

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MINUTES OF MEETING

May 9, 2018

Board of Supervisors Chambers  
Martinez, CA

June 13, 2018  
Agenda Item 5

1. Chair Mike McGill called the meeting to order at 1:32 p.m. and the Pledge of Allegiance was recited.
2. The Chair welcomed County Members Candace Andersen and Federal Glover to their renewed terms.
3. Roll was called. A quorum was present of the following Commissioners:  
County Member Candace Andersen and Alternate Diane Burgis.  
Special District Members Mike McGill and Igor Skaredoff and Alternate Stan Caldwell.  
Public Member Alternate Charles Lewis.  
  
Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.
4. Approval of the Agenda  
Upon motion of Andersen, second by Skaredoff, Commissioners approved the agenda unanimously, 5-0.  
  
AYES: Andersen, Burgis (A), Lewis (A), McGill, Skaredoff  
NOES: none  
ABSENT: Blubaugh (M), Glover (M), Schroder (M), Tatzin (M)  
ABSTAIN: none
5. Public Comments  
Godfrey Wilson, Los Medanos Community Healthcare District (LMCHD) Executive Director, provided an update on LMCHD's financial changes noting that the administrative portion of the budget has been reduced to 25%, and programs are now 75% of the total budget. The District is working with a number of nonprofit organizations on services and programs for homeless and low-income residents of the District. Commissioner McGill disclosed that he and Mr. Wilson had previously talked about district matters.
6. Approval of April 18, 2018 Meeting Minutes  
Upon motion of Andersen, second by Burgis, the April 18, 2018 meeting minutes were approved by a unanimous vote of 5-0.  
  
AYES: Andersen, Burgis (A), Lewis (A), McGill, Skaredoff  
NOES: none  
ABSENT: Blubaugh (M), Glover (M), Schroder (M), Tatzin (M)  
ABSTAIN: none
7. LAFCO 17-06 - Bay Point Regional Shoreline (BPRS) Annexation to Delta Diablo (DD)  
The Executive Officer noted that this proposal was submitted by East Bay Regional Park District (EBRPD) to annex 2.74± acres to DD, which includes a 2.58± acre portion of the BPRS along with a 0.16± acre strip of a Contra Costa Water District parcel, to facilitate an upgrade to the existing vault toilet restroom and allow for a flush toilet restroom at the BPRS staging area to better serve shoreline visitors. A corresponding application to expand the District's Sphere of Influence (SOI) was approved by the Commission last month.

**DRAFT**

The area proposed for annexation is located outside the countywide Urban Limit Line. Should the Commission approve the proposal, it is recommended that the annexation be conditioned on limiting sewer service to the EBRPD restroom facility.

In response to Commissioner Skaredoff's question about the water supply, Chris Barton, EBRPD Environmental Programs Manager, stated that the District is drilling a well on site and does not intend to connect to municipal water. Commissioners indicated their support for this project and for an upgraded restroom facility.

Chair McGill opened the public hearing.

Debra Mason, resident of Bay Point, stated that the question she had intended to ask was answered in the staff report.

Chair McGill closed the public hearing.

Upon motion of Skaredoff, second by Andersen, Commissioners unanimously, by a 5-0 vote, certified that it reviewed and considered the information contained in the CEQA documents; approved the proposal known as Bay Point Regional Shoreline Annexation to Delta Diablo, with specified conditions; determined that the territory being annexed is liable for the continuation of taxes, assessments and charges; found that the subject territory is uninhabited, has 100% landowner consent; waived the protest proceeding, and directed staff to complete the proceeding.

AYES: Andersen, Burgis (A), Lewis (A), McGill, Skaredoff  
NOES: none  
ABSENT: Blubaugh (M), Glover (M), Schroder (M), Tatzin (M)  
ABSTAIN: none

*At 1:52 p.m., Commissioners Schroder and Tatzin (City members) arrived.*

8. Reclamation District (RD) 2121 (Bixler Tract) Update

The Executive Officer provided brief background, noting that the status of RD 2121 has been a concern of LAFCO's since the first MSR in 2009. For many years, RD 2121 has struggled with administrative, governance, financial and infrastructure matters as detailed in the 2009 and 2015 LAFCO Municipal Service Reviews (MSRs). In 2015, LAFCO adopted a zero SOI for RD 2121 signaling a future change in organization. Since that time, further developments and conversations with the landowners have confirmed that the District is inactive. In April, LAFCO received a letter from the District's representative thanking LAFCO for explaining the State requirements and for acknowledging the challenges faced by the District. The family has concluded that it can no longer remain an independent district.

In addressing the resolution initiating dissolution, Commissioners questioned the potential liability for the County, which is named a successor in the resolution, should the levees fail; and the potential for a catastrophic levee failure and impacts to surrounding areas. Staff noted that RD 2121 is inland, making the chance of inundation less likely. Commissioner Burgis asked about access to future funding should the District be dissolved. Staff responded that funding would be limited to that which a private landowner could receive. It was also noted that the District is a "paper" district with no assets; Commissioners wished to ensure that the County is not exposed to future obligations.

Upon motion of Andersen, second by Tatzin, the Commissioners, by a unanimous 7-0 vote, adopted the resolution, as amended (deleted the naming of Contra Costa County as successor agency); initiated dissolution; and directed LAFCO staff to work with the parties on dissolution subject to future consideration by the Commission.

AYES: Andersen, Burgis (A) Lewis (A), McGill, Schroder, Skaredoff, Tatzin  
NOES: none

ABSENT: Blubaugh (M), Glover (M)  
ABSTAIN: none

9. Fiscal Year 2018-19 Final Budget and Work Plan.

The Executive Officer presented the final budget for Fiscal Year 2018-19, which is comparable to the proposed budget presented in March. The final budget reflects an overall increase of 5%, which is attributable to relocation of the LAFCO office in September and enhanced staffing. The work plan also includes completing the city services MSR which is currently underway and initiating a second MSR. Commissioner Lewis requested clarification on revenues, which staff indicated were tied to application activity.

Chair McGill opened the public hearing.

Debra Mason, resident of Bay Point, asked that the work plan include a Recreation and Parks Services MSR, or a separate review of Ambrose Recreation and Park District, with an examination of the potential for dissolution of that district.

The public hearing was closed and discussion returned to the Commissioners.

Upon motion of Tatzin, second by McGill, Commissioners, by a 7-0 unanimous vote, approved the final budget for FY 2017-18 as presented, and directed staff to distribute the final budget to the County, cities, and special districts.

AYES: Andersen, Burgis (A) Lewis (A), McGill, Schroder, Skaredoff, Tatzin  
NOES: none  
ABSENT: Blubaugh (M), Glover (M)  
ABSTAIN: none

10. Commissioner Comments and Announcements

Commissioner McGill reported that he attended a CALAFCO Executive Committee meeting on May 1, and a CALAFCO Legislative Committee meeting on May 4. He will attend the next CALAFCO Board meeting on May 11.

11. Staff Announcements

The Executive Officer reported that CALAFCO has begun planning for the 2018 Annual Conference, which will be held October 3-5 in Yosemite. Also, the Executive Officer took part in the CALAFCO Legislative Committee meeting on May 4.

The City Services MSR has launched, and staff and the consultants will attend the Public Managers' meeting on May 10 to present the plan and schedule.

The meeting adjourned at 2:15 p.m.

Final Minutes Approved by the Commission June 13, 2018.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

By \_\_\_\_\_  
Executive Officer