



NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, October 8, 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.

OCTOBER 8, 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 September 10, 2014 regular LAFCO meeting
6. ***Informational Presentation - Contra Costa Land Use and Agricultural Conservation – Kathryn Lyddan, Executive Director, Brentwood Agricultural Land Trust***

SPHERE OF INFLUENCE (SOI)/BOUNDARY CHANGES

7. ***LAFCO 14-02 – Subdivision 9329 - Town of Danville*** – consider proposed detachment from the Town’s boundary of a 0.09± acre strip located along the northerly boundary of property at 2500 Blackhawk Road and consider related actions under the California Environmental Quality Act (CEQA). ***Public Hearing***
8. ***LAFCO 14-07 – Dougherty Valley Reorganization No. 16 - City of San Ramon*** – consider proposed annexation to the City and corresponding detachment of the same area from County Service Area P-6. The area comprises 22.89± acres located south of the existing Dougherty Valley Service Center in the Dougherty Valley Specific Plan Area. Also consider related actions under CEQA. ***Public Hearing***
9. ***LAFCO 14-08 – Central Contra Costa Sanitary District (CCCSD) SOI Amendment*** - consider a proposal to expand CCCSD’s SOI to include three parcels (38.42± acres) located in unincorporated Lafayette and consider related actions under CEQA.

MUNICIPAL SERVICE REVIEWS (MSRs)/SOI UPDATES

10. ***Castle Rock County Water District SOI Update*** – consider approving the SOI update for Castle Rock County Water District and consider related actions under CEQA. ***Public Hearing - Continued***

BUSINESS ITEMS

11. ***Policies & Procedures Updates*** – consider approving a new policy and revised procedures relating to out of agency service
12. ***OPEB – Post Retirement Medical Benefits Trust Agreement*** – provide direction regarding participation in the PARS Public Agencies Post-Retirement Health Care Plan Trust
13. ***First Quarter Budget***– the Commission will receive the first quarter budget report for FY 2014-15
14. ***Informational Report - Contra Costa Emergency Medical Services Emergency Ambulance Request for Proposals Development Workshop*** – receive informational report of the September 17, 2014 Workshop

CORRESPONDENCE

15. Correspondence from Contra Costa County Employees’ Retirement Association (CCCERA)

INFORMATIONAL ITEMS

16. Commissioner Comments and Announcements
17. Staff Announcements
 - CALAFCO Updates
 - Pending Projects
 - Newspaper Articles

ADJOURNMENT

Next regular LAFCO meeting – November 12, 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

September 10, 2014

October 8, 2014
Agenda Item 5

Board of Supervisors Chambers
Martinez, CA

1. Interim Chair Rob Schroder called the meeting to order at 1:30 p.m.
2. The Pledge of Allegiance was recited.
3. Roll was called. A quorum was present of the following Commissioners:

City Members Rob Schroder and Don Tatzin.

County Members Federal Glover and Mary Piepho and Alternate Candace Andersen.

Special District Members Michael McGill and Igor Skaredoff and Alternate George Schmidt.

Public Member Don Blubaugh and Alternate Sharon Burke.

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

4. Approval of the Agenda

Upon motion of Blubaugh, second by Tatzin, Commissioners, by a vote of 7-0, adopted the agenda.

AYES: Blubaugh, Glover, McGill, Piepho, Schroder, Skaredoff, Tatzin

NOES: none

ABSENT: Butt (A)

ABSTAIN: none

5. Public Comments

There were no public comments.

6. Approval of August 13, 2014 Meeting Minutes

Commissioner Piepho pointed out a correction to be made to the item, "Second Round Municipal Service Reviews (MSRs)": deleting the word "not" from a sentence referring to the appropriate placement of Emergency Medical Services in upcoming MSRs.

Upon motion of Blubaugh, second by Tatzin, the minutes for the meeting of August 13, 2014 were approved with the proposed correction by a vote of 7-0.

AYES: Blubaugh, Glover, McGill, Piepho, Schroder, Skaredoff, Tatzin

NOES: none

ABSENT: Butt (A)

ABSTAIN:

7. LAFCO 14-01 - Town of Danville Sphere of Influence (SOI) Amendment (Detachment)

The Executive Officer reported on a proposal to remove from the Town of Danville's SOI a 12-foot wide strip of land along the northern boundary of property located at 2500 Blackhawk Road in conjunction with a subdivision. The boundary adjustment will align the property line with boundaries of the other parcels fronting Blackhawk Rd, and anticipates a corresponding application to detach the same 12-foot strip from the Town's boundary.

DRAFT

Upon motion of Tatzin, second by McGill, Commissioners unanimously, by a 7-0 vote, approved the proposed reduction to the Town of Danville's SOI and determined that the project is exempt pursuant to CEQA Guidelines, Section 15061(b)(3).

AYES: Blubaugh, Glover, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Butt (A)
ABSTAIN: none

8. Castle Rock County Water District SOI Update

The Executive Officer provided brief history on Castle Rock County Water District (CRCWD), noting that it was only recently confirmed, through the MSR, that CRCWD is an independent special district subject to LAFCO's jurisdiction. Consequently, CRCWD currently has no SOI. The MSR identified a number of infrastructure and governance issues for this small district, but despite its presence within the Contra Costa Water District's (CCWD) boundary, neither district is interested in consolidation. Staff recommends that LAFCO establish a coterminous SOI for CRCWD and require the District to provide a progress report to LAFCO in September 2015 regarding the status of the administrative and governance issues identified in the MSR.

Commissioners questioned the likelihood of the District's fiscal ability to make the recommended improvements and indicated their concerns about any substantial changes being made.

Commissioner McGill noted LAFCO's role to ensure efficient and effective governance and services.

There was discussion regarding the effects of adopting a zero SOI.

Upon motion by Glover, second by Piepho, Commissioners unanimously, by a 7-0 vote, recommended that the SOI resolution be amended to establish a zero SOI and add wording that strongly encourages a capital study to assess the District's engineering, administrative and governance issues, directed staff to communicate to CRCWD and CCWD that the Commission is interested in a merger of the two districts, and continued the public hearing to the October 8 LAFCO meeting.

AYES: Blubaugh, Glover, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Butt (A)
ABSTAIN: none

9. Second Round Reclamation Services MSRs/SOI Updates

The Executive Officer reported that in June a Request for Proposals (RFP) for the 2nd Round Fire/EMS MSR was distributed and posted. No proposals were received by the deadline, a problem not unique to this LAFCO.

As a result, the Commission agreed to defer the Fire/EMS MSR to 2015 in conjunction with the County's award of its ambulance contract, and move forward with a 2nd round MSR covering reclamation services. The first round reclamation services MSR was completed in July 2009, and it is timely to move forward with a 2nd round review at this time.

Commissioner Tatzin asked if there was any indication that there would be bidders this time; the Executive Officer anticipates some interest in this RFP.

Upon motion of Blubaugh, second by Tatzin, Commissioners unanimously authorized the circulation of the RFP for the Second Round Reclamation Services MSR/SOI updates, and directed staff to return to the Commission with a recommended contract award in accordance with the proposed timeline.

AYES: Blubaugh, Glover, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Butt (A)
ABSTAIN: none

10. Contra Costa Emergency Medical Services Emergency Ambulance RFP Development Workshop

The Executive Officer drew Commissioners' attention to the invitation from County EMS Director Pat Frost to participate in a stakeholders' workshop designed to capture local knowledge and expertise for the next emergency ambulance procurement.

Commissioners Blubaugh and Tatzin participated in the Fitch & Associates study of the EMS in the past year plus, but neither was available for this particular date.

Commissioners directed staff to attend the workshop on behalf of LAFCO.

11. Legislative Report - Update and Positions

The Executive Officer presented an update on legislation affecting LAFCOs, as well as two letters of support for SB 69 (Roth) and AB 1521 (Fox).

Upon motion of Tatzin, second by Blubaugh, Commissioners unanimously approved the draft letters of support and directed staff to send them to Governor Brown's office.

AYES: Blubaugh, Glover, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Butt (A)
ABSTAIN: none

12. Correspondence from SDRMA

There were no comments regarding this correspondence.

13. Commissioner Comments and Announcements

There were no comments from Commissioners.

14. Staff Announcements and Pending Projects

The Executive Officer drew Commissioners' attention to the SDRMA correspondence, and reminded Commissioners of the upcoming CALAFCO Annual Conference October 15-17.

The meeting was adjourned at 1:57 p.m.

Final Minutes Approved by the Commission October 8, 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

By _____
Executive Officer



Lou Ann Teixeira
Executive Officer

MEMBERS

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

ALTERNATE MEMBERS

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

October 8, 2014

October 8, 2014
Agenda Item 6

TO: Each Member of the Commission

FROM: Lou Ann Teixeira, LAFCO Executive Officer

SUBJECT: *Informational Presentation – Kathryn Lyddan, Contra Costa Land Use and Agricultural Conservation*

Kathryn Lyddan, Executive Director, Brentwood Agricultural Land Trust (BALT), will make a presentation on farmland conservation, land use and agricultural conservation in Contra Costa County.

Contra Costa County includes more than 12,000 acres of irrigated farmland. Brentwood farms have provided food for the Bay Area since the 1880's. Today, Brentwood farmers continue to grow a diversity of food, primarily fruits and vegetables.

BALT was established in 2002 to preserve Contra Costa's productive agricultural land and work with farmers and the community to create a vibrant local agricultural economy. BALT works to preserve productive agricultural land through conservation easements; works with local governments to strengthen agricultural enterprise zoning, permitting and policies; and creates food connections between farmers and urban neighbors.

Kathryn was hired in June 2003 as BALT's first Executive Director. Prior to her work at BALT, Kathryn practiced land use and public finance law for ten years. Kathryn also serves on the Harvest Time Board and Bay Area Open Space Council Advisory Council.

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

October 8, 2014
Agenda Item 7

October 8, 2014 (Agenda)

LAFCO 14-02 Subdivision 9329, Detachment of Frontage – Town of Danville (2500 Blackhawk Road)

PROPONENT Blackhawk Meadows, LLC (landowner petition)

ACREAGE & LOCATION 0.09± acre located along the northern boundary of 2500 Blackhawk Road (Attachment 1)

PURPOSE To facilitate alignment of the property line of 2500 Blackhawk Road

SYNOPSIS

The area proposed for detachment is an unimproved strip of land as described above. Detachment of the area is a condition of the Town's approval of Subdivision 9329. The detachment will result in alignment of the property line of 2500 Blackhawk Road, and allow for future widening of Blackhawk Road, if needed. The detached area will be improved with a sidewalk and landscaping by the property owner. The subject property is within the voter-approved Urban Limit Line.

DISCUSSION

The Cortese Knox Hertzberg Act (CKH Act) sets forth factors that the Commission must consider in evaluating any proposed boundary change 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. Boundary changes 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 a boundary change, it must be consistent with the jurisdiction's adopted SOI.

On September 10, 2014, the Commission approved removal of the 0.09± acre strip from the Town of Danville's SOI. The proposed detachment of the strip is consistent with the Town's SOI per the Commission's recent action.

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

The subject area is currently an unimproved frontage facing Blackhawk Road. The Town has designated the area for single family residential development (R-20). The County's land use designation for the area is Planned Unit (P-1).

Surrounding land uses include low density single family residential to the east and north, and low density single family residential and undeveloped/general open space to the west and south. The current and proposed uses are consistent with the Town and County's land use designations. No changes in land uses are proposed. The proposed detachment has no effect on agricultural or Williamson Act land.

4. Topography, Natural Features and Drainage Basins

The subject area and surrounding areas are flat with no significant natural features.

5. Population

The proposed detachment will have no impact to population.

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. The proposed detachment will have no impact to regional housing needs.

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

As noted above, the property owner will install sidewalks and landscaping within the subject area. The property owner and future owners will be responsible for maintaining the sidewalk and landscaping.

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. The proposed detachment will not result in or facilitate an increase in water usage.

9. Assessed Value, Tax Rate Areas and Indebtedness

The subject area is within tax rate area 16002. The total assessed value for the subject property is zero. The territory being detached shall be liable for all authorized or existing taxes comparable to properties presently within the County, 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. Given there is no assessed value associated with the subject area, a property tax exchange is not needed.

11. Environmental Impact of the Proposal

The Town of Danville, as Lead Agency, has determined that the SOI amendment and corresponding detachment are exempt from the California Environmental Quality Act

(CEQA) pursuant to Section 15061(b)(3) as it can be seen with certainty that the LAFCO action would have no potential for causing a significant effect on the environment.

12. Landowner Consent and Consent by Affected Local Agencies

According to County Elections, there are no registered voters in the area proposed for detachment; thus, the area is considered uninhabited.

The applicant reports that 100% of the affected landowners consent to the detachment; and no subject agency has submitted written opposition to a waiver of protest proceedings. Thus, if the Commission approves the detachment, the Commission may waive the protest hearing (Gov. Code §56662). All landowners and registered voters within the proposal area and within 300 feet of the exterior boundaries of the area have received notice of the October 8 hearing.

13. Boundaries and Lines of Assessment:

The subject area is contiguous to the existing County boundary. A map and legal description to implement the proposed boundary change have been received and are subject to approval by the County Surveyor.

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 detachment 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 boundary changes must take into account DUCs; and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County, the subject area does not meet the criteria of a DUC.

16. Comments from Affected Agencies/Other Interested Parties

No comments have been received to date.

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 Approve the detachment.

- A. Determine that the project is exempt pursuant to CEQA Guidelines, Section 15061(b)(3).
- B. Adopt this report, approve LAFCO Resolution No. 14-02 (Attachment 2), and approve the proposal, to be known as Subdivision 9329, Detachment of Frontage Town of Danville (2500 Blackhawk Road):
 1. The territory being detached shall be liable for the continuation of any authorized or existing special taxes, assessments and charges comparable to properties presently within the County, if applicable.
 2. The applicant has delivered an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the detachment.
- C. Find that the subject territory is uninhabited, the proposal has 100% landowner consent, and the conducting authority (protest) proceedings are hereby waived.

Option 2 Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

Option 1 – Approve the detachment as proposed.

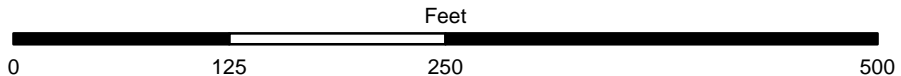
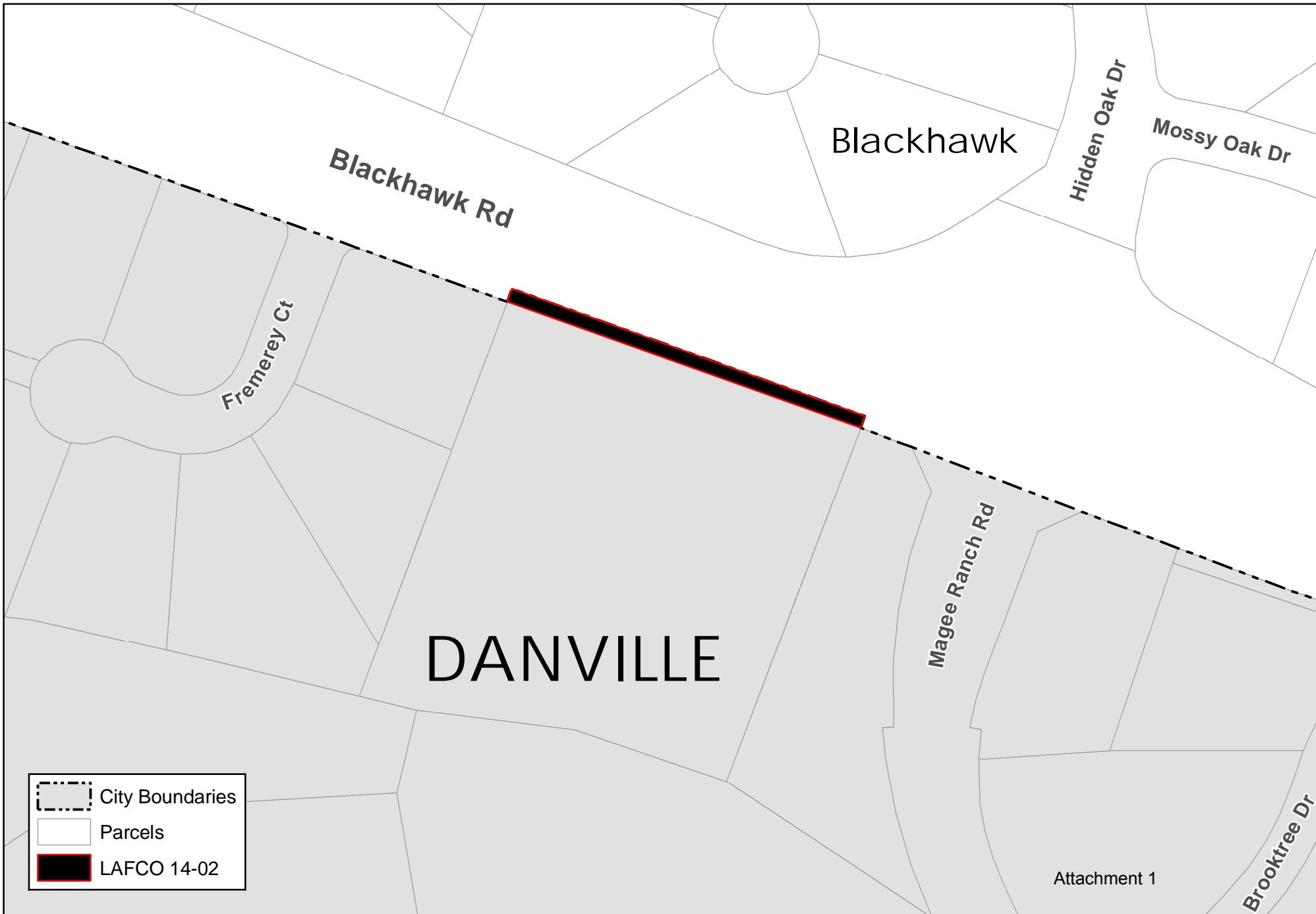
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

c: Distribution

Attachments

1. Map of Area Proposed for Detachment
2. Draft LAFCO Resolution Approving Detachment

LAFCO No. 14-02: Subdivision 9329, 2500 Blackhawk Road Detachment of Frontage from Town of Danville



RESOLUTION NO. 14-02

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING
SUBDIVISION 9329 - DETACHMENT OF FRONTAGE
FROM THE TOWN OF DANVILLE**

WHEREAS, the *Subdivision 9329 - Detachment of Frontage from the Town of Danville* proposal 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 the detachment proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the detachment proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission determines the detachment proposal to be in the best interests of the affected area and the organization of local governmental agencies within Contra Costa County;

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The Commission finds that the proposal is exempt from environmental review pursuant to CEQA Guidelines, Section 15061(b)(3).
2. Said detachment is hereby approved.
3. The subject proposal is assigned the distinctive short-form designation:

**SUBDIVISION 9329 DETACHMENT OF FRONTAGE FROM THE TOWN OF
DANVILLE**

4. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject territory shall be liable for any authorized or existing taxes, charges and assessments comparable to properties within the County, if applicable.
6. The applicant has delivered an executed indemnification agreement between the applicant and Contra Costa LAFCO providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the detachment.

Contra Costa LAFCO
Resolution No. 14-02

7. The territory proposed for detachment is uninhabited.
8. The proposal has 100% landowner consent, no subject agency has submitted written opposition to a waiver of the protest proceeding, and the protest proceedings are hereby waived.
9. All subsequent proceedings in connection with the detachment shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

* * * * *

PASSED AND ADOPTED THIS 8th day of October 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, INTERIM 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.

Dated: October 8, 2014

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

October 8, 2014
Agenda Item 8

October 8, 2014 (Agenda)

LAFCO 14-07 Dougherty Valley (DV) #16 Reorganization – Annexation to the City of San Ramon and Detachment from County Service Area (CSA) P-6

PROPONENT City Council of City of San Ramon, by resolution adopted July 8, 2014

ACREAGE & LOCATION Reorganization #16 comprises 22.89± acres (portion of Assessor Parcel Number 222-270-038) and is located south of the Dougherty Valley Service Center (DVSC) in the Dougherty Valley Specific Plan Area (DVSP) - see Attachment 1. The reorganization area is designated for Parks & Recreation.

PURPOSE The purpose of the reorganization is to annex the property to the City in order to provide City services for Phase I of Rancho San Ramon Community Park. The proposal also includes the corresponding detachment of the subject territory from CSA P-6.

SYNOPSIS

This is the 16th in a series of planned boundary changes for the area known as “Dougherty Valley (DV)”. The DV project is being developed in phases through Contra Costa County.

Annexation of the project area to the City of San Ramon is required pursuant to the Dougherty Valley Settlement Agreement (DVSA), which in 1994 was endorsed by the County, cities of Danville and San Ramon, Windemere Ranch Partners and Shapell Industries. Under the terms of the DVSA, the annexations are to occur following recordation of final subdivision maps.

The territory proposed for annexation is located adjacent to the DVSC, which was annexed to the City in 2011 (DV Annexation #14). The DVSC is not contiguous to the city limits. However, LAFCO law (Gov. Code §56742) allows the annexation of non-contiguous area to a city if certain conditions are met [i.e., the property is 1) located in the same county as the city, 2) owned by the city, and 3) used for municipal purposes at the time the Commission proceedings are initiated]. LAFCO law allows the annexation of additional territory to the first non-contiguous annexed area if it meets the same criteria listed above. The area proposed for annexation (i.e., DV Reorganization #16) meets the specified criteria. LAFCO law also provides that when any or all of the territory annexed to a city pursuant to Government Code §56742 is sold by the city, all of the territory that is no longer owned by the city shall cease to be a part of that city.

DISCUSSION

The Cortese Knox Hertzberg Act (CKH Act) sets forth factors that the Commission must consider in evaluating any proposed change of organization (e.g., annexation, detachment, etc.) 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. Changes of organization 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 subject area is within the City of San Ramon's SOI and within the City's Urban Growth Boundary and the countywide Urban Limit Line.

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

The City of San Ramon's General Plan designates the area for Parks. The City has rezoned the area for Parks and Recreation. Per the Contra Costa County General Plan and DVSP, the current and future land uses for the area include Parks and Recreation.

Surrounding land uses include the new Dougherty Road, main branch of Alamo Creek and vacant land to the east; open space to the west and south; and public/semi-public (DVSC) to the north.

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

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

The DV project, as previously approved by the County, converts approximately 6,000 acres of farmland to urban uses and open space. Of the 6,000 acres that comprise the DVSP area, 2,000 acres have been mapped as "farmland of local importance" and the remaining 4,000 acres are mapped as grazing land. Through the 1992 DVSP and General Plan amendment, these lands were changed from "Agricultural Preserve" to "Agricultural Lands" and designated as P-1 (Planned Unit Development) to allow a mix of housing, school and community facilities, parks and open space areas.

Contra Costa County found that there were overriding considerations in support of adoption of the Specific Plan, despite the unavoidable impact to agricultural resources. With adoption of the DVSP in 1992, none of the project site was zoned for agricultural use, and there are no current Williamson Act Land Conservation Agreements within the project site.

The project would not convert farmland to non-agricultural uses as farmland does not currently exist in the DV area. Approval of the urban land uses designations for the area occurred in 1992, 1996 and 2002. According to the City, the project can be viewed as implementation of the already established specific plan and land use designations.

4. *Topography, Natural Features and Drainage Basins:*

The site and surrounding areas consist of a complex series of major and minor ridges, rolling hills and a relatively flat valley, which drains to the south. There are no other significant natural boundaries affecting the proposal.

5. *Population:*

The territory proposed for annexation is, in its entirety, designated as a community park facility. No increase in population will result from the annexation.

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 (Government Code §65584).

In Contra Costa County, the Association of Bay Area Governments (ABAG) determines each city's fair share of regional housing needs. Each jurisdiction is required in turn to incorporate its fair share of the regional housing needs into the housing element of its General Plan. In July 2013, ABAG adopted the 2014-2022 Regional Housing Needs Allocation (RHNA) Plan for the San Francisco Bay Area. The RHNA Plan includes the following allocations for the City of San Ramon: total RHNA is calculated at 1,417 units, including 340 above moderate, 282 moderate, 279 low and 516 very low income units.

It is a requirement of the Dougherty Valley Affordable Housing Program that 25% (2,748) of the 11,000 units in DV are affordable.

The territory proposed for annexation contains zero housing units as the proposal area, in its entirety, is designated as a community park facility.

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's plan for providing services, as required by Government Code §56653, is on file in the LAFCO office. The level and range of services will be comparable to those currently provided within the City. The DVSA provides performance standards for services in the DV.

The area proposed for annexation is Phase I of Rancho San Ramon Community Park designated for park and recreation use. The City will provide a range of municipal services to the area, including park & recreation, police, streets and roadways, flood control, public facilities maintenance, etc. Fire services will continue to be provided by the San Ramon Valley Fire Protection District (SRVFPD), sewer services will be provided by the Central Contra Costa Sanitary District (CCCSD), and water services will be provided by the Dublin San Ramon Services District (DSRSD).

Parks and Recreation – The DVSA requires 6.5 acres of parkland per 1,000 residents, which is consistent with the City's General Plan. Upon build-out of DV, this performance standard will be met. The DVSP and DVSA establish a variety of park types throughout DV. To date, the developers of DV have provided 167± acres of parkland excluding the 22.89± acres of parkland included with Reorganization #16.

DV Annexation #16 includes approximately 22.89± acres of parkland for Phase I of Rancho San Ramon Community Park. Phase II will include 8.21± acres of parkland, which will be included in a future annexation proposal.

Police Services – Law enforcement services are currently provided to the annexation area by the Contra Costa County Sheriff's Department. Upon annexation, police services will be provided by the City of San Ramon. The City's police department maintains a ratio of approximately 0.8 officers per 1,000 population in accordance with the City's adopted service standards for police services. The DVSA establishes the performance standards for police service in DV consistent with the City's General Plan, which include 3-5 minute response times (travel time) for emergency calls, and a 20 minute response time for all other calls which can be maintained 95 percent of the time. The City reports that completed development in the surrounding areas of DV is already within the service area for San Ramon police services; therefore, police service for the annexation area can meet the performance standard. No additional police officers are anticipated for the proposed annexation area.

Streets and Roadways – The annexation area is served by a network of arterial roads (Bollinger Canyon Road, Dougherty Road, etc.), collector and local streets. In addition, public transit (bus) service is provided in the DV and annexation area, along with a bicycle and pedestrian network. The DVSA requires the developers to provide a transportation system (streets, roadways, bicycle, pedestrian, and transit services, etc.) as established by the DVSP.

Fire Protection – Fire and emergency medical services are, and will continue to be, provided by SRVFPD following annexation. The City's General Plan Growth Management policies include service standards relating to fire response time (i.e. 4-5 minutes for emergency calls 90% of the time) and that there will be fire stations within 1.5 miles of new development). Fire Station No. 30 will serve as the primary fire station to serve the annexation area. Fire Station No. 30 is located approximately 1.4 miles from the annexation area, and has primary responsibility for fire and emergency medical services. Fire Stations 39 and 34 will respond as secondary and tertiary stations, and all are located within 2.12 and 4.80 miles, respectively, from the annexation area. The main roads (routes) to the annexation area are Bollinger Canyon Road, Dougherty Road, Old Ranch Road, and Alcosta Blvd.

Wastewater Services – Wastewater services to the annexation area will be provided by CCCSD, which is responsible for wastewater collection, maintenance of the sewer lines, wastewater treatment and disposal services.

CCCSD currently serves an estimated population of 471,000 residents in a 144-square-mile service area. CCCSD's wastewater collection system consists of 1,500 miles of sewer mains with 19 pump stations. The majority of CCCSD's system operates with gravity flow with some pumping stations and force mains. The District's wastewater treatment plant provides secondary level treatment for an average dry weather flow of approximately 33.8 million gallons per day (mgd) of wastewater. The wastewater treatment plant has a permitted discharge limit of 53.8 mgd.

CCCSD provides sewage collection, treatment, and disposal service to the Dougherty Valley, including the annexation area.

An existing 8-inch diameter sanitary sewer serves the annexation area; the main connects to a 24-inch diameter trunk sewer on the east side of Dougherty Road. The trunk sewer leads to the Dougherty Tunnel, the San Ramon Pumping Station, and eventually to gravity sewers that carry flows north to CCCSD's wastewater treatment plant in unincorporated Martinez.

Planned development of DV Annexation #16 requires a private developer constructed pressure and gravity flow system of 2 to 6-inch diameter mains. CCCSD expects that the City of San Ramon will maintain the sewers and pumps in its park, as they are designated to be private facilities.

Based on anticipated potable water use of 4,200 gallons per day (see below), the wastewater generation would be approximately 0.0042 mgd.

The sewer lines in the vicinity of the project site have, or will have, adequate capacity to serve the proposed project, and the CCCSD wastewater treatment plant has adequate capacity to treat wastewater generated by the proposed project. The plant currently operates below permitted treatment capacity and the project-related increases in wastewater flows to the plant could be accommodated within the plant's existing capacity. Some of CCCSD's downstream facilities do not have adequate flow-carrying capacity under CCCSD's current design criteria for ultimate conditions. Improvements to correct the downstream deficiencies that would result from cumulative impacts within the service area are, or will be, included in CCCSD's Capital Improvement Plan. Improvements to CCCSD's existing facilities that are required as a result of new development will be funded from applicable CCCSD fees and charges. The developer will be required to pay these fees and charges at the time project connects to the sewer system.

Other Services – Capital improvements for this project are being funded through the developers as a condition of development. The ongoing maintenance and operations costs associated with police services, road maintenance, parks and landscape maintenance, open space and trail maintenance, flood control, and community facilities maintenance will be financed through CSA M-29. CSA M-29 was established in 1997 and includes a combination of revenue sources as follows:

- General Ad-Valorem Property Taxes
- Real Property Transfer Tax
- Special Assessments
- Sales Tax
- Fines and Forfeitures
- License, Permits, Franchise Fees

Pursuant to the DVSA, the City requests the DV Annexation #16 territory remain within CSA M-29 in order to continue the assessment of the special taxes/fees to fund services as described above.

Typically when an area is annexed to a city, it is detached from a CSA, as the County no longer provides service, and the city assumes the provision of municipal services. The City's request that the annexation area remain in CSA M-29 is supported by the DVSA. However, it is recommended that if the annexation is approved, the subject territory be detached from CSA P-6 (police services). The effect of the detachment will result in the CSA's allocation of

ad valorem property tax (1%) being transferred from the County to the City following annexation. (Note: Under previous law, once property was annexed to a city it was automatically detached from a CSA; however, a recent change to the law now requires LAFCO to specify whether or not the annexation area is to be detached from a CSA).

The City and County have entered into a tax sharing agreement which provides for an exchange of property tax and takes into account the provision of municipal services.

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. In accordance with Contra Costa LAFCO policies, any proposal for a change of organization that includes the provision of water service shall provide 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.

A number of studies were completed to address the timely and adequate provision of water service to the DV. This information is presented in the various environmental documents, which were previously provided to the Commission and are available in the LAFCO office.

Dublin San Ramon Services District (DSRSD) will provide water service to the annexation area and provides water service to the entire DV with the exception of Gale Ranch Phase 1. Gale Ranch Phase 1 water service is provided by the East Bay Municipal Utility District (EBMUD).

The infrastructure needed to provide water service to the annexation area is adequate and has already been contemplated by DSRSD at the time of County approval through a water assessment for the DV development. DSRSD anticipates the water demand for the 22.89± acre park facility within the annexation area will be 11,400 gallons per day, which includes 4,200 gallons per day of potable water. DSRSD has the capacity to provide services consistent with its adopted water service plans.

9. Assessed Value, Tax Rates and Indebtedness:

The annexation area is within tax rate area 66405. The assessed value is \$2,032,155 (2014-15 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies, if applicable; and shall remain within CSA M-29 following annexation.

10. Environmental Impact of the Proposal:

Contra Costa County was the lead agency and prepared and certified the following environmental documents in conjunction with this project: Addendum to the Dougherty Valley Draft Environmental Impact Report (DEIR) entitled "Gale Ranch Phase IV Final Development Plan & Vesting Tentative Subdivision Map Dougherty Valley – San Ramon – January 2005; Final Subsequent EIR – 1996; and the Final EIR for the Dougherty Valley General Plan Amendment and Specific Plan - 1992.

In addition, the County adopted a Mitigation Monitoring and Reporting Program in 1992, and Findings, Recommendations and a Statement of Overriding Conditions in 1996. Copies

of these documents were previously provided to the members of Commission and are available for review in the LAFCO office.

11. Landowner Consent and Consent by Annexing Agency:

According to County Elections, there are zero registered voters in the area proposed for annexation; thus, the area is considered uninhabited.

The City reports that 100% of the affected landowners consent to the annexation; and no subject agency has submitted written opposition to a waiver of protest proceedings. Thus, if the Commission approves the annexation, the Commission may waive the protest hearing (Gov. Code §56662). All landowners and registered voters within the proposal area and within 300 feet of the exterior boundaries of the area have received notice of the October 8 hearing.

12. Boundaries and Lines of Assessment:

The territory proposed for annexation is located adjacent to the DVSC, which was annexed to the City in 2011. The DVSC is not contiguous to the city limits. However, LAFCO law allows the annexation of non-contiguous area to a city if certain conditions are met as discussed above. LAFCO law allows the annexation of additional territory to the first non-contiguous annexed area if it meets the same criteria listed above. The area proposed for annexation (i.e., DV Annexation #16) meets the specified criteria. A map and legal description to implement the proposed boundary change have been received and are being reviewed by the County Surveyor.

13. 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.

14. 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 boundary changes must take into account DUCs; and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County, the subject area does not meet the criteria of a DUC.

15. Comments from Affected Agencies/Other Interested Parties

No comments have been received to date.

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 Approve the reorganization including annexation to the City of San Ramon and detachment from CSAs P-6.

- A. Certify LAFCO has reviewed and considered the information contained in the EIR as certified by the County together with the related Mitigation Monitoring and Reporting Program; and adopt the County's CEQA Findings and Statement of Overriding Conditions as prepared and adopted by the County.
- B. Adopt this report and approve the proposal, to be known as **Dougherty Valley Reorganization #16: Annexation to the City of San Ramon and Corresponding Detachment from CSA P-6** subject to the following terms and conditions:
 - 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.
 - 2. Allow the overlap of the City and CSA M-29.
 - 3. The City has delivered an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation.
 - 4. Prior to LAFCO issuing a certificate of completion ordering the reorganization, the City must deliver proof of the City's acceptance and recordation of ownership of the subject property.
- C. Find that the subject territory is uninhabited, the proposal has 100% landowner consent, and the conducting authority (protest) proceedings are hereby waived.

Option 2

- A. Certify it has reviewed and considered the information contained in the EIR and related environmental documents as prepared and certified by the County.
- B. Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION: Option 1 – Approve the reorganization.

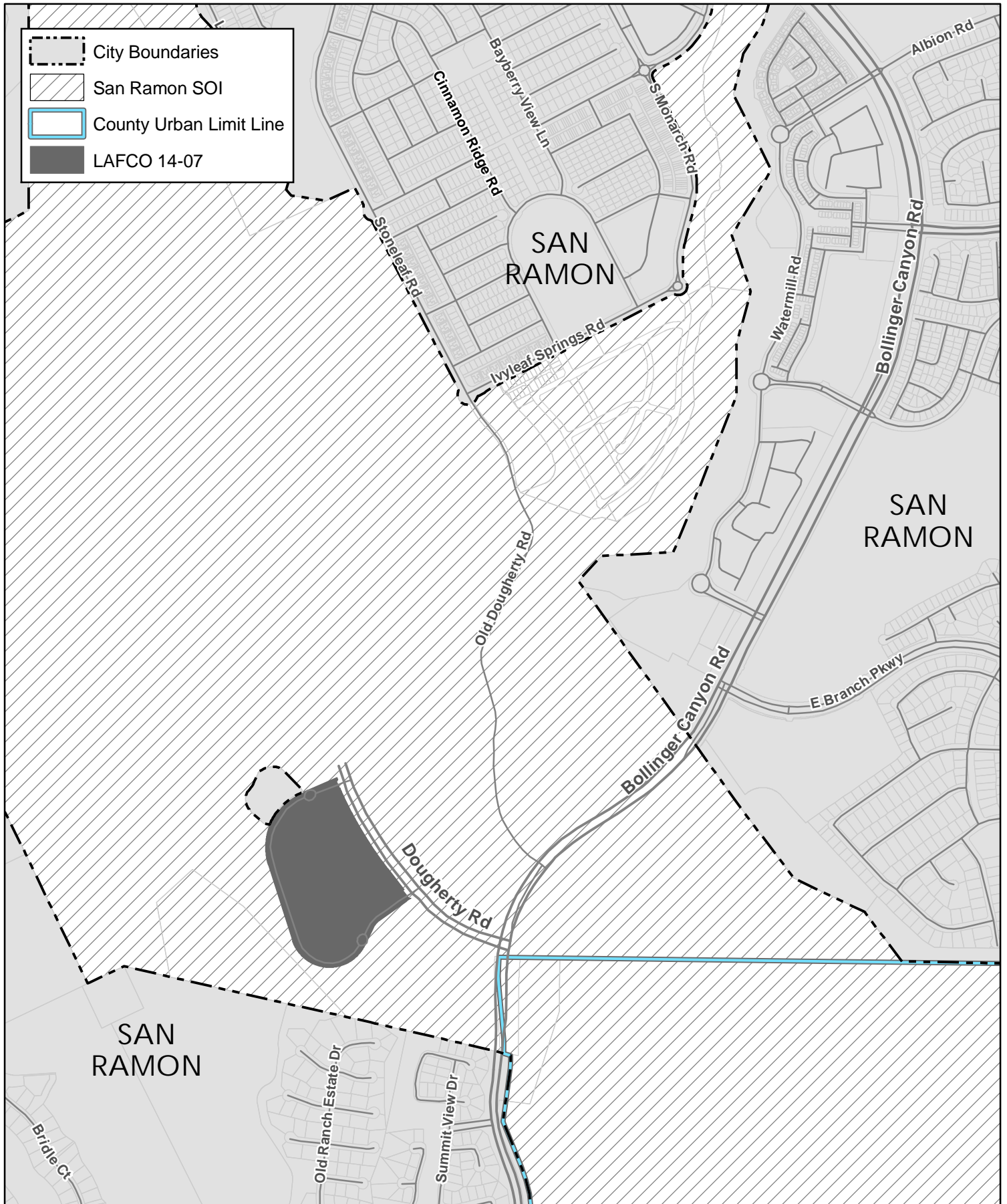
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION





c: Distribution

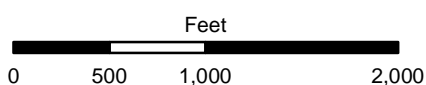
Attachments

- 1. Map of Reorganization Area
- 2. Draft LAFCO Resolution

LAFCO No. 14-07: Dougherty Valley Annexation #16 to the City of San Ramon



-  City Boundaries
-  San Ramon SOI
-  County Urban Limit Line
-  LAFCO 14-07



RESOLUTION NO. 14-07**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING DOUGHERTY VALLEY
REORGANIZATION #16: ANNEXATION TO CITY OF SAN RAMON AND
CORRESPONDING DETACHMENT FROM COUNTY SERVICE AREA (CSA) P-6**

WHEREAS, a proposal to annex territory within the Dougherty Valley to the City of San Ramon and detach the same territory from CSA P-6 was filed with Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code section 56000 et seq.); and

WHEREAS, the Executive Officer has examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; and

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

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations therein, and the report and related information have been presented to and considered by the Commission; and

WHEREAS, at a public hearing held on October 8, 2014, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, consistency with the sphere of influence, contiguity with the City boundary, and related factors and information including those contained in Gov. Code §56668; and

WHEREAS, information satisfactory to the Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the total organization of local governmental agencies within Contra Costa County.

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The Commission certifies it reviewed and considered the information contained in the Environmental Impact Reports and related environmental documentation as prepared and certified by the County of Contra Costa (Lead Agency) as identified in the LAFCO staff report, and adopts the County's Findings of Fact and Statement of Overriding Considerations.
2. Said reorganization is hereby approved.
3. The subject proposal is assigned the distinctive short-form designation:
DOUGHERTY VALLEY REORGANIZATION #16: ANNEXATION TO THE CITY OF SAN RAMON AND CORRESPONDING DETACHMENT FROM CSA P-6
4. Said territory is found to be uninhabited.
5. Dougherty Valley Annexation #16 is located adjacent to the Dougherty Valley Service Center (DVSC), which was previously annexed to the City (Annexation #14). The DVSC is not contiguous to the city limits. However, Gov. Code §56742 allows the annexation of non-contiguous area to a city if certain conditions are met. LAFCO law allows the annexation of additional territory to the first non-contiguous annexed area under the same

criteria. Annexation #16 meets said criteria and is subject to the provisions of Gov. Code §56742.

- 6. The proposal has 100% landowner consent; the annexing agency consents to the waiver of conducting authority proceedings; said conducting authority proceedings are hereby waived.
- 7. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Attachment 1, attached hereto and made a part hereof.
- 8. The subject territory shall be liable for any existing bonded indebtedness of the annexing agencies, if applicable.
- 9. The subject territory shall be liable for any authorized or existing taxes, charges, and assessments comparable to properties within the annexing agencies, and shall remain within CSA M-29 following annexation.
- 10. The City delivered an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the reorganization.
- 11. Prior to LAFCO issuing a certificate of completion ordering the reorganization, the City must deliver proof of the City's acceptance and recordation of ownership of the subject property.
- 12. All subsequent proceedings in connection with this reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

* * * * *

PASSED AND ADOPTED THIS 8TH day of OCTOBER 2014, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

ROB SCHRODER, INTERIM CHAIR, CONTRA COSTA LAFCO

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

Dated: October 8, 2014

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

EXECUTIVE OFFICER'S REPORT

October 8, 2014 (Agenda)

October 8, 2014
Agenda Item 9

LAFCO 14-08 **Sphere of Influence Amendment – Central Contra Costa Sanitary District (CCCSD) - DA 185**

APPLICANT CCCSD

ACREAGE & LOCATION The District proposes to expand its SOI to include 38.42± acres [APNs 365-230-008, 354-230-009 (portion) 365-230-031] in anticipation of annexing the same territory. These parcels are located in unincorporated Lafayette at the west end of Springhill Road.

PURPOSE The purpose of the proposed SOI amendment is to correct boundary and service irregularities. Two of the parcels (APNs 365-230-008/-009) are developed and currently have municipal water and sewer services through East Bay Municipal Utility District (EBMUD) and CCCSD, respectively. The third partial parcel (365-230-031) is an undevelopable access parcel and is being included in the proposal for boundary consistency.

SUMMARY On July 1, 2014, CCCSD submitted a proposal to annex 172.3± acres including the three subject parcels. It was subsequently discovered that these three parcels are outside of CCCSD’s SOI. The District’s proposal is to include these parcels in CCCSD’s SOI, and subsequently annex the properties to correct service and boundary issues. All three properties are located outside the County’s Urban Limit Line.

DISCUSSION The Cortese-Knox-Hertzberg Act (CKH Act) empowers LAFCO with the responsibility for developing and determining the SOI of each local agency within the County, and for enacting policies designed to promote the logical and orderly development of areas within the spheres.

An SOI is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO. The intent of an SOI is to identify the most appropriate area for an agency’s extension of services in the foreseeable future (e.g., 10-20 year horizon). Accordingly, territory included in an agency’s SOI is an indication that the probable need for service has been established, and that the subject agency has been determined by LAFCO to be the most logical service provider for the area.

Pursuant to Government Code section 56425, when amending an SOI for a local agency, LAFCO is required to consider and prepare a written statement of determinations with respect to the following:

1. *The present and planned uses in the area, including agricultural and open space lands* - The County’s General Plan and zoning designations and land use details are summarized below.

APN	ACREAGE	GENERAL PLAN	ZONING	USE
365-230-008	6.34±	Agricultural Lands (AL)	General Agriculture (A-2) (parcel 5 acre minimum)	Existing single-family residence
365-230-009 (portion)	31.8± (of 128.19±)	Parks & Recreation (PR)	A-2	One caretaker unit on portion of EBRPD park property
365-230-031	0.28±	Agricultural Lands (AL)	A-2	Undevelopable access property

The proposed SOI amendment and pending annexation of these properties will facilitate no changes in land use and will have no impact on agricultural land or open space lands.

2. ***The present and probable need for public facilities and services in the area*** –The purpose of the proposed SOI change is to correct boundary and service irregularities. Two of the parcels (APNs 365-230-008 and -009) are developed as noted above, and currently have municipal water and sewer services through EBMUD and CCCSD, respectively. The third partial parcel (APN 365-230-031) is an undevelopable access parcel and is being included in the proposal for boundary consistency. All necessary public services already exist in the area and no new public services are needed. The proposed SOI change will have no effect on public facilities or services.
3. ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** – Current public facilities are adequate for the existing uses. No new development or growth can occur beyond the existing uses, due to public land ownership (EBRPD) and the area’s “end-of-the-road” characteristics.
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*** - The primary social or economic community of interest is Contra Costa County and CCCSD. The SOI amendment reflects a logical adjustment to the District’s SOI in conjunction with the existing uses.
5. ***The nature, location, and extent of any functions or classes of services provided by the existing districts*** - CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within central Contra Costa County. CCCSD also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility (HHWCF) that serves the central portion of the county.

Environmental Impact of the Proposal – The underlying project is CCCSD DA 185. CCCSD, as Lead Agency, has determined that the proposed SOI amendment and corresponding annexation are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15319. This determination is adequate for LAFCO purposes.

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 actions:

- Option 1** Approve the proposed SOI expansion to CCCSD’s SOI as depicted on the attached map (Attachment 1).
- A. Determine that the project is exempt pursuant to CEQA Guidelines, Section 15319.
 - B. Adopt this report and amend CCCSD’s SOI described herein and shown on the attached map.
 - C. CCCSD service is limited to the existing residential structures that are currently receiving service.

Option 2 Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDATION Option 1 – approve the SOI amendment.

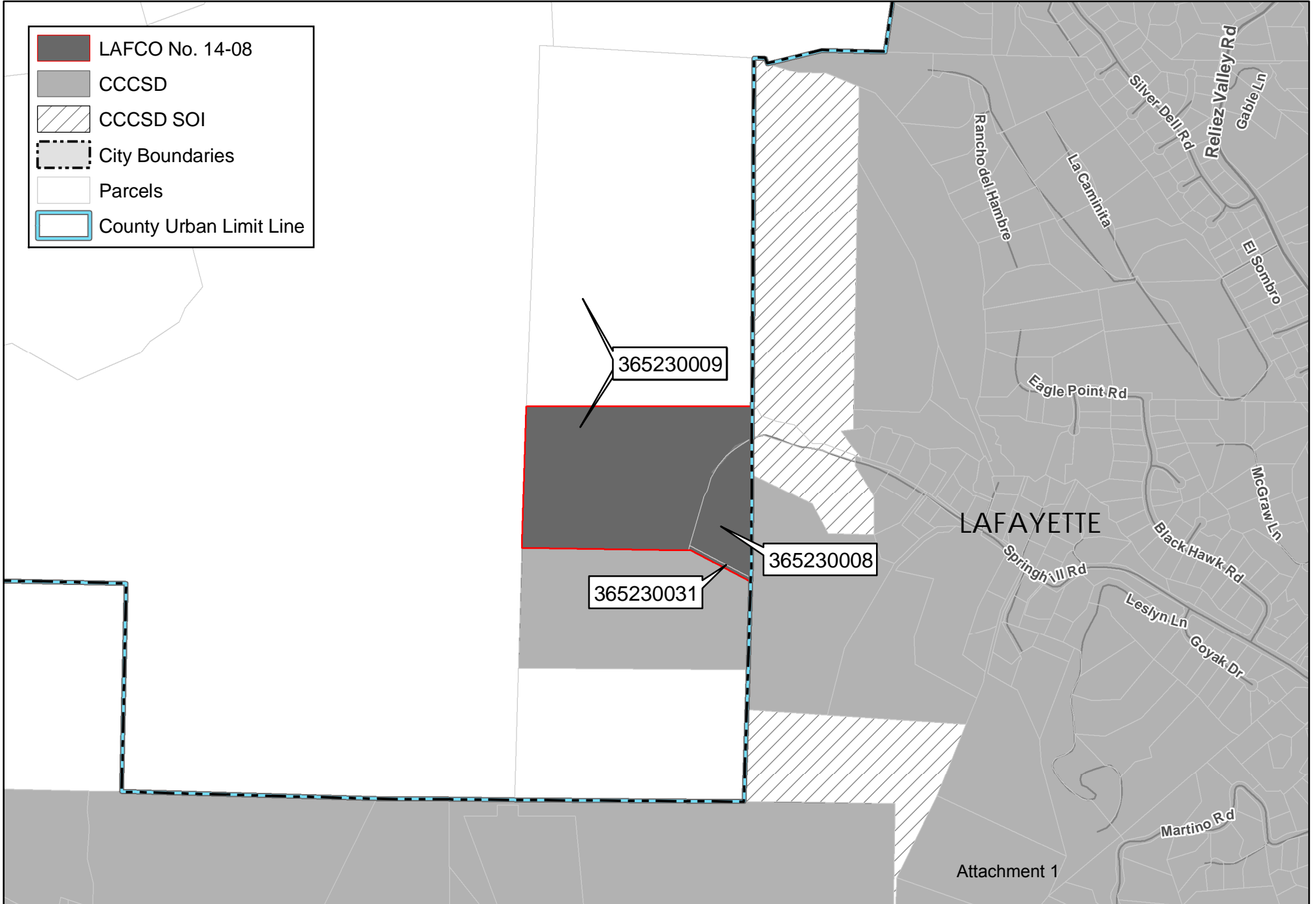
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Attachments

- 1 - Map – Proposed SOI Amendment – CCCSD DA 185
- 2 - Draft LAFCO Resolution – CCCSD SOI Amendment (DA 185)

c: Russell Leavitt, CCCSD
Thomas Brightbill, CCCSD

LAFCO No. 14-08: Amendment to Central Contra Costa Sanitary District Sphere of Influence



SPHERE OF INFLUENCE RESOLUTION NO. 14-08

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
 MAKING DETERMINATIONS AND EXPANDING THE SPHERE OF INFLUENCE
 OF CENTRAL CONTRA COSTA SANITARY DISTRICT (CCCSD DA 185)

WHEREAS, a proposal to expand the sphere of influence (SOI) of Central Contra Costa Sanitary District (CCCSD) was filed with the Contra Costa Local Agency Formation Commission (LAFCO) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56425); and

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

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, SOIs and applicable General and Specific Plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference;

NOW, THEREFORE, the Contra Costa LAFCO DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The matter before the Commission is the proposed expansion of CCCSD's SOI to include Assessor Parcel Numbers 365-230-008, 365-230-009 (portion) and 365-230-031 totaling 38.42± acres located in unincorporated Lafayette at the west end of Springhill Road.
2. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA); and in accordance with CEQA, finds the project is exempt pursuant to CEQA Guidelines, Section 15319, consistent with the determination of CCCSD acting as Lead Agency.
3. CCCSD's SOI is hereby expanded to include the areas as shown on the attached map (Exhibit A).
4. CCCSD service is limited to the existing residential structures which are currently receiving service.
5. The Commission has considered the criteria set forth in Government Code §56425 and determines as follows:

The present and planned uses in the area, including agricultural and open space lands.

The County General Plan designations for the subject properties include General Agricultural and Park & Recreation; and the County zoning designation for the subject properties is General Agriculture (A-2). The proposed SOI amendment and pending annexation of these properties will facilitate no changes in land use and will have no impact on agricultural land or open space lands.

The present and probable need for public facilities and services in the area.

The purpose of the SOI change is to correct boundary and service irregularities. Two of the parcels (APNs 365-230-008 and -009) are developed, and currently have municipal water and sewer services through East Bay Municipal Utility District and CCCSD, respectively. The third partial parcel (APN 365-230-031) is an undevelopable access parcel and is being included in the proposal for boundary consistency. All necessary public services already exist in the area and no new public services are needed. The proposed SOI change will have no effect on public facilities or services.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Current public facilities are adequate for the existing uses. No new development or growth can occur beyond the existing uses, due to public land ownership (EBRPD) and the area's "end-of-the-road" characteristics.

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 primary social or economic community of interest is Contra Costa County and CCCSD. The SOI amendment reflects a logical adjustment to the District's SOI in conjunction with the existing uses.

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

CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within central Contra Costa County. CCCSD also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility (HHWCF) that serves the central portion of the county.

PASSED AND ADOPTED THIS 8^H day of October 2014, by the following vote:

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

ROB SCHRODER, INTERIM 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: October 8, 2014

Lou Ann Texeira, Executive Officer



Lou Ann Teixeira
Executive Officer

MEMBERS

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

ALTERNATE MEMBERS

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

October 8, 2014 (Agenda)

October 8, 2014
 Agenda Item 10

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) – Castle Rock County Water District**

Dear Members of the Commission:

BACKGROUND

In May 2014, the Commission accepted the Final Municipal Service Review (MSR) report and adopted the required determinations in conjunction with the countywide Water/Wastewater Municipal Service Review (MSR) (2nd Round) covering eight cities and 21 special districts. The Commission also updated the spheres of influence (SOIs) for all of the districts, except for the Castle Rock County Water District (CRCWD). The MSR report is available online at contracostalafco.org or through the LAFCO office.

DISCUSSION

Castle Rock County Water District: As noted in the MSR report, CRCWD has operated for the past 59 years without being officially recognized as an independent special district for LAFCO purposes. Through the MSR process, we recently confirmed that CRCWD is an independent special district subject to LAFCO’s purview. Contra Costa LAFCO is required to establish an SOI for each city and special district within the County. As part of this MSR, the Commission will be asked to establish an SOI for the CRCWD.

CRCWD provides water service to 137 residents (79 parcels - 55 connections), including 12 residential water customers who are responsible for treating their own water. The water serves mostly residential, landscape irrigation, some commercial uses including four commercial stables. The District’s service area is 150± acres, and includes properties in the City of Walnut Creek and in surrounding unincorporated areas. Some of the territory served is located outside the countywide urban limit line.

CRCWD is located within the Contra Costa Water District (CCWD) service boundary. CRCWD purchases untreated water from CCWD which is pumped from an open canal. The relationship between CRCWD and CCWD is that of customer and supplier. CCWD sells water untreated to CRCWD, and CRCWD is responsible to distribute the untreated water to its customers. CRCWD facilities include one

pumping station and one holding tank with a 150,000 gallon capacity. The CRCWD's untreated water supply and distribution system include a small reservoir tank and a small pipeline distribution system.

CCWD operates and maintains treated water distribution facilities within the boundary of CRCWD, and approximately 80% of CRCWD residents receive treated water from CCWD as individual CCWD customers. These customers receive treated water from CCWD for domestic use, and untreated water from CRCWD for irrigation and livestock purposes. The remaining 20% of CRCWD residents (12 residential homes) purchase untreated water from CRCWD and are responsible for treating the water themselves.

CRCWD operates as an enterprise type activity, and receives about 84% of its revenue from service charges and fees, and 16% from property tax. Based on their last financial statement (June 2012), expenditures were approximately \$65,000, revenues were \$67,433, and cash assets (fund balance) were \$162,000.

Municipal Service Review/Sphere of Influence Update: The MSR noted that CRCWD does not maintain a capital improvement program; any capital maintenance expenditures necessary are determined annually and funded from revenues and reserve fund balance.

The MSR report also included the following observations/recommendations for CRCWD:

1. Given the age of the District's water system, a site review by a qualified engineer retained by CRCWD should be conducted to determine the condition of the reservoir, pump station and ancillary infrastructure.
2. The District should establish and maintain a website. At a minimum, the website should include the names of the Board Members (and terms of office), contact information, information regarding the District's services, a map of the District's service boundary, the Board's meeting schedule, agendas and minutes, and financial information including annual budgets and financial audits.
3. The District should provide LAFCO with an update in September 2015 with progress report addressing those administrative and governance issues identified in the 2014 MSR report.

The MSR report identified the following two governance options for CRCWD: 1) maintain the status quo – establish a coterminous SOI for CRCWD; or 2) establish a zero SOI for CRCWD signaling a future change of organization or reorganization (i.e., dissolution of CRCWD). While there is nothing in the statute that defines a zero SOI, it generally implies a transitional SOI indicating that the public service responsibility and functions of a local agency should be ultimately abandoned or re-allocated to another entity. Contra Costa LAFCO has previously adopted zero SOIs for a number of other districts.

Since completion of the MSR, LAFCO staff met with representatives of CRCWD and CCWD to discuss the MSR findings and governance options, including dissolving CRCWD and having CCWD take over operation of the CRCWD water system.

Neither district expressed a desire to reorganize. CRCWD feels that it has adequately served its customers for nearly 60 years, and wishes to remain an independent district. CRCWD representatives acknowledge that the District can improve its administrative operations and governance as noted in the MSR, and will make an effort to do so. Further, CCWD has no desire to take over the CRCWD operations and water system for various reasons, including the age of the CRCWD system and potential liabilities.

Last month, the Commission discussed the SOI options and expressed concerns regarding the condition of the CRCWD's water system, and duplication in service areas and services among the two districts. The Commission expressed a desire to establish a zero SOI for the CRCWD signaling a future change of organization. LAFCO staff communicated the Commission's concerns to the two districts; their positions have not changed. The CRCWD wishes to remain an independent special district, and CCWD wishes to maintain the current relationship with CRCWD as a water customer.

LAFCO Authority: LAFCO can initiate certain types of changes of organization (i.e., consolidation, dissolution, merger, establishing subsidiary districts). LAFCO-initiated actions must be supported by an SOI update, MSR or special study. Prior to approving a LAFCO-initiated proposal, LAFCO must make certain findings [Gov. Code §56881(b)].

The process for a LAFCO-initiated dissolution is complex and varies depending on a number of factors, including, but not limited to, whether the subject territory is inhabited (12 or more registered voters) or uninhabited, and whether the number of landowners or voters is less than 300 [Gov. Code §§57077.1(b)(3), 57077.1(c)(2), 57113]. LAFCO law provides that with a LAFCO initiated dissolution, LAFCO must conduct at least one public hearing, and possibly a protest hearing and election.

Dissolution of a district also involves procedures for concluding the affairs of the dissolved district [Gov. Code §§57450-57463], including naming a successor agency. Should the Commission wish to pursue dissolution, LAFCO staff will need to prepare a detailed plan and timeline.

RECOMMENDATIONS

1. Receive the staff report;
2. Determine that the SOI update is exempt under the General Rule exemption §15061(b)(3) of the CEQA Guidelines;
3. Adopt the attached resolution establishing a zero SOI for CRCWD with conditions; and
4. Provide other direction as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Fred Allen, Castle Rock County Water District
Jeff Quimby, Contra Costa Water District

Attachment – Resolution Establishing a Zero SOI for CRCWD

**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION
ADOPTING A ZERO 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 commercial stables; and

WHEREAS, CRCWD is located within the service area of Contra Costa Water District (CCWD), and CCWD provides treated, potable water to a majority of 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 establish an SOI for the District; and

WHEREAS, the MSR noted some deficiencies in the operations and governance of the CRCWD dealing with the age and condition of the water system and the governance/transparency of the District; and

WHEREAS, the MSR report identified two SOI options for the District: 1) adopt a coterminous SOI, or 2) adopt a zero SOI which is a transitional SOI signaling a future change of organization (i.e., the public service responsibility and functions of the district should ultimately be abandoned or re-allocated to another entity); and

WHEREAS, it is hereby proposed that LAFCO establish a zero SOI for CRCWD; and

WHEREAS, no change in regulation, land use or development will occur as a result of establishing a zero SOI for the District; 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 June 11, 2014, September 10, 2014, and October 8, 2014.

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 exempt under §15061(b)(3) of the CEQA Guidelines because there is no possibility that the proposed action would have a significant effect on the environment.

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; any future connections to the CRCWD would require further study.
 - 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 within CRCWD have an economic interest in receiving District services. Adoption of a zero 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 8th day of October 2014, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

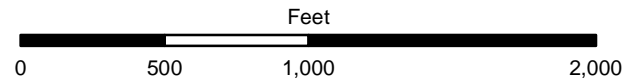
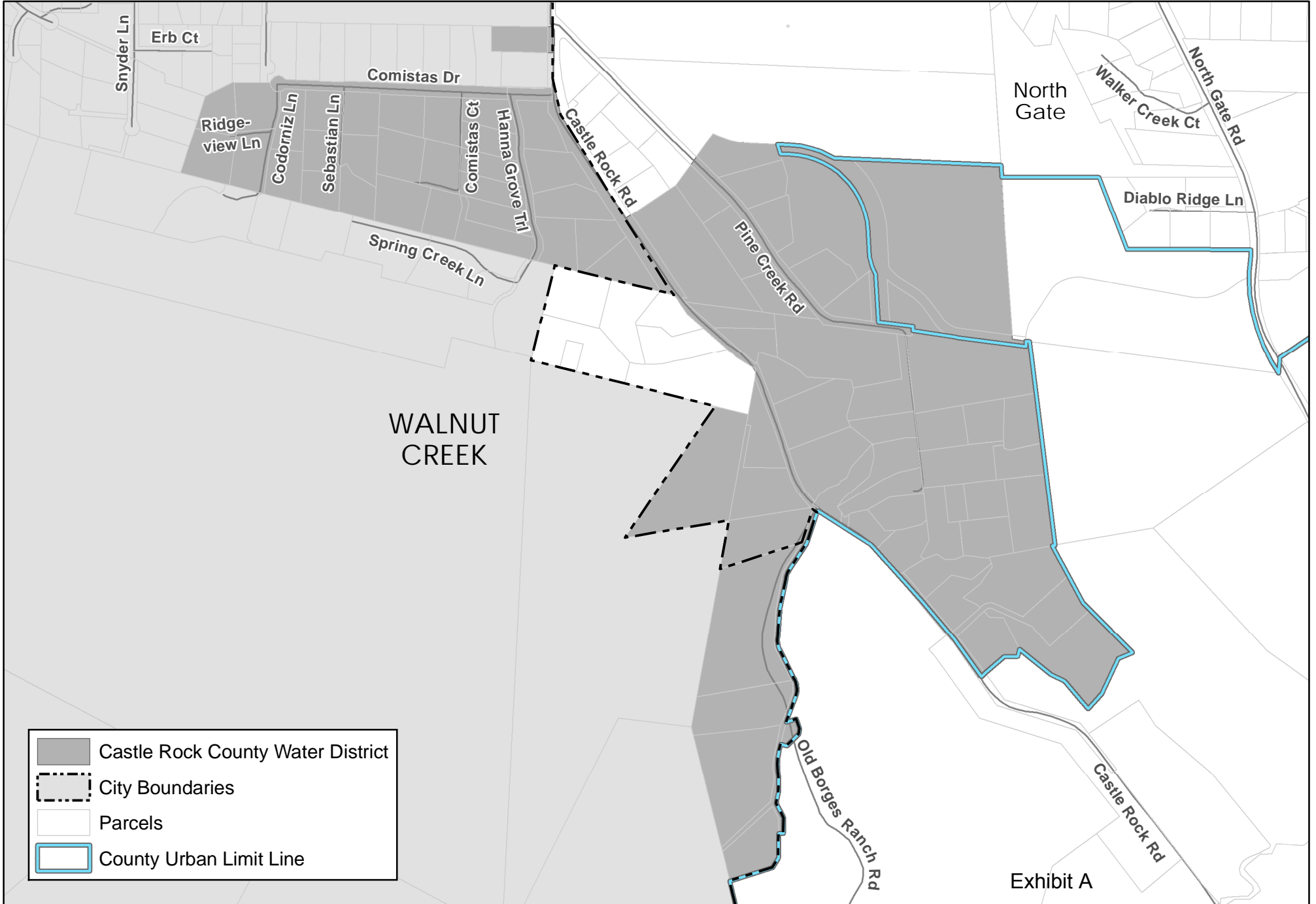
ROB SCHRODER, INTERIM CHAIR, CONTRA COSTA LAFCO

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

Dated: October 8, 2014

Lou Ann Texeira, Executive Officer

Castle Rock County Water District Boundary and SOI - Proposed Zero SOI





Lou Ann Teixeira
 Executive Officer

MEMBERS

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

ALTERNATE MEMBERS

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

October 8, 2014 (Agenda)

October 8, 2014
 Agenda Item 11

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

Policies and Procedures Update – Out of Agency Service (OAS)

Dear Members of the Commission:

This item was continued from the August 13, 2014 LAFCO meeting at the request of the Concord City Manager and the County Administrator, along with a request to meet with the LAFCO Policies and Procedures Committee. On September 30, the LAFCO Committee met with City and County representatives to discuss the proposed LAFCO policies and procedures relating to OAS (Gov. Code section 56133 – Attachment 1). A summary of the meeting is provided below.

DISCUSSION

Background: In August, the Policies & Procedures Committee presented the Commission with updated policies and procedures relating to OAS (Attachments 2 and 3). The OAS provisions were enacted in 1994 and have evolved over the years. Current law allows LAFCO to approve OAS in one of two situations: 1) if the subject property is within the local agency’s sphere of influence (SOI) and in anticipation of a future annexation, or 2) if the subject property is either inside or outside the local agency’s SOI and boundary and in response to an existing or impending threat to the health and safety of the public (e.g., failed septic, contaminated well, etc.).

The OAS provisions are intended to provide a temporary means of service – either in anticipation of a future annexation or to remedy an existing or impending public health and safety situation.

In the last several years, Contra Costa LAFCO has processed a number of requests for OAS. There have been various questions and concerns regarding OAS, which our current policy (Attachment 2) does not address. The updated policies and procedures (Attachments 3 and 4) will better address the persistent issues.

In developing the proposed revisions/ updates, LAFCO staff reviewed OAS policies of 10 other LAFCOs throughout the state.

Regarding the proposed revisions to our *procedures*, the primary changes include the following:

- Clarifies the application requirements, including those pertaining to Deferred Annexation Agreements
- Clarifies the LAFCO proceedings/timeframes
- Adds a requirement that OAS proposals must be accompanied by an annexation application (i.e., dual application) in non-emergency situations, unless this requirement is waived
- Establishes fee structure for dual application
- Authorizes the Executive Officer, in consultation with the Chair or Vice Chair, to approve an OAS application in an emergency situation with appropriate documentation

The proposed new *policy* includes provisions to coincide with the revised procedures as summarized above. The proposed new policy also includes the following provisions:

- Introduction
- Purpose
- Objectives
- General Policies
- Types of Requests (i.e., emergency and non-emergency) and specific criteria to be considered
- Consideration of request and specific criteria to be considered

Meeting with City and County Representatives: On September 30, the LAFCO Committee met with staff and elected officials of the City and County to discuss the proposed LAFCO policies and procedures relating to OAS. The City and County expressed general support for the proposed LAFCO policies and procedures; however, the representatives expressed a need for clarification and flexibility, particularly with regard to OAS and future annexation of the Ayers Ranch island.

As a result of the meeting, the proposed procedures (Section 3.15 – Provision of Services by Contract) were modified to clarify provisions relating to 1) submitting a dual application; and 2) emergency applications which can be either within the agency’s SOI or outside the agency’s SOI.

RECOMMENDATION

As recommended by the Policies & Procedures Committee and LAFCO staff, approve the revised policy and procedures with any changes as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

- Attachment 1 - Government Code Section 56133
- Attachment 2 - Current Out of Agency Service Policy
- Attachment 3 - Proposed Revisions to Out of Agency Service Procedures
- Attachment 4 - Proposed New Out of Agency Service Policy

c: County Administrator
Director, County Department of Conservation and Development
All City and District Managers in Contra Costa County

Services by contract outside city and district boundaries

56133. (a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

Threat to public safety

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met: (1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

Notice for alternate service provider

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

Proceedings for review

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

Exemptions

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus

water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on or before January 1, 2001. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

CHAPTER 4. NOTICE

Means of notice

56150. Unless the provision or context otherwise requires, whenever this division requires notice to be published, posted, or mailed, the notice shall be published, posted, or mailed as provided in this chapter. Unless the provision or context otherwise requires, whenever this division requires notice to be given that notice shall also be given in electronic format on a website provided by the commission, to the extent that the commission maintains a website.

Notice given by clerk; contents

56151. Notice authorized or required to be given by publication, posting, or mailing shall be given by the clerk or executive officer and shall contain all matters required by any particular provision of this division. If any ordinance, resolution, or order of any legislative body or the commission gives notice and contains all matters required to be contained in any notice, the clerk or executive officer may cause a copy of that ordinance, resolution, or order to be published, posted, or mailed, in which case no other notice need be given by the clerk or executive officer.

Resolution or ordinance sufficient

Notice given by clerk or executive officer if not specified

56152. Whenever any notice is required to be given and the duty of giving that notice is not specifically enjoined upon some officer, agency, or person, the clerk or executive officer, as the case may be, shall give notice or cause that notice to be given.

Publication in newspaper(s) of general circulation

56153. Notice required to be published shall be published pursuant to Section 6061 in one or more newspapers of general circulation within each affected county, affected city, or affected district. If any newspaper is a newspaper of general circulation in two or more affected cities or affected districts, publication in that newspaper shall be sufficient publication for all those affected

2.1. **POLICIES AND STANDARDS**

J. Standards for Out-Of-Agency Service Agreements

Considerations for Approving Agreements - Annexations to cities and special districts are generally preferred for providing public services. However, there may be situations where health and safety, emergency service, or other concerns warrant out-of-agency service agreements [§56133].

Out-of-agency service agreements are typically considered when annexation is not immediately feasible, and in anticipation of a future change of organization; or in response to an existing or impending public health and safety threat as documented by the County Environmental Health Division of the Health Services Department.

- 1) Agreements Consenting to Annex – LAFCO shall adopt a standard condition for approval of an out-of-agency service agreement requiring recordation of an agreement by the landowner consenting to annexation of the territory, which agreement shall inure to future owners of the property.
- 2) Emergency Approval by Chair - The Chair may authorize cities and special districts to provide services outside of their boundaries as specified herein.
 - a) A request and Resolution of Application is received from the affected local agency, including the requisite processing fee.
 - b) The situation involves a public health, safety or welfare emergency as confirmed by the affected agencies.
 - c) The Executive Officer shall provide a report to the Commission at the next LAFCO meeting of any out-of-agency service agreements that were approved.

CONTRA COSTA LAFCO

3.15 Provision of Services by Contract (Out of Agency Service)

Effective January 1, 1994, a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from LAFCO ([Gov. Code §56133](#)). The definition of city and special district services can be found in [Gov. Code Section §56074](#). In accordance with these definitions, services include the public facilities necessary to perform the service function. [Requirements, procedures and Conditions of approval and exemptions are described below.](#)

REQUIREMENTS

Formatted: Font: Bold

General Statements:

Formatted: Font: Bold

Formatted: Font: Bold

Conditions of Approval: LAFCO may approve, with conditions, a request for out-of-agency services in one of two situations: 1) [in response to an existing or impending threat to the health or safety of the public \(inside or outside the agency's SOI\), or 2\)](#) if the affected territory is within the agency's sphere of influence (SOI) and is in anticipation of a later annexation-

[Out of agency service requests must be filed with the Executive Officer by the affected city or district. The application shall be signed by an authorized representative of the city or district. Requests shall be made in writing with a completed LAFCO application, payment in the amount prescribed under the Commission's adopted fee schedule, appropriate environmental document, proposed service agreement, and an executed and recorded deferred annexation agreement \(DAA\) that includes waiver of property owner protest rights. An indemnification agreement will be required with each application. The recorded DAA shall run with the land and be binding on all future owners of the property. All requests for outside of agency service agreements are subject to the applicable provisions of CEQA.](#)

Formatted: Left, Indent: Left: 0"

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial, 11 pt

Requests Due to Health or Safety Emergency:

[Requests due to health or safety emergencies must be accompanied by documentation from the County Environmental Health Division, pursuant to §56133 and Contra Costa LAFCO policies. The Commission shall notify any alternative service provider in accordance with §56133. Emergency situations may occur within or outside the agency's SOI.](#)

Requests in Anticipation of an Annexation:

Formatted: Font: Bold

[Out of agency service applications must be accompanied by a change of organization \(e.g., annexation\) or reorganization application, including an approved tax sharing agreement. This dual application requirement may be waived in certain situations by the Commission in accordance with LAFCO policies \(Section 2.1, subsection J\).](#)

[The proponent will be charged the applicable change of organization fee prior to LAFCO's consideration of the out of agency service agreement, plus a 30% surcharge fee in conjunction](#)

with the out of agency service proposal. For applications where the dual application requirement is waived, the applicant will be charged the standard out of agency processing fee.

Formatted: Font: (Default) Arial

Formatted: Normal, Left, Indent: Left: 0"

PROCEDURES

Formatted: Font: Bold, Underline

Review of Request: The Executive Officer shall review and determine within 30 days of receipt whether the request to authorize out of agency service is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

Formatted: Font: Bold

Formatted: Font: (Default) Arial, 11 pt

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next regular meeting of the Commission for which adequate notice can be given but no later than 90 days from the date the request is deemed complete. The Executive Officer's written report will be made available to the public for review prior to the scheduled hearing and include an evaluation of the factors in accordance with the Government Code and LAFCO policies.

LAFCO may approve the request for out of agency service with or without conditions, or may deny the request. Unless otherwise specified in the LAFCO resolution of approval, out of agency service is allowed for the subject application only, and any future extension or expansion of service is subject to LAFCO's approval.

If the request to provide out of agency service is approved or denied, the applicant may request reconsideration within 30 days citing the reasons for reconsideration.

Consideration of Emergency Request: The Commission authorizes the Executive Officer, in consultation with the Chair or Vice Chair, to approve an emergency request (e.g., failing well or septic system) for out of agency service, as documented by the County Environmental Health Division. The Executive Officer shall report to the Commission on his or her administrative approval of any emergency out of agency service agreements at the next regularly scheduled LAFCO meeting. Such administrative approval can be made in accordance with LAFCO policies (Section 2.1, subsection J).

Formatted: Font: Bold

Formatted: Font: (Default) Arial, 11 pt, Not Highlight

Formatted: Not Highlight

Formatted: Font: (Default) Arial, 11 pt, Not Highlight

Formatted: Font: (Default) Arial, 11 pt

Formatted: Indent: Left: 0"

EXEMPTIONS

Formatted: Font: Bold

Formatted: Font: Bold

Exceptions: LAFCO authority over out-of-agency services does not apply to the following:

1. Contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.

2. Contracts for the transfer of non-potable or non-treated water; and
3. Contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservations purposes, or directly support agricultural industries. However, prior to extending surplus water that will support or induce development, the agency must receive written approval from LAFCO.
4. An extended service that a city or district was providing on or before January 1, 2001.
5. A local publicly owned electric utility providing electric services, which do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility outside of the utility's jurisdictional boundary.

~~Health or Safety Concerns: The Commission may authorize a city or district to provide new or extended service outside its jurisdictional boundary and outside its SOI to respond to an existing or impending threat to the health and safety of the public or the affected residents if both of the following requirements are met:~~

~~1. Documentation of a threat to the health and safety of the public or the residents has been provided to the Commission (e.g., letter from the County Environmental Health Division of the Health Services Department); and~~

~~2.1. The Commission has notified any alternative service provider that has filed a map and statement of its service capabilities with the Commission.~~

Formatted: Numbered + Level: 1 +
 Numbering Style: 1, 2, 3, ... + Start at: 1 +
 Alignment: Left + Aligned at: 0" + Indent at:
 0.25"

Procedures

~~Applicants will be required to submit a boundary change application, and applicable documentation demonstrating that the agreement is either in response to a public health and safety threat (e.g., letter from the County Environmental Health Division of the Health Services Department, deferred annexation agreement, etc.), or in anticipation of a subsequent jurisdictional change (e.g., deferred annexation agreement, etc.). The proponent will be charged the LAFCO out-of-agency service review fee prior to LAFCO's consideration of the out-of-agency service agreement.~~

~~In the extension of services is in response to a health or safety threat to property outside an agency's SOI, applicants are encouraged, but not required, to submit an annexation application.~~

~~All of the requirements associated with processing an annexation/detachment proposal, such as rezoning, environmental review, etc., will apply when processing an out-of-agency service agreement.~~

~~In accordance with Contra Costa LAFCO policies (Section 2.1 Policies and Standards, Section J), the Chair is authorized to administratively approve out-of-agency service agreements that are in response to health or safety threats, if all conditions of approval have been met in accordance with Government Code Section 56133, and the applicant has satisfactorily demonstrated the existence of public health, safety, or welfare impacts (e.g., letter from the County Environmental Health Division of the Health Services Department). The Executive Officer shall provide a report to the Commission at the next regularly scheduled LAFCO meeting regarding administratively approved service agreements.~~

2.1 POLICIES AND STANDARDS

J. Policies for Out of Agency Service Agreements

I. Introduction

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) requires a city or special district to obtain written approval from LAFCO prior to providing new or extended service outside its jurisdictional boundary, with certain exceptions (Gov. Code §56133). This section of the CKH sets forth a two-pronged test or criteria under which requests for out of agency services may be approved: either in response to an existing or impending threat to the health or safety of the public, or in anticipation of a later change in organization (i.e., annexation) for areas within the subject agency's sphere of influence (SOI). Specific procedures for submitting an out of agency service application can be found in Contra Costa LAFCO's Commissioner Handbook, section 3.15 *Provision of Services by Contract*.

II. Purpose

The purpose of these policies is to guide the Commission in reviewing city and district requests to provide new or extended services by agreement outside their jurisdictional boundaries. This includes establishing policies and procedures to ensure that the application meets one of the two criteria under which approval may be granted, and to ensure consistency with respect to form, review and consideration of requests.

III. Objective:

The objective of these policies is to ensure that the extension of services by cities and districts outside their jurisdictional boundaries is logical and consistent with supporting orderly growth and development in Contra Costa County. Out of agency service is generally not intended to support new development.

IV. Out of Agency Service Policies

A. General Statements

- 1) Annexation to cities and special districts involving territory located within the affected agency's sphere of influence (SOI) is generally preferred to out of agency service.
- 2) LAFCO will consider applicable Municipal Service Reviews (MSRs) and discourage out of agency service extensions that conflict with adopted MSR determinations or recommendations.
- 3) Requests for out of agency service agreements are subject to the applicable provisions of the California Environmental Quality Act (CEQA).
- 4) Commission approval is not required for cities or districts to provide new or extended services outside their jurisdictional boundaries if any of the exemptions apply in accordance with §56133(e) – see Section 3.15 for exceptions. The Commission encourages cities and districts to work with the Executive Officer in determining when the statutory exemptions may apply.

B. Form of Request

1. All Requests

Requests to authorize out of agency service shall be filed with the Executive Officer by the affected city or district. The application shall be signed by an authorized representative of the city or district. Requests shall be made in writing with a completed LAFCO application, payment in the amount prescribed under the Commission's adopted fee schedule, appropriate environmental document, proposed service agreement, and an executed and recorded deferred annexation agreement (DAA) and waiver of property owner protest rights. The recorded DAA shall run with the land and be binding on all future owners of the property. An indemnification agreement will be required with each application.

All requests for out of agency service are subject to the applicable provisions of CEQA.

2. Requests Due to Health or Safety Emergency

The Commission may authorize a city or district to provide new or extended services outside their jurisdictional boundary and outside their SOI in response to an existing or impending threat to public health or safety ("emergency" – e.g., failing well or septic system) with documentation from the County Environmental Health Division, and in accordance with §56133(c) and LAFCO procedures. If LAFCO approves an emergency out of agency service request, and the city or district fails to initiate the provision of services within six months of the Commission's approval, the out of agency service approval shall expire, unless otherwise specified by LAFCO.

The Commission authorizes the LAFCO Executive Officer, in consultation with the Chair or Vice Chair, to approve a city's or district's request for out of agency service if there is an existing or impending public health or safety emergency, as documented by the County Environmental Health Division. The Executive Officer shall report to the Commission on his or her administrative approval of any emergency out of agency service agreements at the next regularly scheduled LAFCO meeting. Such administrative approval can be made if the following criteria are met:

- The property is currently developed
- The lack of service being requested constitutes an *immediate* (i.e., approval needed within two months) health and safety concern as documented by County Environmental Health
- There are physical restrictions on the property that prohibit a conventional service delivery method (i.e., septic tank, private well, etc.)

3. Requests in Anticipation of Annexation

An out of agency service application must be accompanied by a change of organization or reorganization application, including an approved tax sharing agreement, in order for LAFCO to determine that the out of agency service is in anticipation of a change of organization (i.e., annexation) within the next 12 months. This dual application requirement may be waived in certain situations by the [Executive Officer-Commission](#) if compelling justification is provided. Circumstances which may warrant such a waiver include, but are not limited to, the following:

- Lack of contiguity (e.g., city boundary) when the project was approved prior to 2011
- Service is only needed to serve a portion of a larger parcel, and annexation of the entire parcel is not desirable

- Other circumstances which are consistent with LAFCO statute and the policies of Contra Costa LAFCO

If immediate annexation (i.e., within 12 months) is not a feasible alternative, then the extension of services may be approved in anticipation of a later annexation if the agency provides LAFCO with a resolution of intent to annex ~~(in lieu of an annexation application)~~, as well as appropriate assurances (e.g., rezoning, plan for annexation, deferred annexation agreement, etc.) which demonstrate that out of agency service is an intermediate steps toward eventual annexation.

C. Review of Request

The Executive Officer shall review the request in accordance with CKH and LAFCO's policies and procedures.

D. Consideration of Request

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration in accordance with CKH and LAFCO's policies and procedures. The Executive Officer's written report will be made available to the public for review prior to the scheduled hearing and include an evaluation of the following factors:

- 1) The ability of the applicant to extend the subject service to the affected land without adversely affecting current service levels within the existing service boundary.
- 2) If the request is to address a health or safety emergency, whether the documentation satisfactorily demonstrates compliance with CKH and LAFCO policies and procedures.
- 3) If the request is in anticipation of future annexation, whether the application provides adequate assurances in furtherance of a future annexation.
- 4) The application's consistency with the policies and general plans of affected local agencies.
- 5) The application's effect on growth and development within and adjacent to the affected land; and whether the out of agency service extension will contribute to premature development of fringe areas or development in areas designated for non-urban uses.
- 6) Whether the proposal contributes to the premature conversion of agricultural land or other open space land.

The Commission and the Executive Officer, as authorized by the Commission, may approve the request for out of agency service with or without conditions, or may deny the request. Unless otherwise specified in the LAFCO resolution of approval, out of agency service is allowed for the subject application only, and any future extension or expansion of service is subject to LAFCO's approval.

If the request to provide out of agency service is approved or denied, the applicant may request reconsideration within 30 days citing the reasons for reconsideration.



Lou Ann Teixeira
Executive Officer

MEMBERS

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

ALTERNATE MEMBERS

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

October 8, 2014
 Agenda Item 12

October 8, 2014

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

Post Retirement Medical Benefits Trust Agreement

Dear Members of the Commission:

BACKGROUND: Contra Costa LAFCO provides post retirement health benefits for its retired employees and their spouses and dependents. Currently, LAFCO has three retirees and two active employees. In order to fund “Other Post-Employment Benefits (OPEB)” and reduce long-term liability to LAFCO, the Commission initiated a plan to fund future costs associated with this benefit. Since 2011-12, LAFCO has included in its budget an annual expense of \$10,000 to fund its OPEB liability. To date, the Commission has set aside a total of \$40,000 for this purpose. The funds are currently in the LAFCO fund balance account.

LAFCO staff has explored trust options for holding LAFCO’s assets to fund post-retirement benefits. The preferred option is to participate with the County in the Public Agencies Post-Retirement Health Care Plan Trust (“Trust”) administered by Public Agency Retirement Services (PARS). PARS is a direct trust administrative provider, and not a broker, and offers significant economies of scale as a multiple-employer trust serving various types of public agencies for combined asset growth without risk-sharing. PARS has over 30 years as a trust administrator and nearly 20 years in OPEB administration.

According to the County, PARS is one of the three largest and most qualified firms that provide OPEB trust services for California counties and municipalities. Others include California Public Employees Retirement System and International City/County Management Association. After reviewing all plans to determine the best return on investment, security and flexibility, the County selected PARS.

PARS provides the security of a Private Letter Ruling from the IRS that assures participating employers the tax-exempt status of their investments. While PARS is a multi-employer trust, it allows the County flexibility in selecting investment strategies for its funds. Further, there is no sharing of either liability or investment earnings among agency participants; separate employer

accounts are maintained. Contributions made to the program are held and invested by a trustee, which is U.S. Bank, N.A. HighMark Capital Management, the investment management subsidiary of MUFG Union Bank, N.A., serves as the Investment Manager. The County Treasurer-Tax Collector serves as the County's PARS Plan Administrator.

PARS serves as the administrator for the trust and performs the following duties: 1) establishes the master trust and prepares plan documents, 2) monitors the receipt of contributions, 3) processes reimbursements of OPEB premiums and expenses, 4) prepares monthly activity reports, 5) coordinates actuarial studies, 6) responds to auditor requests, and 7) keeps the County informed about legal and regulatory requirements.

DISCUSSION: County and LAFCO staff discussed the option of allowing LAFCO to become a subaccount under the County's PARS Trust agreement. LAFCO's subaccount would be aggregated with the County's account for investment and administration purposes. LAFCO's annual asset fee would be .05% of LAFCO assets invested with PARS; there would be no other fees for LAFCO. ¹

The County's Advisory Committee discussed LAFCO's participation in the County's plan and next steps. The Committee is composed of the County Administrator, County Finance Director, Treasurer-Tax Collector, Auditor-Controller, and Health Services Finance Director. The Committee was supportive of allowing LAFCO to participate in the PARS Trust program as a subaccount under the County's plan.

In order to participate in the PARS Trust program, LAFCO must first conduct an actuarial valuation to calculate the future liability for retiree healthcare and other post-employment benefits. The calculations project the liability for active employees during their retirement, and for any retired employees who elect to receive post-employment benefits. In March 2014, LAFCO completed an actuarial valuation prepared by Demsey, Filliger & Associates, LLC through a consortium with the California Special Districts Association and the California School Boards Association. The actuarial information will also be used in preparing LAFCO's annual financial audit. In accordance with Government Accounting Standard Board (GASB 45), LAFCO is required to disclose any unfunded post-employment benefits in its annual audits. Government accounting rules allow employers that prefund to use a higher "discount rate" assumption, which reduces future OBEP liabilities on financial statements.

LAFCO's actuarial valuation shows an Employer-Paid Accrued Liability of \$516,522 and an annual contribution of \$52,278 (see Attachment 1) which would fully fund the liability over a period of 30

¹ Per annum investment management fees for the County's account are based on the following sliding scale: .35% on the first \$5,000,000; .25% on the next \$5,000,000; .20% on the next \$5,000,000; .15% on the next \$35,000,000; .10% on the next \$50,000,000; and .05% on all assets over \$100,000,000. LAFCO's annual investment management fee would be applied proportionately based on total assets in the County's PARS Trust program. Per annum trust administration fees for the County's account are based on the following sliding scale: .25% on the first \$10,000,000; .20% on the next \$5,000,000; .15% on the next \$35,000,000; .10% on the next \$50,000,000; and .05% on all assets over \$100,000,000. LAFCO's annual trust administration fee would be applied proportionately based on total assets in the County's PARS Trust program. As of June 30, 2014, the annual blended asset based fee for both investment management services and trust administration was approximately 0.22%.

years. LAFCO does not currently have sufficient revenues to fully fund the obligation. As noted above, in 2011-12, LAFCO began funding the OPEB liability and has accrued \$40,000 for this purpose. The \$40,000 will be placed in the trust account once established.

In addition to the actuarial valuation, LAFCO will also need to adopt a resolution to join the PARS Trust as adopted by Contra Costa County (attached). Following LAFCO's approval, the County Board of Supervisors will need to adopt a resolution accepting Contra Costa LAFCO into its plan.

RECOMMENDATIONS: 1) Adopt the attached resolution authorizing participation in the PARS Trust as adopted by Contra Costa County; and 2) forward the LAFCO documents to Contra Costa County with a request to the County to accept Contra Costa LAFCO in the County's plan.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Lisa Driscoll, County Finance Director

Attachments

- 1 - LAFCO Actuarial Valuation - Summary of Results
- 2 - LAFCO Resolution Authorizing Participation in the PARS Public Agencies Post-Retirement Health Care Plan Trust
- 3 - PARS Public Agencies Post-Retirement Health Care Plan Trust

GASB45

SOLUTIONS

Summary of Results for GASB 45 Alternative Measurement Method as of 7/1/2013

According to the results listed in the table below, Contra Costa LAFCO has an Accrued Liability (AL) of \$516,522. Because Contra Costa LAFCO does not have an irrevocable trust for the pre-funding of retiree benefits, the Unfunded Accrued Liability (UAL) is also \$516,522. This report also determines that the Annual Required Contributions (ARC) under GASB 45 is \$52,278. This is comprised of the present value of benefits accruing in the current year (called the "Service Cost") and a 30-year amortization of the UAL.

	<u>Actives</u>	<u>Retirees</u>	<u>Total as of Valuation Date</u>
Total PVB	\$588,323	\$178,806	\$767,129
Total PUC AL	406,384	178,806	585,190
Total PUC SC	25,991	0	25,991
Retiree-Paid PVB	66,536	33,254	99,790
Retiree-Paid PUC AL	35,414	33,254	68,668
Retiree-Paid PUC SC	4,446	0	4,446
Employer PVB	521,787	145,552	667,339
Employer PUC AL	370,970	145,552	516,522
Employer PUC SC	21,545	0	21,545
Accrued Liability			516,522
Assets (from client input)			<u>0</u>
Unfunded Accrued Liability			516,522
Annual Required Contributions (ARC) for year ending			<u>6/30/2014</u>
Service Cost at end of year			\$22,407
30 year Amortization of UAL			<u>29,871</u>
Total ARC			\$52,278

Key Definitions:

PVB = Present Value of Benefits: this is the present value of all projected benefits

AL= Accrued Liability: this is the present value of benefits that are attributed to past service only

UAL = Unfunded Accrued Liability: this is equal to the AL minus assets

ARC = Annual Required Contribution: this is the amount Contra Costa LAFCO would be required to report as an expense for the upcoming fiscal year under GASB 45 which Present Value of Benefits is apportioned into Accrued Liability and Service Cost

SC = Service Cost: this is the proportion of the actuarial present value of plan benefits and expenses which is allocated to a valuation year by the actuarial cost method used in the valuation

PUC = Projected Unit Credit: this is an actuarial cost method (one of 6 permitted by GASB 45) under which Present Value of Benefits is apportioned into Accrued Liability and Service Cost

RESOLUTION NO. 2014-2

**AUTHORIZING PARTICIPATION IN THE CONTRA COSTA COUNTY PARS
PUBLIC AGENCIES POST-RETIREMENT HEALTH CARE PLAN TRUST**

WHEREAS, the Contra Costa Local Agency Formation Commission (LAFCO) is an independent regulatory agency created by the State Legislature; and

WHEREAS, pursuant to Government Code §56385, LAFCO may provide benefits, including retirement, health and medical, to its employees; and

WHEREAS, Contra Costa LAFCO provides health benefits to its retired employees, their spouses and dependents; and

WHEREAS, it is determined to be in the best interest of Contra Costa LAFCO to participate with Contra Costa County in the PARS Public Agencies Post-Retirement Health Care Plan Trust (the "Program") to fund post-employment benefits for its employees and retirees; and

WHEREAS, Contra Costa LAFCO is eligible to participate in the Program, a tax exempt trust and plan performing an essential governmental function within the meaning of Section 115 of the Internal Revenue Code, as amended, and the regulations issued thereunder, and a tax-exempt trust under the relevant statutory provision of the State of California; and

WHEREAS, Contra Costa LAFCO desires to participate in the program as a subaccount of Contra Costa County and subject to approval by the Contra Costa County Board of Supervisors; and

WHEREAS, the assets in the subaccount shall be held in the Program for the exclusive purpose of funding health benefits for Contra Costa LAFCO retired employees, their spouses and dependents, and shall not be used for or diverted to any other purpose.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO hereby approves participating in the Public Agencies Post-Retirement Health Care Plan Trust (Exhibit A), as adopted by the County of Contra Costa, subject to approval of LAFCO's participation in Contra Costa County's Post-Retirement Health Benefits Trust by the Contra Costa County Board of Supervisors.

BE IT FURTHER RESOLVED, that the Contra Costa County Treasurer-Tax Collector, or his or her successor or his or her designee, is the Plan Administrator for the Program; and, upon approval by the Contra Costa County's Board of Supervisors to add LAFCO as a subaccount to the Program, is authorized to execute any PARS legal and administrative documents related to LAFCO's participation as a subaccount in the Program, and to take whatever additional actions as necessary to maintain compliance of any relevant regulation issued or as may be issued, therefore authorizing the Plan Administrator to take whatever additional actions as required to administer the Program.

PASSED AND ADOPTED THIS 8TH day of October 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: October 10, 2014

Lou Ann Texeira, Executive Officer

ADOPTION AGREEMENT
TO THE
PUBLIC AGENCIES
POST-RETIREMENT HEALTH CARE PLAN

No guaranty that payments or reimbursements to employees, former employees or retirees will be tax-free. The Trust has obtained a ruling from the Internal Revenue Service concerning only the federal tax treatment of the Trust's income. That ruling may not be cited or relied upon by the Employer whatsoever as precedent concerning any matter relating to the Employer's health plan(s) (including post-retirement health plans). In particular, that ruling has no effect on whether contributions to the Employer's health plan(s) or payments from the Employer's health plan(s) (including reimbursements of medical expenses) are excludable from the gross income of employees, former employees or retirees, under the Internal Revenue Code. The federal income tax consequences to employees, former employees and retirees depend on the terms and operation of the Employer's health plan(s).

Introduction

By executing this Adoption Agreement, the Employer specified in Section II of this Adoption Agreement adopts the Public Agencies Post-Retirement Health Care Plan Document (the "Trust Agreement").

Defined terms shall have the meanings attributed to such terms of the Trust Agreement.

The Employer hereby selects the following Plan specifications:

Section I

Plan and Trust Information

A.1.1 FULL NAME OF TRUST: Public Agencies Post-Retirement Health Care Plan Trust

A.1.2 FULL NAME OF PLAN: County of Contra Costa Post-Retirement Health Benefits Plan

A.1.3 EFFECTIVE DATE OF PLAN: If this is a restatement of an existing plan, the restatement became effective: n/a .

Section II

Employer Information

A.2.1 EMPLOYER INFORMATION:

NAME OF AGENCY: Contra Costa Local Agency Formation Commission (LAFCO)

ADDRESS: (Street): 651 Pine Street, Sixth Floor

(City, State Zip code): Martinez, CA 94553

(Phone Number): (925) 335-1094

A.2.2 EMPLOYER'S PLAN ADMINISTRATOR: LAFCO Executive Officer

A.2.3 EMPLOYER'S TAX IDENTIFICATION NUMBER: 94-6000509

A.2.4 EMPLOYER'S FISCAL YEAR means the 12 consecutive month period:

Commencing on (month, day) July 1 and

Ending on (month, day) June 30

Section III (Reserved)

Section IV Investment

A.4.1 INVESTMENT APPROACH: The Employer shall select either a discretionary or a directed approach to investment.

_____ a. Discretionary Investment Approach

If the Discretionary Investment Approach is selected, the Employer hereby directs the Trustee to invest the Assets of the Employer's Agency Account pursuant to one of the investment strategies listed on the accompanying Investment Strategy Selection and Disclosure Form or another investment strategy as mutually agreed upon by the Employer and the Trustee.

_____ b. Directed Investment Approach

If the Directed Investment Approach is selected, the Employer must attach its investment policy and retain its own Registered Investment Advisor. The Employer shall be permitted to direct investments of its Agency Account pursuant to the terms of the Trust Agreement.

*** SIGNATURE PAGE FOLLOWS ***

Execution and Adoption of Plan and Related Documents

By executing this Adoption Agreement, the Employer hereby adopts and agrees to be bound by the Master Plan Document and the Trust Agreement, and hereby ratifies, confirms and approves the appointment of Union Bank, N.A. as the Trustee and the appointment of Public Agency Retirement Services as the Trust Administrator as of the Effective Date.

The Employer understands and agrees that the Trust Agreement may be amended from time to time by a vote of the Employers as set forth in the Trust Agreement.

This Adoption Agreement is hereby executed and effective as of this _____ day of _____, 2014.

EMPLOYER: CONTRA COSTA LAFCO

By: _____
Lou Ann Texeira, LAFCO Executive Officer

ACCEPTED:

Trust Administrator: Phase II Systems, dba Public Agency Retirement Services

By: _____ Title: _____

Date: _____

Trustee and Investment Fiduciary: Union Bank, N.A.

By: _____ Title: _____

Date: _____

By: _____ Title: _____

Date: _____



Lou Ann Teixeira
Executive Officer

MEMBERS

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

October 8, 2014

October 8, 2014
Agenda Item 13

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

First Quarter Budget Report - Fiscal Year 2014-15

Dear Members of the Commission:

This is the first quarter budget report for FY 2014-15, which compares adopted and actual expenses and revenues for the period July 1, 2014 through September 30, 2014.

The LAFCO operating budget includes three components: salaries/benefits, services/supplies, and contingency/reserve. The budget is based on the “bottom line,” which allows for variation within line item accounts as long as the overall balance remains positive. Funds may not be drawn from the contingency/reserve without Commission approval.

LAFCO’s budget is funded primarily by the County, cities and independent special districts, with each group paying one-third of the LAFCO budget. The city and district shares are prorated based on general revenues reported to the State Controller’s Office. LAFCO also receives revenue through application fees and interest earnings.

DISCUSSION

On May 7, 2014, LAFCO adopted its final FY 2014-15 budget with total appropriations of \$782,152 (including contingency/reserve and OPEB Trust).

With 25% of the fiscal year elapsed, the Commission’s first quarter expenditures are \$90,066 or 12% of total appropriations. The Commission budgeted \$390,778 in *salaries/benefits* for FY 2014-15; at the end of the first quarter, actual expenses total \$64,548 or 17% of the total budgeted amount. The Commission budgeted \$301,374 in *services/supplies*; and at the end of the first quarter, actual expenses total \$25,518 or 8%. The budget also includes \$10,000 for the OPEB Trust and an \$80,000 contingency/reserve. No funds have been drawn from the contingency this fiscal year.

The primary sources of revenues are local agency contributions, application fees, and interest earnings. Total revenues received during the first quarter are \$765,133 (including fund balance) or 98% of projected revenues. With the exception of the Rollingwood Wilart Park Recreation & Park District, all local agencies have paid their prorated contributions to the LAFCO budget. LAFCO staff is currently working with the Auditor’s Office to collect appropriations from the remaining agency.

As for application fees, FY 2014-15 application activity is on par with FY 2013-14 activity. During the first quarter of FY 2014-15, LAFCO received two new applications; two applications were received during the first quarter of FY 2013-14.

LAFCO is currently receiving no investment earnings, and awaits the County Treasurer’s notice to resume investment activity based on market conditions.

Finally, when available, we budget fund balance to offset agency contributions. The FY 2014-15 budget includes \$150,000 in budgeted fund balance. See table below for a summary.

Account	FY 2014-15 Final Budget	First Quarter Actuals
Salaries & Benefits	\$390,778	\$ 64,548
Services & Supplies	301,374	25,518
Contingency/Reserve	80,000	-
OPEB Trust	10,000	
Total Appropriations	\$782,152	\$90,066
Agency Contributions	\$610,152	\$610,118
Application/Other Revenue	22,000	5,015
Interest Earnings	-	-
Fund Balance	150,000	150,000
Total Revenues	\$782,152	\$765,133

No budget adjustments are recommended at this time. LAFCO staff will continue to closely monitor the budget, and keep the Commission apprised.

RECOMMENDATION

It is recommended that the Commission receive the FY 2014-15 first quarter budget report.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER



Lou Ann Teixeira
Executive Officer

MEMBERS

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

ALTERNATE MEMBERS

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

October 8, 2014 (Agenda)

October 8, 2014
Agenda Item 14

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

**Contra Costa Emergency Medical Services (EMS)
Ambulance Request for Proposals Development Workshop**

Dear Members of the Commission:

On September 17, Contra Costa Emergency Medical Services (EMS) held a one-day workshop in conjunction with development of a Request for Proposals (RFP) for the upcoming ambulance services contract.

County EMS invited a number of agencies and organizations to participate in the workshop, including Contra Costa LAFCO. The Commission designated the LAFCO Executive Officer to represent LAFCO at the workshop.

The workshop was well attended by representatives from fire/EMS, healthcare, labor and the public. The workshop was facilitated by Richard Keller, Fitch & Associates. The workshop PowerPoint presentation is available online at <http://cchealth.org/ems/pdf/RFP-Workshop-2014-0917.pdf>.

The presentation provided an overview of the procurement process, RFP performance requirements and criteria, procurement evaluation process, and an opportunity for public comment. There was interesting discussion regarding system design challenges (i.e., consolidation to 3 zones, response times), and the procurement evaluation process.

The tentative timeline for the RFP process provides for a draft RFP to the Board of Supervisors in December 2104, release of the RFP in February 2015, proposals due in April 2015, award of the final contract in September 2015, and a new contract start date of January 1, 2016.

RECOMMENDATION: Receive report.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Patricia Frost, EMS Director



October 8, 2014
Agenda Item 15

AGENDA

RETIREMENT BOARD MEETING

SECOND MONTHLY MEETING
September 17, 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. Presentation from staff and Torchlight regarding potential commitment to the Torchlight Debt Opportunity Fund V.
4. Consider and take possible action regarding potential commitment to the Torchlight Debt Opportunity Fund V.
5. Presentation from staff on private real estate pacing schedule.
6. Presentation from staff and Oaktree regarding potential commitment to the Oaktree Real Estate Opportunities Fund VII.
7. Consider and take possible action regarding potential commitment to the Oaktree Real Estate Opportunities Fund VII.
8. Presentation from staff and Angelo Gordon regarding potential commitment to the Angelo Gordon Realty Fund IX.
9. Consider and take possible action regarding potential commitment to the Angelo Gordon Realty Fund IX.
10. 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.
 - c. Discussion of revision to 1st quarter 2014 performance report.
11. Consider and take possible action to issue a Request for Proposal for Website Redesign.
12. 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, October 01, 2014

October 8, 2014
Agenda Item 17a

1

AB 453 (Mullin D) Sustainable communities.

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

Introduced: 2/19/2013

Last Amended: 7/3/2013

Status: 8/15/2014-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/12/2013)

Desk	Policy	Fiscal	Floor	Desk	Policy	Dead	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: 8/15/2014-Failed Deadline pursuant to Rule 61(b)(14) . (Last location was APPR. SUSPENSE FILE on 8/13/2013).

Desk	Policy	Fiscal	Floor	Desk	Policy	Dead	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: Vetoed: 9/29/2014 [pdf](#) [html](#)

Introduced: 1/16/2014

Last Amended: 8/4/2014

Status: 9/28/2014-Vetoed by the Governor

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 Letter of Support \(Feb 2014\)](#)

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates the VLF payment (through ERAF) and changes the way that the growth in the VLF adjustment amount (property tax in lieu of VLF) is calculated starting in FY 2014-15 to include the growth of assessed valuation, including in an annexed area, from FY 2004-05 to FY 2014-15. Beginning in FY 2015-16, the VLF adjustment amount would be the jurisdiction's annual change in the assessed valuation.

[AB 1527](#) ([Perea D](#)) **Public water systems: Safe Drinking Water State Revolving Fund.**

Current Text: Vetoed: 9/29/2014 [pdf](#) [html](#)

Introduced: 1/17/2014

Last Amended: 8/20/2014

Status: 9/28/2014-Vetoed by the Governor

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

Summary:

Would require the State Water Resources Control Board to provide incentives for the consolidation of public water systems based upon a service review developed by a local agency formation commission. This bill would repeal these provisions as of January 1 of the next calendar year occurring after the board provides notice to the Legislature and the Secretary of State and posts notice on its Internet Web site that the board has adopted a policy handbook.

Attachments:

[CALAFCO Support Letter](#)

[CALAFCO Support if Amended Letter](#)

Position: Support

Subject: Disadvantaged Communities, Municipal Services, Service Reviews/Spheres

CALAFCO Comments: As amended, this bill requires the State Water Resources Control Board to provide incentives for the consolidation of public water systems based on LAFCo studies. It further requires the Board to adopt a policy handbook. Once done, this newly added provision will be repealed.

The bill has undergone a number of substantial amendments, consequently eliminating the provision that LAFCos be added to the list of eligible entities for receiving grant funding from the Strategic Growth Council. However it still acknowledges the importance and usefulness of Municipal Service Reviews at the state level by requiring the Board to use that data in their processes of consolidation incentives.

[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: 8/31/2014-Failed Deadline pursuant to Rule 61(b)(17). (Last location was A. APPR. on 3/24/2014)

Desk	Policy	Dead	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 1739](#) ([Dickinson D](#)) Groundwater management.

Current Text: Chaptered: 9/16/2014 [pdf](#) [html](#)

Introduced: 2/14/2014

Last Amended: 8/22/2014

Status: 9/16/2014-Chaptered by Secretary of State - Chapter 347, Statutes of 2014.

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

Summary:

Would provide specific authority to a groundwater sustainability agency, as defined in SB 1168 of the 2013-14 Regular Session, to impose certain fees. The bill would authorize the Department of Water Resources or a groundwater sustainability agency to provide technical assistance to entities that extract or use groundwater to promote water conservation and protect groundwater resources. This bill would require the department, by January 1, 2017, to publish on its Internet Web site best management practices for the sustainable management of groundwater.

Attachments:

[CALAFCO Letter of Concern \(June 2014\)](#)

Position: Watch

Subject: LAFCo Administration, Water

CALAFCO Comments: As amended, all references to LAFCo being involved in the formation and governance processes for groundwater management agencies have been removed. Agencies will be formed by public agencies as dependent special districts or through JPA, MOU or some other legal agreement. Coordination for overlapping basins and subbasins will be done at the local level.

[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: Chaptered: 6/4/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Last Amended: 3/24/2014

Status: 6/4/2014-Chaptered by Secretary of State - Chapter 21, Statutes of 2014.

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 specifically defines "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (C-K-H), and includes 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: Chaptered: 7/9/2014 [pdf](#) [html](#)

Introduced: 3/24/2014

Last Amended: 5/6/2014

Status: 7/9/2014-Chaptered by Secretary of State. Chapter 112, Statutes of 2014.

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 Request Governor Signature](#)

[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.

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 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: Vetoed: 9/29/2014 [pdf](#) [html](#)

Introduced: 1/10/2013

Last Amended: 8/18/2014

Status: 9/28/2014-Vetoed by the Governor

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. This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, 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. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter Requesting Governor Signature SB 69 \(Aug 2014\)](#)

[CALAFCO Support SB 69 Feb 2014](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: The bill calls for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. There are no provisions for back payments for lost revenue, but the bill does reinstate future payments beginning in the 2014/15 year for cities that incorporated between 1-1-2004 and 1-1-2012.

[SB 614](#) (Wolk D) Local government: jurisdictional changes: infrastructure financing.

Current Text: Chaptered: 9/29/2014 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 8/18/2014

Status: 9/29/2014-Chaptered by Secretary of State - Chapter 784, Statutes of 2014.

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 requires a local agency or school district that initiates proceedings for a change of local government organization or reorganization by submitting a resolution of application to a local agency formation commission to also submit a plan for providing services within the affected territory, as specified. This bill would instead require, if a proposal for a change of organization or reorganization is submitted to a local commission, that the applicant submit a plan for providing services within the affected territory.

Attachments:

[CALAFCO Letter Requesting Governor Signature](#)

[CALAFCO Letter of Concern \(June 2014\)](#)

Position: Support

Subject: Annexation Proceedings, CKH General Procedures, Disadvantaged Communities

CALAFCO Comments: As amended, the bill is intended to provide an incentive to cities to annex disadvantaged unincorporated communities by creating an option for a funding mechanism using a property tax sharing agreement by affected entities (to share the 1% tax dollars) and ensuing tax increment. A special district would be created to act as the vehicle for that funding. The bill allows LAFCo to consider, as part of the application, the formation of a

new district or the reorganization of an existing district, but only if all of the affected agencies are in agreement.

CALAFCO had a number of concerns with the bill which were addressed by the author in the August 18th amendments.

[SB 757](#) ([Berryhill R](#)) Groundwater management.

Current Text: Amended: 8/22/2014 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 8/22/2014

Status: 8/31/2014-Failed Deadline pursuant to Rule 61(b)(17). (Last location was A. RLS. on 8/25/2014)

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

Summary:

Would state the policy of the state that groundwater resources be managed responsibly for long-term water supply reliability and multiple economic, social, or environmental benefits for current and future beneficial uses. The bill would state that responsible groundwater management is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science and in consideration of local needs and circumstances.

Position: Watch

Subject: LAFCo Administration, Water

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

Current Text: Chaptered: 9/16/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Last Amended: 8/29/2014

Status: 9/16/2014-Chaptered by Secretary of State - Chapter 346, Statutes of 2014.

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

Summary:

Would state the policy of the state that groundwater resources be managed sustainably for long-term reliability and multiple economic, social, and environmental benefits for current and future beneficial uses. This bill would state that sustainable groundwater management is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Concern](#)

Position: Watch

Subject: Water

[SB 1319](#) ([Pavley D](#)) Groundwater.

Current Text: Chaptered: 9/16/2014 [pdf](#) [html](#)

Introduced: 2/21/2014

Last Amended: 8/29/2014

Status: 9/16/2014-Chaptered by Secretary of State - Chapter 348, Statutes of 2014.

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

Summary:

Would authorize the state board to designate certain high- and medium-priority basins as a probationary basin if, after January 31, 2025, prescribed criteria are met, including that the state board determines that the basin is in a condition where groundwater extractions result in significant depletions of interconnected surface waters. This bill would add to the prescribed determinations that would prevent the state board from designating the basin as a probationary basin for a specified time period.

Subject: Water

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

Current Text: Vetoed: 9/25/2014 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 6/24/2014

Status: 9/25/2014-Vetoed by the Governor

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

Summary:

CEQA requires the Office of Planning and Research to prepare and develop guidelines for the implementation of CEQA and the Secretary of the Natural Resources Agency to certify and adopt those guidelines. This bill would require the office, on or before July 1, 2016, to prepare and develop recommended amendments to the guidelines and the secretary, on or before January 1, 2017, to certify and adopt those amendments to the guidelines to establish criteria for a lead agency to assess the need for translating those notices into non-English languages, as specified.

Position: Watch

Subject: CEQA

CALAFCO Comments: As amended, requires OPR to establish criteria for a lead agency to assess the need for translating those notices into non-English languages, as specified by July 1, 2016.

[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: Chaptered: 9/29/2014 [pdf](#) [html](#)

Introduced: 2/19/2014

Last Amended: 8/22/2014

Status: 9/28/2014-Chaptered by Secretary of State - Chapter 728, Statutes of 2014.

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 all workers supplied by that labor contractor for the payment of wages and the failure to obtain valid workers' compensation coverage. The bill would prohibit a client employer from shifting to the labor contractor legal duties or liabilities under workplace safety provisions with respect to workers provided by the labor contractor. The bill would define a client employer as a business entity that obtains or is provided workers to perform labor 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: Chaptered: 8/25/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Last Amended: 6/30/2014

Status: 8/25/2014-Chaptered by Secretary of State - Chapter 289, Statutes of 2014.

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

Summary:

Would authorize the Bel Marin Keys Community Services District to enforce all or part of the covenants, conditions, and restrictions for a tract within that district, and to assume the duties of an architectural control committee for that tract, as provided. This bill contains other related provisions.

Position: Watch

Subject: LAFCo Administration, Special District Powers

AB 2443 (Rendon D) Water Recycling Act of 1991: mutual water companies: duplication of service.

Current Text: Chaptered: 9/29/2014 [pdf](#) [html](#)

Introduced: 2/21/2014

Last Amended: 8/22/2014

Status: 9/29/2014-Chaptered by Secretary of State - Chapter 817, Statutes of 2014.

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

Summary:

Would authorize a recycled water producer or wholesaler that has identified a potential use or

customer within the service area or jurisdiction of the retail water supplier, to request, in writing, a retail water supplier to enter into an agreement to provide recycled water to the potential customer consistent with specified requirements of the Water Recycling Act of 1991. This bill contains other related provisions and other existing laws.

Position: Watch
Subject: Water

[AB 2453](#) ([Achadjian R](#)) Paso Robles Basin Water District.

Current Text: Chaptered: 9/16/2014 [pdf](#) [html](#)

Introduced: 2/21/2014

Last Amended: 8/4/2014

Status: 9/16/2014-Chaptered by Secretary of State - Chapter 350, Statutes of 2014.

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

Summary:

Would, until January 1, 2019, provide for the formation of the Paso Robles Basin Water District, and would set forth the composition of, and method of election by landowners and registered voters for, the board of directors for the Paso Robles Basin Water District, the boundaries of which would be established and may be modified by the San Luis Obispo County Local Agency Formation Commission.

Position: Watch
Subject: Water

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

Current Text: Chaptered: 9/20/2014 [pdf](#) [html](#)

Introduced: 2/21/2014

Last Amended: 6/17/2014

Status: 9/20/2014-Chaptered by Secretary of State - Chapter 505, Statutes of 2014.

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

Summary:

Would authorize, until January 1, 2035, the board of directors of the Santa Rita Hills Community Services District to consist of 3 members, if the board of directors receives a petition signed by a majority of voters requesting a reduction in the number of board members and thereafter adopts a resolution that orders the reduction, as specified. The bill would also, until January 1, 2025, 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 allows for the reduction of the size of the governing Board of this district from five to three members until January 1, 2025.

[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: 8/31/2014-Failed Deadline pursuant to Rule 61(b)(17). (Last location was A. L. GOV. on 4/1/2014)

Desk	Dead	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

CALAFCO Comments: The intent of this bill is the same as AB 1521, which is moving forward,

so the author has let this bill die.

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: 8/31/2014-Failed Deadline pursuant to Rule 61(b)(17). (Last location was L. GOV. on 9/11/2013)

Desk	Policy	Fiscal	Floor	Desk	Dead	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 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 1230 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 5/29/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Status: 5/29/2014-Chaptered by Secretary of State - Chapter 19, Statutes of 2014.

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

Summary:

This bill would enact the First Validating Act of 2014, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

Subject: Other

Total Measures: 28

Total Tracking Forms: 28

10/1/2014 9:59:29 AM

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PENDING PROPOSALS – OCTOBER 8, 2014**

October 8, 2014
Agenda Item 17b

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
Reorganization 185 - Annexations to Central Contra Costa Sanitary District (CCCSD) and EBMUD: proposed annexation to CCCSD and/or EBMUD of 20 properties in 7 areas, comprising 172.2+ acres in Danville and Lafayette	6/20/14	Under review
Reorganization 186 - Annexations to CCCSD and EBMUD: proposed annexation of Magee Ranch (9 parcels comprising 402+ acres) to CCCSD (all 9) and EBMUD (7 of 9)	6/20/14	Under review
Reorganization 187 - Annexations to CCCSD and EBMUD: proposed annexation to CCCSD and EBMUD of Podva property in Danville (13.1+ acres)	6/20/14	Under review

Fire district to reissue ballots

the press.net

Kyle Szymanski | Posted: Thursday, September 4, 2014 10:30 am

The East Contra Costa Fire Protection District (ECCFPD) will reissue its fire suppression assessment ballots to correct a mistake that impacted the amount some voters were asked to pay.

Outdated information on fire hydrant locations was used to determine how much some property owners would be assessed when ballots were initially mailed on Aug. 22, said Fire Chief Hugh Henderson.

The mistake resulted in about 10,000 of 44,000 property owners, mostly in new developments in the district, receiving ballots that showed they'd pay inaccurate lower assessment rates. An ECCFPD board member discovered the mistake after he received a ballot he felt was incorrect.

"It is important that all property owners be assessed the correct amount, so we will be taking a close look at all of the data to ensure complete accuracy," said Henderson.

A timeline for reballoting will be determined at an upcoming ECCFPD Board meeting on Monday, but Henderson said he expects the process will be completed by the end of the year. New ballots should be ready to be mailed in six to eight weeks, he said.

The outdated information was obtained from Contra Costa County Fire dispatch data and from the county's Geographic Information Systems, which are both supposed to be updated by the county. What caused the error and how much it'll cost the district is not known, Henderson said.

"Right now, we are working to determine the area of the district where the data was incorrect," Henderson said. "We have not explored how it happened."

The assessment rates for all property owners will have to be recalculated before the new ballots are mailed, but the majority of property owners will find they'd be assessed lower rates since amounts are based on the assessment as a whole, Henderson said.

Prior to the first ballots being sent out, the district board was told close to 96 percent of single-family homeowners will be asked to pay about \$100 a year if the assessment is approved. Businesses would be required to pay between \$100 and \$200, with a few large government properties required to pay more.

ECCFPD Board Vice President Ronald Johansen said he and his fellow board members are determined to find who or what caused the error.

"We only know what happened, not how it happened," he said. "We hope to have answers soon because we need to inform the public exactly what happened."

If the assessment is approved through majority vote, the tax would generate \$4 million annually for the district over the next five years, which would be used to keep five stations open, including hiring and training personnel to reopen Station 54 in downtown Brentwood, which closed this week to prevent firefighters from working excessive amounts of overtime to fill vacancies.

If the vote fails, Station 54 will remain closed and Station 94 in Knightsen will likely be shuttered on Dec. 1. Federal grant money being used to pay for staffing at the two stations runs dry in November, and

the district says about 95 percent of its revenue comes from property taxes, which have decreased about 40 percent since the value of homes started to dip in 2008.

The ECCFPD Board is scheduled to hold its next board meeting on Monday, Sept. 8 at 6:30 p.m. inside the Oakley City Council Chambers.

East Contra Costa Fire District postpones decision on Knightsen station closure

By Roni Gehlke

For the Contra Costa Times

Posted: 09/10/2014 06:32:05 AM PDT Updated: a day ago

A decision as to whether to postpone the closure of another fire station within the East Contra Costa Fire District was put on hold Monday when the board decided it needed more information.

The decision comes a week after the board decided to stop a mail-in ballot vote on a benefits assessment tax because of a data mistake that calculated the wrong assessment amount on about 10,000 of the mail-in ballots.

Faced with financial shortfalls, the district had slated Knightsen Fire Station 54 for closure as early as Nov. 15 if the proposed assessment tax did not pass.

At the meeting Monday night, Chief Hugh Henderson offered three proposed timelines for clearing up the data mistakes and resending the new ballots to residents. The first, and preferred, timeline proposal may have made it possible for the district to keep the station open just one month or so longer, but the board was worried that the timeline was too optimistic and wanted to hear more details before it committed to any changes.

"We want to make sure those ballots are 100 percent correct," board President Joel Bryant said.

Of the three timeline options that Henderson described, one would allow for the corrections to be made and ballots to be reissued by Oct. 6, hosting the public hearings by mid-October and having ballots returned by mid-November. The October timeline would require the district staff to have all of the errors cleared in four weeks.

The two other plans would have the ballots returned to the district by mid-December or in April.

The board is expected to get an update on the progress of the data corrections at its next meeting on Sept. 22, at which time it would likely decide on whether to change the date of the Knightsen station closure.

The board is still waiting for information on how much this mistake cost the district and whether some of the cost can be negated by the agency or agencies that didn't have all the correct data inputted before giving the district the information.

The board members also decided to set up an ad hoc committee that would be able to go through the information on how this mistake happened and how it could be fixed in the future so no other districts or organizations have this problem. The board directed staff to get the correct data by any means possible, even if it needed to go through other means of finding the information.

"Perhaps even this information can be found by using Google," board member Cheryl Morgan said.

If the assessment is approved, it would generate about \$4 million annually. Consultants previously determined that 96 percent of the parcels that have single-family homes on them would have been assessed at less than \$113 annually. Most of the remaining parcels with improvements on them will have assessments under \$250. Very large properties and those with gas stations on them, where the volume of flammable liquids poses a particular fire hazard, would pay more than \$250.

The data that needs to be updated includes fire hydrant locations in newly developed areas.

While staff works out the correction to the error, postcards are being sent to 44,000 property owners within the East Contra Costa Fire District letting them know not to send in the current ballot and that another will be issued shortly.

San Pablo casino might buy Doctors Medical Center

By Jennifer Baires Contra Costa Times

Posted: 09/19/2014 10:08:49 AM PDT Updated: 3 days ago

SAN PABLO -- Doctors Medical Center is exploring options to sell its hospital property as it prepares for closure or further service cuts, and the entity likely to pay the highest price is the casino next door.

The property discussions were revealed in an email, obtained by this newspaper from a representative of the California Nurses Association, between hospital CEO Dawn Gideon and members of the West Contra Costa Healthcare District board. The nurses union would not say who sent the email, but a spokesman for the hospital's administration confirmed its authenticity.

"It is widely believed that the Casino would likely pay the highest price for the property, but we need to explore all avenues," Gideon wrote in the email. "In the interim, we are working with the Casino on the completion of asbestos and hazardous waste surveys that may impact the sales price."

The Lytton Tribe runs the San Pablo Casino next to the hospital and paid \$4.6 million in June to lease parking in the back of the hospital. According to an attorney for the tribe, it is always interested in nearby properties.

"There have been talks with Dawn (Gideon), but there's nothing concrete," said Larry Stidham, the tribe's general counsel. Stidham said that if the tribe purchased the property it would not necessarily be for the purpose of expanding the casino. "There are a host of reasons we might want it," he said. "It doesn't have to be related to game." The tribe owns a building on the other side of the casino that is leased for business offices, Stidham pointed out.

"The leadership of DMC has been fighting for a decade to keep the hospital open," said hospital spokesman Chuck Finnie. "They are doing everything they can to preserve cash and expenses while still holding out for a miracle to save the hospital."

In early August, the once full-service hospital shut its doors to emergency ambulance traffic and since then has been closing departments and scaling back services. Gideon wrote in the letter that inpatient occupancy has dropped to an average of 20 to 30 patients, down from 70 to 75 in June and July.

As a result of the reduction, Gideon estimates the hospital will likely stay open until the end of the year, "...significantly beyond the Oct. 3 dates where we would have previously run out of cash."

While the hospital administration and its governing board look for alternatives, such as converting DMC to an urgent care or satellite emergency department, many doctors and nurses continue to fight to keep it fully operational. District representatives and county officials say that may be impossible because of the hospital's \$18 million annual deficit, driven mostly by the fact that 80 percent of its patients use Medicare or Medi-Cal, which pay lower reimbursement rates than private insurers.

"Just because they keep saying they're going to shut it down, doesn't mean we stop fighting," said Martha Walker, with National Nurses United. To that end, two nurses unions are holding a protest Friday morning on San Pablo Avenue, between DMC and the casino, where they will demand county officials "step up" to save the hospital.

Contact Jennifer Baires at 925-943-8378. Follow her at twitter.com/jenniferbaires.

El Cerrito Patch

Doctors Medical Center Execs Consider Options to Sell Hospital, Community Members Protest

Richmond Mayor Gayle McLaughlin said, “Nobody should have to go 30-plus miles to get to a hospital.”

By [Autumn Johnson/ Editor \(Patch Staff\)](#) Updated **September 21, 2014** at 9:56 am



As they grapple with dwindling funding and staff, administrators at Doctors Medical Center in San Pablo are considering selling part or all of the hospital property to the casino located next door. The possible sale of the once full-service public hospital, which has stopped accepting emergency ambulances, closed and downsized units and reduced its number of inpatient beds to 50, was revealed in an email from hospital CEO Dawn Gideon and members of the West Contra Costa Healthcare Board that was later sent to the California Nurses Association.

Hospital spokesman Chuck Finnie confirmed that the email is genuine and said that Gideon and other hospital administrators are exploring their options for the possible sale of DMC.

“I have signed an agreement for (a broker) to explore options for the sale of the hospital property as well,” Gideon wrote in the Sept. 9 email. “It is widely believed that the casino would likely pay the highest price for the property, but we need to explore all avenues.”

With fewer services offered at the hospital, the daily number of patients has dwindled from about 75 patients in July to about 25 by early September, Gideon said in the email. Payments from the higher number of hospital visits in July as well as the continuously shrinking staff and other cost

savings will buoy the hospital's finances temporarily and could allow DMC to stay open until the beginning of next year, she said.

In addition, the San Pablo Casino, which is operated by the Lytton Tribe, last June paid the hospital \$4.6 million to lease 100 parking spaces in DMC's lot, according to Finnie. The spokesman said the income from that lease agreement is helping to keep the hospital open.

"The leadership of Doctors Medical Center has been fighting for decades to save it and is still holding out hope for a miracle and doing everything they possibly can to preserve cash and to keep the doors open," Finnie said. But some two dozen nurses, patients and other community members who gathered at the intersection between DMC and the San Pablo Lytton Casino in protest today said they were unconvinced of hospital leaders' interest in saving the hospital. Many also criticized the county Board of Supervisors for failing to take financial responsibility for the hospital.

"Contra Costa, can't you see? This is a healthcare emergency!" protesters chanted, with some passing motorists honking in support. Nurse Vinnell Thomas, who said she worked at the San Pablo hospital for five years before she and many of her co-workers were laid off last month, said DMC and the county's Board of Supervisors are putting profit before people.

"The county has a responsibility - a moral, legal and ethical responsibility to save this hospital," she said, noting that the majority of DMC's patients are low-income, elderly residents. According to nurses' unions, two Richmond-area patients who were taken to other East Bay hospitals due to the diversion of ambulance service at DMC starting in August have died due to the resulting delay in care.

"Nobody should have to go 30-plus miles to get to a hospital," said Richmond Mayor Gayle McLaughlin. McLaughlin, who has also urged the county to find a financial solution to the hospital's problems, said today that county leaders are "afraid to step on corporate toes" and lack the political will needed to keep the hospital open. County supervisors have said the county doesn't have the funding to absorb DMC's \$18 million annual deficit and that more than \$30 million has already been transferred from county coffers to the hospital in recent years to prevent its closure.

Founded in 1954 under the West Contra Costa Healthcare District, DMC has struggled financially for years under the weight of a patient population consisting of about 80 percent Medi-Cal and Medi-Care recipients, which provide lower reimbursements than private insurers. In May, healthcare district voters rejected a parcel tax measure aimed at closing DMC's budget gap. Meanwhile, a hospital council made up of health care providers from Contra Costa County and private hospital groups in the Bay Area has met to discuss alternative models - such as a stand-alone emergency room -- that could allow DMC to remain open.

By Bay City News

Property tax windfall will temporarily help far East County fire district

[By Rowena Coetsee](#)

[Contra Costa Times](#)

Posted: 09/23/2014 10:13:22 PM PDT Updated: about 3 hours ago

OAKLEY -- A property tax revenue windfall will enable the East Contra Costa Fire District to keep one of its remaining stations open through June instead of mothballing it in two months.

At a special board meeting Monday, directors adopted a final 2014-15 budget that includes \$1.4 million more than what they had been expecting.

The additional revenue results from the county assessor's office raising property values in the district by 16.7 percent over the previous year. The fire agency had based its preliminary budget on an anticipated 5 percent increase.

"We were quite surprised at the jump," Director Stephen Smith said.

In approving the \$12.5 million budget, directors also agreed to continue operating Knightsen's station until at least the end of this fiscal year instead of closing it Nov. 30.

Some of the \$1.4 million also will be used to pre-fund retirement health care benefits.

The good news might be short-lived, however. Financial pressures already have forced East Contra Costa Fire to close one of its two Brentwood stations on Sept. 1 pending the outcome of a vote on a proposed benefit assessment.

If residents reject this additional charge on their property tax bill, not only would the Brentwood facility remain shuttered, but Knightsen's Station 94 also would have to turn off its lights.

That's because this year's additional property tax revenue isn't enough to keep the station open permanently; the district also has been paying its operational costs using a two-year federal grant, but that source of money expires Nov. 17.

If Knightsen were to close, East Contra Costa Fire would be left with three stations to serve a 249-square-mile area.

In response to its chronic underfunding, the agency decided last month to propose a levy on property owners that would raise just over \$4 million annually, although that effort recently suffered a setback when it discovered that some of the data it had garnered from other government agencies to calculate the assessment was flawed.

As a result, roughly 10,000 of the 43,769 parcels in the district had been assigned an assessment that was less than it should have been, which meant that levies on all the remaining ones were too high.

As such, East Contra Costa Fire had to retract the ballots it had mailed; it's now trying to gather the correct data so it can start the voting process again.

Exactly when that will be remains up in the air: The earliest the district will send out more ballots is the end of October, but it could be as late as mid-March.

So far, the agency has spent \$12,500 printing and sending postcards to property owners notifying them that it has suspended the balloting.

The district also has set up a committee to look into why the information on which the assessment was based was incomplete or outdated.

Contact Rowena Coetsee at 925-779-7141. Follow her at [Twitter.com/RowenaCoetsee](https://twitter.com/RowenaCoetsee).

Published **September 24th, 2014**

MOFD Division 1 Race: Public vs. Private

By Nick Marnell



Kathleen Famulener

The Moraga-Orinda Fire District board of directors is charged with policing the relationship between the taxpayers who fund the district and the management that runs it. In November voters in MOFD Division 1 will choose between incumbent Kathleen Famulener and challenger Nathan Bell for their division director. The differences between the candidates are palpable.

"If understanding how to fight fires is required, then, no, I'm not qualified for the job," said Bell. "But if it's about managing a \$20 million operation, then I'm extremely qualified." The Harvard Business School graduate and private equity professional stressed his experience running companies, including chairing five boards and negotiating with four unions. He then threw down the gauntlet.

"I don't think it's healthy to have public employees managing public companies," he said. That characterization defines Bell's opponent. "I come from a large family experienced in public service, including both fire and police departments," said Famulener, deputy district attorney of Alameda County since 1977. "I understand both public service and public safety. And I understand transparency in dealing with the public." She talked about her seven years on the board of De La Salle

High School where she helped develop a 15-year business strategy, which is what she said she intends to do at MOFD.

"My main goal was to finish the labor contract," she said, speaking of her first year on the MOFD board. "Now I want to develop a 15-year strategic plan with the firefighters' union."

The new labor contract, ratified in April, allows the district to replace up to 12 firefighters with single-role paramedics at a much lower pay scale. "I am supportive of going to the single-role paramedics, as soon as possible," said Bell. "If we do, it's highly unlikely that the firefighters will ever get their jobs back," countered Famulener. "I'm not in favor of the single-role model. We live in a high danger zone and we need our firefighters. We shouldn't be getting rid of them."

Famulener praised the district for doing a good job despite staffing cuts this year from 19 to 17 firefighters on duty each day. "But we must get back to 19," she said. (The district approved a temporary staffing increase to 19 through this year's fire season.)

"I value my home," said Bell. "I do want a quick response time. But we already have good coverage." He noted that the only way to fairly assess the situation is to do an analysis of comparables of other districts. "What are our revenues per firefighter? What about fire coverage per population? We must find out what we are judging ourselves against," he said.

The proposed fire station 46, a joint venture with the Contra Costa County Fire Protection District, brought out nuanced differences between candidates. "Financially, we'll be way ahead," said Famulener. "But from a public safety perspective, I don't know. I'll hold off on my opinion until I see all of the facts."

"My concern is the financial stability of ConFire," said the challenger. "What happens if they don't fund it? Do you want to get into bed with a weak partner? You do need to be concerned about the response times in north Orinda. But I would hold my nose and vote for it."

Neither candidate believes that a tax increase is necessary to cover the MOFD unfunded pension liability. "Raising taxes is akin to raising a white flag," said Bell. "Our tax base is sufficient. As homes continue to turn over, our tax base will grow significantly." Famulener agreed. "We will be able to take care of the unfunded liability problem from within our tax base," she said.

Two distinct views on district finances arose. Bell focused on financial management. "The financials are not straightforward," he said. "They show a \$30 million debt, but if you look at the footnotes, it's \$90 million. To build up \$90 million in unfunded liabilities? That's not prudent financial management."

"We're one of the wealthiest communities and our firefighters have the lowest pay of any neighboring agency. We should be taking better care of our first responders," said the incumbent.

"I am honored to be the first woman on the board. I've shown myself to be a strong, hard working female leader," said Famulener. "I hope the voters keep me in office."

"I am a completely private citizen. I'm not a public employee," said Bell. "My opponent is a public employee, and I do not think that is the proper profile of a member of a public governing board."

MOFD Division 1 roughly encompasses an area south and east of a line along Canyon Road, Moraga Road and St. Mary's Road in Moraga. A map of MOFD Division 1 is available at www.mofd.org/board/directors; then click on Division 1 Map.



Nathan Bell Photos provided

Reach the reporter at: info@lamorindaweekly.com

[back](#)

Copyright © Lamorinda Weekly, Moraga CA

Stakeholders group rules out full-service hospital for Doctors Medical Center

By Jennifer Baires Contra Costa Times

Posted: 09/25/2014 06:14:54 AM PDT Updated: about 3 hours ago

Related Stories

- Sep 24:
- [Document: Doctors Medical Center stakeholders report](#)

SAN PABLO -- Maintaining a full-service or streamlined hospital is not a realistic option for Doctors Medical Center, according to an interim report released Wednesday by a stakeholders group exploring options for West Contra Costa's only public hospital amid a worsening financial crisis.

The consultants concluded that the best alternatives are a satellite emergency department run under the county's license or a 24-hour urgent care center. Both options would provide similar levels of care, officials said.

The report, compiled by a team of health care legal and financial experts commissioned by the hospital's owner, the West Contra Costa Healthcare District, found that even a streamlined, smaller hospital offering diagnostic and emergency care would continue to lose \$18 million annually. Nurses and doctors at the hospital have been pushing to maintain it as a full-service facility, with Contra Costa County assuming responsibility for running and funding it.

But the report dismissed that possibility, given the "rising pension and employee costs" the county is facing. Among the county's budget concerns are unfunded liabilities totaling around \$2 billion for retiree health care benefits and pensions, and the \$30 million annually spent from its general fund toward its medical center in Martinez.

The report also noted that maintaining a full-service hospital would require a seismic retrofit of its current location estimated to cost more than \$100 million.

Converting DMC into a satellite emergency department with no inpatient capacity would face "significant regulatory hurdles" before it could be implemented, and it would still result in annual operating losses of \$8.7 million, according to the report. While common in other states, satellite emergency departments are not allowed in California, except in very rural areas.

The option that appears most feasible is an enhanced urgent care center based on a Kaiser Permanente model popular on the East Coast.

"We're leaning more toward urgent care now because it's less complicated," said Dr. William Walker, director of Contra Costa Health Services. He added that the difference between the two options is mainly semantic.

As proposed, each would be open 24 hours a day, employ board-certified physicians and have beds for observing and stabilizing patients but no inpatient capabilities.

The main advantages to an urgent care model would be less regulation and a cheaper price tag. But implementing an urgent care facility would likely mean giving up \$5 million annually that DMC receives from a parcel tax passed in 2011 for emergency or hospital services.

Dr. Sharon Drager, a surgeon at DMC, said that while either of these options would act as a "safety valve" for nearby hospitals by taking some of the patients that would otherwise go to their emergency rooms, neither option tackles the real problem.

"The patients with the highest medical needs will not be served," Drager said. "In a community that's majority minority like this one, there are many medical issues like diabetes, high risk of stroke and heart attack and other serious illnesses that these facilities wouldn't be able to address."

In a statement Wednesday, the California Nurses Association blasted the report and the stakeholders group for including no "direct care (registered nurses) or other health workers from the hospital or community residents who are now, or might be in the future, a patient needing care at DMC."

The stakeholders group includes members of a lobbying arm for East Bay hospital chains, as well as some county officials who "have done little to fight to keep DMC open as a full-service hospital," the nurses association said.

Before the hospital began diverting emergency ambulances on Aug. 7, DMC had the busiest emergency department in West County and the second-highest ambulance volume countywide, according to a 2011 report by The Abaris Group, a health care consulting company in Walnut Creek.

DMC has 25 emergency beds, representing 62 percent of emergency room capacity in West County, but it has steadily reduced services in recent months because of the financial woes and an exodus of staff. The hospital is currently operating with 30 inpatient beds, according to the report, down from 80 to 90 beds before the cuts.

A full report is expected later this fall, and hospital leaders will have to decide quickly what to do because DMC has only enough cash to stay open as is through the first quarter of 2015, according to the report's authors.

Contact Jennifer Baires at 925-943-8378. Follow her at [Twitter.com/jenniferbaires](https://twitter.com/jenniferbaires).



Interim Report:
Doctors Medical Center
Stakeholder Group

Sept. 24, 2014

OVERVIEW

The failure of the Measure C parcel tax measure this spring put Doctors Medical Center (DMC) on life support. Although recent cutbacks in non-essential services and a series of staff reductions have cut operating expenses, hospital management estimates that under the best-case scenario, DMC has only enough cash available to keep its doors open through the first quarter of 2015.

No one wants to see Doctors Medical Center close, as evidenced by the effort made over the past 20 years – by the community, the West Contra Costa Healthcare District, the county and other area hospitals – to fund the operation of a full-service institution. But the failure of the parcel tax in May compelled the Hospital Council of Northern and Central California to request the organization of a Stakeholder Group -- led by Dr. William Walker, Director, Contra Costa Health Services -- to find a sustainable alternative. Member hospitals of the Hospital Council agreed to fund a technical advisory group to support the effort.

The Stakeholder Group has based its analysis on a number of assumptions, chief among them that the loss of DMC emergency services would be catastrophic for residents of West County. More than 40,000 people a year visit the DMC emergency room, and the 25 ED treatment stations represent 62 percent of emergency room capacity in West County. A recent study by county Emergency Medical Services concluded that losing the DMC emergency room would overwhelm the emergency care resources of neighboring hospitals and significantly increase wait times during peak hours.

Over the past two months a number of health-care models have been analyzed and discarded as financially unsustainable by the Stakeholder Group, among them a full-service hospital under the existing or county hospital license. The economic realities do not make it possible for DMC to continue to operate under its current full-service model. By Stakeholder estimates, such a hospital would continue to lose \$18 million to \$20 million a year. A state-mandated seismic retrofit of the main hospital building – due to begin in 2015 and estimated to cost more than \$100 million – also makes maintaining a full-service hospital at the current site cost prohibitive.

An evaluation of a streamlined hospital – one with fewer acute care beds that retained diagnostic and emergency care, which is how DMC is now configured – found that it too would carry unsustainable operating losses of \$18 million.

Meanwhile, the county supervisors, saddled with rising pension and employee costs and facing budget difficulties in law enforcement and other departments, have stated emphatically that the county is not in a position to take over operation of DMC.

Clearly, options are limited. Nonetheless, the Stakeholder Group and its team of technical and clinical experts remain optimistic that a self-sustaining, clinically appropriate health-care model can be found for West County. A final report is expected to be made to the Healthcare District board this fall.

The Stakeholder effort is now focused on a financial and clinical analysis of two health-care models. One, an enhanced urgent care center with diagnostic capabilities, shows great clinical promise and would not require regulatory approval in California. The second, a 24-hour standby emergency department, likely on the license of the county medical center, has the advantage of retaining higher emergency care reimbursement rates but faces licensing and regulatory hurdles in the state.

SATELLITE EMERGENCY DEPARTMENT

As envisioned, the satellite ED would have no inpatient beds but would retain the existing 25 emergency beds at DMC, some of which could be used for observation and patient stabilization.

- The satellite ED would initially be located at the site of current emergency room then relocated to a new location to be built nearby.
- The ED would be staffed by board-certified emergency room physicians around the clock and include standard diagnostic services.
- The satellite ED would not accept emergency ambulance delivery, although an on-site ambulance could be available to immediately transport patients in need of hospital admission.

- In general, a satellite ED would be capable of delivering a higher level of care than traditional urgent care or primary care facilities.
- Tying the satellite ED to the county medical license increases reimbursement rates from Medi-Cal.
- Similar EDs operate successfully in other states, providing traditional emergency care in coordination with regional hospitals. As of 2013, there were 284 freestanding or satellite EDs operating in 45 states, according to the American Medical Association.
- The American College of Emergency Physicians recognizes freestanding and satellite emergency care as clinically viable health-care options and has provided recommendations on staffing and related issues.
- Only 11 percent of the patients seen at the DMC emergency room require inpatient care – a percentage that continues to decrease as heart attack and other critical care patients are diverted to other hospitals.
 - It is expected that a satellite ED would receive 25 percent fewer patients overall than the full-service ED.
 - While limited, jumps in inpatient admissions are expected to significantly impact some of the smaller hospitals in the region.
 - The recent diversion of 20-25 daily ambulances has put pressure on nearby emergency departments, reinforcing the need to maintain limited emergency or urgent care services at DMC.
 - County health services would work with regional physicians to have more specialists on call to support a satellite ED. Telemedicine services would also be considered to enhance specialty care.
- Although DMC still retains 30 inpatient beds, its emergency room is effectively functioning as a satellite ED today following the elimination of ambulance delivery Aug. 8 and the recent move to standby status.
 - The changes at the DMC emergency department represent an opportunity to determine the long-term feasibility of a satellite ED in West County.
 - Issues to be analyzed in this transition period include the impact of patient transfers on other facilities, the timely treatment of critical

care patients and whether such a system of care would be embraced by the community.

- Issues surrounding the state authorization of a satellite ED are unsettled. The Stakeholder legal team believes a satellite ED could operate under current California regulations and is actively working with state agencies on finding common ground, although significant regulatory hurdles remain.
 - It is critical that the state work with the local communities to find a way to meet changing health care needs. California hospital license laws date from the 1970s and are in dire need of revision.

URGENT CARE

The advanced 24-hour urgent care center would use board-certified emergency room physicians and be modeled after successful clinics in other states, including those used by Kaiser Permanente.

- The advanced urgent care center would provide similar basic services as a satellite ED but would not require special state licensing.
- The advanced urgent care center would likely include:
 - Diagnostic and radiology capabilities, including CT observation beds.
 - An on-site ambulance to immediately transport patients in need of hospital admission.
 - On-site lab and pharmacy
 - On-call specialty physicians

FINANCES

- Financial losses for a satellite ED are estimated to be \$8.7 million a year -- \$7 million of which is tied to debt payments.
- Operational costs have yet to be modeled for the advanced urgent care center. Funds from the 2011 tax measures put in place to support DMC are limited to a hospital or emergency room.

- In either case, a multiparty financial solution involving the county, the healthcare district, regional hospitals and other interested stakeholders will be explored to reduce or retire the DMC debt service, with the goal of getting a satellite ED or an urgent care facility as close to breaking even as possible.
- No decisions have been made on debt reduction and serious obstacles remain, but the initiatives being discussed include:
 - Sale of the existing Healthcare District properties
 - Forgiveness of county portion of debt service
 - Direct, one-time contributions from outside sources
- The Healthcare District is also looking to identify other non-hospital sources willing to provide support for operational expenses.

OTHER CONSIDERATIONS

The Alameda-Contra Costa Medical Association has agreed to participate in a clinical and financial analysis of a satellite ED and urgent care center while it continues to advocate for a full-service option.

LifeLong Medical Care and West County Clinic, the local Federally Qualified Health Centers, will consider expanding their primary care facilities.

- This option will allow services to continue for the patients who currently use the DMC emergency department but do not require hospitalization or full emergency care.
- Connecting patients to more appropriate primary care services and providing assistance to manage their health will reduce the demand on regional emergency rooms.
- Federally Qualified Health Centers enjoy favorable payments from Medicare and Medi-Cal as well as special grant funding, since they are located in designated medically underserved areas.

ATTACHMENTS:

DOCTORS MEDICAL CENTER TIMELINE

- Despite a 2004 parcel tax and bond financing, DMC struggled financially in 2005 and 2006, losing in excess of \$3 million monthly by the summer of 2006. In October of that year, the district filed for bankruptcy and borrowed \$20 million from the county.
- In an effort to develop a financially sustainable plan, in 2007 and 2008 the hospital reduced expenses by \$17 million, and secured a \$51 million commitment of support from the state, Kaiser Permanente and John Muir Health (a combined \$17 million per year for 3 years: 2008, 2009 and 2010). Based upon these commitments and the cost reduction, DMC exited bankruptcy in the summer of 2008. The state later reported its inability to fund the entire portion of its commitment, and in 2010 DMC received a total of \$11 million rather than the anticipated \$17 million. All of the funding ended in 2011.
- In 2011, with the discontinuation of the outside funding stream, DMC again found itself in extreme financial distress and unable to make payroll without immediate action. In January of that year the CEO was terminated, and interim management was retained. A \$10 million tax advance was provided by the county and Kaiser Permanente provided an additional \$4.1 million in support. Management also put in place a line-of-credit with a healthcare finance lender – the first such financing in a public hospital.
- That summer, management initiated a regional planning initiative including Kaiser, county Health Services, John Muir Health and other local agencies. That group evaluated options for continued support of DMC as a full-service hospital, and also evaluated options for the development of a “legacy plan” in the event of closure, including a freestanding E.D., a smaller hospital, and urgent care services. Keeping the hospital open as a full-service hospital was the priority and management pursued strategies to secure the funding to achieve this goal.
- In the summer and fall of 2011, with mounting accounts payable obligations, management negotiated with all vendors on past due amounts. Through this process we were able to get a reduction of more than \$1.2 million in amounts past due.

- In November of 2011 the second parcel tax measure was passed (Measure J), and in December an additional bond financing was arranged. This bond financing provided the cash necessary to support the operating gap going forward.
- In February 2012 the Camden Group was retained to develop a strategic plan. Camden reported that DMC was not sustainable as a freestanding hospital, and recommended that a partner be found. Activities started immediately to find such a partner, and more than two dozen organizations at the local, state and national level were contacted, including UCSF and Stanford. None of the organizations were interested in moving forward with partnership discussions. To this day management and the Board continue to pursue potential partners in an effort to find an interested party.
- In 2012, 2013 and 2014, as reimbursement from Medicare and Medi-Cal continued to decline, the organization continued to pursue expense reduction measures just to “stay open,” including:
 - Renegotiated better rates with insurance companies
 - Improved billing and collection practices
 - Streamlined staffing, making DMC one of the most efficient hospitals in the Bay Area
 - Reduced management staffing, saving approximately \$600,000 a year
 - Renegotiated physician contracts to reduce costs
 - Renegotiated vendor supply costs
 - Made significant changes in the health benefits structure all employees
 - Eliminated our self-insured employee benefit program, thereby reducing costs and eliminating the financial risk
- Repeatedly throughout 2011 – 2014 met with federal and state elected officials and Medi-Cal officials in Sacramento seeking additional support and funding, and seeking Medi-Cal contract rate increases.
- In 2013 and 2014 two additional tax advances were provided by the county totaling \$15 million
- In 2013 DMC distributed an RFP to post-acute care operators (skilled nursing, long-term acute care, rehab services). The goal was to lease excess capacity within the hospital to a provider of post-acute services to both meet community need and to provide an additional revenue stream to the hospital. There were no interested parties.

- In early 2014, after attempts to receive a charitable contribution from the Lytton Tribe, DMC entered into a lease arrangement with the Lytton Casino for the casino to rent approximately 180 parking spaces from the hospital for \$4.6 million
- In May 2014, a parcel tax was placed on the ballot (Measure C). If passed, this tax would have generated \$20 million and would have closed the operating gap that has existed for many years. While a majority of the voters did support the tax, it failed to receive the needed two-thirds approval.
- With the failure of the new parcel tax measure, the board and management again began working with a regional planning group to revisit the scenarios evaluated in 2011 as a potential legacy plan: smaller hospital, freestanding E.D., urgent care.
- Since the failure of the parcel tax we have also:
 - Worked with state elected officials in an attempt to be designated as a public hospital for reimbursement purposes – the measure failed to pass the Senate.
 - Worked with state elected officials to get a \$3 million appropriation from the legislature. Pending the governor’s signature
 - Worked with Rep. Miller’s office to approach the Veterans Administration system – their need for inpatient beds is not significant enough to require additional beds for their system. In addition, this region does not qualify for VA reimbursement to be paid to non-VA hospital providers.
 - Worked with Touro University to explore options for their support – they are not in a position to invest in DMC
 - Met with the California Endowment, the San Francisco Foundation, and filed proposals with the Gates Foundation Global Health Initiative for potential funding – the CA Endowment and the SF Foundation will not provide funding. The Gates proposal is pending but no likely to produce results as they don’t generally fund healthcare services in this county.
 - Continued to reach out to potential investors and hospital operating firms in search of a potential partner – none have been willing to pursue discussions beyond an introductory meeting.

DMC Stakeholder Group

Technical Advisory Group roster

- Patrick Godley – COO/CFO Contra Costa Health Services
- Dr. William Walker – Chair, Director and Health Officer, Contra Costa Health Services
- Dawn Gideon – Interim CEO, Doctors Medical Center
- John Pfeiffer – CEO, HFS Consultants
- Steven Rousso -- Principal, Chairman of Board, HFS Consultants
- Steve Lipton – Attorney, Hooper, Lundy & Bookman
- Felicia Sze – Attorney, Hooper, Lundy & Bookman
- Art Sponseller – President/CEO, Hospital Council of Northern and Central California
- Rebecca Rozen – Regional VP, Hospital Council of Northern and Central California
- Kevin Keane – Senior Consultant, Singer Associates

**DOCTORS MEDICAL CENTER - SAN PABLO
ACTUAL AND PROJECTED FINANCIAL SCENARIOS**

	Actual 2013	Projected FYE 12/31/16			
		Scenario 1a - Streamlined Hospital			Scenario 1b - Satellite ED under CCRMC's license
		Basic Model	Standby ED	Standby ED under CCRMC license	
Key Utilization Statistics:					
Patient Days	24,314	4,667	3,111	3,111	-
Discharges	5,434	833	734	734	-
Average Daily Census	66.6	12.8	8.5	8.5	-
ER Visits	39,819	31,622	31,622	31,622	30,041
Inpatient Surgeries	860	170	170	170	-
Outpatient Surgeries	972	705	705	705	-
Outpatient visits	34,311	17,109	17,109	17,109	-
Income Statements (in \$000s):					
Net operating revenue	\$ 113,687	\$ 39,715	\$ 37,348	\$ 36,148	\$ 14,791
Operating expenses:					
Wages & benefits	91,042	44,296	38,554	38,554	16,425
Professional fees and purchased services	22,805	9,975	9,392	9,392	4,601
Supplies, utilities, insurance & other	20,072	9,109	8,674	8,674	4,184
Interest, depreciation & rent	13,065	12,682	12,546	12,546	12,296
Total operating expenses	146,984	76,061	69,166	69,166	37,506
Operating Income/(Loss)	(33,297)	(36,347)	(31,817)	(33,017)	(22,715)
District tax revenue	13,718	13,717	13,717	13,717	13,717
Other non-operating income	159	230	230	230	230
	-				
Net Income/(Loss)	\$ (19,421)	\$ (22,399)	\$ (17,870)	\$ (19,070)	\$ (8,767)
Cash Flow:					
Net cash flow for period	\$ 4,551	\$ (20,931)	\$ (16,487)	\$ (17,687)	\$ (7,727)

County Administrator

County Administration Building
651 Pine Street, 10th Floor
Martinez, California 94553-1229
(925) 335-1080
(925) 335-1098 FAX

David J. Twa
County Administrator

Contra Costa County



Board of Supervisors

John M. Giola
1st District

Candace Andersen
2nd District

Mary N. Plepho
3rd District

Karen Mitchoff
4th District

Federal D. Glover
5th District

BUDGET CONCERNS 2014-15

1. While Assessed Valuations (AV) have risen this year in Contra Costa County, the increase does not solve the County's long term financial issues.
2. Over half of the Assessed Valuations increase was already built into the 2014/2015 Departments Operating Budgets to cover increased costs (salary and benefits) to maintain an existing level of county services.
3. The County's unfunded liability for Other Post-Employment Benefits (retiree health care) exceeds \$900 Million and the unfunded liability for Pensions exceeds \$1.9 Billion. Both of which will require significantly more contributions from the County General Fund over the next several years
4. The Contra Costa Regional Medical Center in Martinez requires an annual subsidy from the General Fund of over \$30 Million each year. This hospital serves primarily lower income residents from throughout the County.
5. The County continues to negotiate with some of its Unions to arrive at an agreement over wages and benefits and no funds have been set aside for any such increases.
6. The County has a Health Insurance Re-opener with its Unions in April 2015, which is likely to result in a different cost sharing agreement and will require greater financial commitment from the County which could increase the County's cost by \$4 million/year
7. Infrastructure needs of \$270 million will require that funds be committed to reducing this massive back log.
8. We are already aware of a number of Department Shortfalls expected in the current 2014/15 fiscal year:
 - a. Sheriff – COPS Grant requires \$1 M match
 - b. Probation (Title IV-E cuts - \$2.4 to \$4 M)
 - c. Employment & Human Services \$1 M
 - d. Mental health (Laura's Law costs - \$45K per case @ 45 cases = \$2 M)
 - e. Health Services Department as much as \$20 M shortfall
9. None of us wish to return to the difficult period of the Great Recession when we were cutting wages, cutting programs, facing layoffs and furloughs.

Fire Station 94 granted reprieve

Kyle Szymanski | Posted: Thursday, September 25, 2014 1:00 pm / thepress.net

A higher than expected increase in property tax revenue will allow the East Contra Costa Fire Protection District (ECCFPD) to keep four of its five stations open through June, Fire Chief Hugh Henderson told the fire district board this week.

Fire Station 94 in Knightsen was slated to close as early as Nov. 30 if the district wasn't able to find additional revenue, but it will receive a reprieve because the district will likely see a 16.7 percent increase (\$1.4 million) in property tax revenue over last year, up from the predicted five percent. The revelation came Monday night when the district board unanimously approved its \$12.5 million fiscal year budget.

"We were quite surprised at the jump in assessed evaluation," said ECCFPD Board Director Stephen Smith, a member of the board's Finance Subcommittee. "Based on the comments we heard from Mr. Kramer (Contra Costa Assessor Gus Kramer), we were not led to believe that a change of this magnitude would take place."

The district will also use some of the extra funds to pay for post-employment retirement health benefits in existing employment contracts.

District leaders warned, however, that without any new revenue, the district will be forced to close Station 94 at the start of the next fiscal year, leaving just three engines to serve a 249-square-mile coverage area. A portion of the costs of staffing the station is being paid for through federal grant funds, but that money will run dry in November.

"Even though the property tax revenue went up a little bit, it's not nearly enough to maintain that fourth station," said ECCFPD Board Director Joe Young.

Meanwhile, district staff is still in the process of working with its contractor and local government partners to update information before it can reissue its fire suppression assessment ballots.

Outdated information on fire hydrant locations and how close parcels were to fire stations was used to determine how much nearly 10,000 of the 44,000 district property owners would be assessed when ballots were initially mailed on Aug. 22. The outdated information was obtained from Contra Costa County Fire dispatch data and from the county's Geographic Information Systems, which are both supposed to be maintained and current by the county. The assessment rates for all property owners will have to be recalculated before the new ballots are mailed, but the majority of property owners will find they'd be assessed lower rates, Henderson said.

Prior to the first ballots being sent out, the district board was told close to 96 percent of single-family homeowners would be asked to pay about \$100 a year if the assessment is approved. Businesses would be required to pay between \$100 and \$200, with a few large government properties required to pay more.

Henderson initially said he was hopeful the data would be corrected in time for new ballots to be mailed by Oct. 31, but indicated this week that it likely won't happen in October. The district spent about \$104,000 on the first ballot process and expects it will need to pay more to reprint and mail new ballots plus update the engineer's report, which determines how much each property owner will be assessed.

“We are not in a position tonight to bring this forward with an ultimate timeline,” Henderson told the board. “Before we bring this forward, we want to make sure we have everything covered.”

If the assessment is approved through majority vote, the tax would generate \$4 million annually for the district over the next five years, which would be used to keep five stations open, including hiring and training personnel to reopen Station 54 in downtown Brentwood, which closed earlier this month.

If the vote fails, Station 54 will remain closed and Station 94 in Knightsen will also likely close.

The board’s next meeting is scheduled for Oct. 6 at 6:30 p.m. inside the Oakley City Council Chambers.

Brown signs bill for \$3 million to Doctors Medical Center

By Jennifer Baires Contra Costa Times

Posted: 09/27/2014 05:05:04 PM PDT Updated: a day ago

SAN PABLO--Gov. Jerry Brown signed a bill Saturday afternoon, providing \$3 million in one-time funding for cash-strapped Doctors Medical Center, West Contra Costa County's only public hospital.

The hospital was facing closure because of an \$18 million annual budget deficit and has cut services over the past few months in an attempt to stay open as long as possible. On Aug. 7, the emergency room -- which represented 62 percent of emergency room capacity in West County -- closed to ambulance traffic and has been operating with less staff and services for walk-in patients only.

West Contra Costa Healthcare District, which owns and operates DMC, released a report earlier this week that said the most likely possibility for salvaging services in the area would be by closing the hospital and providing a satellite emergency room or advanced urgent care facility in its place.

Assemblymember Nancy Skinner, D-Oakland, who with state Sen. Loni Hancock, D-Berkeley, helped get the bill before Brown, said in a phone interview Saturday that she hopes the money will buy time for the district to find another solution.

"I would like to see hospital remain open," Skinner said, "That's what residents want, that's what the doctors and nurses want. This lifeline provides us some time to see where else we might be able to secure funding to continue these hospital services."

The bill, SB 883, goes into effect immediately, meaning the \$3 million lifeline is now available for DMC. Skinner estimated that the extra funding would keep the hospital open in its current state until the end of January or February.

Contact Jennifer Baires at 925-943-8378. Follower her at twitter.com/jenniferbaires

Challengers look to shake up West County Wastewater District board

[By Tom Lochner Contra Costa Times](#)

Posted: **09/29/2014** 04:26:58 PM PDT Updated: 6 min. ago

MARTINEZ -- Three incumbents with three quarters of a century of combined tenure on the West County Wastewater District board are opposed by five challengers, three of whom say the board is out of touch with constituents and doesn't reflect the demographics of the district, which covers San Pablo, parts of Richmond and Pinole and the unincorporated areas of El Sobrante, Montalvin Manor and East Richmond Heights.

The incumbents in the Nov. 4 election -- Len Battaglia, George Schmidt and Paul Soltow -- have served on the board since 1975, 1992 and 1998, respectively. The three say they should be re-elected because the district has run efficiently and transparently under their stewardship and kept rates the lowest in the area -- currently \$381 a year for single-family homes, to increase to \$407, \$435 and \$465 in subsequent years.

Four of five current board members are white men in their 80s.

Challengers Antonio Medrano, a former West Contra Costa Unified School District board member, and Leonard McNeil, a political science professor at Contra Costa College and former San Pablo councilman, say the board needs an infusion of diversity. The other challengers are Audrey Comeaux, a longtime wastewater control representative with the East Bay Municipal Utility District; Shirley Wysinger, a former San Pablo councilwoman who also worked for the San Francisco Redevelopment Agency, retiring as senior project manager in 2004; and Sharon Thygesen, an information systems manager for the city of Berkeley and a member of the El Sobrante Municipal Advisory Council, as well as its secretary.

Thygesen ran unsuccessfully for the wastewater board in 2012, trailing incumbents Alfred Granzella and Michael Caine in a three-way race for two seats.

Medrano, Comeaux and McNeil all made reference, with varying degrees of specificity, to comments made by Battaglia last year that were widely viewed as offensive. During an interview with this newspaper in October 2013, Battaglia disparaged Asians and African-Americans, characterizing the latter as slow-thinking, adding, "They can't help it. It's the way God made them."

Said Comeaux: "You can't serve a community which you do not respect."

She was speaking during a recent candidates' forum at the Contra Costa Television studio, moderated by Bay Area News Group columnist Tom Barnidge.

Later, during his summation, Battaglia dismissed the comments about his past statements as "not true," without elaborating.

Wysinger and Thygesen joined the incumbents in giving the district good marks for transparency and dissemination of information to the public, especially through an overhauled website. Medrano, Comeaux and McNeil, however, said the board lacked transparency and that communication was mostly one way, from the board to the public.

They also said 9 a.m. Tuesday board meetings are inconvenient for the public, especially working people.

While all eight candidates exhibited a working familiarity with the functioning of the district, its plant and other infrastructure, parts of which are aging and need replacement, the incumbents showcased their expertise with all facets of the district's day-to-day operations and governance, especially Soltow, who was engineer-manager of the San Pablo Sanitary District, the predecessor of the current district.

Four of the challengers criticized the amount of board pay, which totaled \$182,000 for the five members in 2012, including benefits, and \$167,747 last year; Wysinger stopped short of criticizing the pay but allowed that it should be reviewed.

The incumbents vigorously defended the pay, saying they spend long hours reading up on developments in the wastewater industry and preparing for meetings. Battaglia led all board members in salary and benefits with just over \$50,000 in 2012 and \$44,500 in 2013. Schmidt's salary and benefits came to \$39,200 last year, and Soltow's came to \$20,000, the lowest among the five board members.

Said McNeil: "Some incumbents ... have a warm smile toward their own enrichment and a cold heart toward the workers who actually do the work."

Off-and-on negotiations, beginning in early 2012, between the district and Public Employees Union Local 1 so far have not resulted in a labor agreement.

In his summation, McNeil urged voters to "wholeheartedly reject" the three incumbents for defending "their excessive compensation."

Candidates disagreed sharply on whether a ratepayers committee should be formed to advise the board, an idea championed by Medrano and McNeil. Comeaux said the possibility should be explored. Wysinger and Thygesen rejected the idea, as did Schmidt and Soltow.

"We have a committee that sets rates," Soltow said. "They are the West County Wastewater District Board of Directors."

The round table will air on CCTV at 11:30 a.m. Thursday, 8:30 p.m. Friday and 8:30 p.m. Sunday. For other broadcast times, go to <http://ca-contracostacounty2.civicplus.com/2118/Election-Preview-Shows>.

Contact Tom Lochner at 510-262-2760. Follow him at [Twitter.com/tomlochner](https://twitter.com/tomlochner).

Leonard "Len" Battaglia

Age: 85

Occupation: Travel agency owner

Professional background/elected history: West County Wastewater District board member since 1975

Personal background: Fighter pilot in the U.S. Air Force during the Korean War

Audrey Comeaux

Age: Did not state

Occupation: Wastewater Control Representative for East Bay Municipal Utility District (EBMUD)

Professional background/elected history: 23 years wastewater experience with EBMUD

Personal background: Single, mother of one daughter

Education: Bachelor's degree in Chemistry from San Jose State

Leonard McNeil

Age: 69

Occupation: Contra Costa College political science professor

Professional background/elected history: San Pablo City Council 12 years; first African-American elected official in San Pablo; appointed by Contra Contra County Mayors Conference to East Bay Regional Communications Systems Authority; appointed to Contra Costa Community College District Bond Oversight Committee

Personal background: Volunteer with Friends of the San Pablo Library and the Friends of the Contra Costa College Library; current member of United Faculty with the Contra Costa Community College District; retired member of Iron Workers Local 378; board of directors, Black Alliance for Just Immigration; 60-year resident of West County (North Richmond and San Pablo)

Education: Bachelor's in government (cum laude), California State Sacramento; master's in political science (magna cum laude); vocational education credential, UC Berkeley

Antonio Medrano

Age: 76

Occupation: Retired educator, community college/high school

Professional background/elected history: Retired educator, 40 years in education; community organizer; former trustee of the West Contra Costa Unified School District, 2008-2012; Latino School Board Association Board, 2010-2012; National Association of Elected Latino Officials; Chair of the Berkeley North/East Bay Chapter of the ACLU of Northern California

Education: Bachelor's, University of San Francisco; work on master's, UCLA, Dominican College graduate studies; master's in governance, awarded by the California School Board Association

George H. Schmidt

Age: 84

Occupation: Retired after 31 years with Pacific Gas & Electric Co., where he was director of

commercial accounts

Professional background/elected history: West County Wastewater District board member since 1992

Personal background: Widower with five children and 12 grandchildren

Education: Bachelor's in engineering from Oregon State

Paul C. Soltow

Age: 83

Occupation: Civil engineer

Professional background/elected history: Officer in U.S. Army Corps of Engineers (aviation engineers); California Division of Highways, San Francisco; engineer-manager, San Pablo Sanitary District; general manager, Bay Area Sewer Services Agency; private civil and sanitary engineering practice; appointed to West County Wastewater District board, 1998 to fill vacancy and re-elected in subsequent elections since then

Personal background: Born in Reno, Nevada; grew up in Lake Tahoe and San Francisco; married Lilian Blain in 1957 (died 2009); hobbies, outdoors and photography

Education: Bachelor's in civil engineering, UC Berkeley; master's of public administration, Golden Gate College (S.F.)

Sharon Rosalie Thygesen

Age: 53

Occupation: Information systems manager

Professional background/elected history: Procurement for 25 years; information systems, 3.5 years; appointed in 2011 to the El Sobrante Municipal Advisory Council

Personal background: Homeowner in El Sobrante since 1983; married since January 2014

Education: MBA and Certified Public Finance Officer (CPFO)

Shirley R. Wysinger

Age: 69

Occupation: Retired senior project manager and retired council member, San Pablo

Professional background/elected history: 30 years with San Francisco Redevelopment Agency, managed the Western Addition (the Fillmore) area; elected to San Pablo City Council in 1990 and served 12 years

Personal background: Divorced, mother of two sons, grandmother of six and great grandmother of three; hobbies, gardening, piano, golf, walking and bike riding for fitness, reading

Education: Attended San Francisco City College and Golden Gate Community College, taking various courses; supervisory and project management certification