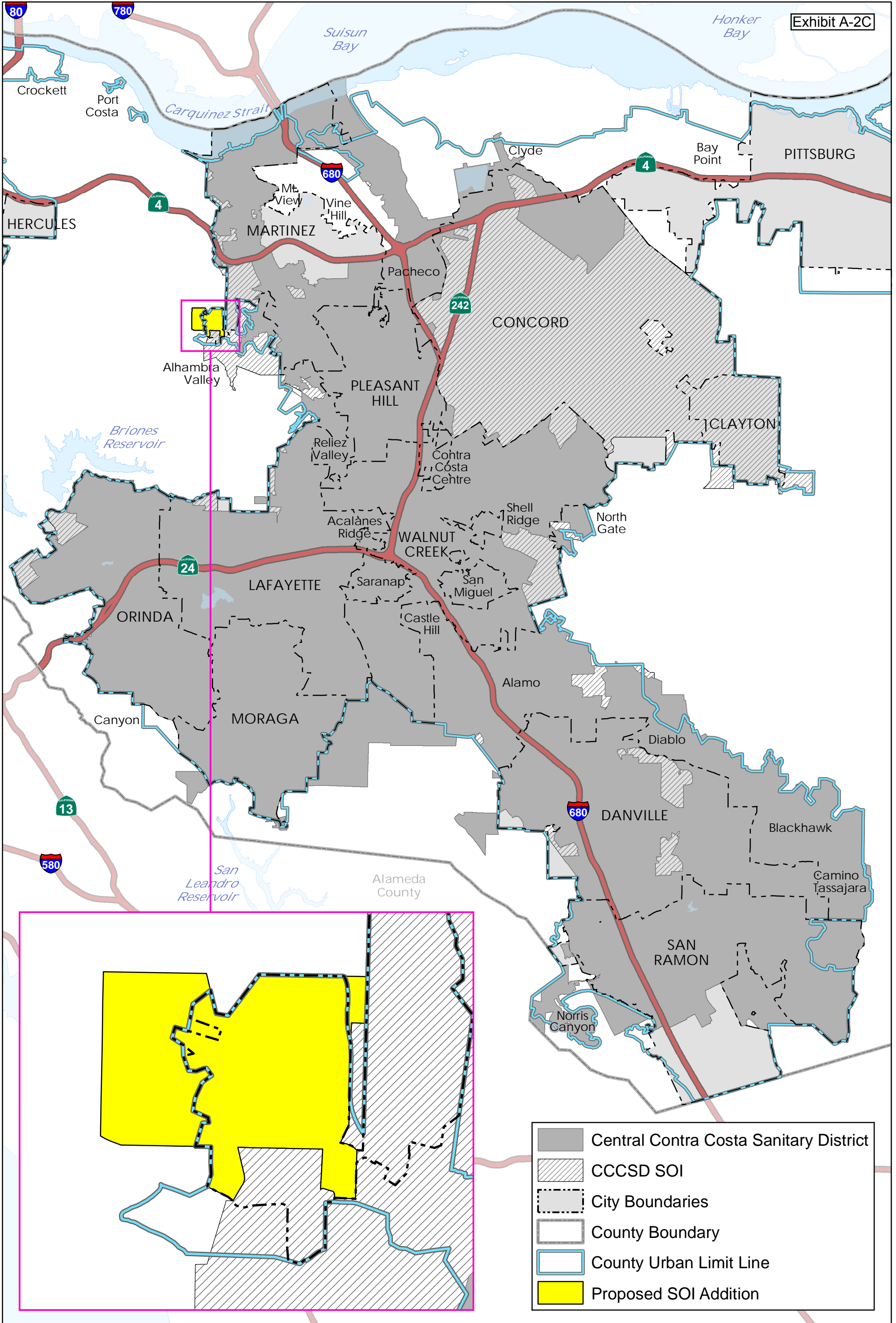
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: June 11, 2014

Lou Ann Texeira, Executive Officer

Central Contra Costa Sanitary District Boundary and SOI

Exhibit A-2C



- Central Contra Costa Sanitary District
- CCCSD SOI
- City Boundaries
- County Boundary
- County Urban Limit Line
- Proposed SOI Addition

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

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Contra Costa Water District (CCWD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, CCWD was formed in 1936 and purchases and distributes water throughout central and eastern Contra Costa County. The District's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg and portions of Brentwood and Martinez; and its treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill and Walnut Creek; and

WHEREAS, CCWD also provides wholesale treated water to Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and Antioch; and

WHEREAS, CCWD currently serves a population of 500,000, with 61,085 water connections (retail treated water), covering 220± square miles; and

WHEREAS, the MSR report identified two SOI options for the District: retain the existing SOI, or reduce the SOI to remove the Veale Tract as this area is outside the countywide Urban Limit Line (ULL) and will not need municipal services in the foreseeable future; and

WHEREAS, it is proposed that LAFCO reduce CCWD's SOI and remove the Veale Tract; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Reduce the SOI for CCWD and remove the Veale Tract as depicted on Exhibit A attached hereto.
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* – CCWD provides treated and untreated water to a population of 500,000 in the Central and Eastern portions of the County. The area is largely urbanized with a full range of existing and planned land uses, including residential, commercial, industrial, and open space. CCWD has no land use authority.

County and city plans include land uses and population growth that will need water service. County and city policies support the provision of adequate water service for businesses and residents, as well as the protection of public health and the environment. Although there are agricultural and open space lands within the District's boundaries and SOI, water services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI update.

- b. *Present and probable need for public facilities and services in the area* - By 2035, continued growth is projected to increase CCWD's service population from its current customer base of 500,000 to over 635,000 customers. There will be an increased need for water services. Currently, CCWD's SOI includes the Veale Tract, which is 2.1± square miles, located on the westerly edge of the Delta, east of the Knightsen community. Primarily agricultural, the Veale Tract is located outside the ULL and is not expected to need municipal services in the foreseeable future. No changes in public facilities or services provided by CCWD 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* - CCWD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. CCWD has a 10-year Capital Improvement Plan that includes \$300.1 million in capital improvement expenditures, with FY 2013-14 including approximately \$36.3 million in capital projects. CCWD has completed \$370 million in new and upgraded facility and infrastructure projects during the last five years. Adoption of the SOI update as proposed will not affect the present capacity of public facilities and adequacy of services provided by CCWD.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* - CCWD was formed in 1936. The District collects service charges and receives a portion of the 1% property tax. CCWD has entered into long-term debt obligations to fund various major projects and facilities. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the District.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - Two DUCs have been identified within CCWD's SOI: one located in the Bay Point community along Highway 4, north of the City of Pittsburg; the other is the entirety of Bethel Island located in East County. Future annexation of these areas by CCWD, or a proposed SOI amendment in an area contiguous to these DUCs, would first require a detailed evaluation of CCWD's capability to adequately serve these communities.
- f. *Nature, location, extent, functions & classes of services to be provided* - CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

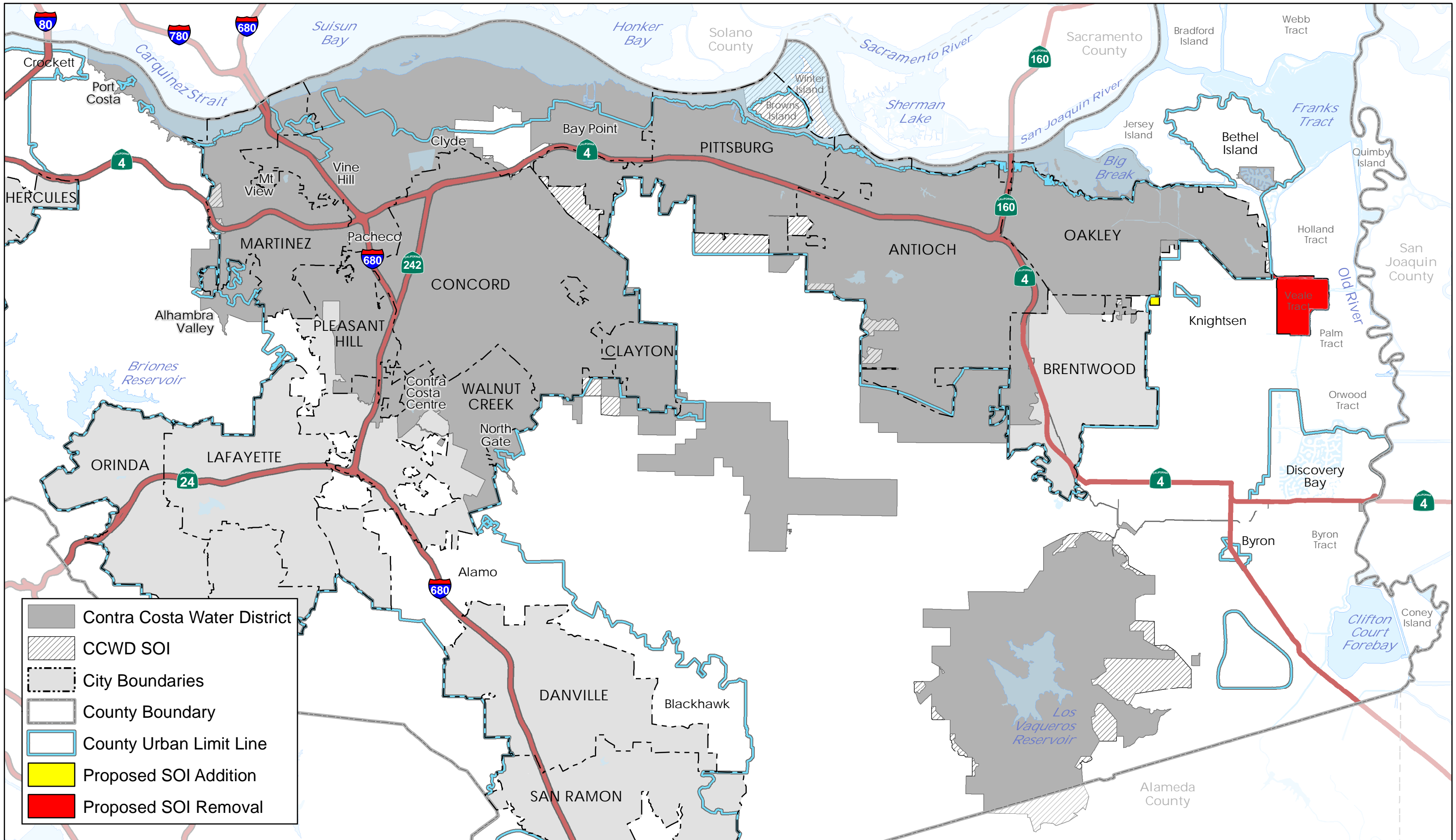
ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

Lou Ann Teixeira, Executive Officer

Contra Costa Water District Boundary and SOI



- Contra Costa Water District
- CCWD SOI
- City Boundaries
- County Boundary
- County Urban Limit Line
- Proposed SOI Addition
- Proposed SOI Removal

Map created 05/29/2014
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Muir Road, Martinez, CA 94553
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
CROCKETT COMMUNITY SERVICES DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Crockett Community Services District (CCSD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, CCSD was formed in 2006 through the reorganization of three agencies: Crockett-Valona Sanitary District, County Sanitation District No. 5 (Port Costa) and County Service Area P-1; and

WHEREAS, CCSD serves two separate and distinct communities – Crockett and Port Costa – and is authorized to provide wastewater collection, treatment and disposal; community recreation services; street lighting; landscape maintenance; and graffiti abatement; and

WHEREAS, CCSD's boundary encompasses 1.07 square miles, and serves 1,261 wastewater connections with a population of 3,284; and

WHEREAS, CCSD provides service to one property located at 7000 Carquinez Scenic Drive in Port Costa, which is outside the District's boundary and SOI; and

WHEREAS, the MSR report identified two SOI options for CCSD: maintain the existing SOI, or expand the SOI to include the property receiving service; and

WHEREAS, expanding the SOI to include this property is recommended, as this will facilitate the future annexation of this property; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Expand the SOI of the CCSD to include one property located at 7000 Carquinez Scenic Drive in Port Costa as depicted on Exhibit A attached hereto.
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 Crockett and Port Costa communities are separated by East Bay Regional Park District (EBRPD) lands. Both communities are small - Crockett has a population of 3,094, and Port Costa's population is less than 200. General land uses include residential, commercial, recreation and open space. Only limited in-fill development is expected in the future.
- b. *Present and probable need for public facilities and services in the area* - CCSD currently serves a population of 3,284. Development in Crockett and Port Costa is constrained by the Carquinez Strait to the north, hilly topography, and unstable soils. Most property surrounding CCSD is owned by EBRPD or the Port Costa Conservation Society. Only limited infill development is anticipated with the CCSD boundary. With limited growth potential for the CCSD service area, existing wastewater services in the area appear adequate. One parcel served by CCSD through an out-of-area agreement is located outside CCSD's SOI.
- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The District's wastewater treatment plants are in good operating condition and require no major rehabilitation in the near future. CCSD expects to spend about \$2.6 million on capital improvements in the next five years.
- 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 District is primarily funded through sewer charges, property tax and assessments. The social and economic community of interest includes the estimated 3,284 residents within the District who have an economic interest in receiving services from CCSD. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to the District.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - A DUC has been identified in the west Crockett area. Future consideration of any SOI change or service expansion in this area would first require a detailed evaluation of CCSD's capability to adequately serve this territory.
- f. *Nature, location, extent, functions & classes of services to be provided* – CCSD serves two separate and distinct unincorporated communities – Crockett and Port Costa – and is authorized to provide wastewater collection, treatment and disposal; community recreation services; street lighting; landscape maintenance; and, graffiti abatement.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

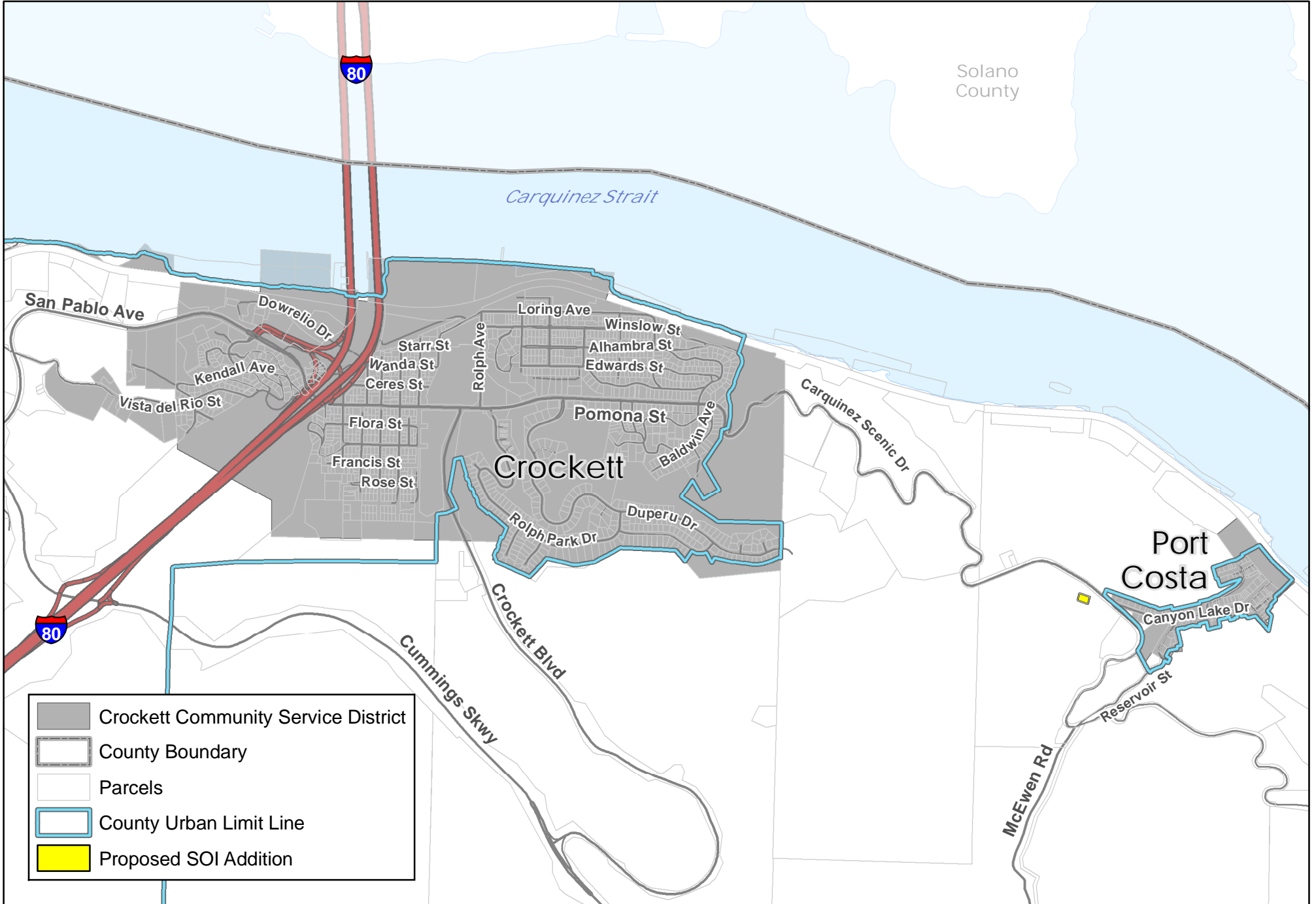
 ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO






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

Dated: June 11, 2014

 Lou Ann Texeira, Executive Officer

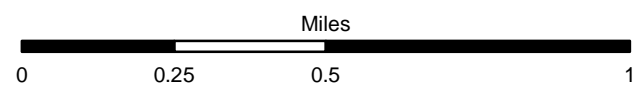
Crockett Community Service District Boundary and SOI



-  Crockett Community Service District
-  County Boundary
-  Parcels
-  County Urban Limit Line
-  Proposed SOI Addition

Map created 05/29/2014
 by Contra Costa County Department of
 Conservation and Development, GIS Group
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This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SANITATION DISTRICT NO. 6**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes County Sanitation District No. 6 (SD No. 6), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, SD No. 6 was formed in 1992 to provide wastewater service to the Stonehurst subdivision, now located in the City of Martinez; and

WHEREAS, the District serves 48 parcels and approximately 100 residents, and uses a unique system combining individual septic tanks for each lot, with collection and transfer of effluent to a small, onsite wastewater treatment plant; and

WHEREAS, the current collection and treatment system provides minimum service per the approved operating permit from the State; and

WHEREAS, since its inception, the SD No. 6 wastewater collection facilities and treatment plant were considered a temporary system and were not intended to operate in perpetuity. Therefore, as with other temporary systems, this system has not been maintained to the same standard as a permanent system; and

WHEREAS, the District is under order from the State to connect to an adjacent agency for long-term effluent treatment services; and

WHEREAS, SD No. 6 and Central Contra Costa Sanitary District (CCCSD) are currently working on a reorganization plan; and

WHEREAS, the MSR report identified one SOI option for SD No. 6, which is to retain a zero SOI, as adopted in conjunction with the 2008 MSR; and

WHEREAS, retaining a zero SOI is recommended for SD No. 6. This will allow SD No. 6 to continue to exist while the County continues to pursue a reorganization with CCCSD; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Update and retain a zero SOI for SD No. 6 as described above and generally depicted on Exhibit A attached hereto.

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

- a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority for the area within its boundary. SD No. 6’s boundary encompasses the 47-parcel Stonehurst subdivision plus one non-contiguous parcel, all of which will continue to need wastewater services. The area is mostly developed. The SOI update will not adversely affect present or planned land uses.
- b. *The present and probable need for public facilities and services in the area* – Approximately 100 residents live with the District; little or no growth is anticipated. There will be a continued need for wastewater services. No changes in public facilities or services will result from the SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The current collection and treatment system provides minimum service per the approved operating permit from the State. The State’s order mandates connection of the subdivision to a municipal sewer service, and closure of the SD No. 6 onsite wastewater treatment and disposal system as soon as feasible. The County will continue to provide service until such time as services are available from CCCSD. No changes in public facilities or services provided by SD No. 6 will result from this SOI update.
- 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* – SD No. 6 was formed in 1992, and the property owners funded the construction of the treatment and disposal facilities. The property owners pay an annual service charge for the system to be operated and maintained; and therefore, have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to SD No. 6.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs within or contiguous to the SD No. 6 SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – SD No. 6 provides wastewater service to the Stonehurst subdivision within the City of Martinez. The SD No. 6 boundary is 237± acres with 48 parcels, most of which are developed. Each parcel within the District has an individual septic system; the effluent receives secondary treatment at a community wastewater treatment plant owned by SD No. 6 and is discharged through a leach field at the top of an adjacent ridge. The system is managed by the County through an outside contractor.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

ROB SCHRODER, VICE 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: June 11, 2014

Lou Ann Texeira, Executive Officer

County Sanitation District 6 (Alhambra Valley)

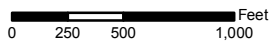
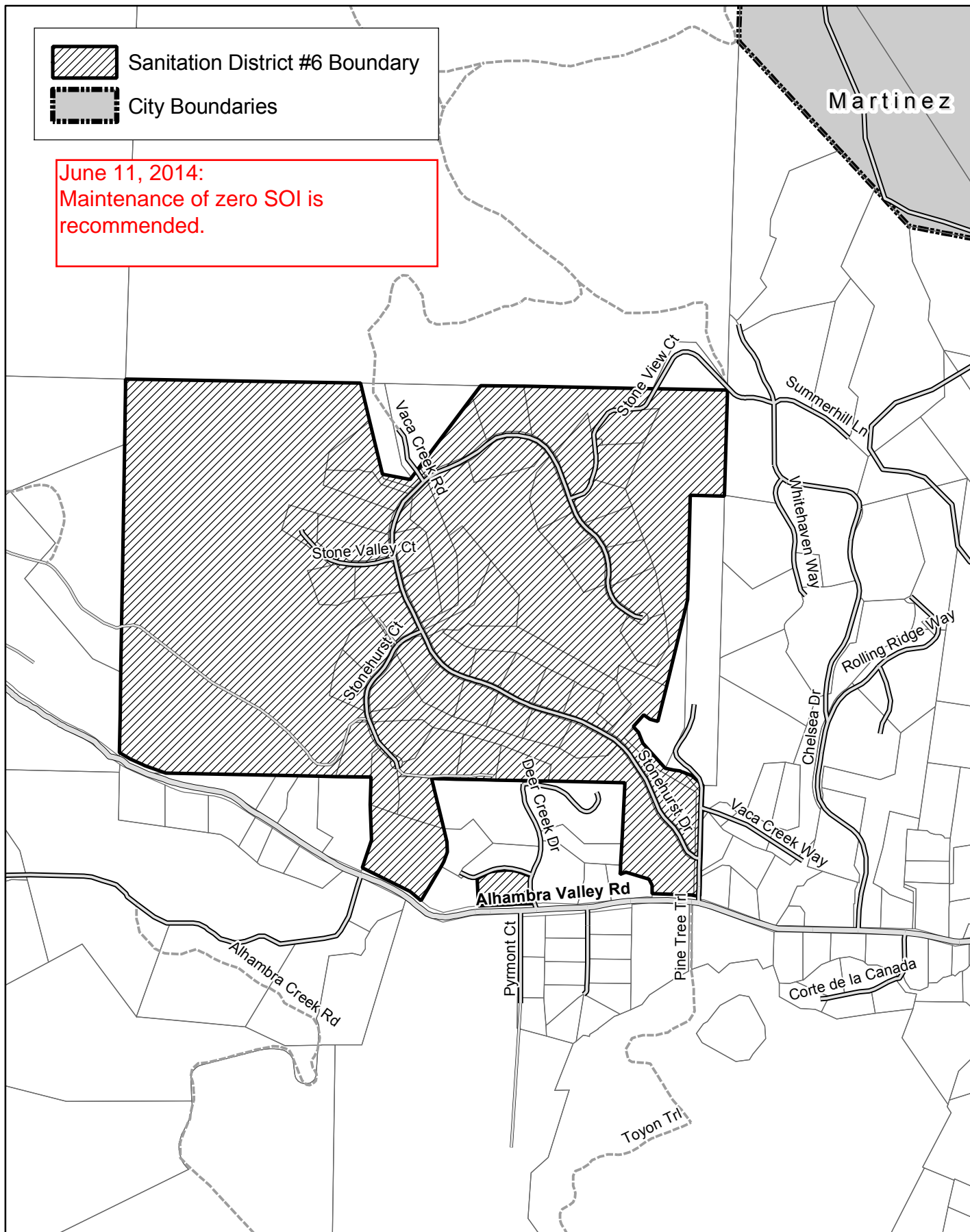


Sanitation District #6 Boundary



City Boundaries

June 11, 2014:
Maintenance of zero SOI is
recommended.



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA M-28**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes County Service Area (CSA) M-28, and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, CSA M-28 was formed in 1991 to provide water service to the Willow Mobile Home Park on Bethel Island, serving 172 mobile homes, approximately 272 residents, and service area of 23± acres; and

WHEREAS, the District is served by one well with reverse osmosis treatment; the County contracts with a private company to maintain and operate the system; and

WHEREAS, the CSA M-28 system is aging and there will continue to be a need for a professionally managed water system to serve the mobile home park; and

WHEREAS, in 2008, a study was prepared that identified approximately \$1 million in needed system improvements. CSA M-28 does not currently have the funds to complete the improvements. Further, CSA M-28 anticipates increasing operation and maintenance costs as the system ages; and

WHEREAS, the County recently pursued the transfer of the District's operations and maintenance responsibilities to the mobile home park owner; however, the transfer cannot proceed because the mobile home park owner cannot fulfill the transfer requirements; and

WHEREAS, LAFCO urges the County to continue to explore funding and governance options; and

WHEREAS, the MSR report identified one SOI option for CSA M-28, which is to retain a zero SOI, as adopted in conjunction with the 2007 MSR; and

WHEREAS, retaining a zero SOI is recommended for CSA M-28. This will allow CSA M-28 to continue to exist while the County continues to explore funding and governance options; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Update and retain a zero SOI for CSA M-28 as described above and generally depicted on Exhibit A attached hereto.

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

- a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority for the area within its boundary. CSA M-28’s boundary encompasses the Willow Mobile Home Park. County plans include continued mobile home use that will need water service. The lands to the north and south are designated as Commercial Recreation; the lands to the west are designated as Agriculture. County policies support the provision of adequate water service for residents; water services do not by themselves induce growth on agricultural or open space lands. There are no agricultural lands within the District’s boundaries and SOI, and no Williamson Act contracts will be affected by this SOI action. The adoption of a zero SOI for this District will not adversely affect present or planned land uses.
- b. *The present and probable need for public facilities and services in the area* – The existing mobile home park is built out with 172 units. Little to no growth is expected. There will be a continued need for domestic water services. No changes in public facilities or services 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* – The District is served by one well with reverse osmosis treatment. The County currently contracts with a private service provider to maintain and operate the system. There are significant infrastructure deficiencies, and the County is exploring options to address the deficiencies.
- 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* – The District was formed in 1991, and property owner(s) funded the construction of the well, treatment facilities and storage tank. The property owner pays an annual service charge for the system to be maintained and operated and therefore has an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to the District.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - CSA M-28 is located on Bethel Island which has been identified as a DUC. Future consideration of any SOI expansion or change in service area would require a detailed study of the District’s ability to serve the area.
- f. *Nature, location, extent, functions & classes of services to be provided* – The District provides water treatment services, through a contract, to serve the Willow Mobile Home Park on the eastern edge of Bethel Island.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

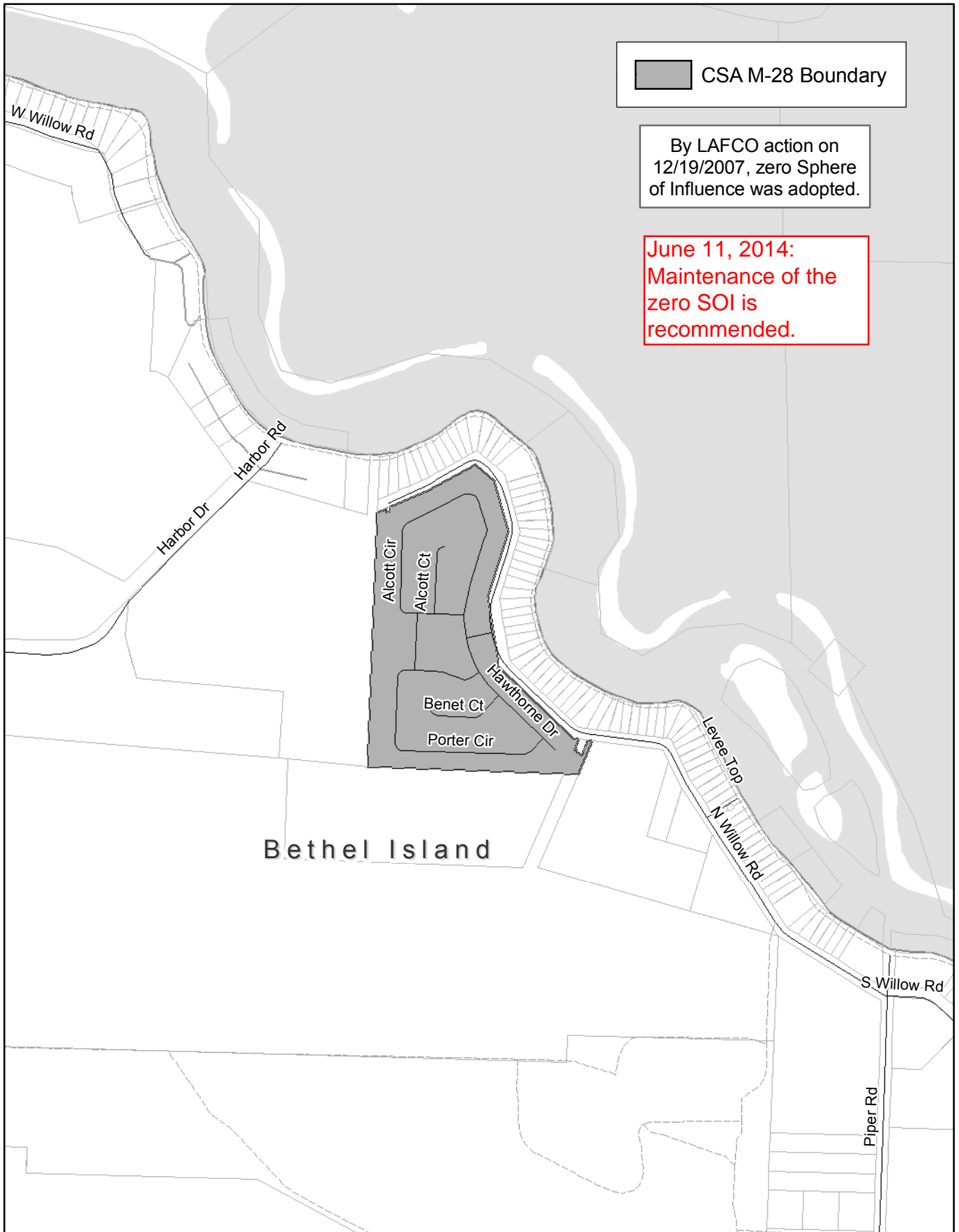
ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

Lou Ann Texeira, Executive Officer

County Service Area M-28 (Willows Mobile Home Park)



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
DELTA DIABLO**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes Delta Diablo (DD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, DD was formed in 1955 as a County Sanitation District; and

WHEREAS, DD provides wastewater collection services for the unincorporated community of Bay Point, and the cities of Antioch and Pittsburg. DD operates the Delta Household Hazardous Waste Collection Facility for residents in the eastern portion of the County. Since 2001, DD has provided recycled water to the Delta Energy Center and the Los Medanos Energy Center. DD has also expanded recycled water conveyance to the cities of Pittsburg and Antioch for irrigation of public parks and median landscapes; and

WHEREAS, DD currently serves over 190,567 residents within a 52 square mile service area; and

WHEREAS, there are open space areas within the District's SOI that are located outside the Urban Limit Line (ULL) and will not need DD services; and

WHEREAS, the MSR report identified two SOI options for DD: maintain the existing SOI, or reduce the SOI and remove open space areas located outside the ULL; and

WHEREAS, reducing DD's SOI to remove the open space areas located outside the ULL is recommended; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Reduce the SOI of the DD and remove the open space area located outside the ULL as depicted on Exhibit A attached hereto.
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* - Land uses within DD include residential, commercial, industrial and open space. The District has no land use authority. County and city plans include land uses and population growth that will

need increased wastewater services and recycled water supplies. County and city policies support the provision of adequate wastewater services for businesses and resident. Land use will not be affected by this SOI action.

- b. *Present and probable need for public facilities and services in the area* - The DD 2010 Conveyance System Master Plan Update projects 90,700 dwelling units within DD at build out, reflecting a 32% growth rate. There will be an increased need for comprehensive wastewater services, including a reliable recycled water supply. No changes in public facilities or services provided by the District will result from this SOI expansion.
- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* –DD completed a Sewer System Master Plan and Master Plan of Facilities that identifies improvements required over the next 10 years. DD’s 5-Year Capital Improvement Plan provides for wastewater treatment plant improvements, pump station upgrades, and collection system replacements totaling \$51 million. DD has reduced system overflows and is implementing an aggressive hazardous materials collection program.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – DD was formed in 1955 as a County Sanitation District. DD collects service charges within its three service zones and receives a portion of the 1% property tax. The social and economic community of interest includes the estimated 190,567 residents within the District who have an economic interest in receiving services from DD. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to the District.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - A DUC has been identified north of Willow Pass Drive adjacent to DD’s SOI. Future consideration of any SOI change or change in service area would first require a detailed evaluation of DD’s capability to adequately serve this community.
- f. *Nature, location, extent, functions & classes of services to be provided* – DD provides wastewater collection and conveyance, treatment and disposal; recycled water treatment and distribution; hazardous waste collection and reuse/disposal; and street sweeping services, serving the cities of Antioch and Pittsburg, the Bay Point community, and adjacent unincorporated areas.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

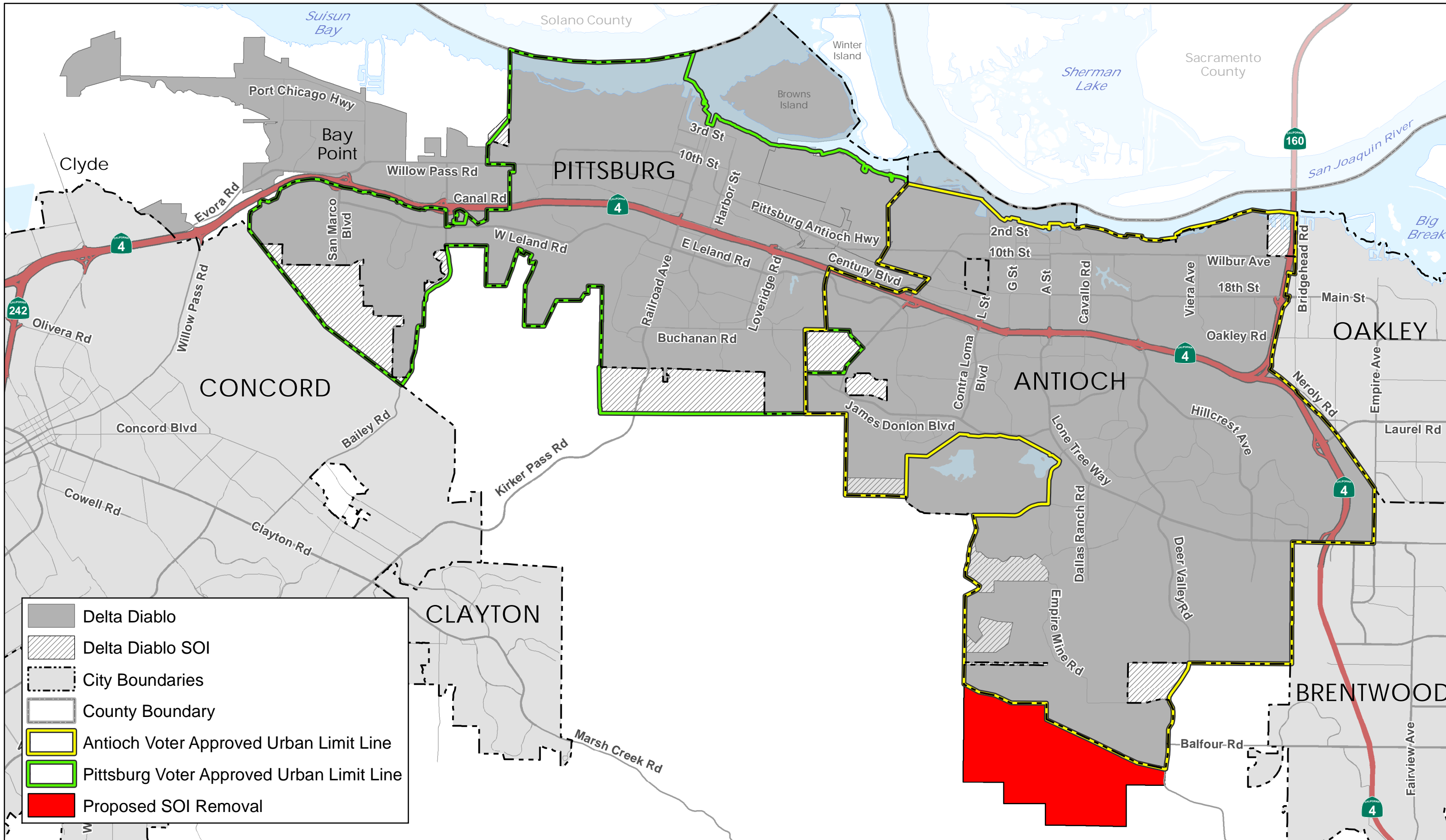
ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

Lou Ann Texeira, Executive Officer

Delta Diablo Boundary and SOI



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
DIABLO WATER DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Diablo Water District (DWD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, DWD was originally formed in 1953 as the Oakley Water District and provides water supply, treatment and distribution; and

WHEREAS, DWD serves a population of 40,893 residents, covering 21± square miles, including the City of Oakley, the East Cypress Corridor Specific Plan Area, the Hotchkiss Tract, Summer Lakes, portions of Knightsen and certain communities on Bethel Island, including Delta Coves; and

WHEREAS, DWD's primary sources of water are Central Valley Project (purchased from Contra Costa Water District) and groundwater extracted from San Joaquin Valley Basin; and

WHEREAS, the MSR report identified three SOI options for the District: retain the existing SOI, expand the SOI to include all of Bethel Island, or expand to include the Liberty Union High School District's (LUHSD) 4th high school site; and

WHEREAS, it is proposed that LAFCO expand DWD's SOI to include LUHSD's 4th high school site to facilitate the future annexation of the property to DWD; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Expand the SOI for DWD to include LUHSD's 4th high school site as depicted on Exhibit A attached hereto.
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* – DWD’s service are is predominantly residential, and also includes commercial, institutional, and open space land uses. Significant residential development is expected to occur within the District’s boundary over the next 20 to 25 years, increasing the service area population from 40,893 to over 68,441 in 2035. No land use changes will result from the SOI update.
- b. *Present and probable need for public facilities and services in the area* - Continued growth will increase the demand for water service. DWD currently serves some communities on Bethel Island, including Delta Coves. Long-term expansion of water services to the entirety of Bethel Island should be considered by DWD. No changes in public facilities or services provided by DWD 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 ongoing development of DWD’s local water supply through its two wells has resulted in a major upgrade of capacity. Along with the recent expansion of the Randall-Bold Water Treatment Plant from 40 to 50 million gallons per day, DWD’s capacity needs have been addressed for the foreseeable future.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – DWD provides services within the City of Oakley, Bethel Island, and other unincorporated areas. DWD collects service charges from existing users and fees for new development. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to DWD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - The entirety of Bethel Island is a DUC. Future consideration of a SOI or service boundary change in this area would first require a detailed evaluation of DWD’s capability to adequately serve this community.
- f. *Nature, location, extent, functions & classes of services to be provided* – DWD primarily supplies treated water for domestic use and some non-potable water for park and landscape irrigation to the City of Oakley, the East Cypress Corridor Specific Plan Area, the Hotchkiss Tract, Summer Lakes, portions of Knightsen, and certain communities on Bethel Island (Delta Coves). DWD is bounded to the north by the San Joaquin River, to the west by the City of Antioch, to the south by the City of Brentwood, and to the east by unincorporated area.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

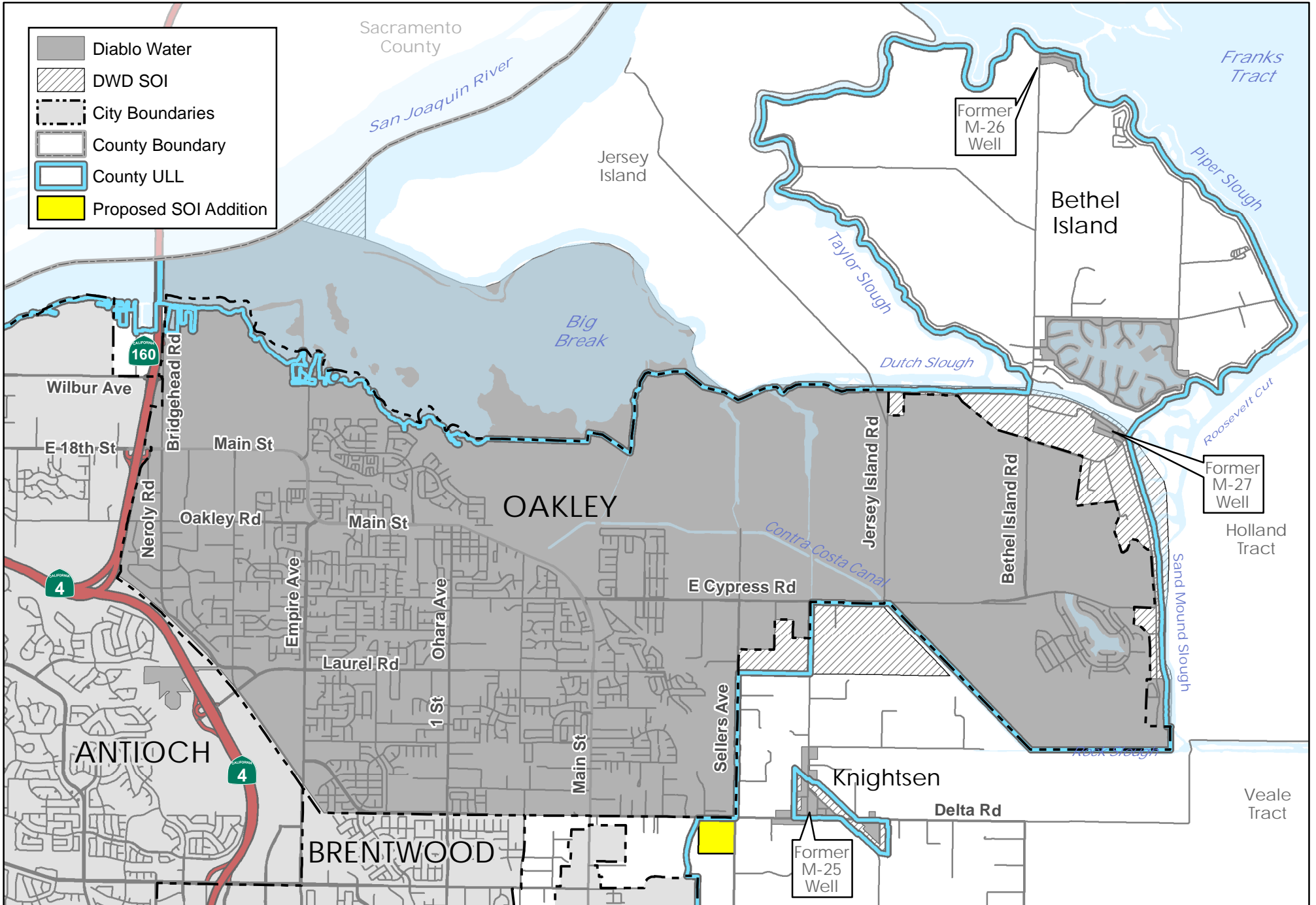
ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

Lou Ann Texeira, Executive Officer

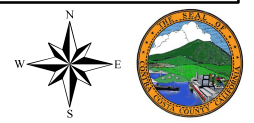
Diablo Water District Boundary and SOI



- Diablo Water
- DWD SOI
- City Boundaries
- County Boundary
- County ULL
- Proposed SOI Addition

Map created 05/29/2014
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Muir Road, Martinez, CA 94553
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
IRONHOUSE SANITARY DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Ironhouse Sanitary District (ISD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, ISD was originally formed in 1945 under the Oakley Sanitary District and provides sewage collection, treatment and disposal services to the City of Oakley, the unincorporated community of Bethel Island, and other unincorporated areas in east Contra Costa County; and

WHEREAS, ISD serves nearly 40,000 customers with approximately 15,000 connections in a service area of 37± square miles; and

WHEREAS, the MSR report identified two SOI options for the District: retain the existing SOI, or expand the SOI to include the Liberty Union High School District (LUHSD) 4th high school site; and

WHEREAS, it is hereby proposed that LAFCO expand the SOI to include the LUHSD's 4th high school site to facilitate the future annexation of this property; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.
2. Expand the SOI for ISD to include the LUHSD's 4th high school site as depicted on Exhibit A attached hereto.
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 major portion of ISD's service area is comprised of the City of Oakley and the unincorporated community of Bethel Island. The City of Oakley's General Plan includes a broad mix of land uses, including residential, commercial, industrial, recreational and public land uses. The vast majority of Oakley is, as it will be in the future, developed as residential communities of varying densities. Bethel Island, a residential/vacation area, is expected to remain largely residential in nature. No land use changes will result from this SOI update.

- b. *Present and probable need for public facilities and services in the area* - ISD's service area is expected to experience steady growth over the next 20 to 25 years. The Association of Bay Area Governments (ABAG) projects the City of Oakley to grow from 31,950 in 2010 to a population of 42,950 in 2035. Bethel Island, with a 2010 Census population of 2,137, is also expected to grow with a projected population of 9,706 by year 2025. Extension of service to the proposed Liberty Union High School District fourth high school site is also expected in the future.
- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – ISD's Water Recycling Facility has a design capacity of 4.3 million gallons per day (mgd) average dry weather flow with current flows of 2.41 mgd in 2013. The collection system is comprised of 119 miles of gravity sewer main, 16 miles of force main and 34 pump stations. The collection system is extensively laid out in the residential and commercial areas of both the City of Oakley and communities to the north. ISD recently completed construction of Phase 1 of a new \$55 million water recycling facility to accommodate growth and meet future regulatory requirements.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – ISD provides services within the City of Oakley, Bethel Island, and other unincorporated areas. ISD collects service charges from existing users and fees for new development; the District also receives a portion of the 1% property tax. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to ISD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs located within, or contiguous to, ISD's SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – ISD provides sewage collection, treatment and disposal services to the City of Oakley, the unincorporated community of Bethel Island, and other unincorporated areas in east Contra Costa County.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

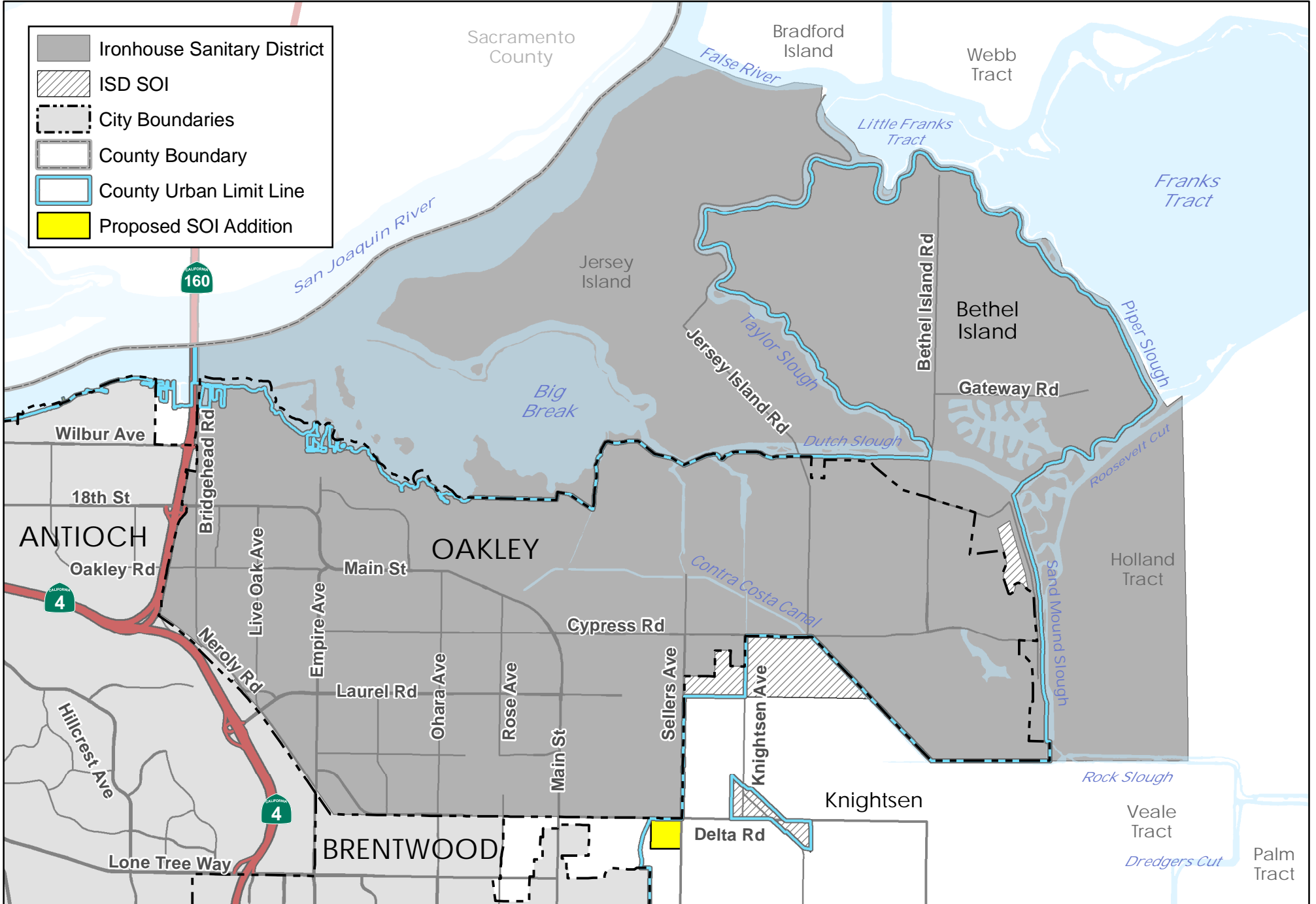
 ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

 Lou Ann Texeira, Executive Officer

Ironhouse Sanitary District Boundary and SOI



Map created 05/29/2014
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Muir Road, Martinez, CA 94553
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

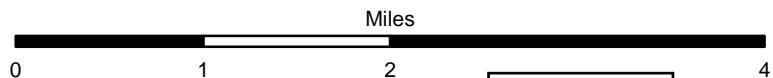


Exhibit A-2J

**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers, which includes the Knightsen Town Community Services District (KCSO), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, KCSO was formed in 2005 to provide flood control and water quality (drainage services) for the Knightsen community, an area of low elevation that receives runoff flow from nearby areas; and

WHEREAS, KCSO serves a population of 1,568 residents, covering 5,131± acres in the Knightsen community; and

WHEREAS, since its formation, KCSO has not provided any physical services related to its original purpose due to a lack of funds to construct the facilities; KCSO owns no physical assets or improvements; and

WHEREAS, KCSO continues to seek funding and recently partnered with a habitat conservancy group to apply for grant funding opportunities; and

WHEREAS, the MSR report identified three SOI options for the District: retain the existing SOI and designate the area as a “special study area”, adopt a provisional SOI, or adopt a zero SOI; and

WHEREAS, it is proposed that LAFCO retain the existing SOI, and require the District to provide LAFCO with annual updates until the next MSR cycle. The updates should include a progress report addressing services, facilities, funding, administrative and governance issues identified in the 2014 MSR report; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 11, 2014; and

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

1. 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.

2. Retain the existing SOI as depicted on Exhibit A attached hereto.
3. Require KCSD to provide LAFCO with annual updates until the next MSR cycle. The updates should include a progress report addressing services, facilities, funding, administrative and governance issues identified in the 2014 MSR report.
4. 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* – KCSD was created in 2005 and encompasses 5,100± acres. It was formed to provide flood control and water quality (drainage services) for the community of Knightsen, which is an area of low elevation that receives runoff flow from nearby areas. Largely agricultural in nature, very limited growth is anticipated with the KCSD service area in the next 10 to 20 years.
 - b. *Present and probable need for public facilities and services in the area* - A 2001 Water Quality Wetland Feasibility Study by the County concluded that to improve drainage and water quality in Knightsen, the area needs facilities designed to treat storm water runoff and extended detention basins. Flooding and water quality-related issues are ongoing concerns for Knightsen and will continue in the future until the necessary infrastructure is funded and implemented.
 - c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* - KCSD currently has no infrastructure, no capital improvement program, has not constructed any capital projects since its formation, and currently has limited ability to construct any major improvements to support the District’s purpose.
 - 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 District serves the Knightsen community. KCSD receives funding through a parcel tax. Property owners have an economic interest in receiving KCSD services. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to KCSD.
 - e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no disadvantaged unincorporated communities located within, or contiguous to, KCSD’s SOI.
 - f. *Nature, location, extent, functions & classes of services to be provided* – KCSD is authorized to provide flood control and water quality (drainage) services to the Knightsen community, although it is not currently providing these services. In accordance with the MSR report, KCSD is required to provide LAFCO with annual updates until the next MSR cycle. The updates should include a progress report addressing services, facilities, funding, administrative and governance issues identified in the 2014 MSR report.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

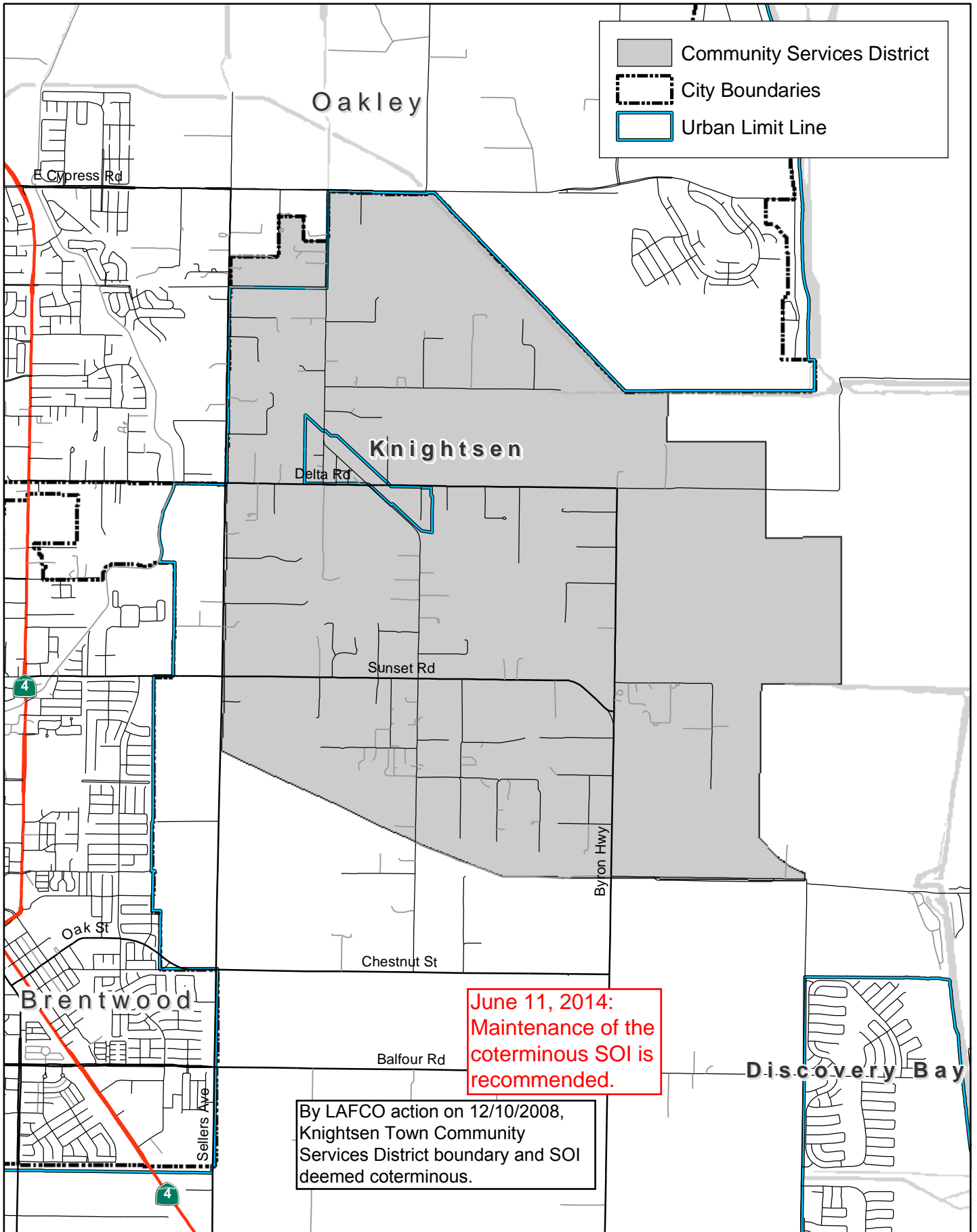
 ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

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

Dated: June 11, 2014

 Lou Ann Texeira, Executive Officer

Knightsen Community Services District



**June 11, 2014:
Maintenance of the
coterminous SOI is
recommended.**

By LAFCO action on 12/10/2008,
Knightsen Town Community
Services District boundary and SOI
deemed coterminous.



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
APPROVING A SPHERE OF INFLUENCE UPDATE FOR
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT**

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 every five years, as necessary; and

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

WHEREAS, LAFCO conducted a second round, countywide review of water and wastewater service providers which includes the Town of Discovery Bay Community Services District (TODBCSD), and adopted written determinations as required by Government Code §56430 on May 14, 2014; and

WHEREAS, TODBCSD was formed in 1998 and provides water and wastewater, parks and park maintenance, landscaping and recreation services to the unincorporated community of Discovery Bay; TODBCSD also provides flood control in specified areas; and

WHEREAS, TODBCSD provides service to approximately 13,500 people in a nine square mile area, with 5,523 water connections; and

WHEREAS, the MSR report identified two SOI options for the District: retain the existing SOI, or expand the SOI to include the District's wastewater treatment plant property; and

WHEREAS, the MSR report also noted a boundary overlap with the Byron Bethany Irrigation District which should be studied;

WHEREAS, it is hereby proposed that LAFCO expand the SOI to include the District's wastewater treatment plant property to facilitate the future annexation of this property; and

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

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at public hearings held on May 14 and June 11, 2014; and

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

1. 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.
2. Expand the SOI for TODBCSD to include the District's water treatment plant property located south of Highway 4 and southeast of Cherry Hills Drive as depicted on Exhibit A attached hereto.
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 Discovery Bay community is characterized by residential, commercial, public, recreational and marina uses. County policies support the provision of adequate services for County residents.

County plans include land uses and population growth needing District services. The areas included with this SOI update do not affect agricultural lands. The District has no land authority, and no change to the present or planned uses will result from this SOI update.

- b. *Present and probable need for public facilities and services in the area* - According to recent Census data, the population of the Town of Discovery Bay is currently 13,500. Two new residential development projects, Newport Pointe and Pantages Bay, were recently approved by the Contra Costa County Board of Supervisors and will impact the TODBCSD. These projects, as well as the continued built-out of entitled units in Discovery Bay West and Villages IV and V, will result in substantial future growth for TODBCSD. According to the 2012 Wastewater Master Plan, at build out, the Town of Discovery Bay will add 1,123 residential units, 90 acres of office and business park development and 10 acres of commercial land uses.
- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* - TODBCSD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundary. The District has planned for capital needs based on projected growth and is implementing projects to extend the life of existing infrastructure. The TODBCSD has not completed its Urban Water Management Plan (UWMP); therefore, LAFCO will be unable to consider any SOI or boundary changes until the UWMP is complete. Updating the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by TODBCSD.
- d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – TODBCD was formed in 1998. The District collects service charges from existing users and fees for new development. The District has long-term debt. Property owners and ratepayers with TODBCSD have an economic interest in receiving District services. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to TODBCSD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) with the existing SOI* - There are no DUCs located within, or contiguous to, the TODBCSD's SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – TODBCSD provides water and wastewater, parks and park maintenance, landscaping and recreation services to the unincorporated community of Discovery Bay; TODBCSD also provides flood control in specified areas.

PASSED AND ADOPTED THIS 11th day of June 2014, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

ROB SCHRODER, VICE CHAIR, CONTRA COSTA LAFCO

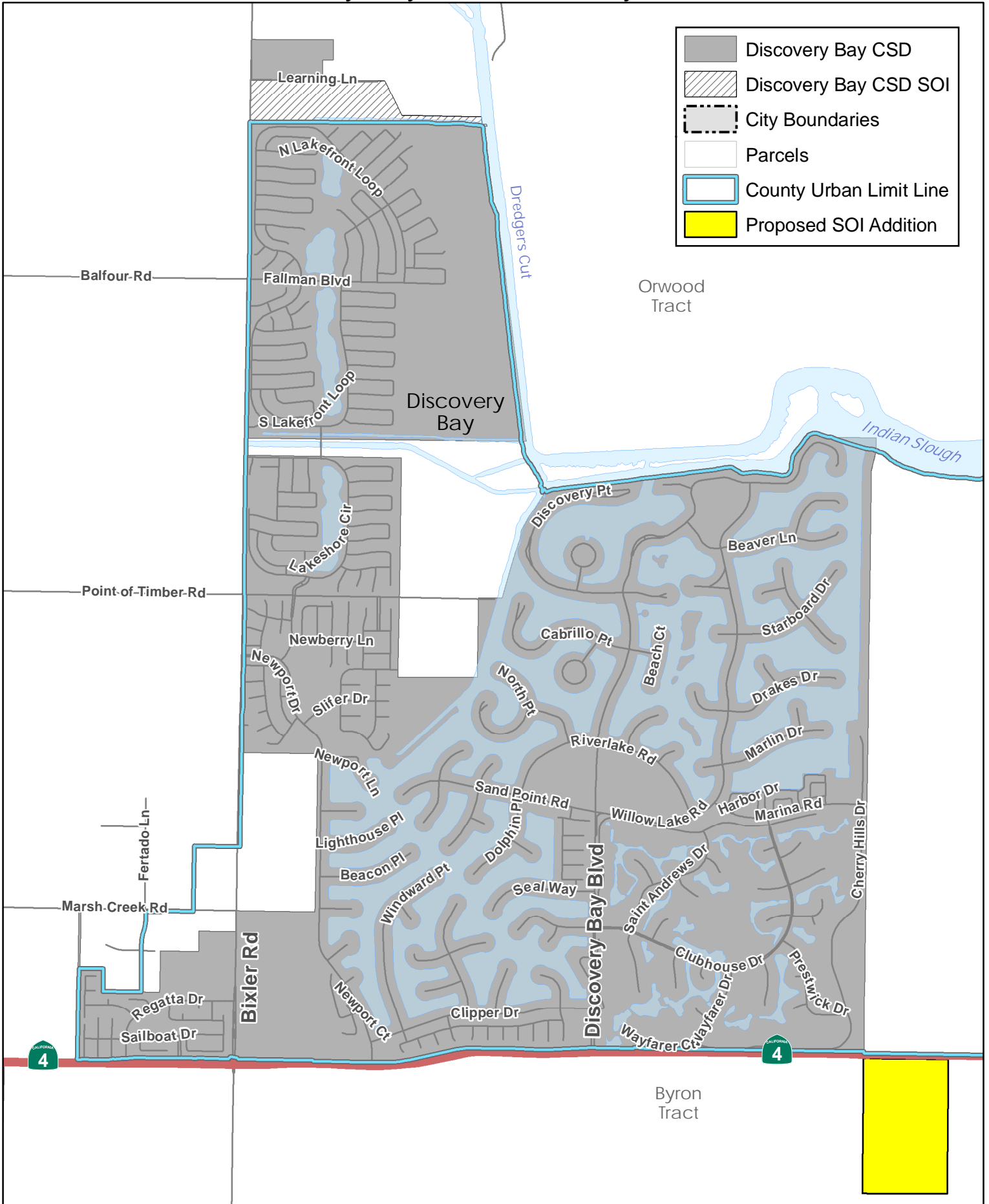
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: June 11, 2014

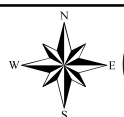
Lou Ann Texeira, Executive Officer

Discovery Bay CSD Boundary and SOI

Exhibit A-2L



- Discovery Bay CSD
- Discovery Bay CSD SOI
- City Boundaries
- Parcels
- County Urban Limit Line
- Proposed SOI Addition





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

June 11, 2014 (Agenda)

**June 11, 2014
 Agenda Item 9**

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

**Requests for Proposals – Second Round Fire/Emergency Medical Services (EMS)
 Municipal Service Review (MSR) and Sphere of Influence (SOI) Updates**

Dear Commissioners:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) requires that every five years, as necessary, LAFCO review and update the SOI of each local agency. As part of the SOI update, LAFCO must prepare a corresponding MSR to evaluate projected growth/population; financial ability of the agencies to provide services; status of, and opportunities for, shared services; present and planned capacity of public facilities and adequacy of public services, infrastructure needs and deficiencies; characteristics and service needs of disadvantaged unincorporated communities (DUCs); and any other issues related to the effective and/or efficient delivery of municipal services as determined by the Commission.

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 has initiated its second round MSR/SOI updates. The second round MSR/SOI updates were previously discussed with the Commission in March 2014, as part of the proposed budget, and in April 2013, in conjunction with the Commission’s strategic planning session.

The second round MSRs began with a countywide review of water/wastewater services. This MSR report and required determinations were adopted on May 14, 2014, along with SOI updates for five of the local agencies covered in the MSR report; completion of the remaining SOI updates is scheduled for June 11, 2014.

The next service to undergo a second round MSR is EMS/fire service. The Commission previously suggested reviewing fire/EMS services following completion of the County studies on the Contra Costa County Fire Protection District (CCCFPD) and EMS. The County recently completed its CCCFPD study, and is expected to complete the EMS study in June 2014.

Requests for Proposals - Contra Costa LAFCO has relied primarily on professional consultants to prepare its MSRs, with a limited number of agency-specific MSRs prepared by LAFCO staff. Given the technical nature of EMS/fire 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. The RFP calls for qualified consultants to prepare the MSR and SOI updates (as needed) for fire/EMS 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 a recommendation. 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 with 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 a 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 (CSDA) websites.

FINANCING:

Adequate funding is included in the FY 2014-15 budget to cover the anticipated costs associated with the MSR/SOI updates.

RECOMMENDATIONS:

1. Authorize the circulation of the Requests for Proposal for the Fire/EMS 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 Fire/EMS MSR/SOI Updates
2. Draft Scope of Services – Second Round Fire/EMS MSR/SOI Updates

REQUEST FOR PROPOSALS FOR COUNTYWIDE SECOND ROUND FIRE & EMERGENCY MEDICAL SERVICES (EMS) 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 EMS and fire services in Contra Costa County.

REQUEST FOR PROPOSALS

Second Round EMS/Fire Services

Municipal Service Review/Sphere of Influence Updates

I. Objective

The Contra Costa Local Agency Formation Commission (LAFCO) completed a Municipal Services Review (MSR) covering EMS and fire services in Contra Costa County in 2009. 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 covering EMS/fire service providers in the County, along with corresponding SOI updates (districts only) as needed.

In addition to reviewing the 12 public agencies identified in the Scope of Services (attached), the MSR will also include general information regarding other service providers (e.g., private, regional, state, federal) as related to the overall provision of EMS, dispatch and fire services.

This MSR is to be conducted by a professional consulting firm under the direction of the LAFCO Executive Officer. 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, local agencies and the public better understand the municipal service structure; to facilitate dialog among the various service providers with the objective of coordinating, collaborating and enhancing services and efficiencies; and to provide information to support LAFCO actions, including SOI updates and potential boundary and/or governance changes. While LAFCO is not required to initiate these changes based on MSRs, local agencies, LAFCO or others may use the MSR, together with additional analysis where necessary, to pursue boundary and/or governance changes.

II. About Contra Costa County

Contra Costa County is adjacent to Alameda, San Joaquin, Sacramento and Solano counties. The County covers an 805± square miles, of which 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.

Contra Costa County voters 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 94 local agencies in Contra Costa County (19 cities and 75 special districts). In 2013, Contra Costa LAFCO completed its inaugural MSR cycle, and embarked on its second round reviews. In May 2014, LAFCO completed a second round MSR covering water/wastewater services; the EMS/fire MSR will be the second MSR in the round two cycle.

Contra Costa LAFCO completed a comprehensive MSR covering EMS/fire services in 2009, (prepared by Burr Consulting). The information contained in the 2009 MSR will be useful in preparing the second round MSR. The consultant selected to prepare the second round EMS/fire MSR should become familiar with the 2009 MSR.

Also, Contra Costa County recently completed two separate studies – one covering EMS and a second covering the Contra Costa County Fire Protection District. Each study had a separate focus and scope of work supported by two distinct consultant teams (Fitch & Associates). Both studies are available on the County's website and through the LAFCO office. These studies provide important information and potential changes to EMS and fire services in Contra Costa County; we encourage the selected consultant to review these studies.

IV. Scope of Services

A draft scope of services is enclosed with this RFP (Attachment 1). A final scope of services will be negotiated with the firm selected to conduct the MSR 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 which 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

EMS and Fire Service Expertise

- Solid understanding of how EMS and fire services are delivered and financed
 - Experience with operational aspects of EMS and fire services provision in California (city fire departments, fire districts, volunteer fire companies, state fire services)
 - Knowledge of emergency response standard operating procedures, training standards, response time criteria and performance, standards of coverage, fire code and plan check review, facilities and equipment, labor and related issues
 - Experience in the financial analysis of EMS and fire service delivery systems, including workers compensation, pension, financial constraints and liabilities, cost avoidance and other cost-saving opportunities
 - Knowledge of EMS and fire protection service organization analysis, including evaluating government structure options (e.g., consolidation, reorganization) and related advantages and disadvantages of these options
 - Experience in evaluating EMS and fire protection delivery systems, including performance measurements and benchmarking
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 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, 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 will complete some preliminary data collection and follow-ups/status reports on issues identified in the 2009 MSR. This information will be provided to the selected consulting firm for use in preparing the second round 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 second round 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. Include information about the availability of all the professionals who will be involved in the work, including associate consultants.
11. Provide 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. Include 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 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 six 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, July 11, 2014, at the Contra Costa LAFCO office, located at 651 Pine Street, Sixth Floor, Martinez, CA 94553 Attn: Executive Officer. No faxed or e-mailed proposals will be accepted. Proposals received after the deadline will not be considered. 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 and 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. Interviews are tentatively scheduled the week of July 28, 2014.

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, August 13, 2014.

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 and 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 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.

Other Provisions: 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
June 11, 2014	Commission to Review/Approve RFP and Selection Process
June 13, 2014	Issue RFP
July 11, 2014	Proposals Due
July 14-25, 2014	Review of Written Proposals by Selection Committee
July 28-31, 2014	Interviews of Selected Proposers
August 13, 2014	Committee Recommendation to LAFCO; award of contract by LAFCO
September 1, 2014	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) 335-1031
Email: LTexe@lafco.cccounty.us

XV. Attachments

1. 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

Attachment 1
REQUEST FOR PROPOSALS

Countywide Second Round
Fire and Emergency Medical Services Municipal Service Review

SCOPE OF SERVICES

Contra Costa LAFCO will conduct a second round municipal service review (MSR) of fire protection and Emergency Medical Services (EMS) in Contra Costa County. Contra Costa LAFCO completed its inaugural review of these services in 2009. The 2009 MSR report is available online at www.contracostalafco.org.

Countywide EMS/Fire Protection Service Providers

The geographic area for this MSR is all of Contra Costa County. Municipal service providers (i.e., cities and special districts) will be the primary focus of the MSR. Upon completion of the MSR, LAFCO will update the sphere of influence (SOIs) for some or all of the special districts; LAFCO will not update city SOIs at this time.

The following cities and special districts provide EMS and/or fire protection services in Contra Costa County:

CITIES:

1. City of El Cerrito
2. City of Pinole
3. City of Richmond

SPECIAL DISTRICTS:

1. County Service Area EM-1
2. Contra Costa County Fire Protection District
3. Crockett Carquinez Fire Protection District
4. East Bay Regional Park District
5. East Contra Costa Fire Protection District
6. Kensington Fire Protection District
7. Moraga-Orinda Fire Protection District
8. Rodeo-Hercules Fire Protection District
9. San Ramon Valley Fire Protection District

OTHER AGENCIES

Other public and private 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 other public agencies, including Alameda County Fire Department, CALFIRE, County Sheriff's Marine Unit and the U.S. Coast Guard, the scope of work may involve reviewing private service providers including fire brigades at the various refineries in Contra Costa County.

Background

California Government Code §56430 requires LAFCO to conduct MSR in order to develop information for updating SOIs. The statute requires LAFCO to prepare and adopt a written determination relating to each of the following:

- (1) Growth and population projections for the affected area
- (2) The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI
- (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 DUCs within or contiguous to the SOI
- (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

LAFCO staff will provide information concerning the location of DUCs. The MSR report will include determinations for each local agency covered in the MSR report.

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

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 DUCs within the existing SOI.
6. The nature, location, and extent of any functions or classes of services provided by existing districts.

The MSR will include SOI determinations for each SOI update covered in the MSR report. Following the 2009 MSR, a number of districts did not receive SOI updates pending potential reorganization efforts; no reorganization efforts were pursued. It is anticipated that all districts will receive an SOI update in the second round MSR; however, city SOIs will not be updated in conjunction with this MSR.

Fire/EMS Service Issues and Topics

In addition to those issues contained in the statute, the following is a working list of EMS and fire service issues and topics that have also been identified for discussion in the second round MSR:

- Regulatory changes in EMS and fire service provisions since the last MSR in 2009

- Relationships among city fire departments, fire districts, CALFIRE and other fire service providers in the County
- Potential regional and sub-regional service models for the Contra Costa region
- Dispatch services
- Opportunities for improved EMS and fire protection services and public benefit from consolidation of service providers
- Impacts of city and county development on EMS and fire protection services
- Identification of best practices relating to short and long-term EMS and fire protection service
- Fiscal impacts including significant reductions in housing values and associated property tax revenue decline; ability of local agencies to meet bond debt service and/or out-year pension and health care obligations; unfunded liabilities; impacts (positive/negative) associated with the dissolution of redevelopment agencies; status of special tax/ assessment efforts; etc.

In addition, the County recently completed two separate studies – one covering the Contra Costa County Fire Protection District (CCCFPD) and a second covering EMS. Each study has a separate focus and scope of work supported by two distinct consultant teams (Fitch & Associates).

The purpose of the *CCCFPD Study* is to determine optimal EMS first response and fire response with the fiscal limitations of the District. This study was completed in February 2014, and includes information relating to CCCFPD's current operations, a fiscal analysis, and three short-term options that may sustain the District for the next 3-4 years. The focus of the *EMS Study* is to evaluate how best to modernize and deliver coordinated EMS utilizing current operational capabilities and fiscal resources. The EMS Study was completed in June 2014, and includes recommendations dealing with healthcare reform, financial issues, and community health and clinical care, aimed at enhancing accountability and integration and ensuring value. Potential system savings identified in the report exceed \$3 million. Both studies are available on the County's website, and provide valuable information relating to EMS and fire service in Contra Costa County; we encourage the selected consultant to review these studies.

Also, in Fall 2014, the County will release a Request for Proposal for ambulance services, with a contract to be awarded in January 2016.

Other Important Considerations

The 2009 EMS/Fire MSR identified a number of issues concerning EMS and fire protection services, some of which are summarized below.

1. Fiscal Issues

- Since adoption of Proposition 13 in 1978, fire protection services, particularly fire districts, have often lacked adequate fiscal resources. The fiscal situation worsened with the passage of the Educational Revenue Augmentation Fund (ERAF). Some cities and districts responded by gaining support for special assessments and taxes, while others have been unsuccessful in these efforts. Some special assessments lack inflation factors.
- There is a wide variation in the tax rate allocations to fire protection agencies in Contra Costa County, ranging from a low of 7% (average) for East Contra Costa Fire Protection District to a high of 30% for Kensington Fire Protection District. As a result, resources vary significantly among fire

service providers in the County. Even in the better funded agencies, the increasing cost of services and employee related costs cause continued financial stress.

- Many of the fire service providers have service and spending levels that are unsustainable. The 2009 MSR noted that a number of agencies are providing minimally adequate services and have substandard response times.
- Some of the local agencies do not levy development impact fees to fund fire facilities.

2. Infrastructure Needs and Deficiencies

- Station replacement, expansion and/or relocation was identified for a number of agencies; however, lack of long-term capital planning and inadequate funding precludes action.

3. Regional Cooperation and Reorganization

- Many of the local agencies share dispatch services, training facilities, equipment, communication systems, and resource sharing through automatic and mutual aid. The 2009 MSR identified several functional consolidations already in place.
- The complex boundaries in west County result in inefficient and non-contiguous service areas. The use of a separate dispatch system in the cities of Richmond and El Cerrito slows response times and impedes coordination in west County. Consolidation of fire service providers in west Contra Costa County is an option to improve the efficiency of service areas, promote facility-sharing and improve service levels.
- Formation of subsidiary fire districts in the cities of El Cerrito and Richmond were identified as governance options in the 2009 MSR.
- Due to lengthy dispatch times, the 2009 MSR recommended a coordinated effort among primary (law enforcement) dispatch and fire dispatch operations to implement technology and operational improvements to provide a more timely 911 call processing.

Service Review Task Overview

The countywide EMS/fire protection 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 MSR and recent initial request for information (RFI) as provided by Contra Costa LAFCO staff (contact staff for sample RFI)
- 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 56425 and 56430, governance/boundary options, and recommended SOI updates for the districts
- Present draft MSR report to LAFCO at a public hearing

Timing and work products: On or before (insert deadline), Consultant shall deliver to LAFCO an 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 the 2009 MSR, the recent County studies covering EMS and CCCFPD, 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.



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

June 11, 2014 (Agenda)

June 11, 2014
Agenda Item 10

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

Financial Audit for Fiscal Year 2012-13

Dear Members of the Commission:

Each year, LAFCO conducts a financial audit of the LAFCO finances. The independent auditing firm of R.J. Ricciardi, Inc. prepared the LAFCO financial audit for FY 2012-13.

The audit was conducted in accordance with the generally accepted auditing standards as specified in the report. The report found no material weaknesses. The auditors identified no deficiencies in internal control that they would consider to be material weaknesses, and no current year observations. The auditors propose one change in how the Commission or staff account for or manage financial resources. The auditors recommend that the Commission consider recording the Other Post-Employment Benefits (OPEB) liability on the books for the fiscal year ended June 30, 2014 and also include the OPEB expense in the budget. These recommendations have been implemented.

Special thanks are extended to the County Auditor-Controller's Office staff, especially Laura Garvey, and LAFCO Executive Assistant Kate Sibley for their work on the annual audit.

RECOMMENDATION

It is recommended that the Commission receive and file the audit report for the fiscal year ending June 30, 2013 (attached).

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Enclosure – FY 2012-13 Financial Audit

c: R.J. Ricciardi, Inc. CPAs
Bob Campbell, County Auditor's Office

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

MARTINEZ, CALIFORNIA

BASIC FINANCIAL STATEMENTS

JUNE 30, 2013

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INDEPENDENT AUDITORS' REPORT

Commissioners
Contra Costa Local Agency Formation Commission
Martinez, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and the major fund of Contra Costa Local Agency Formation Commission, as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise Contra Costa Local Agency Formation Commission's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the State Controller's Minimum Audit Requirements for California Special Districts. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Basis for Qualified Opinion

As described in Note 8 to the basic financial statements, the Other Postemployment Benefits was not recorded on the accrual basis of accounting in accordance with Government Accounting Standards Board Statement No. 45, *Accounting and Financial Reporting by Employers for PostEmployment Benefits Other Than Pensions*. In our opinion, accounting principles generally accepted in the United States of America require that Other Postemployment Benefits be accounted for and disclosed on the accrual basis of accounting.

Qualified Opinion

In our opinion, except for the effects of the matter described in the "Basis for Qualified Opinion" paragraph, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of Contra Costa Local Agency Formation Commission as of June 30, 2013, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America, as well as accounting systems prescribed by the State Controller's Office and state regulations governing special districts.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (page 3-6) and budgetary comparison information (page 16) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

R. J. Ricciardi, Inc.

R. J. Ricciardi, Inc.
Certified Public Accountants

San Rafael, California
May 19, 2014

Contra Costa Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS

June 30, 2013

This section of Contra Costa Local Agency Formation Commission's (LAFCO's) basic financial statements presents management's overview and analysis of the financial activities of the agency for the fiscal year ended June 30, 2013. We encourage the reader to consider the information presented here in conjunction with the basic financial statements as a whole.

Introduction to the Basic Financial Statements

This discussion and analysis is intended to serve as an introduction to LAFCO's audited financial statements, which are composed of the basic financial statements. This annual report is prepared in accordance with the Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for States and Local Governments*. The Single Governmental Program for Special Purpose Governments reporting model is used, which best represents the activities of LAFCO.

The required financial statements include the Statement of Net Position and Governmental Funds Balance Sheet; and the Statement of Revenues, Expenses, and Changes in Net Position and Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances.

These statements are supported by notes to the basic financial statements. All sections must be considered together to obtain a complete understanding of the financial picture of LAFCO.

The Basic Financial Statements

The Basic Financial Statements comprise the Government-wide Financial Statements and the Fund Financial Statements; these two sets of financial statements provide two different views of LAFCO's financial activities and financial position.

The Government-wide Financial Statements provide a longer-term view of LAFCO's activities as a whole, and comprise the Statement of Net Position and the Statement of Revenues, Expenses, and Changes in Net Position. The Statement of Net Position provides information about the financial position of LAFCO as a whole, including all of its capital assets and long-term liabilities on the full accrual basis, similar to that used by corporations. The Statement of Revenues, Expenses, and Changes in Net Position provides information about all of LAFCO's revenues and all of its expenses, also on the full accrual basis, with the emphasis on measuring net revenues or expenses of LAFCO's programs. The Statement of Revenues, Expenses, and Changes in Net Position explains in detail the change in Net Position for the year.

All of LAFCO's activities are grouped into Government Activities, as explained below.

The Fund Financial Statements report LAFCO's operations in more detail than the Government-wide statements and focus primarily on the short-term activities of LAFCO's Major Funds. The Fund Financial Statements measure only current revenues and expenditures and fund balances; they exclude capital assets, long-term debt and other long-term amounts.

Major Funds account for the major financial activities of LAFCO and are presented individually. Major Funds are explained below.

The Government-wide Financial Statements

Government-wide Financial Statements are prepared on the accrual basis, which means they measure the flow of all economic resources of LAFCO as a whole.

Contra Costa Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS
 June 30, 2013

The Statement of Net Position and the Statement of Revenues, Expenses, and Changes in Net Position present information about the following: *Governmental Activities* – LAFCO's basic services are considered to be governmental activities. These services are supported by specific general revenues from local agencies.

Fund Financial Statements

The Fund Financial Statements provide detailed information about each of LAFCO's most significant funds, called Major Funds. The concept of Major Funds, and the determination of which are Major Funds, was established by GASB Statement No. 34 and replaces the concept of combining like funds and presenting them in total. Instead, each Major Fund is presented individually, with all Non-major Funds summarized and presented only in a single column. Major Funds present the major activities of LAFCO for the year, and may change from year-to-year as a result of changes in the pattern of LAFCO's activities.

In LAFCO's case, there is only one Major Governmental Fund.

Governmental Fund Financial Statements are prepared on the modified accrual basis, which means they measure only current financial resources and uses. Capital assets and other long-lived assets, along with long-term liabilities, are not presented in the Governmental Fund Financial Statements.

Comparisons of Budget and Actual financial information are presented for the General Fund.

Analyses of Major Funds

Governmental Funds

General Fund actual revenue increased this fiscal year compared to the prior year by \$116,219 due primarily to increased contributions from cities and districts. Actual revenues were more than budgeted amounts by \$7,417 due primarily to additional application processing reimbursements.

General Fund actual expenditures were \$586,899, a decrease of \$1,525 from the prior year primarily due to decreased application activity. Expenditures were \$68,326 less than budgeted due primarily to less legal expenses and less Municipal Service Review activity.

Governmental Activities

Table 1
Governmental Net Position

	2013 Governmental Activities	2012 Governmental Activities
Current assets	\$ 326,367	\$ 321,920
Total assets	326,367	321,920
Accounts payable	25,311	28,825
Due to other governments	25,398	61,639
Total liabilities	50,709	90,464
Net position:		
Unrestricted	275,658	231,456
Total net position	\$ 275,658	\$ 231,456

Contra Costa Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS
 June 30, 2013

LAFCO's governmental net position amounted to \$275,658 as of June 30, 2013, an increase of \$44,202 from 2012. This increase is the Change in Net Position reflected in the Statement of Revenues, Expenses, and Changes in Net Position shown in Table 2. LAFCO's net position as of June 30, 2013 comprised the following:

- Cash and investments comprised \$323,188 of cash on deposit with the Contra Costa County Treasury.
- Prepaid items totaling \$3,179.
- Accounts payable totaling \$25,311.
- Due to other government agencies totaling \$25,398.
- Unrestricted net position, the part of net position that can be used to finance day-to-day operations without constraints established by debt covenants or other legal requirements or restrictions. LAFCO had \$275,658 of unrestricted net position as of June 30, 2013.

The Statement of Revenues, Expenses, and Changes in Net Position presents program revenues and expenses and general revenues in detail. All of these are elements in the Changes in Governmental Net Position summarized below.

Table 2
Changes in Governmental Net Position

	2013	2012
	<u>Governmental Activities</u>	<u>Governmental Activities</u>
<u>Expenses</u>		
Salaries and benefits	\$ 346,931	\$ 337,512
Services and supplies	239,968	250,912
Total expenses	<u>586,899</u>	<u>588,424</u>
<u>Revenues</u>		
Program revenues:		
Charges for services	37,417	28,505
Total program revenues	<u>37,417</u>	<u>28,505</u>
General revenues:		
Intergovernmental	593,684	486,377
Total general revenues	<u>593,684</u>	<u>486,377</u>
Total revenues	<u>631,101</u>	<u>514,882</u>
<u>Change in net position</u>	<u>\$ 44,202</u>	<u>\$ (73,542)</u>

As Table 2 above shows, \$37,417, or 5.9% of LAFCO's fiscal year 2013 governmental revenue, came from program revenues and \$593,684, or 94.1%, came from general revenues (i.e. contributions from local agencies). Furthermore, LAFCO had budgeted \$121,541 of its fund balance reserves to cover the budgeted excess expenditures over revenues.

Program revenues were composed of Boundary Proposal and related fees of \$37,417.

General revenues are not allocable to programs. General revenues are used to pay for the net cost of governmental programs.

Capital Assets

LAFCO has no capital assets.

Contra Costa Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2013

Debt Administration

LAFCO does not utilize long-term debt to fund operations or growth.

Economic Outlook and Major Initiatives

Financial planning is based on specific assumptions from recent trends, State of California economic forecasts and historical growth patterns in the various agencies served by LAFCO.

The economic condition of LAFCO as it appears on the Statement of Net Position reflects financial stability and the potential for organizational growth. LAFCO will continue to maintain a watchful eye over expenditures and remain committed to sound fiscal management practices to deliver the highest quality service to the citizens of the area.

Contacting LAFCO's Financial Management

The basic financial statements are intended to provide citizens, taxpayers, and creditors with a general overview of LAFCO's finances. Questions about this report should be directed to Contra Costa Local Agency Formation Commission, 651 Pine Street 6th Floor, Martinez, California 94553.

Contra Costa Local Agency Formation Commission
STATEMENT OF NET POSITION AND
GOVERNMENTAL FUNDS BALANCE SHEET
 June 30, 2013

Exhibit A

	<u>General</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
<u>ASSETS</u>			
Cash and investments	\$ 323,188	\$ -	\$ 323,188
Prepaid items	3,179	-	3,179
Total assets	<u>\$ 326,367</u>	<u>\$ -</u>	<u>\$ 326,367</u>
 <u>LIABILITIES</u>			
Accounts payable	\$ 25,311	\$ -	\$ 25,311
Due to other governments	25,398	-	25,398
Total liabilities	<u>50,709</u>	<u>-</u>	<u>50,709</u>
 <u>FUND BALANCES/NET POSITION</u>			
Fund balances:			
Assigned fund balance	20,000	(20,000)	-
Unassigned fund balance	255,658	(255,658)	-
Total fund balances	<u>275,658</u>	<u>(275,658)</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 326,367</u>		
 Net position:			
Unrestricted		<u>275,658</u>	<u>275,658</u>
Total net position		<u>\$ 275,658</u>	<u>\$ 275,658</u>

The accompanying notes are an integral part of these financial statements.

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
AND GOVERNMENTAL FUNDS STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGES IN FUND BALANCES

For the Period Ended June 30, 2013

	General	Adjustments	Statement of Net Position
Expenditures/expenses:			
Salaries and benefits	\$ 346,931	\$ -	\$ 346,931
Services and supplies	239,968	-	239,968
Total expenditures/expenses	586,899	-	586,899
Program revenues:			
Charges for services	37,417	-	37,417
Total program revenues	37,417	-	37,417
Net program expenses			(549,482)
General revenues:			
Intergovernmental	593,684	-	593,684
Total general revenues	593,684	-	593,684
Excess of revenues over (under) expenditures	44,202	(44,202)	-
Change in net position	-	44,202	44,202
Fund balance/Net position, beginning of period	231,456	-	231,456
Fund balance/Net position, end of period	\$ 275,658	\$ -	\$ 275,658

The accompanying notes are an integral part of these financial statements.

Contra Costa Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2013

NOTE 1 - REPORTING ENTITY

A. Organization of LAFCO

Contra Costa Local Agency Formation Commission (LAFCO) was formed in 1963. LAFCO is responsible for coordinating logical and timely changes in local government boundaries, conducting special studies that review ways to reorganize, simplify, and streamline governmental structure, and preparing a sphere of influence for each city and special district within its county. LAFCO's efforts are directed toward seeing that services are provided efficiently and economically while agricultural and open-space lands are protected. LAFCO also conducts service reviews to evaluate the provision of municipal services within its county.

B. Principles that Determine the Scope of Reporting Entity

LAFCO consists of seven voting members and exercises the powers allowed by state statutes. This follows section 56325 of the Government Code. The basic financial statements of LAFCO consist only of the funds of LAFCO. LAFCO has no oversight responsibility for any other governmental entity since no other entities are considered to be controlled by, or dependent on, LAFCO.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Basis of Presentation

LAFCO's basic financial statements are prepared in conformity with U.S. generally accepted accounting principles. The Governmental Accounting Standards Board (GASB) is the acknowledged standard setting body for establishing accounting and financial reporting standards followed by governmental entities in the U.S.A.

LAFCO has chosen to present its basic financial statements using the reporting model for special purpose governments engaged in a single government program.

This model allows the fund financial statements and the government-wide statements to be combined using a columnar format that reconciles individual line items of fund financial data to government-wide data in a separate column on the face of the financial statements rather than at the bottom of the statements or in an accompanying schedule.

Government-wide Financial Statements

LAFCO's financial statements reflect only its own activities; it has no component units. The statement of net position and statement of revenues, expenses, and changes in net position display information about the reporting government as a whole. They include all funds of the reporting entity. Governmental activities generally are financed through intergovernmental revenues and charges for services.

The statement of revenues, expenses, and changes in net position presents a comparison between direct expenses and program revenues for each segment of LAFCO's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include charges paid by the recipients of goods and services offered by the program. Revenues that are not classified as program revenues, including all intergovernmental revenues, are presented as general revenues.

Contra Costa Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2013

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

A. Basis of Presentation (concluded)

Fund Financial Statements

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be a separate accounting entity. General Fund operations are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures (or expenses) as appropriate. LAFCO's resources are accounted for based on the purposes for which they are to be spent and the means by which spending activities are controlled. An emphasis is placed on major funds within the governmental categories. A fund is considered major if it is the primary operating fund of LAFCO or meets the following criteria: Total assets, liabilities, revenues or expenditures (or expenses) of the individual governmental fund are at least 10 percent of the corresponding total for all funds of that category or type. The General Fund is always a major fund.

Governmental Funds

General Fund: This is the operating fund of LAFCO. The major revenue source for this fund is intergovernmental revenues. Expenditures are made for intergovernmental revenues projects and administration.

B. Basis of Accounting

The government-wide financial statements are reported using the *economic resources measurement focus* and the *full accrual basis* of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are *incurred*, regardless of when the related cash flows take place.

Governmental funds are reported using the *current financial resources measurement focus* and the *modified accrual basis* of accounting. Under this method, revenues are recognized when "measurable and available." LAFCO considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end.

Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as *expenditures* in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as *other financing sources*.

Those revenues susceptible to accrual are intergovernmental, certain charges for services and interest revenue. Charges for services are not susceptible to accrual because they are not measurable until received in cash.

Contra Costa Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2013

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (concluded)

B. Basis of Accounting (concluded)

LAFCO may fund programs with a combination of charges for services and general revenues. Thus, both restricted and unrestricted net position may be available to finance program expenditures. LAFCO's policy is to first apply restricted grant resources to such programs, followed by general revenues if necessary.

C. LAFCO Budget

Pursuant to Section 56381, et seq of the Government Code, LAFCO adopts a preliminary budget by May 1 and a final budget by June 15 of each year.

Budgets are adopted on a basis consistent with U.S. generally accepted accounting principles. Budget/actual comparisons in this report use this budgetary basis. These budgeted amounts are as originally adopted or as amended by LAFCO. Individual amendments were not material in relation to the original appropriations that were amended.

D. Property, Plant and Equipment

LAFCO currently has no fixed assets.

E. Compensated Absences

Compensated absences comprise unpaid vacation. Vacation and sick time are accrued as earned.

NOTE 3 - CASH AND INVESTMENTS

LAFCO's cash is maintained with the Contra Costa County Treasury in a non-interest-bearing account. LAFCO's cash on deposit with the Contra Costa County Treasury at June 30, 2013 was \$323,188.

Credit Risk, Carrying Amount and Market Value of Investments

LAFCO maintains specific cash deposits with Contra Costa County. Contra Costa County is restricted by state code in the types of investments it can make. Furthermore, the Contra Costa County Treasurer has a written investment policy, approved by the Board of Supervisors, which is more restrictive than state code as to terms of maturity and type of investment. Also, Contra Costa County has an investment committee, which performs regulatory oversight for its pool as required by California Government Code Section 27134. In addition, LAFCO has its own investment policy as well.

Contra Costa County's investment policy authorizes Contra Costa County to invest in obligations of the U.S. Treasury, its agencies and instrumentalities, certificates of deposit, commercial paper rated A-1 by Standard & Poor's Corporation or P-1 by Moody's Commercial Paper Record, bankers' acceptances, repurchase agreements, and the State Treasurer's investment pool. At June 30, 2013, LAFCO's cash with the Contra Costa County Treasurer was maintained in a non-interest-bearing account.

Contra Costa Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2013

NOTE 4 - USE OF ESTIMATES

The basic financial statements have been prepared in conformity with U.S. generally accepted accounting principles and, as such, include amounts based on informed estimates and judgments of management with consideration given to materiality. Actual results could differ from those amounts.

NOTE 5 - CONTINGENCIES

LAFCO may be involved from time to time in various claims and litigation arising in the ordinary course of business. LAFCO management, based upon the opinion of legal counsel, is of the opinion that the ultimate resolution of such matters should not have a materially adverse effect on LAFCO's financial position or results of operations.

NOTE 6 - FUND EQUITY

The accompanying basic financial statements reflect certain changes that have been made with respect to the reporting of the components of Fund Balances for governmental funds. In previous years, fund balances for governmental funds were reported in accordance with previous standards that included components for reserved fund balance, unreserved fund balance, designated fund balance, and undesignated fund balance. Due to the implementation of GASB Statement No. 54, the components of the fund balances of governmental funds now reflect the component classifications described below. In the fund financial statements, governmental fund balances are reported in the following classifications:

Nonspendable fund balance includes amounts that are not in a spendable form, such as prepaid items or supplies inventories, or that are legally or contractually required to remain intact, such as principal endowments.

Restricted fund balance includes amounts that are subject to externally enforceable legal restrictions imposed by outside parties (i.e., creditors, grantors, contributors) or that are imposed by law through constitutional provisions or enabling legislation.

Committed fund balance includes amounts whose use is constrained by specific limitations that the government imposes upon itself, as determined by a formal action of the highest level of decision-making authority. The Commissioners serve as LAFCO's highest level of decision-making authority and have the authority to establish, modify or rescind a fund balance commitment via minutes action.

Assigned fund balance includes amounts intended to be used by LAFCO for specific purposes, subject to change, as established either directly by the Commissioners or by management officials to whom assignment authority has been delegated by the Commissioners.

As of June 30, 2013, the assigned fund balance was \$20,000 designated for the Other Postemployment Benefits (OPEB). Beginning in fiscal year 11/12, LAFCO began designating \$10,000 annually for OPEB.

Unassigned fund balance is the residual classification that includes spendable amounts in the General Fund that are available for any purpose.

Contra Costa Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2013

NOTE 6 - FUND EQUITY (concluded)

When expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned or unassigned) fund balances are available, LAFCO specifies that restricted revenues will be applied first. When expenditures are incurred for purposes for which committed, assigned or unassigned fund balances are available, LAFCO's policy is to apply committed fund balance first, then assigned fund balance, and finally unassigned fund balance.

Net Position

Net Position is the excess of all LAFCO's assets over all its liabilities, regardless of fund. Net Position is divided into three captions under GASB Statement No. 34. These captions apply only to Net Position, which is determined only at the government-wide level, and are described below:

Invested in capital assets, net of related debt describes the portion of Net Position that is represented by the current net book value of LAFCO's capital assets, less the outstanding balance of any debt issued to finance these assets.

Restricted describes the portion of Net Position that is restricted as to use by the terms and conditions of agreements with outside parties, governmental regulations, laws, or other restrictions that LAFCO cannot unilaterally alter.

Unrestricted describes the portion of Net Position that is not restricted to use.

All of LAFCO's Net Position is unrestricted.

NOTE 7 - PENSION PLAN

A LAFCO employee is eligible to participate in pension plans offered by the Contra Costa County Employee Retirement Association (CCCERA), a cost sharing multiple employer defined benefit pension plan (the Plan) which acts as a common investment and administrative agent for its participating member employers. CCCERA provides retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries. Benefit provisions under the Plan are established by State statute and County resolution. Benefits are based on years of credited service, equal to one year of full time employment. Funding contributions for the Plan are determined annually on an actuarial basis as of December 31 by CCCERA; LAFCO must contribute these amounts.

A LAFCO employee will pay actuarially required contributions. Retirement age varies and is based on different criteria, described as follows: any time, regardless of age, if the employee has 30 or more years of retirement service credit; any time after age 50, if the employee has 10 or more years of retirement service credit; at age 65, if the employee was a member on or before December 31, 1978; at age 70, regardless of years of retirement service credit.

CCCERA determines contribution requirements using a modification of the Entry Age Normal Method. Under this method, LAFCO's total normal benefit cost for each employee from date of hire to date of retirement is expressed as a level percentage of the related total payroll cost.

Contra Costa Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2013

NOTE 7 - PENSION PLAN (concluded)

Normal benefit cost under this method is the level amount the employer must pay annually to fund an employee's projected retirement benefit. This level percentage of payroll method is used to amortize any unfunded actuarial liabilities. The actuarial assumptions used to compute contribution requirements are also used to compute the pension benefit obligation.

CCCERA uses the market related value method of valuing the Plan's assets. The December 31, 2012 valuation included an assumed investment rate of return of 7.75%, including inflation at 3.25%. Salary increases are based on performance. LAFCO's unfunded actuarial accrued liability is being amortized as a level percentage of payroll on a closed basis. The remaining amortization period ends January 1, 2025.

CCCERA financial statements can be obtained at the Contra Costa County Employee Retirement Association, 1355 Willow Way, Suite 221, Concord, California 94520.

NOTE 8 - OTHER POSTEMPLOYMENT BENEFIT (OPEB)

Governmental Accounting Standards Board (GASB) statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, establishes standards for measurement, recognition, and display of Other Postemployment Benefit expenses, related assets and liabilities, note disclosures and, if applicable, required supplementary information in the financial reports of state and local government employers. This statement requires such benefits to be accounted for and disclosed on the accrual basis of accounting. Prior to the fiscal year ended June 30, 2013, the OPEB liability was reported in the County's financial statements. During the year, the County notified LAFCO that they will no longer carry the OPEB liability on the County's books. LAFCO took immediate action and obtained an actuarial valuation for the OPEB liability. However, LAFCO was not able to implement GASB statement No. 45 during the year ended June 30, 2013. LAFCO plans to evaluate its impact and will implement the statement as soon as possible.

Contra Costa Local Agency Formation Commission
AUDITORS' INFORMATION
June 30, 2013

Audit Firm:	R.J. Ricciardi, Inc.
Lead Auditor's Name:	Hiep Pham, CPA
Audit Firm's Address:	1000 Fourth Street, Suite 400 San Rafael, CA 94901
Telephone number:	(415) 457-1215
Date of Independent Auditors' Report:	May 19, 2014

Contra Costa Local Agency Formation Commission
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES

Schedule 1

Required Supplemental Information
 Budget and Actual
 General Fund (Unaudited)
 For the Period Ended June 30, 2013

	Original Budget	Final Budget	Actual (Budgetary Basis)	Variance with Final Budget
Revenues:				
Intergovernmental	\$ 593,684	\$ 593,684	\$ 593,684	\$ -
Charges for services	<u>30,000</u>	<u>30,000</u>	<u>37,417</u>	<u>7,417</u>
Total revenues	<u>623,684</u>	<u>623,684</u>	<u>631,101</u>	<u>7,417</u>
Expenditures:				
Salaries and benefits	335,466	335,466	346,931	(11,465)
Services and supplies	<u>319,759</u>	<u>319,759</u>	<u>239,968</u>	<u>79,791</u>
Total expenditures	<u>655,225</u>	<u>655,225</u>	<u>586,899</u>	<u>68,326</u>
Excess of revenues over (under) expenditures	(31,541)	(31,541)	44,202	<u>\$ (60,909)</u>
Fund balance, beginning of period			<u>231,456</u>	
Fund balance, end of period			<u>\$ 275,658</u>	
Contingency reserve	(80,000)	(80,000)		
OPEB trust	(10,000)	(10,000)		
Fund balance reserves	<u>121,541</u>	<u>121,541</u>		
Total	<u>\$ -</u>	<u>\$ -</u>		

The accompanying notes are an integral part of these basic financial statements.

May 19, 2014

To the Board of Directors
Contra Costa Local Agency Formation Commission
Martinez, California

We have audited the financial statements of the governmental activities and the major fund of Contra Costa Local Agency Formation Commission (LAFCO) for the year ended June 30, 2013. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 3, 2013. Professional standards also require that we communicate to you the following information related to our audit.

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by LAFCO are described in Note 2 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2013. We noted no transactions entered into by LAFCO during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. We evaluated the key factors and assumptions used to develop the accounting estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated May 19, 2014.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to LAFCO’s financial statements or a determination of the type of auditor’s opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as LAFCO’s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

As described in Note 8 to the basic financial statements, the Other Postemployment Benefits was not recorded on the accrual basis of accounting in accordance with Government Accounting Standards Board Statement No. 45, *Accounting and Financial Reporting by Employers for PostEmployment Benefits Other Than Pensions*. In our opinion, accounting principles generally accepted in the United States of America require that Other Postemployment Benefits be accounted for and disclosed on the accrual basis of accounting.

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with U.S. generally accepted accounting principles, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Board of Directors and management of Contra Costa Local Agency Formation Commission and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

R.J. Ricciardi, Inc.

R.J. Ricciardi, Inc.
Certified Public Accountants



June 11, 2014
Agenda Item 11

AGENDA

RETIREMENT BOARD MEETING

SECOND MONTHLY MEETING
May 21, 2014
9:00 a.m.

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. Approve minutes from the April 2, 2014 meeting.
4. Review of total portfolio performance including:
 - a. Consideration of any managers already under review or to be placed under review.
 - b. Consideration of any changes in allocations to managers
5. Presentation regarding Market Stabilization Account Report.
6. Consider and take possible action to approve proposed CEO employment agreement and authorize Chairperson to execute on behalf of the Board.
7. Consider authorizing the attendance of Board and/or staff:
 - a. Commonfund Institute Trustee Roundtable, June 3, 2014, Portland, OR.
8. 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, June 04, 2014**

June 11, 2014
Agenda Item 13a

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

Current Text: Amended: 7/3/2013 [pdf](#) [html](#)

Introduced: 2/19/2013

Last Amended: 7/3/2013

Status: 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/12/2013)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

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: Watch

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. CALAFCO has removed its support of the bill given the nature of the amendment and the potential impact to LAFcos.

[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: 8/30/2013-In committee: Held under submission.

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

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 1521](#) (Fox D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Introduced: 1/16/2014 [pdf](#) [html](#)

Introduced: 1/16/2014

Status: 5/27/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Beginning with the 2004-05 fiscal year, current law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a vehicle license fee property tax compensation fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Attachments:

[CALAFCO Support AB 1521 February 2014](#)

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

AB 1527 (Perea D) Public water systems: drinking water.

Current Text: Amended: 4/9/2014 [pdf](#) [html](#)

Introduced: 1/17/2014

Last Amended: 4/9/2014

Status: 5/28/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would require the State Department of Public Health, in administering programs to fund improvements and expansions of small community water systems and other water systems, as specified, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery, as specified. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support if Amended Letter](#)

Position: Support if Amended

Subject: Disadvantaged Communities, Municipal Services, Service Reviews/Spheres, Sustainable Community Plans

CALAFCO Comments: As amended, this bill promotes the consolidation of public water systems when appropriate. The bill would require the DPH to promote service delivery alternatives that improve efficiency, affordability of infrastructure, and service delivery in the administration of their programs funding improvement and expansion of public water systems. It also requires the DPH to consider LAFCo studies as part of their funding and alternative services considerations. Finally, the bill adds LAFCo to the list of eligible entities to receive sustainable community grant funding.

CALAFCO has requested several minor amendments to the current language.

AB 1729 (Logue R) Local government: agricultural land: subvention payments.

Current Text: Amended: 3/20/2014 [pdf](#) [html](#)

Introduced: 2/14/2014

Last Amended: 3/20/2014

Status: 3/24/2014-Re-referred to Com. on APPR.

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

Summary:

Would appropriate \$40,000,000 to the Controller from the General Fund for the 2014-15 fiscal year to make subvention payments to counties to reimburse counties for property tax revenues not received as a result of these contracts. The bill would make legislative findings and declarations related to the preservation of agricultural land.

Attachments:

[CALAFCO Letter of Support March 2014](#)

Position: Support

Subject: Ag Preservation - Williamson

CALAFCO Comments: As amended, the bill will appropriate \$40 million from the General Fund in fiscal year 2014/2015 for subvention payments to counties for Williamson Act contracts.

AB 1961 (Eggman D) Land use: planning: sustainable farmland strategy.

Current Text: Amended: 4/22/2014 [pdf](#) [html](#)

Introduced: 2/19/2014

Last Amended: 4/22/2014

Status: 5/23/2014-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/23/2014)

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

Summary:

Would require each county to develop, on or before January 2, 2018, a sustainable farmland strategy. The bill would require the sustainable farmland strategy to include, among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances, to retain agriculturally zoned land where practical and mitigate the loss of agriculturally zoned land to nonagricultural uses or zones, and a page on the county's Internet Web site with the relevant documentation for the goals, strategies, and related policies and ordinances, as specified.

Position: Watch

Subject: Ag/Open Space Protection, CKH General Procedures, LAFCo Administration

CALAFCO Comments: As amended, the bill requires counties with 4% or more of its land zoned as agricultural to create a sustainable farmland strategy (sfs) effective January 1, 2018, in consultation with cities and LAFCo, and to update the sfs as necessary. The bill also requires OPR to create best practices that support ag land retention and mitigation. The bill creates an unfunded mandate for counties.

AB 2156 (Achadjian R) Local agency formation commissions: studies.

Current Text: Enrollment: 6/2/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Last Amended: 3/24/2014

Status: 6/2/2014-Enrolled and presented to the Governor at 3 p.m.

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

Summary:

Would include joint powers agencies and joint powers authorities among the entities from which the local agency formation commission is authorized to request land use information, studies, and plans, for purposes of conducting specified studies, and also would include joint powers agreements in the list of items the commission may request in conducting those studies. The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Attachments:

[CALAFCO Letter of Support March 2014](#)

Position: Support

Subject: CKH General Procedures, LAFCo Administration, Municipal Services, Service Reviews/Spheres

CALAFCO Comments: As amended, the bill will specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (C-K-H), and include joint powers agencies and joint powers authorities (JPAs) among the entities from which a local agency formation commission (LAFCo) is authorized to request information in order to conduct required studies.

AB 2762 (Committee on Local Government) Local government.

Current Text: Amended: 5/6/2014 [pdf](#) [html](#)

Introduced: 3/24/2014

Last Amended: 5/6/2014

Status: 5/23/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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 does not apply to pending proceedings for a change or organization or reorganization for which the application was accepted for filing prior to January 1, 2001, as specified. The act authorizes these pending

proceedings to be continued and completed under, and in accordance with, the law under which the proceedings were commenced. This bill would repeal those provisions relating to pending proceedings for a change or organization or reorganization for which an application was accepted for filing prior to January 1, 2001, and make other conforming changes.

Attachments:

[CALAFCO Letter of Support March 2014](#)

Position: Sponsor

Subject: CKH General Procedures

SB 56 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 6/11/2013 [pdf](#) [html](#)

Introduced: 1/7/2013

Last Amended: 6/11/2013

Status: 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

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

Summary:

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. 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 69 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 5/6/2014 [pdf](#) [html](#)

Introduced: 1/10/2013

Last Amended: 5/6/2014

Status: 5/6/2014-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

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

Summary:

Current property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction shall be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Attachments:

[CALAFCO Support SB 69 Feb 2014](#)

Position: Support

Subject: Tax Allocation

[AB 1739](#) ([Dickinson D](#)) Groundwater basin management: sustainability.

Current Text: Amended: 4/22/2014 [pdf](#) [html](#)

Introduced: 2/14/2014

Last Amended: 4/22/2014

Status: 5/28/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would require a sustainable groundwater management plan to be adopted, except as provided, for each high or medium priority groundwater basin by any groundwater management agency, defined as a special district authorized to provide water for beneficial uses or with specific authority to conduct groundwater management, a city, a county, a city and county, or certain joint powers authorities. This bill would require a sustainable groundwater management plan to meet certain requirements. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Water

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

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 5/24/2013

Status: 5/19/2014-In committee: Set, second hearing. Hearing canceled at the request of author.

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

Calendar:

6/18/2014 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, HILL, Chair

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 a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. 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: As amended, requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% 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 642](#) ([Rendon D](#)) Publication: newspaper of general circulation: Internet Web site.

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

Introduced: 2/20/2013

Status: 1/24/2014-Failed Deadline pursuant to Rule 61(b)(2). (Last location was JUD. on 3/11/2013)

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

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: Watch

Subject: LAFCo Administration

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

AB 677 (Fox D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 1/6/2014 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 1/6/2014

Status: 1/17/2014-Failed Deadline pursuant to Rule 61(b)(1). (Last location was L. GOV. on 1/7/2014)

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

Summary:

Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing 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.

Position: Watch

Subject: Financial Viability of Agencies, Tax Allocation

AB 1593 (Dahle R) Public cemetery districts: Auburn Public Cemetery District.

Current Text: Introduced: 2/3/2014 [pdf](#) [html](#)

Introduced: 2/3/2014

Status: 5/9/2014-Failed Deadline pursuant to Rule 61(b)(6). (Last location was L. GOV. on 2/14/2014)

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

Summary:

Would authorize the Auburn Public Cemetery District in Placer County to use their cemeteries for up to a total of 400 interments each, not to exceed 40 interments each per calendar year, to inter nonresidents and nonproperty taxpayers, if specified conditions are met. This bill contains other related provisions.

Position: Watch

Subject: Other

AB 1897 (Hernández, Roger D) Labor contracting: client liability.

Current Text: Amended: 5/28/2014 [pdf](#) [html](#)

Introduced: 2/19/2014

Last Amended: 5/28/2014

Status: 5/29/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would require a client employer to share with a labor contractor all civil legal responsibility and civil liability for the payment of wages, the failure to report and pay all required employer contributions, worker contributions, and personal income tax withholdings, and the failure to obtain valid workers' compensation coverage. The bill would define a client employer as a business entity that obtains or is provided workers to perform labor or services within the usual course of business from a labor contractor, except as specified.

Position: Watch

Subject: LAFCo Administration

AB 1995 (Levine D) Community service districts: covenants, conditions, and restrictions: enforcement.

Current Text: Introduced: 2/20/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Status: 4/22/2014-Referred to Com. on GOV. & F.

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

Summary:

The Community Services District Law authorizes the establishment of community services districts to provide various services to the geographic area within each district, and further authorizes specified community services districts to enforce covenants, conditions, and restrictions within that district, as provided. This bill would allow the Bel Marin Keys Community Services District to enforce covenants, conditions, and restrictions within that district, as provided. This bill contains other related provisions.

Position: Watch

Subject: LAFCo Administration, Special District Powers

[AB 2455](#) ([Williams D](#)) The Santa Rita Hills Community Services District.

Current Text: Amended: 6/2/2014 [pdf](#) [html](#)

Introduced: 2/21/2014

Last Amended: 6/2/2014

Status: 6/2/2014-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.

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

Calendar:

6/11/2014 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary:

Would authorize, until January 1, 2035, the board of directors of the Santa Rita Hills Community Services District to consist of 3 members, as specified. The bill would also authorize the board, if the number of members is reduced to 3, to adopt a resolution to increase the number of members from 3 to 5, as specified. This bill contains other related provisions.

Position: Watch

Subject: Special District Principle Acts

CALAFCO Comments: This bill as amended reduces the size of the governing Board of this district from five to three members.

[AB 2480](#) ([Yamada D](#)) Local government finance: cities: annexations.

Current Text: Amended: 3/28/2014 [pdf](#) [html](#)

Introduced: 2/21/2014

Last Amended: 3/28/2014

Status: 4/23/2014-In committee: Set, first hearing. Hearing canceled at the request of author.

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

Summary:

Would, beginning on January 10, 2015, and on the 10th of each month thereafter, require the Controller to pay to each city that incorporated before August 5, 2004, an amount equal to an amount determined by a specified formula. This bill would continuously appropriate to the Controller an amount sufficient to make those payments from the General Fund.

Position: Watch

Subject: Financial Viability of Agencies, Tax Allocation

[SB 633](#) ([Pavley D](#)) CEQA.

Current Text: Amended: 8/6/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 8/6/2013

Status: 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, for purposes of the new information exception to the prohibition on requiring a

subsequent or supplemental EIR, specify that the exception applies if 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. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

SB 731 (Steinberg D) Environment: California Environmental Quality Act.

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

Introduced: 2/22/2013

Last Amended: 9/9/2013

Status: 9/13/2013-Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, 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 submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

SB 772 (Roth D) Drinking water: County Water Company of Riverside water system: liability.

Current Text: Amended: 1/6/2014 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 1/6/2014

Status: 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

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

Summary:

Would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for claims by past or existing County Water Company of Riverside customers or those consuming water provided through the County Water Company of Riverside water system concerning the operation and supply of water from the County Water Company of Riverside water system during the interim operation period, as specified, for any good faith, reasonable effort using ordinary care to assume possession of, and to operate and supply water to , the County Water Company of Riverside water system. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter Removing Opposition September 9, 2013](#)

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

Position: Watch

Subject: Water

CALAFCO Comments: As amended, this bill would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for injuries or damages arising out of the delivery of water to County Water Company of Riverside customers, as specified. As amended this bill no longer references Local Agency Formation Commissions (LAFCo) to take on the responsibility of monitoring private water companies. As a result of removing any and all references to LAFCo, CALAFCO has removed its opposition to the bill and now has a Watch position.

SB 831 (Hill D) Political Reform Act of 1974.

Current Text: Amended: 5/27/2014 [pdf](#) [html](#)

Introduced: 1/6/2014

Last Amended: 5/27/2014

Status: 5/27/2014-Read second time and amended. Ordered to third reading.

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

Calendar:

6/5/2014 #21 SENATE SENATE BILLS-THIRD READING FILE

Summary:

Would prohibit an elected officer from requesting that a payment be made, or a person from making a payment, at the behest of the elected officer to a nonprofit organization that the elected officer knows or has reason to know is owned or controlled by that officer or specified family members of the officer, except as specified. The bill would provide that an elected officer is deemed to have complied with that requirement if the Commission determines that the elected officer has made a reasonable effort to ascertain whether a nonprofit organization is owned or controlled by any of the specified persons.

Position: Watch

Subject: Other

[SB 1122](#) ([Pavley D](#)) Sustainable communities: Strategic Growth Council.

Current Text: Amended: 5/5/2014 [pdf](#) [html](#)

Introduced: 2/19/2014

Last Amended: 5/5/2014

Status: 5/23/2014-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 5/23/2014)

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

Summary:

Current law authorizes moneys from the Greenhouse Gas Reduction Fund to be allocated for the purpose of reducing greenhouse gas emissions in this state through specified investments, including funding to reduce greenhouse gas emissions through strategic planning and development of sustainable infrastructure projects. This bill would additionally authorize the council to manage and award financial assistance for the purpose of supporting the implementation of sustainable communities strategies or alternative planning strategies, to be funded from moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature. The bill would require the council to adopt guidelines for the use of the funds by recipients.

Position: Watch

Subject: Sustainable Community Plans

[SB 1168](#) ([Pavley D](#)) Groundwater management.

Current Text: Amended: 4/23/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Last Amended: 4/23/2014

Status: 6/2/2014-Referred to Com. on W.,P. & W.

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

Summary:

Would enact the Sustainable Groundwater Management Act, and would state as the intent of the Legislature that, among other things, all groundwater basins and subbasins shall be managed sustainably by local entities pursuant to an adopted sustainable groundwater management plan. This bill would authorize unspecified entities to develop a sustainable groundwater management plan, defined as a document that describes the activities intended to be included in a groundwater management program, to be developed and adopted to encompass an entire basin or subbasin in an unspecified manner, and according to an unspecified schedule.

Position: Watch

Subject: Water

Total Measures: 25

Total Tracking Forms: 25

6/4/2014 9:04:07 AM

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PENDING PROPOSALS – JUNE 11, 2014**

June 11, 2014
Agenda Item 13b

LAFCO APPLICATION	RECEIVED	STATUS
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
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
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	Pending

Tax failure bodes ill for San Pablo's Doctors Medical Center

Carolyn Jones

Updated 8:43 am, Thursday, May 8, 2014

June 11, 2014
Agenda Item 13c

Fear, sadness and anxiety were among the emotions experienced by West Contra Costa residents Wednesday as they faced the imminent closure of the only public hospital between Berkeley and Vallejo.

"We have kids. We need a hospital here," said Timothy Taylor, 47, a maintenance worker who lives in Richmond. "In all honesty, I don't know how this is going to work. Yeah, it's worrying."

Doctors Medical Center, a 189-bed facility that's served West Contra Costa families since the 1950s, is almost certain to close in July after a \$20 million, last-ditch parcel tax failed Tuesday night. The tax would have helped the hospital pay off its \$18 million deficit and achieve some financial stability, as it continues to serve about 80,000 uninsured and underinsured patients annually.

The only other hospital in the region is Kaiser Permanente in Richmond, which has a 15-bed emergency room - far too small to accommodate the 250,000 residents of El Cerrito, Richmond, San Pablo, El Sobrante, Pinole, Hercules, Rodeo and Crockett.

Victims of car crashes, broken bones, gunshots, heart attacks, strokes and other emergencies - including illnesses related to the several oil refineries in the area - would face long waits at Kaiser, or a 17-mile drive to the county hospital in Martinez.

The West Contra Costa Healthcare District board, which oversees the hospital, will likely vote in a week or so to close the facility, and the hospital would close for good in July, said board chair Eric Zell.

'Life and death'

"I'm really sad for this community," Zell said Wednesday. "At the end of the day, the people who will suffer the most - seniors, the disabled - are the people who need health care the most. For a lot of people, this will mean life and death."

The district, created by voters in the 1950s, would stay intact for at least 15 years to collect tax money and pay off the hospital's debts, he said.

To make payroll through July, the hospital will rely on a \$4.6 million payment from the Lytton Band of Pomo Indians, who run nearby Casino San Pablo and plan to lease the hospital's back parking lot.

The hospital began running into financial trouble in the 1990s as increasing numbers of its patients relied on Medi-Cal and Medicare, or had no insurance at all. Government insurance plans typically reimburse hospitals at a significantly lower rate than the actual cost of the service, Zell said.

Slim takeover chance

Supervisor John Gioia, who represents western Contra Costa County, said he plans to ask the county for an analysis of the hospital's finances to determine whether a takeover is possible. Meanwhile, a county health clinic in San Pablo and Kaiser's Richmond facility are also planning to expand some services to make up for the loss of Doctors, he said.

"I'm sad not just for people who live in west county, but because this is such a statement about the dysfunctional state of health care in our country generally," Gioia said.

The chances of the county taking over Doctors are slim at best, he said. The county has its own financial woes, and it has already loaned Doctors several million dollars over the past few years.

The hospital's closure would mean close to 1,000 nurses, doctors, cafeteria workers, janitors and others will lose their jobs.

Seung Choo, an intensive-care nurse at Doctors, said she's not worried about finding another job, but she does worry about her patients.

"We see a lot of people who are 'train wrecks' - they have a lot of health problems, and they need the most help," she said. "It's really a disservice not to provide them with the help they need. I think it should be a moral mandate."

Sandy Alaniz, 29, of San Pablo said the drive to the county hospital in Martinez could take an hour during the afternoon rush hour.

Carolyn Jones is a San Francisco Chronicle staff writer. E-mail: carolynjones@sfchronicle.com Twitter: [@carolynajones](#)

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Barnidge: Expected closure of Doctors Medical Center is a catastrophe in the making

By Tom Barnidge Contra Costa Times Columnist Contra Costa Times

Posted: Wed May 14 18:09:53 MDT 2014

ContraCostaTimes.com

In just a few seconds, Contra Costa's emergency medical services director, Pat Frost, explained this week what the expected closure of Doctors Medical Center San Pablo will mean to West County. She said the hospital handles 62 percent of the region's EMS ambulance traffic, 120 emergency room visits per day and 550 cardiac cases per year.

"These patients are going to have to be cared for in different ways," she said, in a moment of chilling understatement.

You could sense the concern -- in some cases, the anger -- among the more than 200 people who attended the Board of Supervisors meeting Tuesday where a report on the likely fate of the facility was unhappily dissected.

The bottom line, the only line that matters, is that Doctors Medical Center is operating at an \$18 million annual deficit, even after parcel tax bailouts in 2004 and 2011, infusions of state funds, cost-cutting and considerable hand-wringing.

When a last, desperate life raft -- a mail-in parcel tax that would have generated \$20 million in yearly revenues -- failed to get two-thirds support last week, it signaled the beginning of the end. The mourners in the audience seemed to know that but they came looking for signs of life, anyway.

Couldn't the county float DMC the money it needed?

From where, Supervisor John Gioia asked: "Do you take it from our foster care system? Do you take it from law enforcement?"

Couldn't the county absorb DMC into its system? Hardly, said Health Services Director Dr. William Walker, whose operation confronts a \$20 million shortfall of its own.

The sad fact is no one's rushing to solve this problem. Nor is any one entity to blame. The cloud cast over Doctors Medical is largely a product of a deeply flawed health care system.

Eighty percent of DMC's patients -- many of them seniors or indigents -- rely on Medi-Cal or Medicare coverage, which pays far less than the true cost of treatment. Another 10 percent of patients are uninsured. "When you're losing money on 90 percent of your patients," said Gioia, "you're never going to make money on the 10 percent."

West County Healthcare Director Eric Zell lamented a sad reality: "The fact that we can't figure out as a society how to provide services to this segment of the community when there's so much money in the health care system is pretty tragic."

The Affordable Care Act, designed to address this problem, actually makes things worse, Zell said. Medicare cuts that help fund ACA have resulted in lower reimbursement rates, costing DMC about \$2.5 million a year.

The center also suffers from being a rare stand-alone hospital, lacking the bargaining power of a chain in negotiations with commercial insurers and the economies of scale that come with a larger client base.

"This hospital used to serve the entire economic strata of West County, from the richest to the poorest," Zell said. "The development of the Kaiser system pulled many employed residents away and left our hospital for those who had no other options."

No decision on closure is expected until May 28. Meanwhile, Zell and Gioia dare to dream that large, profitable operations -- John Muir Health, Sutter Health, Kaiser, corporate donors or a combination thereof -- might partner with DMC to avoid a catastrophe in the making. It hardly seems an unreasonable request.

Allowing the hospital to fail won't make the needs it served go away.

Contact Tom Barnidge at tbarnidge@bayareanewsgroup.com.

Balloting ends in Rodeo-Hercules fire district as taxpayer group mulls challenge if assessment passes

By Tom Lochner Contra Costa Times San Jose Mercury News

Posted: Thu May 15 21:14:25 MDT 2014

ContraCostaTimes.com

HERCULES -- A ballot measure in the Rodeo-Hercules Fire Protection District could trigger a challenge to benefit assessments as a tool to raise revenue for fire districts.

A public hearing before the Rodeo-Hercules board Wednesday night marked the end of the voting period for the measure, which would impose an assessment of \$82 a year on single-family houses and \$46.93 for condos and apartments. Stores would pay \$60.30 per one-fifth acre while industrial properties would pay varying rates, based on fire risk and replacement cost of structures. The results won't be known until June 11.

The measure, which is supposed to raise almost \$1 million a year for enhanced fire protection and emergency response, requires majority approval by property owners, with ballots weighted according to property type and, for nonresidential properties, size and other factors.

Alex Aliferis, executive director of the Contra Costa Taxpayers Association, warns that fire districts, faced with the difficulty of passing special parcel taxes requiring two-thirds voter majorities, will increasingly look to benefit assessments as alternative funding mechanisms.

"East Contra Costa can't seem to pass a parcel tax," Aliferis said, referring to the unsuccessful June 2012, \$197-a-year Measure S in the East Contra Costa Fire district, "so they're studying a benefit assessment. What's next? ConFire?"

A report on the Contra Costa County Fire District, popularly known as ConFire, by consultant Fitch and Associates envisions another revenue measure within two or three years. In November 2012, Measure Q, a \$75-a-year ConFire parcel tax measure, went down to defeat.

The results of Rodeo-Hercules' measure will be unveiled at a public hearing June 11, said John Bliss, vice president of SCI Consulting Group of Fairfield, which ran the election. The ballots will be tabulated by Carol Keane & Associates, Certified Public Accountants, of Walnut Creek.

Aliferis referred to an April 2 letter from the Howard Jarvis Taxpayers Association to the Sacramento Metropolitan Fire District opposing a proposed "fire suppression assessment" in that district. The organization holds that fire suppression is ineligible for benefit assessment financing because it is a general, communitywide benefit, not a special benefit accruing to individual parcels.

Another letter from the Jarvis association, this one to Aliferis, dated Wednesday, makes a similar point about Rodeo-Hercules' measure.

"We wrote and sponsored Proposition 218, which added article XIII D to the California Constitution in 1996, in part for the purpose of restricting the use of assessments," both letters note.

Rodeo-Hercules district counsel Richard Pio Roda opined that the measure is in compliance with the law, citing a report from SCI, which explains that it complies because the services to be funded are clearly defined and will be provided directly to all benefited property in the district. Moreover, the report argues, the benefit will be over and beyond general benefits conferred on real property in the district.

Aliferis, asked whether his organization would challenge Rodeo-Hercules' benefit assessment if it

passes, said, "No comment."

JESSE DWIGHT MEADOWS

1942 - 2014 | Obituary | Condolences

SERVICES



Brentwood Funeral Home
839 First Street
Brentwood, CA 94513
(925) 634-2171

[Website](#)

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CELEBRATION OF LIFE
Friday, May 23, 2014
11:00 AM
Club Los Meganos, Trilogy
at the Vineyards
1700 Trilogy Parkway
Brentwood, CA

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Jesse Dwight Meadows
Dec. 4, 1942-May 13, 2014
Resident of Oakley

Jesse Dwight Meadows passed away on May 13, 2014 after a valiant battle with cancer. Dwight was born on Dec. 4, 1942 in Berryville, Arkansas to Jesse Meadows and Alma Swofford. He moved to California as a young child and attended Tracy schools. After college, he moved to San Jose, where he met his wife Carla, and was married in 1967.

Dwight enjoyed politics. He spent 20 years as a member of the Ironhouse Sanitary Board. He was presently serving on the Contra Costa Resource Conservation Board and was Chairman of the Board of LAFCO, having spent 5 terms on the board. He managed several vineyards in East County and was proud of the grapes he grew. His four grandchildren were the joy in Dwight's life. They will always remember time spent at Lake Tahoe with Papa.

Dwight is survived by his wife Carla, son Aaron Meadows (Amy), daughter Stacia Ruffolo (Craig), grandchildren, Isabella and Anthony Meadows, Jake and Nicole Ruffolo and father Jesse.

Family and friends are invited to a Celebration of Life on Friday May 23 at 11:00 AM at Club Los Meganos, Trilogy at the Vineyards, 1700 Trilogy Parkway, Brentwood, California. Donations may be made to the , PO Box 22718, Oklahoma City, Oklahoma 73123-1718



Today in History

A look at the lives and legacies of celebrities who died on this day.

Published in Contra Costa Times on May 20, 2014

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- Brentwood Funeral Home

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Please add or record a video for the family of Jesse Meadows

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Jesse Dwight Meadows remembered as longtime Oakley community leader

By Rowena Coetsee *Contra Costa Times* *Contra Costa Times*

Posted: Tue May 20 17:10:47 MDT 2014

ContraCostaTimes.com

OAKLEY -- One of this city's civic leaders is being remembered for his love of politics and longtime commitment to public service.

Jesse Dwight Meadows, 71, died at his home May 13 after a battle with cancer.

The Arkansas native had made a name for himself in Oakley since moving with his wife to the then-unincorporated town in 1972.

Meadows worked with his father-in-law at a tire shop and feed supply store on Main Street, and soon began buying and selling undeveloped properties to developers as well.

Some of the parcels he kept had vineyards, which became as much an avocation as a business.

And then there was politics.

Over the decades, Meadows held elected positions on local and regional agencies, building a résumé that resonated among others in the world of local politics.

For 25 years, he served on the board of Ironhouse Sanitary District, where he was known as a man who had strong opinions and was adept at expressing them.

"He was good at making his cases, getting his ideas across," said General Manager Tom Williams, who credits Meadows as one of the driving forces behind the district's purchase of Jersey Island.

Meadows viewed the move as environmentally responsible, a way to recycle the district's treated wastewater by growing hay that it then could sell, Williams said.

Meadows later moved on to the board of the Contra Costa Resource Conservation District and, in 1994, to the county's Local Agency Formation Commission, where he acquired an expansive knowledge of jurisdictions' boundary changes as the longest-serving of the agency's 11 commissioners. Just last month, he had been re-elected for another four-year term.

Although soft-spoken, Meadows had control of the microphone as the board's chairman, and when he used it he didn't mince words.

"He spoke his mind -- he didn't sugarcoat anything," said Executive Officer Lou Ann Texeira.

When he died, Meadows was close to seeing the last of three unincorporated areas adjoining Antioch annexed to the city, a long and contentious process that had tested his patience.

"He wanted it done," said Texeira, recalling Meadows' pointed remarks that a power plant had been built in Antioch while stakeholders haggled over how to divvy up tax revenue.

Meadows' level of civic involvement -- he also served on Sutter Delta Medical Center's board of directors and belonged to the Contra Costa County Farm Bureau -- led to the chamber of commerce naming him Oakley Citizen of the Year in 1997.

Oakley resident Rico Cinquini says Meadows had a natural bent for business, and as his partner in

real estate ventures, he learned to trust his investment advice.

"It's gotta be born in you, and Dwight had it," Cinquini said.

Meadows also had a head for grapes, says Brentwood farmer Tom Bloomfield, who recalls the extensive research he did to develop the vines best suited to Oakley's sandy soil.

"He really put Oakley on the map as a prime Zin location," he said.

Indeed, a bottle of Zinfandel that Alameda's Rosenblum Cellars made from Meadows' grapes not only won best of show at the 2003 California State Fair but also was named among the top 100 wines in the world that year by Wine Spectator Magazine.

While much of the community knew Meadows for his work accomplishments, there was another, less well-known side to him.

He told corny jokes, good-humoredly teased his children's friends when they were young, and doted on the four grandchildren his son and daughter gave him.

He and his wife, Carla, satisfied their wanderlust on road trips that took them around most of the United States as well as on cruises to Mexico, the Caribbean and Mediterranean.

In recent years, Meadows had taken to raising pumpkins and Indian corn to use as yard decorations in the fall; simple pleasures also included enjoying his favorite Rocky Road ice cream with the grandkids, trips to Tahoe and tuning into multiple TV news shows.

"We watched them all. I guess he was kind of a news junkie," said Carla Meadows.

Friends are invited to a celebration of Meadows' life at 11 a.m. Friday. The gathering will be at Club Los Meganos, Trilogy at the Vineyards, 1700 Trilogy Parkway, Brentwood.

Donations may be made in his name to the American Cancer Society.

Contact Rowena Coetsee at 925-779-7141. Follow her on [Twitter.com/RowenaCoetsee](https://twitter.com/RowenaCoetsee).



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Published **May 21st, 2014**

The Ambulance Wheels Are Turning

By Nick Marnell

In his search for more revenue and to increase efficiency in the operations of the Contra Costa County Fire Protection District, fire chief Jeff Carman identified a unique opportunity: that the district compete for the exclusive operating contract for ambulance service in Contra Costa County. The county's current ambulance provider is American Medical Response, whose contract expires in December 2015.

Carman presented the idea to the Board of Supervisors in April, and the board approved his request to hire a consultant to analyze the feasibility of ConFire assuming that contract.

After completing the request for proposal process, the district entered into an agreement with The Ludwig Group, a fire and emergency medical services consultant in Memphis, Tenn. headed by Gary Ludwig, a national fire and EMS professional with more than 30 years experience in the industry.

"We received three proposals," said the chief. "Two were very close in price, and Ludwig was a little higher in price than the low bid but his background lends itself to a lot of credibility in this area of expertise." A consultant fee of up to \$15,000 was approved by the board; the report from Ludwig is expected no later than Aug. 1.

The Ludwig Group recently completed a study for the Loudoun County, Va. Department of Fire, Rescue and Emergency Management on the establishment of an EMS transport reimbursement program. In January, the Loudoun County Board of Supervisors approved Ludwig's recommendation and the program is expected to be implemented in July, confirmed Mary Maguire, spokeswoman for the department.

"Gary will give us a good report we can trust," said Carman. "I know we are going into a fight with AMR, but I'd be negligent on behalf of the district not to do it."

Reach the reporter at: info@lamorindaweekly.com

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Published **May 21st, 2014**

Lamorinda Fire News Briefs

By Nick Marnell

MOFD Seasonal Staffing Increase

Because of a general fund deficit, the Moraga-Orinda Fire District lowered its daily on-duty minimum staffing level from 19 to 17 in November. But with the district facing drought conditions and the risk of a large vegetation fire, particularly in north Orinda, fire chief Stephen Healy requested a staffing increase from May 12 through Oct. 31 at the May 7 board of directors meeting. Healy specifically recommended that the district re-staff the ambulance at Orinda Village station 45 from 8 a.m. to 8 p.m. daily. "It will increase the availability of engine 44 in south Orinda, which will add three additional firefighters to a vegetation fire the majority of the time," said the chief. His proposal will increase overtime charges by \$65,000 this fiscal year and \$142,000 in 2014-15. A motion to approve the staffing increase passed 4-0, with board president John Wyro absent.

MOFD Budget Workshop

After three consecutive years of General Fund deficit spending, the Moraga-Orinda Fire District presented a fiscal year 2014-15 budget with a projected operating surplus at its May 14 Finance Committee meeting.

"We were given direction to present a balanced budget for 2014-15," said Gloriann Sasser, administrative services director. "In order to do that, significant changes had to be implemented." Many of those changes resulted from the new four-year labor agreement struck by the district with Local 1230 in April; under the new contract, salaries decreased 3.5 percent for the first year and health benefits were capped at 2010 levels for active employees and retirees. The district will also continue to operate with one less division chief. As a result, salaries and overtime are projected to decrease nearly \$600,000 for the new fiscal year.

Though 2014-15 property tax revenue is projected to increase more than \$1 million, the district's retirement contribution jumps nearly \$2 million. Combined with a \$300,000 increase in workers' compensation charges - mainly due to the major accident on Highway 24 in 2012 (see our online archive for details, www.lamorindaweekly.com) - the district will use more than \$700,000 of its fire flow tax revenue to fund operating expenses.

Total district revenue for 2014-15 is projected at \$22.2 million, with total expenditures - including capital expenditures and debt service fund expenditures - equaling \$21.7 million.

Sasser also updated the district's Long Range Financial Plan. "We will have a balanced general fund, with revenue meeting expenditures in each year," she said, with the positive trend resulting from projected rising property tax revenue and lower retirement costs. Sasser also projected that the general fund balance will exceed 10 percent of budgeted general fund revenue by 2019.

"Last year we were looking into a chasm," said director and finance committee member Steve Anderson. "Labor and management have done remarkable work in keeping us from falling off the cliff."

Lafayette Emergency Services Task Force

One of the issues on which many members of the Lafayette Emergency Services Task Force agree is the completion of proposed fire station 46, a joint venture between the Moraga-Orinda Fire District and the Contra Costa County Fire Protection District. A precipitating event in the formation of the task force was the closing of ConFire station 16 in Lafayette.

ConFire chief Jeff Carman and MOFD chief Stephen Healy have said that they are very close to an agreement on the construction and operation of the new station. At the March task force meeting, however, Carman said that he was reticent to present a station 46 plan to his board when, at the same time, Lafayette was considering secession from the district. "I need to decide where to put our emphasis," said Carman.

The task force approved a draft of a resolution at its May 15 meeting to present to the Lafayette City Council affirming and supporting the concept of station 46.

"This resolution does not end our discussion of governance, modeling, financing and response

times," said co-chair Traci Reilly. "But it will be an affirmation from Lafayette that we're not packing our bags." Co-chair Brandt Andersson added, "We do want this and we think that station 46 should be built."

The draft will be presented for approval at the May 27 City Council meeting; Carman's station 46 presentation is expected to be delivered to the Board of Supervisors on June 3.

Reach the reporter at: info@lamorindaweekly.com

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Pinole set to give interim fire chief Piper permanent position

By Tom Lochner Contra Costa Times Contra Costa Times

Posted: Mon May 19 22:05:17 MDT 2014

ContraCostaTimes.com

PINOLE -- Robert Piper, the city's interim fire chief, will become the permanent fire chief pending City Council approval of a contract.

A retired San Jose deputy fire chief, Piper became Pinole's interim fire chief in February. He replaced Carlos Rodriguez, who had to quit as Pinole's interim chief because he had served the maximum number of 960 hours in a fiscal year allowed under California Public Employees Retirement System rules.

Piper faces no such restriction in Pinole because San Jose, the agency he retired from, has a different retirement system.

Piper's annual pension from San Jose is \$170,700, said the director of that city's Department of Retirement Services, Roberto Pena. Piper also is entitled to lifetime medical benefits.

Piper worked with the San Jose Fire Department for 29 years; as deputy fire chief from 2000-2004, he directed the Bureau of Education and Training and EMS, according to his resume.

Applicants for Pinole fire chief were interviewed by an independent assessment panel of professional fire chiefs and then by a community panel, City Manager Belinda Espinosa said in her latest weekly report, adding, "Rob was selected as the number one candidate by both panels."

It was not known late Monday what Piper's remuneration would be in Pinole or when a contract will go before the council.

Contact Tom Lochner at 510-262-2760. Follow him at [Twitter.com/tomlochner](https://twitter.com/tomlochner).

Decision on Pittsburg road extension continued until next month

By Eve Mitchell Contra Costa Times Contra Costa Times

Posted: Tue May 20 16:02:05 MDT 2014

ContraCostaTimes.com

PITTSBURG -- A decision on certifying a final environmental impact report for a 1.7-mile-long road to relieve traffic congestion on busy Buchanan Road was continued until July 21 by City Council members Monday night.

The continuation is needed to give city staff more time to respond to last-minute concerns that have been raised by environmental groups about the adequacy of the report prepared for the long-delayed project.

The James Donlon Boulevard extension, which was first proposed more than 25 years ago, would be built south of Buchanan Road and outside the city limits.

The \$53 million project is viewed by proponents as way to take commuter traffic off Buchanan Road while providing a key route from points east of Pittsburg to Concord and other areas of Central Contra Costa.

Save Mount Diablo and Greenbelt Alliance contend the extension will lead to more housing developments and destroy pristine habitat and views as a result of cuts into the hillside and grading of 2.1 million cubic yards of dirt.

The vote to continue the matter was 3-0. Council members Nancy Parent and Ben Johnson recused themselves because they live near a project alternative that calls for widening Buchanan Road instead of building the extension.

In other matters, a proposal to extend to e-cigarettes restrictions that apply to traditional cigarettes was taken off the agenda to give staff more time to close some loopholes. The matter will come back to the council for consideration at the June 16 meeting.

Contact Eve Mitchell at 925-779-7189. Follow her on [Twitter.com/EastCounty_Girl](https://twitter.com/EastCounty_Girl).

Pinole to put sales tax measure on November ballot

By Tuseda A. Graggs For the Contra Costa Times Contra Costa Times

Posted: Thu May 22 11:41:57 MDT 2014

ContraCostaTimes.com

PINOLE -- The City Council on Tuesday unanimously agreed to ask voters in November to approve a half-cent sales tax that could help pay for police, fire and safety officers.

If approved by a majority voters, the money will come in handy because the council on Tuesday also approved a long-awaited agreement with the Pinole Police Employees Association that will cost Pinole nearly \$166,000 during fiscal year 2014-15.

The agreement with police, which expired in 2011, was renewed and updated after nearly two years of discussion, negotiation and mediation. During the period of the agreement from July 1, 2013 to June 30, 2017, the city will pay increased contributions to the police employees' health and dental plans, increased uniform allowances and lump sum payments of 2.5 percent of employees' base salary to employees each year of the agreement. The changes will cost Pinole \$165,521 in fiscal year 2014-15, then annual costs will decrease to \$120,361 for 2015-16 and \$91,243 for 2016-17.

The council unanimously approved the resolution placing the sales tax on the Nov. 4 ballot, which would raise the total sales tax rate in the city to 9.5 percent.

It agreed that the \$1.6 million to \$1.8 million that the tax could generate each year could help cover the costs of the police agreement as well as fund the salaries of several police officers and firefighters that could be laid off because federal Department of Justice grants that currently pay their salaries will end soon.

Grants currently cover \$223,214 for two police officers and \$125,000 for a battalion fire chief.

The council also held a budget discussion to review revenues and expenditures in advance of its final budget public hearing and approval scheduled for June 17. Although revenues, including property and sales taxes, are steadily recovering from the 2008 recession, additional liabilities such as expiring grants more than offset the revenue gains.

During the budget discussion, the council discussed other ways of generating income, including raising city licensing fees. But City Manager Belinda Espinosa mentioned that the sales tax would be more effective to generate revenue for the city.

"That's why this new measure is so important to use for salaries for police officers and firefighters," she said. "We're pretty topped out in those other areas (like raising fees). Those are nickels and dimes compared to how this measure would help."

Espinosa also highlighted that the West Contra Costa school district will cover \$160,000 to fund all three student resource officers at Pinole schools, eliminating the need for the city to cover the costs. She credited Councilwoman Debbie Long for her diligent work with the district.

"It's always a team effort," Long said. "We have a good working relationship with the school district, and I'm proud of that."

West Contra Costa health care crisis looms with expected closure of Doctors Medical Center in San Pablo

By Robert Rogers Contra Costa Times Contra Costa Times

Posted: Thu May 22 23:12:52 MDT 2014

ContraCostaTimes.com

SAN PABLO -- While various stakeholders scramble for a "Hail Mary" to dig up the cash needed to save Doctors Medical Center, county health officials are trying to figure out how to patch the gaping hole that would be created by the closure of a hospital that receives over 40,000 visits to its emergency room every year.

But a stark reality faces West Contra Costa residents who suffer life-threatening emergencies if the hospital closes: Some may die.

More than 70 heart attack victims are rushed by ambulance to DMC each year, more than one-quarter of all victims countywide, and another 30 are brought by friends and relatives. The hospital also receives a handful of gunshot and other trauma victims who need stabilizing quickly before transfer to a designated trauma center.

"It's with those types of patients that we have the potential to lose lives every year," said Dr. Joseph Barger, medical director of Contra Costa Emergency Medical Services.

Earlier this month, DMC leaders announced plans to close the 60-year-old hospital this summer after voters rejected a parcel tax measure needed to keep it solvent. The public hospital has been bleeding red ink for years, a result of a patient mix tilted heavily toward those on government-sponsored health coverage such as Medicare and Medi-Cal that carry low reimbursement rates.

The hospital is the lone provider of advanced cardiac care for heart attack victims in West County, and its closure would leave the area with only 15 of the county's 242 emergency room beds. In situations where every minute counts, heart attack victims in West County would be taken to Alta Bates Summit in Oakland, Kaiser Permanente in Vallejo, Marin General in Greenbrae or John Muir in Concord.

It would be a far cry from the situation 15 years ago, when Doctors Medical operated two emergency rooms in West County; its Pinole campus received about 9,000 emergency visits a year before closing in April 2000.

The San Pablo hospital handled the influx of new patients relatively well after the Pinole closure, and many residents had to go only an additional few miles to get care. But a new reality confronts West County residents today, particularly those at risk of heart attacks and strokes.

DMC is the only public hospital in West County and the site of 25 of the area's 40 emergency room beds. Kaiser operates the only other ER in West County at its medical center in Richmond, but it is not equipped to treat heart attack victims.

"The major impact of the closure of DMC is less about where patients get elective surgery or primary care; it's about the lack of emergency room beds we have in West County," said Contra Costa Supervisor John Gioia, of Richmond, who also sits on DMC's governing board.

Dr. William Walker, the director of Contra Costa Health Services, said talks are ongoing with emergency responders and other county health officials to develop a plan to deal with DMC's closure.

Changes in how ambulances are deployed and routed is the most immediate issue, Walker said. DMC receives an average of 22 emergency ambulance visits per day. For those suffering strokes, Kaiser Richmond, Alta Bates Summit in Berkeley or Muir Concord will be the options, Walker said.

On the day of closure, which could come as early as late July, the county plans to declare a public health emergency to mobilize public and private hospitals to operate at full capacity to deal with the impact. Walker said the county will urge Kaiser to increase its same-day appointment capacity for non-Kaiser patients. Response times for 911 calls likely will be delayed as well, as more ambulances traveling farther distances will have to triage their responses, prioritizing calls by apparent severity and wait times at other hospitals. All the extra transport could cost millions, some of which will be borne by the county.

The secondary planning will focus on walk-in, nonemergency patients, which average about 100 per day to DMC, most of whom use the hospital as a primary care destination rather than emergency room.

Average wait times for walk-in patients at Kaiser's ER would soar as high as 12 hours, according to one study. While emergency departments are required to treat all patients who come through the door, the perception that Kaiser's hospital is only available to its members and long wait times would likely deter uninsured and Medi-Cal patients from going there.

Given the distance to other hospitals, many of the county's older and uninsured would likely defer care until their symptoms become severe, according to the 2011 study commissioned by the county.

That reality was on display at DMC last week.

Emergency Department physician Humayan Tufail, who monitored a computer screen displaying information on about 15 patients, bolted from his chair toward one of the emergency beds.

In bed lay Manuel Garcia-Cruz, 59, hooked up to crimson IV tubes and complaining of severe stomach pain.

Garcia-Cruz, a San Pablo resident who lost his job at a Richmond warehouse last month, had been brought in by his adult daughter after days of passing blood.

Without DMC, he said he had no idea where he would have gone.

"I guess I would probably have just called 911," he said.

Dr. Tufail ordered blood transfusions and a stay in ICU for additional tests to determine what caused the stomach bleeding. He said ICU care will cost at least \$5,000 per day, and the hospital would almost surely take a total loss on those costs.

"In some ways, (Garcia-Cruz) is the perfect example of the shortcomings in our health care system and how catastrophic it would be if we closed," Tufail said. "He has no insurance, and he hasn't seen a doctor in years, and now he's very sick, and it's going to be very costly to the system."

Walker said efficiently diverting this flow will require a "community wide effort" to educate people about alternatives, including urgent care centers and a county-run nurse advice line that will be opened up to all residents of West County if the hospital closes.

"We are all going to ask everyone to step up to the plate," Walker said. "But it will not be the level of service that the patients of West County received before, and there will be some bad outcomes

as result of long transports."

Walker said he also holds out hope that an urgent care wing of DMC may remain open after the hospital closes. Contra Costa supervisors also plan on June 3 to consider conducting a poll to gauge voter support for a countywide sales tax hike on the November ballot to save the hospital, or reopen it if it closes. The quarter-cent sales tax would raise \$40 million annually

Dr. Tufail mentioned a gunshot victim, age 17, who was rushed to DMC with a stomach wound last month after being shot in Richmond. The boy was stabilized with water and blood transfusions at DMC before being airlifted to the trauma center at John Muir in Walnut Creek.

"He was losing a lot of blood, and that had raised his heart rate to more than 160 beats per minute, and his blood pressure was falling rapidly," Tufail said. "And it was rush hour, so there was little doubt that he wouldn't have made it for a longer trip."

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Barnidge: ConFire's new chief envisions big changes for the district

By Tom Barnidge Contra Costa Times Columnist Contra Costa Times
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ContraCostaTimes.com

Among the first observations that struck Jeff Carman when he took command of the Contra Costa Fire District seven months ago was the volume of calls his firefighters answered.

"They run a tremendous number of structure fires," the fire chief said. "It's not unusual on a weekend to get called out five, six or seven times. We get difficult, complex calls, too -- falls down hillsides, water rescues. There's a lot of topography here."

The observations are in sharp contrast to his experience in Roseville, a Sacramento suburb where he was assistant chief of operations. ConFire sees more structure fires in a typical month, he said, than Roseville usually does in 12. Concord Station No. 6 handles nearly half as many calls of all kinds (4,500) as Roseville's 10 stations (10,000) do in a year.

That wasn't all he noticed. He saw the district needs some changes. The dispatch center, which lost its accreditation from the National Academies of Emergency Dispatch, needed new software and hardware to meet efficiency standards. Upgrades had been postponed because of budget shortfalls.

Money issues still plague the district -- it's dipping into reserves to pay its bills -- thanks to property tax declines and hefty retirement obligations. But Carman sees help on the way; property values are rising, and a new operating model would provide greater efficiencies.

Hailed as an innovator at his hiring, the new chief has proposed a dramatic change in how the district handles emergency medical response. He wants his department to add ambulance service to its responsibilities, replacing private vendor AMR in that role.

"If 66 percent of our job is EMS," he said, "then let's embrace it and get into it. The vast majority of our job is EMS, but we don't have control over delivery of that service."

Most 911 emergency medical calls currently result in a fire company -- three firefighters and an engine -- racing to the scene, joined by two AMR paramedics in an ambulance. That's five responders and two vehicles for one emergency. In Carman's plan, each company would still have three firefighters, but a number of strategically located stations would add ambulances and two paramedics. Those EMS teams would be the sole responders for all but the most serious emergencies.

He said this approach reduces cost (paramedics' salaries are lower than firefighters'), eliminates duplication of efforts and saves firefighters for what they do best. A single structure fire can require 15 or more firefighting personnel.

"This changes the model," he said. "That's the big thing for me."

Other possible changes include "community paramedicine," in which medical responders treat ailments on site, saving the cost of an ambulance ride to the emergency room. Those same responders might offer low-cost preventive services such as vaccinations, or quick-response intervention for psychiatric emergencies.

A consulting group is studying the feasibility of Carman's plan -- the ambulance contract is up for

bid in September -- but that's not his only idea. He sees revenue potential from marketing his fleet maintenance shop services to other nearby districts. He sees similar potential for his radio and IT technicians.

Bit by bit, he hopes to redefine ConFire's role.

For now, though, he has staffing issues -- there are 20 vacancies to fill -- as the community girds for what he describes as the "worst, driest" fire season in memory.

It's a good thing he likes challenges. He has plenty of them.

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Recognition in Special District Governance was designed to honor special district board members, trustees and staff. It is comprised of two distinct parts: 1) the CSDA Special District Leadership Academy and 2) elective courses.

The CSDA Special District Leadership Academy is comprised of four courses: Governance Foundations, Setting Direction/Community Leadership, Board's Role in Human Resources and Board's Role in Finance and Fiscal Accountability. The four courses are unique from any other courses on special district governance in that they are curriculum-driven—curriculum that was created by special districts, developed by special districts and agreed upon as what governing officials of special districts should know. SDLF has endorsed the Academy as the foremost authority on special district governance in California.

Those seeking recognition also need to submit 10 hours of continuing education.

The Recognition is designed so the Academy covers the essentials of good governance and the electives cover service-specific knowledge.

In addition to Recognitions given to individual directors, there is also a District Recognition. Districts that have a majority of their governing board holding Recognitions will receive a Silver Recognition and districts with their entire board holding Recognitions will receive a Gold Recognition. District Recognitions will be presented at an upcoming association's annual conference. An application for this program can be found at www.sdlf.org, under Recognition in Special District Governance.

If you are interested in this recognition, please contact Charlotte Lowe, program assistant, at (916) 231-2939 or email charlottel@sdlf.org.

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East Contra Costa fire district could close station earlier than expected

By Rowena Coetsee Contra Costa Times Contra Costa Times

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ContraCostaTimes.com

OAKLEY -- The East Contra Costa Fire District's board approved a \$12.3 million preliminary budget Monday that assumes the agency will close two stations at the end of November.

Although the size of the 2014-15 spending plan is virtually the same as this year's, projected expenses aren't: The biggest single increase the district must handle is a 40 percent hike in its contributions to firefighters' pensions, which amounts to an additional \$1.2 million.

The increase is due in part to a drop in the rate of return on district investments.

The district must adopt a final budget by Oct. 1.

"We are down to the bone," said Director Stephen Smith, disputing online comments he's seen that assert the district must have some expenses it could cut.

With 96 percent of its revenue currently coming from property taxes, East Contra Costa Fire suffered a blow with the collapse of the housing market seven years ago.

The district was forced to shutter stations and is still in a precarious position.

Unless more revenue is forthcoming, residents of far East County might lose one of their remaining five stations even before a federal grant that has been keeping a couple of them open expires in November.

The uncertainty of their jobs has prompted four firefighters to leave the district, and four others have received conditional offers of employment, fire Chief Hugh Henderson told the board.

Nine firefighters are needed to man each station, so if any more resign, the board will have to decide whether it can afford to continue paying firefighters overtime to compensate for the empty slots, as well as whether it should expose them to the added risk of injury that comes with working longer hours, Henderson said.

The option would be to close one of the two stations this summer instead of waiting until late fall, he said.

The board hasn't yet announced which sites it would close, although the last time it took this step, it targeted Knightsen's station and one in Brentwood.

The departures cost the district in another way as well: It forfeits part of its federal grant for each firefighter who leaves.

Director Greg Cooper urged the board to discuss the matter sooner rather than later, prompting Henderson to agree to put it on the agenda for next month's meeting.

In a related matter, directors also agreed to have consultants solicit property owners' opinions on several aspects of a benefit assessment that the district is considering presenting to voters in November.

East Contra Costa Fire already has hired a consulting firm to show how some properties stand to

benefit more from fire services than others, an analysis that must be done before this type of a levy can be placed on the ballot.

Now that company will ask those who would have to pay the assessment -- land owners -- how long they think the assessment should be in effect, whether it should be a flat dollar amount or increase each year, and whether an independent committee should oversee the expenditures of that money.

The board overruled Directors Cheryl Morgan and Joe Young, both of whom thought the district shouldn't spend the approximately \$20,000 it will cost to poll these voters when it already has a good sense of what the answers will be.

"I don't see the value of this survey," Young said.

Although the \$115,000 the district already has paid the consultants could be used to cover this extra expense, the district then would need to come up with more money for the two additional mass mailings it's planning to explain to voters what's at stake.

Reach Rowena Coetsee at 925-779-7141. Follow her at [Twitter.com/RowenaCoetsee](https://twitter.com/RowenaCoetsee).

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Lafayette Council All In for Station 46

By Nick Marnell

Throughout its 12 months of existence, the Lafayette Emergency Services Task Force has struggled with the subtleties and the complexity of the fire protection industry. But in May, the task force took a major step forward: it agreed to endorse and support the construction and operation of fire station 46; and the Lafayette City Council concurred.

When the Contra Costa County Board of Supervisors closed Lafayette's fire station 16 and refused to commit to the joint venture between ConFire and the Moraga-Orinda Fire District to build and operate station 46, the Lafayette City Council formed the task force to investigate alternate delivery of fire and emergency medical service to the city.

The task force, co-chaired by Council Members Traci Reilly and Brandt Andersson, evaluated a range of options, including funding its own service, contracting for service with the California Department of Forestry and Fire Protection, merging with another district and even contracting back with ConFire. At a task force meeting in March, ConFire chief Jeff Carman asked that the task force stop talking secession and indicate if it was serious about station 46 as an option; he did not want to present a revised plan for station 46 to his board while at the same time the board was reading that Lafayette had one foot out the door.

In May, Alan Hartford, assistant chief of operations, unveiled to the task force the ConFire internal Strategic Planning Group, charged with evaluating the operation of the district on all levels, including standards of cover, finances and public outreach. Hartford also said that the district planned to take its risk-based deployment model to an entirely new level, based partly on pitching for the county's ambulance contract now held by American Medical Response.

Since ConFire does not know the deployment model of AMR's ambulances, it cannot tailor custom responses to medical calls. If it controlled the ambulance deployment, explained Hartford, then the district could keep its fire resources where it feels they are needed and deploy medical resources to ensure adequate coverage for medical emergencies without compromising the fire response. "We have no way of doing that right now," he said. "If we had the ambulance contract we would know where our resources are and then can move them around accordingly."

"Hartford's address calmed nerves in the room," said Reilly, who emphasized that the committee was impressed by how rapidly ConFire is working to fix its problems. The task force presented a resolution supporting the concept of station 46 to the City Council, which unanimously approved it on May 27.

Acknowledging that station 46 would be a huge step in the right direction, Reilly cautioned that there are still areas that need to be addressed. One of those problem areas was highlighted in a letter sent to the city council by task force member Jim Cunha.

"This motion does not solve all of our problems," he wrote. "Firefighter pensions and post retirement medical benefits are still to be solved before we are anywhere close to where we need to be on a sustained basis."

Carman plans to present his revised station 46 strategy - along with the formal support of Lafayette - to the Board of Supervisors this month. MOFD chief Stephen Healy is expected to make a similar presentation to his board shortly.

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Published June 4th, 2014

Proposed District Budget Riles Union

By *Nick Marnell*

The Moraga-Orinda Fire District and the firefighters union reached a tentative agreement on a new contract in April, and at the May 20 district meeting, the 36-page memorandum of understanding was approved by the board of directors. But a pall of resentment hung over the rank and file.

"This is not a contact that we are happy with," said Vince Wells, Local 1230 president. Wells maintained that the district's financial situation was never as bleak as it was portrayed during the negotiations, and he expressed cynicism that a balanced general fund was now projected for every year of the district's revised long range financial plan. The new financial forecast only verified the union's belief that the district finances were never as dire as projected, noted Wells.

"We hope that in future negotiations similar tactics are not used," he said.

The MOFD directors did not respond to Wells' comments. The MOU was approved by a 4-1 vote, the dissenting vote cast by director Steve Anderson, who has steadfastly objected to the automatic wage increases built into future years of the new labor agreement. Starting July 1, 2015, base salaries per the MOU are set to increase 1 percent with a 4 percent increase in each of the two succeeding years. The firefighters accepted a 3.5 percent pay cut for one year beginning this July.

Gloriann Sasser, administrative services director, then led a presentation on the 2014-15 fiscal year district budget, projecting that for the first time in three years the district will operate in the black. Total district revenue for 2014-15 is projected at \$22.2 million, with total expenditures - including capital expenditures and debt service fund expenditures - equaling \$21.7 million.

Those numbers only added to Wells' chagrin.

"Next year's financial forecast shows a surplus of around the same amount the district will be saving with the 3.5 percent pay cut," he said. "A reduction in salary is not the way to balance the district's budget."

Fire chief Stephen Healy said that he appreciated the effort and cooperation of the union throughout the negotiations but he did acknowledge the uneasiness that pervaded the talks. "The process of concession bargaining was very difficult for both sides," he said.

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