



Lou Ann Teixeira  
Executive Officer

## **NOTICE AND AGENDA FOR REGULAR MEETING**

DATE/TIME: Wednesday, March 11, 2020, 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 40 Muir Road, First 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 925-313-7133. An assistive listening device is available upon advance request.

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

## MARCH 11, 2020 CONTRA COSTA LAFCO AGENDA

1. Call to Order and Pledge of Allegiance
2. **Welcome Returning Commissioner**
3. Roll Call
4. Adoption of Agenda
5. Approval of Minutes for the February 12, 2020 regular LAFCO meeting
6. 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.

### SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATIONS

7. *LAFCO No. 19-08 – West County Wastewater District (WCWD) Annexation No. 320 (Urban Tilth)* - consider the annexation of one parcel (APN 408-201-017) to WCWD. The area comprises 3.1± acres and is located at 323 Brookside Drive in unincorporated Richmond. The Commission will also consider related actions under CEQA. **Public Hearing**

### BUSINESS ITEMS

8. *Fiscal Year 2020-21 Proposed Budget and Work Plan* - consider approving the proposed budget and work plan for FY 2020-21. **Public Hearing**
9. *Extension of Time - Temporary Employment of LAFCO Retiree* - consider approving an extension of time for the temporary employment of Kate Sibley, LAFCO retiree

### CORRESPONDENCE

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

### INFORMATIONAL ITEMS

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

### ADJOURNMENT

Next regular LAFCO meeting April 8, 2020 at 1:30 pm.

LAFCO STAFF REPORTS AVAILABLE AT [http://www.contracostalafco.org/meeting\\_archive.htm](http://www.contracostalafco.org/meeting_archive.htm)

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**DRAFT MEETING MINUTES**  
**February 12, 2019**

March 11, 2020  
Agenda Item 5

**1. Welcome, Call to Order and Roll Call**

Chair Andersen called the regular meeting of February 12, 2020 to order at 1:30 PM.  
The following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Candace Andersen, Vice Chair	Diane Burgis	Lou Ann Texeira, Executive Officer
Igor Skaredoff, Vice Chair	Stan Caldwell	Mary Ann Mason, Commission Counsel
Don Blubaugh	Chuck Lewis	Kate Sibley, Interim LAFCO Clerk
Tom Butt	Sean Wright ( <i>arrived 1:37 pm, seated for Schroder</i> )	
Federal Glover		
Mike McGill		
Rob Schroder ( <i>absent</i> )		

**2. Pledge of Allegiance**

Chair Andersen led the Pledge of Allegiance.

**3. Adoption of Agenda**

Chair Andersen noted that Commissioner Blubaugh requested that the closed session be moved to the end of the meeting agenda.

Upon motion by Commissioner Blubaugh and second by Commissioner Glover, the Commission unanimously, by a 6-0 vote, adopted the agenda as revised:

VOTE:

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Skaredoff

NOES: NONE

ABSENT: Schroder

ABSTAIN: NONE

**4. Approval of Minutes**

Upon motion by Commissioner McGill and second by Commissioner Blubaugh, the January 8, 2020 meeting minutes were unanimously approved.

VOTE:

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Skaredoff

NOES: NONE

ABSENT: Schroder

ABSTAIN: NONE

**5. Public Comments**

Chair Andersen invited members of the audience to provide public comment. There was one speaker.

*Roger Chelemedos*, a Reliez Valley Area resident commented on his and his neighbors' request 18 months ago to have their area removed from the Pleasant Hill Recreation and Park District, and his hope that LAFCO will keep this in mind as they conduct the Recreation and Parks Municipal Services Review.

**DRAFT**

## **OUT OF AGENCY SERVICE REQUESTS**

6. ***LAFCO 20-01 – City of Martinez – 1367 Plaza Drive*** – consider a request by the City of Martinez to extend municipal water service outside its jurisdictional boundary to one parcel (APN 375-241-002) located at 1367 Plaza Drive in unincorporated Martinez; and consider related actions per the California Environmental Quality Act (CEQA)

Upon a motion by Commissioner Blubaugh and second by Commissioner Skaredoff, the Commission unanimously, and without discussion, approved extending Out of Agency (OAS) water service.

### VOTE:

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Skaredoff, Wright (seated for Schroder)  
NOES: NONE  
ABSENT: Schroder  
ABSTAIN: NONE

## **BUSINESS ITEMS**

7. ***Executive Officer’s Performance Review and Compensation*** - consider approving a salary increase for the Executive Officer in conjunction with her recent performance review

Upon a motion by Commissioner Andersen and second by Commissioner McGill, the Commission unanimously approved a 5% increase to the Executive Officer’s base salary effective January 1, 2020.

### VOTE:

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Skaredoff, Wright (seated for Schroder)  
NOES: NONE  
ABSENT: Schroder  
ABSTAIN: NONE

## **CORRESPONDENCE**

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

## **INFORMATIONAL ITEMS**

9. **Commissioner Comments and Announcements**

- Commissioner McGill announced that he will attend a CALAFCO Board meeting on February 21<sup>st</sup>.

10. **Staff Announcements**

- CALAFCO Quarterly Report released February 11, 2020
- CALAFCO legislative activities including revision of protest proceedings and out of agency service
- Executive Assistant/LAFCO Clerk recruitment update

## **CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Gov. Code section 54956.9(d)(1)]

**DRAFT**

Name of case: *Los Medanos Community Healthcare District v. Contra Costa Local Agency Formation Commission*, Contra Costa Superior Court Case No. C19-00048

At 1:43 p.m., Commissioners adjourned to Closed Session to discuss existing litigation.

At 2:14 p.m., Commissioners reconvened and the Chair announced that Commissioners voted unanimously to file an appeal in *Los Medanos Community Healthcare District v. Contra Costa Local Agency Formation Commission*, Contra Costa Superior Court Case No. C19-00048.

The meeting adjourned at 2:16 pm.

Final Minutes Approved by the Commission March 11, 2020

VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

ADJOURNMENT

*The next regular LAFCO meeting is March 11, 2020, at 1:30 pm.*

By \_\_\_\_\_

Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

March 11, 2020 (Agenda)

March 11, 2020  
Agenda Item 7

LAFCO 19-08 West County Wastewater District (WCWD) Annexation 320  
APPLICANT WCWD by Resolution No. 2019-53 adopted September 18, 2019

SYNOPSIS The WCWD proposes to annex one parcel consisting of 3.13± acres (APN 408-201-017) along with adjacent roadway to the WCWD. The vacant parcel is located at 323 Brookside Drive in unincorporated North Richmond (Exhibit A). The subject property is owned by Contra Costa County and leased to Urban Tilth for the development of an urban farm and agricultural education center to serve the local community.

DISCUSSION

Government Code §56668 sets forth factors that the Commission must consider in evaluating a proposed boundary change as discussed below. In the Commission's review, no single factor is determinative. In reaching a decision, each is to be evaluated within the context of the overall proposal.

1. **Consistency with the Sphere of Influence (SOI) of Any Local Agency:**

The property proposed for annexation is within WCWD's SOI, and within the County Urban Limit Line; the parcel is located in unincorporated North Richmond.

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

The County General Plan designation for the subject parcel is Heavy Industrial (HI) and the zoning is Planned Unit (P-1). The application notes that in 2014, the County Board of Supervisors adopted a General Plan text amendment which included a wide range of urban agriculture uses for the project site and the North Richmond area in general. Land use designations in the surrounding areas include residential and greenhouses to the east, industrial and roadway to the west, County Flood Control maintenance and access road and creek to the north, and vacant land and roadway to the south. The proposed uses including an urban farm and agricultural education center do not conflict with surrounding areas. No changes are proposed to the General Plan or zoning designations as part of this proposal.

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

The subject properties contain no prime farmland or land covered under Williamson Act Land Conservation agreements. The property currently supports interim farm and temporary office facility uses.

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

The proposed annexation area is generally flat and is bounded on the north by County Flood Control and Water Conservation District property, an earthen access road and San Pablo Creek. To the east there is existing residential and greenhouses; to the south and west there are County roads and drainage ditches.

**Population:**

There will be no increase in population as a result of this annexation and the proposed uses.

5. **Fair Share of Regional Housing:**

In its review of a proposal, LAFCO must consider 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. The proposed annexation will have no effect on regional housing needs.

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

An application for a change of organization or reorganization typically requires a plan for providing services within the affected territory (Gov. Code §56653). The plan shall include the following information and any additional information required by the Commission or the LAFCO Executive Officer:

- (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 District's Plan for Providing Services was included with the application. The annexation area is served by various local agencies including, but not limited to, Contra Costa County, Contra Costa County Fire Protection District, and the East Bay Municipal Utility District (EBMUD).

The proposal before the Commission is to annex one parcel and adjacent roadway to the WCWD for the provision of sanitary sewer service. WCWD provides wastewater collection, treatment and disposal services for a 16.9± square mile service area serving over 93,000 customers within the cities of Richmond, San Pablo and Pinole, and various unincorporated areas in West County. District facilities include a water pollution control plant, 249 miles of sewer pipeline, and 17 pump stations. WCWD's wastewater treatment plant has capacity of 12.5 million gallons per day (mgd) dry weather capacity and 21 mgd wet weather treatment capacity.

Based on the proposed uses on the subject property, the projected demand for wastewater service is approximately 1,657 gallons per day of wastewater collection service. The District indicates that needed infrastructure will include extension of an existing sanitary sewer main line of approximately 100 feet eastward from the existing sewer on Brookside Drive/Fred Jackson Way to the site, and installation of a sewer lateral from the main to the site. The District indicates it has adequate capacity to serve the proposed uses.

**7. Timely Availability of Water and Related Issues:**

The subject property is within the service boundary of EBMUD, which serves an area of 331± square miles (Contra Costa and Alameda counties). EBMUD provides potable water to approximately 1.3 million people within the two-county service area. Within Contra Costa County, EBMUD provides water service to a 146± square mile service area, serving an estimated 477,212 residents. The primary source of water supply for EBMUD is the Mokelumne River; this watershed accounts for 90% of EBMUD's water supply. EBMUD can adequately serve the project.

**8. Assessed Value, Tax Rates and Indebtedness:**

The annexation area is within tax rate area 85094. The total assessed value for the annexation area is \$1,326,419 (2019-20 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies. The County and District will rely on the master tax transfer agreement for this annexation.

**9. Environmental Impact of the Proposal:**

In 2018, Contra Costa County, as Lead agency, prepared an Initial Study/Mitigated Negative Declaration (MND) and Mitigation Monitoring & Reporting Program (TP16-00036) in conjunction with this project and the proposed annexation to WCWD. The LAFCO environmental coordinator has reviewed the MND and determines it is acceptable for LAFCO purposes.

**10. 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 proposed for annexation is considered uninhabited. The landowner (Contra Costa County) does not object to the annexation. 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(s) and within 300 feet of the exterior boundaries of the area(s) have received notice of the March 11, 2020 LAFCO hearing.

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

The annexation area is within WCWD's SOI and contiguous to the District's service boundary. A map and legal description to implement the proposed boundary change has been submitted and is subject to approval by the County Surveyor.

**12. Environmental Justice:**

LAFCO is required to consider the extent to which a change of organization or reorganization 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.

**13. Disadvantaged Communities:**

In accordance with state law, local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/ amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County Department of Conservation and Development, the area proposed for annexation is a DUC.

**14. Comments from Affected Agencies/Other Interested Parties**

No comments were received from other affected agencies or parties.

**15. Regional Transportation and Regional Growth Plans:**

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to Gov. Code §65080 [Gov. Code §56668(g)]. Further, the Commission may consider the regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or subregional basis (Gov. Code §56668.5). Regarding these sections, LAFCO looks at consistency of the proposal with the regional transportation and other regional plans affecting the Bay Area.

SB 375, a landmark state law, requires California's regions to adopt plans and policies to reduce the generation of greenhouse gases (GHG), primarily from transportation. To implement SB 375, in July 2013, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) adopted Plan Bay Area as the "Regional Transportation Plan and Sustainable Communities Strategy" for the San Francisco Bay Area through 2040. Plan Bay Area focuses on where



the region is expected to grow and how development patterns and the transportation network can work together to reduce GHG emissions. The Plan's key goals are to reduce GHG emissions by specified amounts; and to plan sufficient housing for the region's projected population over the next 25 years.

In July 2017, ABAG and MTC adopted Plan Bay Area 2040, which updates the 2013 Plan Bay Area and reaffirms the goals/targets identified in the earlier version. Plan Bay Area establishes "Priority Conservation Areas" (PCAs) and "Priority Development Areas" (PDAs) and focuses growth and development in nearly 200 PDAs. These existing neighborhoods are served by public transit and have been identified as appropriate for additional, compact development. The area proposed for annexation is not within a PCA or a PDA; however, the proposed annexation does not appear to conflict with the regional transportation or growth plans.

### 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 annexation as proposed.

- A. Find that, as a Responsible Agency under the California Environmental Quality Act (CEQA), LAFCO has reviewed and considered information contained in Contra Costa County's Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program in conjunction with the *323 Brookside Drive – North Richmond Farm* project (TP16-00036), and finds that there are no direct or indirect environmental effects that would result from LAFCO's approval of the annexation; and therefore, no additional mitigation measures are required beyond those already included in the CEQA documents prepared by Contra Costa County.
- B. Adopt this report, approve LAFCO Resolution No. 19-08 (Exhibit B), and approve the proposal, to be known as *West County Wastewater District Annexation No. 320 (Urban Tilth)* 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. The WCWD has delivered an executed indemnification agreement providing for WCWD to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation.
- C. Find that the subject territory is uninhabited, the landowner does not object to the annexation; thus, 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 annexation as proposed.

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

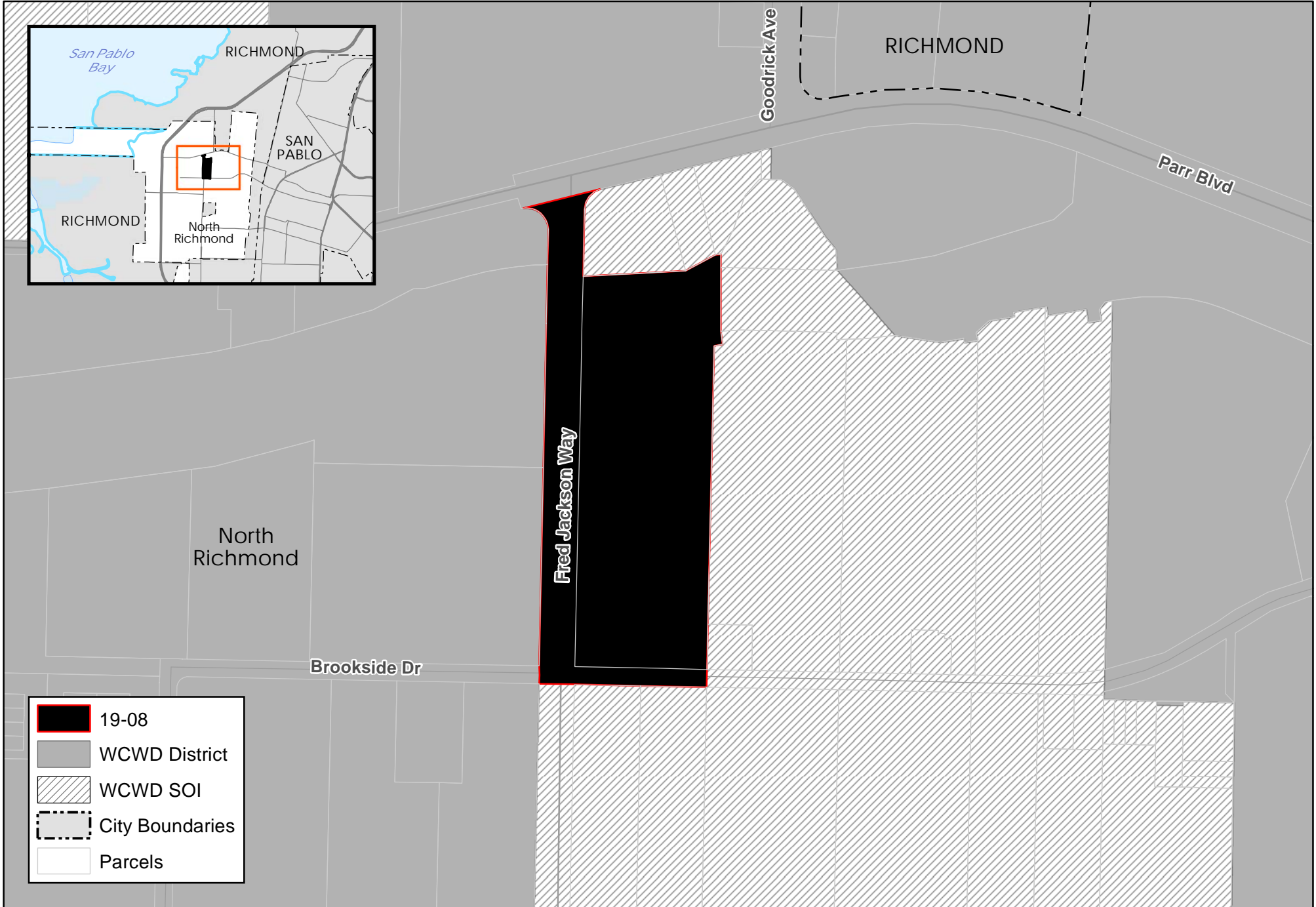
Exhibits






A – WCWD Annexation Map

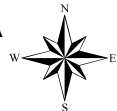
B – Draft LAFCO Resolution 19-08

c: Distribution

# LAFCO 19-08 Annexation to West County Wastewater District (APN 408-201-017) - Urban Tilth



-  19-08
-  WCWD District
-  WCWD SOI
-  City Boundaries
-  Parcels



**RESOLUTION NO. 19-08****RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING  
WEST COUNTY WASTEWATER DISTRICT (WCWD)  
ANNEXATION NO. 320 (URBAN TILTH)**

**WHEREAS**, the above-referenced 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**, 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 March 11, 2020, 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, applicable General and Specific Plans, consistency with the sphere of influence, contiguity with the district's boundary, and related factors and information including those contained in Gov. Code §56668; and

**WHEREAS**, information satisfactory to the Commission has been presented that no affected landowners/registered voters within the annexation area object to the proposal; and

**WHEREAS**, the Local Agency Formation Commission determines the proposal to be in the best interest 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. LAFCO, as a Responsible Agency under the California Environmental Quality Act (CEQA), has reviewed and considered information contained in Contra Costa County's Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program (TP16-00036), and finds that there are no direct or indirect environmental effects that would result from LAFCO's approval of the annexation; and therefore, no additional mitigation measures are required beyond those already included in the CEQA documents prepared by Contra Costa County.
2. The annexation is hereby approved.

Contra Costa LAFCO  
Resolution No. 19-08

3. The subject proposal is assigned the distinctive short-form designation:  
**WEST COUNTY WASTEWATER DISTRICT ANNEXATION NO. 320 (Urban Tilth Farm)**
4. The boundaries of the affected territory, including one parcel and adjacent road rights-of-way, 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 annexing agency.
6. That WCWD delivered an executed indemnification agreement between the WCWD and Contra Costa LAFCO providing for WCWD to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation.
7. The territory proposed for annexation is uninhabited.
8. The proposal has 100% landowner consent, and the conducting authority (protest) proceedings are hereby waived.
9. All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

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PASSED AND ADOPTED THIS 11<sup>th</sup> day of March 2020, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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CANDACE ANDERSEN, 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: March 11, 2020

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Lou Ann Texeira, Executive Officer



Lou Ann Teixeira  
 Executive Officer

**MEMBERS**

<b>Candace Andersen</b> <i>County Member</i>	<b>Federal Glover</b> <i>County Member</i>
<b>Donald A. Blubaugh</b> <i>Public Member</i>	<b>Michael R. McGill</b> <i>Special District Member</i>
<b>Tom Butt</b> <i>City Member</i>	<b>Rob Schroder</b> <i>City Member</i>
<b>Igor Skaredoff</b> <i>Special District Member</i>	

**ALTERNATE MEMBERS**

<b>Diane Burgis</b> <i>County Member</i>
<b>Stanley Caldwell</b> <i>Special District Member</i>
<b>Charles R. Lewis, IV</b> <i>Public Member</i>
<b>Sean Wright</b> <i>City Member</i>

March 11, 2020 (Agenda)

March 11, 2020  
 Agenda Item 8

Contra Costa Local Agency Formation Commission  
 40 Muir Road, 1<sup>st</sup> Floor  
 Martinez, CA 94553

**Proposed FY 2020-21 LAFCO Budget**

Dear Members of the Commission:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes a specific process for preparing and adopting LAFCO’s budget. Government Code §56381 provides that the Commission shall annually adopt a proposed budget by May 1 and final budget by June 15, following noticed public hearings. This report presents the proposed budget and work plan for FY 2020-21.

**BUDGET SUMMARY:** The proposed FY 2020-21 budget (attached) includes appropriations totaling \$1,004,143 and reflects an overall decrease of 8% as compared to the FY 2019-20 budget. The decrease is primarily attributable to reduced personnel costs, which include six months of staffing costs associated with the Analyst position instead of 12 months.

Included in the total appropriations for FY 2020-21 are annual pre-funding contributions of \$40,000 to fund LAFCO’s Other Post-Employment Benefits (OPEB) liability and \$30,000 to fund LAFCO’s retirement liability (Contra Costa County Employees’ Retirement Association – CCCERA), along with an \$80,000 contingency reserve fund, all of which are comparable to current year funding. Details regarding expenditures and revenues are presented below.

**EXPENDITURES:** The expenditure portion of the budget is divided into three main objects: *Salaries & Benefits*, *Services & Supplies*, and *Contingency/Liability*. A summary of expenditures and variances is provided below.

Salaries & Benefits

The FY 2019-20 staffing level includes one full-time Executive Officer (EO), one half-time Executive Assistant/LAFCO Clerk (Clerk), one full-time Analyst, along with funding for an “on call temporary employee” (retiree Kate Sibley). Recruitment and hiring of the full-time Analyst is currently on hold and will not occur in FY 2019-20.

As proposed, the FY 2020-21 budget includes 12 months funding for the full-time EO and half-time Clerk, and six months funding for a full-time Analyst.

The FY 2020-21 *Salaries & Benefits* total \$460,415, reflecting a decrease of 15% as compared to the FY 2019-20 budget. The decrease is primarily attributable to funding the Analyst position for six months instead of 12 months.

Regarding the FY 2019-20 budget year-end estimates, we note that the year-end estimate for *Salaries & Benefits* is significantly lower than the budgeted amount. The FY 2019-20 budget includes full year funding for the new Analyst position. Given other activities including the office relocation and unanticipated staffing changes, we were unable to fill the Analyst position in FY 2019-20. The FY 2020-21 budget includes six months funding for the new Analyst position. This will provide time to acclimate the new Clerk before bringing in another new employee.

In addition to the LAFCO employees, staff support is supplemented by private and public service providers on an as-needed basis. The County provides fiscal, drafting, mapping and legal services. Also, LAFCO contracts with private firms for website maintenance, financial auditing, environmental planning, and to assist with Municipal Service Reviews (MSRs) and special studies. The FY 2020-21 budget assumes the continuation of these contract services as reflected in the *Services & Supplies* accounts.

#### Services & Supplies

The *Services & Supplies* account includes funding for various services, programs and projects including administrative (e.g., office, insurance, rent, utilities, equipment/systems, training, memberships, etc.), contract services (assessor, auditing, GIS, legal, planning, website, etc.), and programs/projects (e.g., MSRs, special studies, etc.).

The proposed FY 2020-21 budget includes \$393,728 for *Services & Supplies* and reflects an increase of 3% as compared to the FY 2019-20 budget. The increase reflects increased costs associated with the new location. Also, the Fixed Assets account was eliminated in August 2019, in conjunction with the Commission's approval of migration to a virtual server versus purchasing a new physical server which resulted in a cost savings.

Regarding FY 2019-20 budget compared to year-end estimates, we note savings in several accounts (i.e., *Postage, Communications, Publications and Legal Notices, Minor Computer Equipment, and Building Maintenance, Employee Travel, Professional & Specialized Services, Data processing Services*). There was a significant increase in Minor Furniture and Equipment as costs associated with the new furniture was budgeted in FY 2018-19 and was charged to FY 2019-20 due to a delay in the office relocation.

#### Contingency Reserve Fund

Each year, the Commission appropriates \$80,000 for unanticipated expenses (i.e., special studies, potential litigation, etc.). The contingency funds do not accrue and are re-appropriated each year. Use of the contingency funds is subject to Commission approval. No contingency funds have been used this fiscal year. The FY 2020-21 budget, as proposed, includes an \$80,000 contingency reserve fund, which is consistent with prior years.

#### Other Post-Employment Benefits (OPEB)

Since FY 2011-12, LAFCO has included in its budget an annual expense to pre-fund its OPEB liability. The FY 2011-12 through FY 2014-15 budgets included an appropriation of \$10,000 per year to fund this liability.

Following LAFCO's first actuarial valuation in 2014, the Commission increased its annual appropriation to \$40,000. The FY 2020-21 budget includes a \$40,000 contribution to fund the OPEB liability. Also included in the FY 2020-21 budget is funding for actuarial valuation.

#### Pre-funding Retirement Liability (CCCERA)

The FY 2020-21 budget includes a \$30,000 contribution to fund LAFCO's unfunded retirement liability. The Commission added this expense in FY 2017-18 to begin prepaying a portion of its unfunded retirement liability in order to have a better contribution rate. LAFCO's proportionate share of net pension liability measured. The latest LAFCO proportionate share of net pension liability measured 12-31-18 and reported 6-30-19 is \$304,195.

LAFCO entered into an agreement with CCCERA and CCCERA's actuary determines the liability and impact of pay down. The payments made to CCCERA are added to fiduciary plan assets and earn investment income like all other assets. CCCERA does not require a separate trust like an OPEB irrevocable trust because CCCERA, by definition, is a fiduciary trust fund. CCCERA's actuary tracks payments made against the LAFCO liability, which will reduce the liability and annual contributions from employer and employees because the liability is decreasing. Every three years, an experience is performed to confirm if the valuation and assumptions used to determine the liability are on track and accurate.

### **REVENUES**

Revenues consist primarily of application charges, available year-end fund balance, miscellaneous revenues (e.g., interest earnings), and County, city and independent special district contributions, with each group paying one-third of the net operating LAFCO budget. The city and district shares are prorated based on general revenues reported to the State Controller.

#### Application Charges and Other Revenues

The FY 2019-20 budget included an anticipated \$25,000 in proposal processing fees based on a multi-year historical average. It is projected that LAFCO will receive approximately \$33,344 in application fees in the current fiscal year, which exceeds the budgeted amount. Application activity has declined. The proposed FY 2020-21 budget includes \$25,000 in anticipated application fees.

#### Fund Balance

Government Code §56381(c) provides: "If at the end of the fiscal year, the Commission has funds in excess of what it needs, the Commission may retain those funds and calculate them into the following fiscal year's budget."

The FY 2019-20 fund balance is currently unknown and will be calculated at year end (typically by October). However, based on the beginning year fund balance, and projected FY 2019-20 revenues and expenses, it is estimated that the available fund balance will be over \$175,000.

The LAFCO fund balance, or any portion thereof, can be used to offset the FY 2020-21 revenues, thereby reducing contributions from the funding agencies (County, cities, districts); or placed in a reserve account, separate from the contingency reserve that is appropriated each year.

The proposed FY 2020-21 budget provides that, to the extent possible, the available fund balance be used to offset FY 2020-21 revenues.

### Revenues Received from the County, Cities and Independent Special Districts

After processing fees, available fund balance and other miscellaneous revenues, the balance of LAFCO's financial support comes from local governmental agencies. Agency contributions represent the most significant LAFCO revenue source.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH") requires that the net operational costs of LAFCO be apportioned one-third to the County, one-third to the cities, and one-third to the independent special districts. The CKH describes how the County Auditor is to make the apportionment and collect the revenues once LAFCO adopts a Final Budget (Gov. Code §56381). The city and district allocations are based on revenues reported to the State Controller and vary year to year.

As indicated above, the overall budget is expected to decrease by approximately 8%. The proposed use of the available fund balance will offset agency contributions for FY 2020-21. The amount of revenue from other government agencies required to fund the FY 2019-20 budget was \$885,493. As proposed, the total amount of revenue from other government agencies needed to fund the FY 2020-21 budget is \$804,797, reflecting a 10% decrease.

### **LAFCO RESPONSIBILITIES, ACCOMPLISHMENTS & GOALS**

In accordance with the FY 2020-21 budget schedule and work plan presented to the Commission in February, the hearing for the Proposed Budget is scheduled for consideration on March 11<sup>th</sup>, and the hearing for the Final Budget is scheduled for May 13<sup>th</sup>. The time between these Commission actions is to allow for review and comment by those agencies that fund LAFCO and by other interested parties, as well as to update budget information.

In accordance with the work plan and proposed budget, staff provides a summary of LAFCO responsibilities, accomplishments as follows.

#### Major LAFCO Responsibilities

LAFCO receives its authority and statutory obligations from the CKH Act. Included among LAFCO's major responsibilities are:

- Act on proposals for changes of organization and reorganizations (i.e., annexations/ detachments, out of agency service extensions, consolidations/mergers, district formations/dissolutions, etc.)
- Establish, review and update spheres of influence (SOIs) for cities and special districts
- Conduct MSRs prior to or in conjunction with establishing or updating SOIs
- Perform special studies relating to services and make recommendations about consolidations, mergers or other governmental changes to improve/enhance services and efficiencies
- Serve as the Lead or Responsible Agency for compliance with the California Environmental Quality Act (CEQA)
- Serve as the conducting authority to conduct protest hearings relating to changes of organization/ reorganizations
- Provide public information about LAFCO and public noticing of pending LAFCO actions
- Establish and maintain a website
- Adopt and update written policies and procedures
- Adopt an annual budget



## Highlights of FY 2019-20

The following is a list of LAFCO's major accomplishments to date in FY 2019-20:

### **Boundary Change and Related Applications**

- a. Completed proceedings for three changes of organization/reorganizations and one SOI amendment; conducted corresponding public hearings
- b. Approved two requests for time extensions (annexations)
- c. Received six new applications including one annexation and five out of agency service requests

### **MSRs/SOI Updates**

- a. Completed "City Services" MSR/SOI updates covering all 19 cities and four community services districts
- b. Initiated 2<sup>nd</sup> round Parks & Recreation MSR/SOI updates following RFP process

### **Special Projects/Activities**

- a. Relocation of the LAFCO office to 40 Muir Road
- b. Staffing changes (i.e., retirement, recruitments, new hires)
- c. Pending Litigation (Los Medanos Community Health Care District vs. Contra Costa LAFCO)
- d. Received a special presentation and adopted a resolution of support - 2020 Census

### ***Administrative and Other Activities***

- a. Appointed 2020 LAFCO Chair and Vice Chair
- b. Reappointed public members
- c. Worked with the Contra Costa Mayors Conference on appointment of city member
- d. Completed FY 2017-18 financial audit
- e. Completed CCCERA Employer Audit
- f. Completed update to LAFCO Directory of Local Agencies
- g. Ongoing website updates
- h. Quarterly budget reports
- i. Completed annual employee performance review
- j. Provided comments on various local agency environmental documents
- k. Responded to one Grand Jury report
- l. Approved updates to LAFCO's island policies
- m. Complete election for Special District LAFCO member
- n. Submitted position letters on various bills affecting LAFCOs
- o. Participated in and supported CALAFCO
- p. Received CALAFCO Award – "*Most Effective Commission*"
- q. Participated in SDRMA election

## **FY 2020-21 Work Plan**

The recommended work plan for FY 2020-21 includes the following activities:

- ❖ Complete 2<sup>nd</sup> round Parks & Recreation Services MSR/SOI updates
- ❖ Initiate 2<sup>nd</sup> round MSRs/SOI updates covering either CSAs, cemetery districts, resource conservation, mosquito & vector control or other service as determined by the Commission

- ❖ Resume work on updating/enhancing Commissioner Handbook including developing policies to address SOIs, disadvantaged communities, procedures for processing multi-county boundary changes, environmental guidelines, etc.
- ❖ Hire Analyst
- ❖ Complete FY 2018-19 financial audit
- ❖ Complete actuarial valuation
- ❖ Continue to participate in and support CALAFCO

In addition to the above, LAFCO staff will continue ongoing activities including processing applications; supporting Commission/Committee meetings; administering the budget; managing records, purchasing, and contracts; and performing other administrative activities. Staff will facilitate inter-agency communications; conduct education and outreach as time allows; participate in regional forums as appropriate; participate in CALAFCO training and activities (i.e., Legislative Committee, Staff Workshop, Annual Conference, CALAFCO U). In addition, LAFCO staff will continue to monitor and participate in ongoing litigation (LMCHD).

In conclusion, the Commission and LAFCO staff continue to exercise fiscal prudence, recognizing the financial constraints faced by our funding agencies. Approval of the proposed budget will enable the Commission to perform its core responsibilities effectively, and continue its work on MSRs/SOI updates, special studies, policy development and other projects.

### RECOMMENDATIONS

1. Receive the staff report and open the public hearing to accept testimony on the Proposed FY 2020-21 LAFCO Budget,
2. After receiving public comments close the hearing,
3. After Commission discussion, adopt the Proposed Budget for FY 2020-21, with any desired changes, and authorize staff to distribute the Proposed Budget to the County, cities and independent special districts as required by Government Code Section 56381, and
4. Schedule a public hearing for May 13, 2020 to adopt the Final FY 2020-21 LAFCO Budget.

Respectfully submitted,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attachment – Proposed FY 2020-21 LAFCO Budget

c: Distribution

**PROPOSED FY 2020-21 LAFCO BUDGET**

	FY 2019-20		FY 2020-21		
	<u>FY 2019-20</u>	<u>Year-end</u>	<u>FY 2020-21</u>		
	<u>Approved</u>	<u>(Estimated)</u>	<u>Proposed</u>		
<b>Salaries and Employee Benefits</b>					
Permanent Salaries- 1011	\$ 286,575	\$ 202,188	\$ 248,000		
Temporary Pay - 1013		\$ 13,755	\$ -		
Deferred Comp Cty Contribution - 1015	\$ 1,105	\$ 1,020	\$ 1,615		
FICA- 1042	\$ 21,923	\$ 16,520	\$ 18,972		
Retirement expense- 1044	\$ 117,971	\$ 76,008	\$ 97,120		
Employee Group Insurance- 1060	\$ 73,039	\$ 41,229	\$ 74,609		
Retiree Health Insurance- 1061	\$ 28,406	\$ 18,609	\$ 18,612		
Unemployment Insurance- 1063	\$ 143	\$ 129	\$ 150		
Workers Comp Insurance- 1070	\$ 1,273	\$ 1,112	\$ 1,337		
<b>Total Salaries and Benefits</b>	<b>\$ 530,435</b>	<b>\$ 370,570</b>	<b>\$ 460,415</b>		<b>-15%</b>
<b>Services and Supplies</b>					
Office Expense- 2100	\$ 5,000	\$ 4,100	\$ 4,000		
Publications -2102	\$ 25	\$ 21	\$ 25		
Postage -2103	\$ 1,800	\$ 518	\$ 1,800		
Communications - 2110	\$ 1,334	\$ 1,334	\$ 2,842		
Tele Exchange Services 2111	\$ 3,120	\$ 3,000	\$ 2,382		
Minor Furniture/Equipment - 2131	\$ 2,000	\$ 19,000	\$ -		
Minor Comp Equipment - 2132	\$ 1,800	\$ -	\$ 2,000		
Pubs & Legal Notices 2190	\$ 3,800	\$ 269	\$ 3,800		
Memberships - 2200	\$ 12,036	\$ 12,022	\$ 12,373		
Rents & Leases - 2250 (copier)	\$ 5,500	\$ 5,578	\$ 5,600		
Computer Software - 2251	\$ 612	\$ 956	\$ 1,000		
Bldg Occupancy Costs - 2262	\$ 24,569	\$ 24,569	\$ 24,569		
Bldg Life Cycle Costs - 2265	\$ 1,463	\$ 1,235	\$ 1,095		
Bldg Maintennace - 2284	\$ 500	\$ 1,430	\$ 500		
Auto Mileage Emp. - 2301	\$ 500	\$ 421	\$ 500		
Other Travel Employees - 2303	\$ 17,370	\$ 9,581	\$ 13,000		
Prof & Spec Services - 2310	\$ 237,153	\$ 137,055	\$ 250,113		
Assessor	\$ 8,500	\$ 5,337	\$ 8,000		
Financial Audit	\$ 8,700	\$ 7,470	\$ 8,700		
GIS/Mapping	\$ 12,000	\$ 9,939	\$ 12,000		
Legal	\$ 60,000	\$ 25,805	\$ 60,000		
MSRs	\$ 130,000	\$ 70,668	\$ 130,000		
Planning	\$ 11,000	\$ 11,003	\$ 25,000		
Special Projects (document imaging)	\$ 5,213	\$ 5,213	\$ 3,673		
LAFCO Sponsored Training	\$ -	\$ -	\$ -		
Misc Investment Services/CCCERA Fees	\$ 240	\$ 120	\$ 240		
Special Studies/Actuarial Valuation	\$ -	\$ 1,500	\$ 2,500		
Moving Service	\$ 1,500	\$ -	\$ -		
Contracted Temp Help - 2314 (Web)	\$ 3,060	\$ 2,970	\$ 3,060		
Data Processing Services - 2315	\$ 19,582	\$ 16,164	\$ 19,700		
Data Processing Security - 2326	\$ 210	\$ 172	\$ 250		
Courier - 2331	\$ 1,678	\$ 850	\$ 1,000		
Telcomm Rents, Leases, Labor - 2335		\$ 108	\$ 120		
Other Inter-Dept Costs - 2340	\$ 564	\$ -	\$ 599		
Liability/E&O Insurance - 2360	\$ 5,682	\$ 5,302	\$ 5,600		
Commission Training/Registration/Stipends - 2467	\$ 30,000	\$ 30,259	\$ 37,000		
NOD/NOE Filings - 2490	\$ 700	\$ 700	\$ 800		
<b>Total Services &amp; Supplies</b>	<b>\$ 380,058</b>	<b>\$ 277,614</b>	<b>\$ 393,728</b>		<b>3%</b>
<b>Fixed Assets</b>					
Office Equipment & Furniture - 4951	\$ 20,000	\$ -	\$ -		
<b>Total Fixed Assets</b>	<b>\$ 20,000</b>	<b>\$ -</b>	<b>\$ -</b>		
<b>Total Expenditures</b>	<b>\$ 930,493</b>	<b>\$ 648,184</b>	<b>\$ 854,143</b>		<b>-9%</b>
<b>Contingency Reserve</b>	<b>\$ 80,000</b>	<b>\$ -</b>	<b>\$ 80,000</b>		
<b>OPEB Trust</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>		
<b>CCCERA Pre-Fund</b>	<b>\$ 30,000</b>	<b>\$ 30,000</b>	<b>\$ 30,000</b>		
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 1,080,493</b>	<b>\$ 718,184</b>	<b>\$ 1,004,143</b>		<b>-8%</b>
<b>TOTAL REVENUES</b>	<b>\$ 1,080,493</b>	<b>\$ 918,837</b>	<b>\$ 1,004,143</b>		
Agency contributions - 9500 & 9800	\$ 885,493	\$ 885,493	\$ 804,143		<b>-10%</b>
Application & other revenues	\$ 25,000	\$ 33,344	\$ 25,000		
Fund Balance	\$ 170,000		\$ 175,000		



Lou Ann Texeira  
Executive Officer

**MEMBERS**

- |   |  |
|---|--|
| <b>Candace Andersen</b><br><i>County Member</i>         | <b>Federal Glover</b><br><i>County Member</i>              |
| <b>Donald A. Blubaugh</b><br><i>Public Member</i>       | <b>Michael R. McGill</b><br><i>Special District Member</i> |
| <b>Tom Butt</b><br><i>City Member</i>                   | <b>Rob Schroder</b><br><i>City Member</i>                  |
| <b>Igor Skaredoff</b><br><i>Special District Member</i> |  |

**ALTERNATE MEMBERS**

- |   |
|---|
| <b>Diane Burgis</b><br><i>County Member</i>               |
| <b>Stanley Caldwell</b><br><i>Special District Member</i> |
| <b>Charles R. Lewis, IV</b><br><i>Public Member</i>       |
| <b>Sean Wright</b><br><i>City Member</i>                  |

March 11, 2020

March 11, 2020  
Agenda Item 9

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

**Extension of Time - Temporary Employment of LAFCO Retiree**

Dear Commissioners:

In September 2019, the Commission approved the appointment of retiree Kate Sibley to assist with training the new Executive Assistant/LAFCO Clerk (“Clerk”). The term of the service is September 12, 2019 through March 29, 2020.

The Clerk position is complex and involves preparing and distributing LAFCO meeting agenda packets, clerking the LAFCO meetings, processing incoming LAFCO applications, bill paying, office and records management and other administrative duties.

Due to staffing changes and the recent hire of a new Clerk, it is desirable to retain Kate Sibley to provide training to the new Clerk who will begin employment with LAFCO on March 17, 2020. Kate Sibley is willing to assist and is uniquely qualified to perform these duties.

**RECOMMENDATIONS:**

1. Find that Kate Sibley’s services are needed to fill this critical position; and
2. Approve and authorize an extension of time to retain retiree Kate Sibley as a temporary employee effective March 30, 2020 through June 30, 2020.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

c: Contra Costa County Employees Retirement Association  
Contra Costa County Human Resources Department



March 11, 2020  
Agenda Item 10

## **AGENDA**

### **RETIREMENT BOARD MEETING**

SECOND MONTHLY MEETING  
February 26, 2020  
9:00 a.m.

Board Conference Room  
1200 Concord Avenue, Suite 350  
Concord, California

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

1. Pledge of Allegiance.
2. Accept comments from the public.
3. Approve minutes from the January 22, 2020 meeting.
4. Capital market assumptions review.
5. Presentation from First Eagle on global markets.
6. Review of total portfolio performance for period ending December 31, 2019.
  - a. Presentation from Verus
  - b. Presentation from staff
7. Annual statement of compliance with Board resolutions.
8. Consider and take possible action to:
  - a. adopt Board of Retirement Resolution 2020-1 to increase the salary ranges by 4% for all unrepresented classifications effective April 1, 2020, with the exception of the Chief Executive Officer.
  - b. adopt the CCCERA Position Pay Schedule for unrepresented classifications effective April 1, 2020 which reflects the salary range changes in Board of Retirement Resolution 2020-1.

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.

9. Consider authorizing the attendance of Board:
  - a. CRCEA Spring Conference, April 6-8, 2020, Visalia, CA. (Note: Conflict with Meeting)
  - b. AE Industrial Partners Annual Meeting, April 15-16, 2020, Boca Raton, FL.
  - c. 2020 Annual Conference, Siguler Guff, April 29-30, 2020, New York, NY.
  
10. 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, March 04, 2020**

**AB 315 (Garcia, Cristina D) Local government: lobbying associations: expenditure of public funds.**

**March 11, 2020  
Agenda Item 12a**

**Current Text:** Amended: 1/6/2020 [html](#) [pdf](#)

**Introduced:** 1/30/2019

**Last Amended:** 1/6/2020

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

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

**Summary:**

Current law authorizes the legislative body of a local agency, defined as a county, city, or city and county, or a district, defined broadly to include other political subdivisions or public corporations in the state other than the state or a county, city and county, or city, to attend the Legislature and the Congress of the United States, and any committees thereof, and to present information regarding legislation that the legislative body or the district deems to be beneficial or detrimental to the local agency or the district. Current law also authorizes the legislative body of a local agency or a district to enter into an association for these purposes and specifies that the cost and expense incident to the legislative body's or district's membership in the association and the activities of the association are proper charges against the local agencies or districts comprising the association. This bill, with respect to moneys paid to or otherwise received by an association from a local agency or district member of the association, would prohibit an association of local agencies or districts from expending those moneys for any purpose other than the above-described activities and educational activities.

**Position:** Oppose

**CALAFCO Comments:** As gut and amended, this bill will have significant impact to CALAFCO in the uses of member LAFCo and certain Associate Member dues being limited to only direct educational activities or lobbying efforts (this means all administrative efforts not related to these two things including all travel not related to education or lobbying or public education campaign regarding LAFCo will have to cease).

CALAFCO joined a coalition of stakeholders to oppose the bill ahead of the January 15 hearing date in ALGC which was cancelled by the author.

**AB 1253 (Rivas, Robert D) Local agency formation commissions: grant program.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/6/2019)(May be acted upon Jan 2020)

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

**Summary:**

This bill would require the Strategic Growth Council, until July 31, 2025, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for other specified purposes, including the initiation of an action, as defined, that is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission. The bill would specify application submission, reimbursement, and reporting requirements for a local agency formation commission to receive grants pursuant to the bill. The bill would require the council, after consulting with the California Association of Local Agency Formation Commissions, to develop and adopt guidelines, timelines, and application and reporting criteria for development and implementation of the program, as specified, and would exempt these guidelines, timelines, and criteria from the rulemaking provisions of the Administrative Procedure Act. The bill would make the grant program subject to an appropriation for the program in the annual Budget Act, and would repeal these provisions on January 1, 2026. This bill contains other existing laws.

**Attachments:**

- [LAFCo Support Letter Template](#)
- [CALAFCO Support letter Feb 2016](#)

**Position:** Sponsor

**Subject:** Disadvantaged Communities, LAFCo Administration, Municipal Services, Special District Consolidations

**CALAFCO Comments:** This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFCos one-time grant funding for in-depth studies of potential reorganization of local service providers. Last year, the Governor vetoed AB 2258 - this is the same bill. The Strategic Growth Council (SGC) will administer the grant program. Grant funds will be used specifically for conducting special studies to identify and support opportunities to create greater efficiencies in the provision of municipal services; to potentially initiate actions based on those studies that remove or reduce local costs thus incentivizing local agencies to work with the LAFCo in developing and implementing reorganization plans; and the dissolution of inactive districts (pursuant to SB 448, Wieckowski, 2017). The grant program would sunset on July 31, 2024.

The bill also changes the protest threshold for LAFCo initiated actions, solely for the purposes of actions funded pursuant to this new section. It allows LAFCo to order the dissolution of a district (outside of the ones identified by the SCO) pursuant to Section 11221 of the Elections code, which is a tiered approach based on registered voters in the affected territory (from 30% down to 10% depending).

The focus is on service providers serving disadvantaged communities. The bill also requires LAFCo pay back grant funds in their entirety if the study is not completed within two years and requires the SGC to give preference to LAFCos whose decisions have been aligned with the goals of sustainable communities strategies.

We were unsuccessful in getting the \$1.5 M into the budget so the author has decided to make this a 2-year bill and try again in the next budget in a budget trailer bill.

**AB 1389 (Eggman D) Special districts: change of organization: mitigation of revenue loss.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

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

**Summary:**

Would authorize the commission to propose, as part of the review and approval of a proposal for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, within all or part of the jurisdictional boundaries of a special district, that the special district, to mitigate any loss of property taxes, franchise fees, and other revenues to any other affected local agency, provide payments to the affected local agency from the revenue derived from the proposed exercise of new or different functions or classes of service.

**Position:** Watch  
**Subject:** CKH General Procedures

**CALAFCO Comments:** This bill allows LAFCo, when approving a proposal for new or different functions or class of service for a special district, to propose the district provide payments to any affected local agency for taxes, fees or any other revenue that may have been lost as a result of the new service being provided.

**AB 1751 (Chiu D) Water and sewer system corporations: consolidation of service.**

**Current Text:** Amended: 7/5/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amended:** 7/5/2019

**Status:** 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/12/2019)(May be acted upon Jan 2020)

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

**Summary:**

The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board related responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2019, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system.

**Position:** Watch  
**Subject:** Water

**CALAFCO Comments:** This bill would authorize a water or sewer system corporation to file an application and obtain approval from the PUC through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system. The bill would require the commission to approve or deny the app. Unless the commission designates a different procedure because it determines a consolidation warrants a more comprehensive review, the bill would authorize a water or sewer system corporation to instead file an advice letter and obtain approval from the commission through a resolution authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system.

**AB 2093 (Gloria D) Public records: writing transmitted by electronic mail: retention.**

**Current Text:** Introduced: 2/5/2020 [html](#) [pdf](#)

**Introduced:** 2/5/2020

**Status:** 2/20/2020-Referred to Com. on JUD.

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

**Calendar:**

3/10/2020 9 a.m. - State Capitol, Room 437 ASSEMBLY JUDICIARY, STONE, MARK, Chair

**Summary:**

Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.

**Position:** Watch  
**Subject:** Public Records Act

**CALAFCO Comments:** This bill requires all public agencies to retain and preserve for at least two years all email records as public records.

**SB 272 (Morrell R) Fire Protection District Law of 1987.**

**Current Text:** Amended: 4/4/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Last Amended:** 4/4/2019

**Status:** 2/3/2020-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:**

The Fire Protection District Law of 1987 provides that whenever a district board determines that it is in the public interest to provide different services, to provide different levels of service, or to raise additional revenues within specific areas of the district, it may form one or more service zones by adopting a resolution that includes specified information, fixing the date, time, and place for public hearing on the formation of the zone, publishing notice, as specified, hearing and considering any protests to the formation of the zone at the hearing, and, at the conclusion of the hearing, adopting a resolution ordering the formation of the zone. If a resolution adopted after the public hearing would substantially expand the provision of services outside of an existing service zone and the extension of service would result in those persons in the expanded area paying charges for the expansion of services, this bill would provide that the resolution does not become effective unless approved by a majority of the voters within the expanded service area.

**Position:** Watch

**CALAFCO Comments:** As amended, the bill amends the Health & Safety code regarding the formation of zones within a fire protection district by requiring the district hold an election, regardless of the protest level, if the district wants to substantially expand (as defined in the bill) services outside the zone. This is unrelated to 56133. CALAFCO will retain a Watch position.

**SB 414 (Caballero D) Small System Water Authority Act of 2019.**

**Current Text:** Amended: 6/25/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Last Amended:** 6/25/2019

**Status:** 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019)(May be acted upon Jan 2020)

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

**Summary:**

Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people,



and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.

**Position:** Support  
**Subject:** Water

**CALAFCO Comments:** This bill is very similar to AB 2050 (Caballero) from 2018. Several changes have been made. This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water authority. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of a new public agency.

LAFCo will be responsible for dissolving any state mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed Administrator will act as the applicant on behalf of the state. LAFCo will have ability to approve with modifications the application, and the new agency will have to report to the LAFCo annually for the first 3 years.

**SB 928 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/5/2020 [html](#) [pdf](#)

**Introduced:** 2/5/2020

**Status:** 2/12/2020-Referred to Com. on GOV. & F.

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

**Calendar:**

3/18/2020 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

**Summary:**

This bill would enact the First Validating Act of 2020, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Position:** Watch

**CALAFCO Comments:** This is the first of three annual validating acts.

**SB 929 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/5/2020 [html](#) [pdf](#)

**Introduced:** 2/5/2020

**Status:** 2/12/2020-Referred to Com. on GOV. & F.

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

**Calendar:**

3/18/2020 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

**Summary:**

This bill would enact the Second Validating Act of 2020, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Position:** Watch

**CALAFCO Comments:** This is the second of three annual validating acts.

**SB 930 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/5/2020 [html](#) [pdf](#)

**Introduced:** 2/5/2020

**Status:** 2/12/2020-Referred to Com. on GOV. & F.

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

**Calendar:**

3/18/2020 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

**Summary:**

This bill would enact the Third Validating Act of 2020, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Position:** Watch

**CALAFCO Comments:** This is the third of three annual validating acts.

**SB 1052 (Hertzberg D) Water quality: municipal wastewater agencies.**

**Current Text:** Introduced: 2/18/2020 [html](#) [pdf](#)

**Introduced:** 2/18/2020

**Status:** 2/27/2020-Referred to Coms. on EQ. and GOV. & F.

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

**Summary:**

Would establish municipal wastewater agencies and would authorize a municipal wastewater agency, among other things, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**Position:** Watch

**Subject:** Municipal Services, Special District Principle Acts

**CALAFCO Comments:** This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

**SB 1280 (Monning D) Drinking water: consolidation and extension of service: at-risk water systems.**

**Current Text:** Introduced: 2/21/2020 [html](#) [pdf](#)

**Introduced:** 2/21/2020

**Status:** 2/24/2020-From printer. May be acted upon on or after March 25. Read first time.

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

**Summary:**

Would authorize the State Water Resources Control Board to order consolidation between a receiving water system and an at-risk water system, as defined, upon receipt of a petition that substantially conforms to the specified-referenced policy adopted by the state board and that is either approved by the water system's governing body or signed by at least 30% of the households served by the water system. For purposes of that provision, the bill would authorize the state board to contract with a technical assistance provider or appoint an administrator to provide information to a community regarding the petition process, to assist with the preparation of a petition, or to evaluate whether a water system is an at-risk water system.

**Subject:** Water

**CALAFCO Comments:** This bill pertains to the petition to the SWRCB for water system consolidation. It (1) seeks to give the SWRCB authority to mandate consolidation if the petition "substantially conforms" to state policy requirements, and (2) allows for that consolidation order if the petition is approved by the water system's governing body OR signed by at least 30% of households being served by the water system.

Adding "households" is a substantive change.

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**2**

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**AB 213 (Reyes D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.**

**Current Text:** Introduced: 1/15/2019 [html](#) [pdf](#)

**Introduced:** 1/15/2019

**Status:** 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019)(May be acted upon Jan 2020)

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

**Summary:**

Would, for the 2019–20 fiscal year, require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Subject:** Tax Allocation

**CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations. This bill is the same as AB 2268 (Reyes) from 2018.

**AB 818 (Cooley D) Local government finance: vehicle license fee adjustment amounts.**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

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

**Summary:**

Current property tax law, for the 2006–07 fiscal year, and for each fiscal year thereafter, requires the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year, if specified provisions did not apply, and the product of the amount as so described and the percentage change from the prior fiscal year in the gross taxable valuation within the jurisdiction of the entity. Current law establishes a separate vehicle license fee adjustment amount for a city that was incorporated after January 1, 2004, and on or before January 1, 2012. This bill would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, including an additional separate vehicle license fee adjustment amount for the first fiscal year of incorporation and for the next 4 fiscal years thereafter.

**Attachments:**

[LAFCo Support letter template](#)

[CALAFCO Support March 2019](#)

**Position:** Support

**Subject:** Financial Viability of Agencies

**CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2018. This is the same bill as AB 2491 from 2018.

**AB 1304 (Waldron R) Water supply contract: Native American tribes.**

**Current Text:** Amended: 5/6/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amended:** 5/6/2019

**Status:** 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 5/29/2019)(May be acted upon Jan 2020)

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

**Summary:**

Current law provides for the establishment and operations of various water districts. This bill would specifically authorize a water district, as defined, to enter into a contract with a Native American tribe to receive water deliveries from an infrastructure project on tribal lands. The bill would repeal its provisions on January 1, 2025.

**Position:** Watch

**Subject:** Municipal Services, Water

**CALAFCO Comments:** This bill amends the water code to allow a Native American tribe to sell/deliver water to a water district (as defined in the water code section 20200). The bill sunsets on January 1, 2025.

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**3**

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**AB 134 (Bloom D) Safe Drinking Water Restoration.**

**Current Text:** Amended: 5/20/2019 [html](#) [pdf](#)

**Introduced:** 12/5/2018

**Last Amended:** 5/20/2019

**Status:** 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/12/2019)(May be acted upon Jan 2020)

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

**Summary:**

Would require the State Water Resources Control Board to report to the Legislature by July 1, 2025, on its progress in restoring safe drinking water to all California communities and to create an internet website that provides data transparency for all of the board's activities described in this measure. The bill would require the board to develop metrics to measure the efficacy of the fund in ensuring safe and affordable drinking water for all Californians.

**Position:** Watch  
**Subject:** Water

**AB 1053 (Dahle R) Fallen Leaf Lake Community Service District.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Last Amended:** 3/25/2019

**Status:** 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 5/22/2019)(May be acted upon Jan 2020)

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

**Summary:**

Would prohibit, on and after January 1, 2020, the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection, including medical response and emergency services, and parks and recreation services or facilities.

**Position:** Watch

**CALAFCO Comments:** CALAFCO will watch this bill to determine if the outcome of the State Audit on this district will have an impact on all CSDs.

**AB 1457 (Reyes D) Omnitrans Transit District.**

**Current Text:** Amended: 5/24/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amended:** 5/24/2019

**Status:** 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/25/2019)(May be acted upon Jan 2020)

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

**Summary:**

Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and specified portions of the unincorporated areas of the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

**Attachments:**

[CALAFCO Oppose unless amended letter April 2019](#)

**Position:** Neutral

**CALAFCO Comments:** This is a special act district formation. The bill takes what is currently a JPA and transforms it into a special district. CALAFCO has been working with the author and sponsor on amendments and the May 24 version addresses the vast majority of concerns. CALAFCO continues to work with the author and sponsor on minor technical amendments.

**AB 2148 (Quirk D) Climate change: adaptation: regional plans.**

**Current Text:** Introduced: 2/10/2020 [html](#) [pdf](#)

**Introduced:** 2/10/2020

**Status:** 2/11/2020-From printer. May be heard in committee March 12.

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

**Summary:**

Current law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as specified. This bill would state the intent of the Legislature to enact legislation that would foster regional-scale adaptation, as specified; give regions a time to develop their regional plans, as specified; and consider, among other things, sea level rise and fire vulnerability.

**Position:** Watch

**Subject:** Climate Change

**CALAFCO Comments:** This bill states the Legislature's intent to create legislation that would foster regional-scale climate adaptation strategies, and require the creation of regional plans relating to sea level rise and fire vulnerability. CALAFCO will watch this bill.

**AB 2370 (Limón D) Ventura Port District: aquaculture plots: federal waters.**

**Current Text:** Introduced: 2/18/2020 [html](#) [pdf](#)

**Introduced:** 2/18/2020

**Status:** 2/19/2020-From printer. May be heard in committee March 20.

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

**Summary:**

Would, notwithstanding the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, authorize the Ventura Port District, to the extent permitted by federal law, to construct, maintain, operate, lease, and grant permits to others for the installation, maintenance, and operation of aquaculture plots in federal waters off the coast of California in order to aid in the development or improvement of navigation or commerce to the port district.

**Position:** Watch

**Subject:** Special District Powers

**CALAFCO Comments:** This is a local bill authorizing Ventura Port District to extend operations into federal waters. CALAFCO will work with Ventura LAFCo.

**AB 2629 (Mayes I) Imperial Irrigation District: retail electric service.**

**Current Text:** Introduced: 2/20/2020 [html](#) [pdf](#)

**Introduced:** 2/20/2020

**Status:** 2/21/2020-From printer. May be heard in committee March 22.

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

**Summary:**

Would require the State Energy Resources Conservation and Development Commission (Energy Commission), the Imperial County Local Agency Formation Commission, and the Riverside County Local Agency Formation Commission to meet to determine the sphere of influence of the

Imperial Irrigation District and options for electrical service to the Coachella Valley at the end of a certain lease of electrical rights and would, on or before June 30, 2021, require the Imperial Irrigation District to submit any requested documents and information to the Energy Commission for these purposes. The bill would, on or before June 30, 2022, require the Energy Commission to submit a report to the Legislature on the determination and options, as specified.

**Position:** Watch

**Subject:** Service Reviews/Spheres

**CALAFCO Comments:** This is a local bill relating to the Imperial Irrigation District. As written the bill requires the State Energy Resources Conservation & Development Commission, Riverside and Imperial LAFcos to meet for the purpose of determining the SOI of the district and for options for electrical service to the Coachella Valley. CALAFCO will watch the bill for any amendments and potential negative impacts.

**AB 3281 (Brough R) Worker status: independent contractors: business-to-business contracting relationship.**

**Current Text:** Introduced: 2/21/2020 [html](#) [pdf](#)

**Introduced:** 2/21/2020

**Status:** 2/24/2020-Read first time.

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

**Summary:**

Current law exempts specified occupations and business relationships from the application of the "ABC" test, including a business-to-business contracting relationship, that meets specified requirements, including that a business is a "contracting business" if it demonstrates that it meets specified criteria. Current law, instead, provides that these exempt relationships are governed by the multifactor test previously established in the case of S. G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal.3d 341. This bill would also include as a "contracting business" for purposes of a business-to-business contracting relationship, or business that subject to specified tax provisions relating to sale proprietorships on limited partnerships.

**Position:** Watch

**CALAFCO Comments:** This bill proposes amendments to AB 5 in terms of the exemption tests which may impact the contractual/employee relationship of CALAFCO and its two primary contractors.

**AB 3312 (Gray D) Local agency formation: annexation: City of Merced.**

**Current Text:** Introduced: 2/21/2020 [html](#) [pdf](#)

**Introduced:** 2/21/2020

**Status:** 2/24/2020-Read first time.

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

**Summary:**

Would authorize the annexation of territory comprising the main campus of the University of California, Merced, as specified, and any road strip, as defined, to the City of Merced, notwithstanding the requirement that the territory be contiguous with the city, if other conditions are met, including that the territory is within the city's sphere of influence. The bill would prohibit the local agency formation commission from approving subsequent annexations to the territory specified in the bill unless the annexation is contiguous with that territory.

**Position:** Watch

**Subject:** Annexation Proceedings

**CALAFCO Comments:** This is a local bill for Merced. It allows a defined section of the UC Merced campus and access road to be annexed if certain conditions are met and keeps the LAFco process intact. CALAFCO will watch the bill to ensure the LAFco process remains protected and work with Merced LAFco.

**AB 3338 (Diep R) Community services districts: zones.**

**Current Text:** Introduced: 2/21/2020 [html](#) [pdf](#)

**Introduced:** 2/21/2020

**Status:** 2/24/2020-Read first time.

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

**Summary:**

The Community Services District Law authorizes the establishment of community services districts to provide various public facilities and services. That law establishes procedures for forming zones within specific areas of a community services district to provide different services, different levels of service, different facilities, or additional revenue. The law, among other things, requires a public hearing on the formation of a zone, at which the board of directors is required to hear protests of the formation of the zone, as specified. This bill would make nonsubstantive changes to this public hearing provision.

**Position:** Watch

**Subject:** Special District Powers

**CALAFCO Comments:** This is a spot bill.

**SB 654 (Moorlach R) Local government: planning.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 2/3/2020-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:**

Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes certain findings and declarations relating to local government organizations, including, among other things, the encouragement of orderly growth and development, and the logical formation and modification of the boundaries of local agencies, as specified. This bill would make nonsubstantive changes to these findings and declarations.

**Position:** Watch

**CALAFCO Comments:** This is a spot bill. The author indicates he has no plans to use this for LAFco law.

**SB 799 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.**

**Current Text:** Introduced: 1/7/2020 [html](#) [pdf](#)

**Introduced:** 1/7/2020

**Status:** 1/15/2020-Referred to Com. on GOV. & F.

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

**Calendar:**

3/18/2020 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law repeals this pilot program as of January 1, 2021. This bill would delete the January 1, 2021, repeal date with regard to the pilot program, thereby continuing its operation indefinitely.

**Position:** Watch

**Subject:** CKH General Procedures

**CALAFCO Comments:** Originally created as a pilot program for San Bernardino and Napa LAFcos in 56133.5, the program is set to sunset January 1, 2021. This bill seeks to eliminate that sunset.

San Bernardino LAFco has requested amendments to keep as a pilot for these two counties and reinstate another 5-year sunset.

**SB 931 (Wieckowski D) Local government meetings: agenda and documents.**

**Current Text:** Introduced: 2/5/2020 [html](#) [pdf](#)

**Introduced:** 2/5/2020

**Status:** 2/12/2020-Referred to Com. on GOV. & F.

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

**Calendar:**

3/18/2020 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

**Summary:**

The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a legislative body to email a copy of the agenda or a copy of all the documents constituting the agenda packet if so requested. By requiring local agencies to comply with these provisions, this bill would impose a state-mandated local program.

**Position:** Watch

**CALAFCO Comments:** This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it (current law requires the mailing of such documents upon request, this bill adds the option to email if requested).

**SB 1096 (Caballero D) Water and sewer system corporations: consolidation of service.**

**Current Text:** Introduced: 2/19/2020 [html](#) [pdf](#)

**Introduced:** 2/19/2020

**Status:** 2/27/2020-Referred to Coms. on E., U. & C. and EQ.

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

**Summary:**

The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2020, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** This bill seeks to put timelines on the State Water Resources Control Board (SWRCB) to respond to applications for consolidations. CALAFCO will continue to watch this bill. There is no apparent impact to LAFco based on the current version of the bill.

**SB 1180 (Dahle R) Fallen Leaf Lake Community Services District: elections.**

**Current Text:** Introduced: 2/20/2020 [html](#) [pdf](#)

**Introduced:** 2/20/2020

**Status:** 2/21/2020-From printer. May be acted upon on or after March 22.

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

**Summary:**

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding current law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified.

**Position:** Watch

**CALAFCO Comments:** This is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

**SB 1386 (Moorlach R) Local government.**

**Current Text:** Introduced: 2/21/2020 [html](#) [pdf](#)

**Introduced:** 2/21/2020

**Status:** 2/24/2020-From printer. May be acted upon on or after March 25. Read first time.

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

**Summary:**

Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a nonsubstantive change to the provision naming the act.

**Position:** Watch

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is a spot bill.

Total Measures: 30  
Total Tracking Forms: 30

3/4/2020 1:27:33 PM

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
PENDING PROPOSALS – March 11, 2020**

March 11, 2020  
Agenda Item 12b

<b>LAFCO APPLICATION</b>	<b>RECEIVED</b>	<b>STATUS</b>
LAFCO No. 10-09 - Town of Discovery Bay Community Services District (DBCSD) sphere of influence (SOI) Amendment (Newport Pointe): proposed SOI expansion of 20± acres bounded by Bixler Road, Newport Drive and Newport Cove	July 2010	Currently incomplete
LAFCO No. 10-10 - DBCSD Annexation (Newport Pointe): proposed annexation of 20± acres to supply water/sewer services to a 67-unit single family residential development	July 2010	Currently incomplete
LAFCO No. 13-04 - Bayo Vista Housing Authority Annexation to Rodeo Sanitary District: proposed annexation of 33± acres located south of San Pablo Avenue at the northeastern edge of the District's boundary	Feb 2013	Continued from 11/12/14 meeting
LAFCO No. 14-05 - Reorganization 186 (Magee Ranch/SummerHill): proposed annexations to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) of 402± acres; 9 parcels total to CCCSD (8 parcels) and EBMUD (7 parcels)	June 2014	Removed from Commission's calendar pending further notice
LAFCO No. 16-06 - Tassajara Parks Project – proposed annexations to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	May 2016	Currently incomplete
LAFCO No. 16-07 -Tassajara Parks Project – proposed SOI expansions to CCCSD and EBMUD of 30+ acres located east of the City of San Ramon and the Town of Danville	May 2016	Currently incomplete

## State Agencies Present Framework for Voluntary Agreements to Improve Habitat and Flow in the Delta

By [California Water News Daily](#) on February 10, 2020



The California Natural Resources Agency and the California Environmental Protection Agency released a framework for potential voluntary agreements to improve river flows and habitats in the Sacramento-San Joaquin Delta last week.

The framework, which expands on previous commitments, outlines a 15-year program that would provide substantial new flows for the environment to help recover fish populations, create 60,000 acres of new and restored habitat, and generate more than \$5 billion in new funding for environmental improvements and science.

“This framework is an important milestone, but there is much work ahead to shape it into a legally enforceable program,” California Secretary for Natural Resources Wade Crowfoot said. “We’re committed to developing successful voluntary agreements because they hold the promise of improving environmental conditions more quickly and holistically than regulatory requirements, while providing more certainty to communities, farms and businesses.”

In an effort to implement the Bay-Delta Plan through an integrated program, the framework would include up to 900,000 acre-feet of new flows for the environment above existing conditions in dry, below-normal and above-normal water year types, and several hundred thousand acre-feet in critical and wet years to help recover fish populations. It also provides for 60,000 acres of new habitat and \$5.2 billion in investments funded by water users, the state and



the federal government to improve environmental conditions and science and adaptive management.

The California Natural Resources Agency and CalEPA will work with water users and other participants in the coming weeks to refine the proposed framework into a legally enforceable program.

The refined document will be submitted to the State Water Resources Control Board where it will undergo a third-party scientific review, environmental review and a public approval process by the Board.

## Antioch offers to provide water, sewer hookups to annexed neighborhood — for \$30,000 per home

### Older neighborhood annexed against residents' wishes now faces big fees to hook up to city services



ANTIOCH, CA – FEBRUARY 11: Elroy Booker, 79, who lived in unincorporated Contra Costa County for 12 years, now, after incorporation, must pay a \$23,000 permit fee if he wants to have the city's newly installed sewer and water lines hooked up to his home in Antioch, Calif., on Tuesday, Feb. 11, 2020. Booker is not happy, the city once said it would help pay these fees. Plus, he can't refinance through VA Home Loans because no one has proof whether he lives on a private or public road. (Doug Duran/Bay Area News Group)

By [Judith Prieve](mailto:jprieve@bayareanewsgroup.com) | [jprieve@bayareanewsgroup.com](mailto:jprieve@bayareanewsgroup.com) | Bay Area News Group

PUBLISHED: February 12, 2020 at 3:11 p.m. | UPDATED: February 16, 2020 at 1:36 p.m.

Six years after the city of Antioch annexed a rural section of 110 homes over many residents' objections, it's finally able to offer them the sewer and water lines that are supposed to be the perks of city life.

There's a hook, though. The total cost of hooking up to those services will cost a household about \$30,000. And few are lining up for the privilege.

"There's a lot of elderly people there — how are they going to afford this," asked Murray Sexton, who owns the nearby Bridgehead Cafe and three houses in the area. For her, it's thanks but no thanks.

The hookup permit costs alone hover around \$20,000 when including an assortment of sewer and water fees, and then homeowners must pay thousands more to run the service lines to their homes, he noted.

Because the rural neighborhood between Wilbur Avenue and 18th Street was determined in 2014 to fit the state's definition of a "land island," residents had no say in becoming part of a larger annexation project that also included 481 acres of industrial waterfront with two natural gas-fired power plants and 94 acres of waterfront marina and storage surrounding it.

Today, the 103-acre neighborhood with its narrow streets, large yards, livestock and vineyards finally has paved roads, is served by the local police department and will soon have its storm drains completed.

But not everyone in this older, middle-class neighborhood — the same one that drew international attention with the 2009 discovery of Jaycee Dugard, who under the radar of authorities was held captive in a backyard there for 18 years — sees the benefits of annexation as such a big plus.

Many think the city should be helping with the hookup costs and fees as an earlier council promised.

“They considered us an island, but they should have just left us the hell alone,” Kurt Loomis, a 25-year Vine Lane resident said, noting he plans to keep his septic system and well until they break down and force him to hook into city lines.

“We’re talking about the 110 people that had no voice,” said Ken Luke, who urged the Antioch City Council at its Feb. 11 meeting to waive the \$20,000 or so in permit fees for hookups.

“This (annexation) was ramrodded down their throats,” he later said.

Luke’s friend, Elroy Booker, 79, is one of the few who wants to hook up to the city lines, but he can’t afford the \$20,000 in fees and \$10,000 or so to connect lines up to his property without a home loan. He’s not sure what the individual hookup cost will be yet as it depends on distance to his home from the connector line, and the costs of new pipes, concrete removal and repair, trenching, landscape repairs, and capping the old septic tank and well, among others.

The 12-year-resident said he tried to refinance his home through the Veterans Administration, but the city could not provide documentation on whether his previously private road is now public, so he couldn’t get a loan.

Luke, who has been trying to get answers for his veteran friend, said the council’s earlier promises to not put the burden on homeowners seems to have faded away.

“The city was going to help provide some money to do the hookups,” he said. “Most are on fixed incomes.”

The city and county each initially kicked in \$3 million for the sewer, water and other improvements. The council back then said it would make provisions and apply for grants to help residents cover some of the fees and costs to connect their homes to city services.

But City Manager Ron Bernal said such provisions were not included and grants never came through.

“Normally, an assessment district is formed with the property owners paying for the water and sewer (infrastructure), which the city usually doesn’t do,” he said, noting the city still has to pay for sewer, water service system installations, street lights and paved roadways in the other annexation areas as well.

But the council agreed to have staff look into the matter and report back.

For Booker, the struggle to find a way to hook up his property with services will continue, he says.

“I don’t have \$20,000 right now, but the interest rates are low enough that I could afford it (a refinance) now,” he said. “But if I wait longer and the interest rates go up, I won’t be able to afford it, and if something happens to one of the (water or sewer) systems, I would be up a creek.”

## East Bay Times

# Nearly \$600,000 spent so far in Danville Measure Y race, records show

## Supporters outspending opponents on 69-home Magee Ranch Preserve by wide margin



Bicyclists travel on Diablo Road between Mt. Diablo Scenic Boulevard and Green Valley Road in Danville, Calif., near the proposed Magee Ranch housing development, in 2015. (Doug Duran/Bay Area News Group)

By [Jon Kawamoto](#) | [jkawamoto@bayareanewsgroup.com](mailto:jkawamoto@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: February 13, 2020 at 11:10 a.m. | UPDATED: **February 13, 2020** at 4:19 p.m.

DANVILLE — The battle for Danville voters over the fate of a 69-home project near Mount Diablo has been marked by pronounced campaign spending, with supporters and opponents racking up nearly \$600,000 in expenses to date, according to financial statements.

Both sides have spent a combined \$599,819.77 from 2019 through Jan. 18 to defeat or defend Measure Y on the March 3 ballot. Supporters of the Magee Ranch Preserve project outspent opponents by more than a 15-to-1 ratio, [financial statements filed with the town of Danville show](#).

The [Yes on Y coalition](#), which describes itself as a group of Danville environmental and community leaders whose major source of funding is developer Davidon Homes, has spent a

total of \$567,574.14 from Jan. 1, 2019, through Jan. 18 of this year. The coalition is reporting a cash balance of \$66,303 as of Jan. 18.

In a separate filing, the Yes on Y coalition lists contributions and expenditures from Jan. 1, 2019, to Dec. 31, 2019, of \$604,850. It includes contributions from BaughmanMerrill, a San Francisco political consulting firm, for canvassing handouts, consulting and video production, social media ads and mailers; Goco Consulting of Reno, Nevada, for voter outreach and management fees for voter outreach; Land Use Strategies LLC of Danville, for consulting; and Miller Starr Regalia of Walnut Creek and Cole Perkins of Seattle, Washington, for legal services.

The [Danville Open Space Committee](#), the No on Y group, has spent a total of \$32,245.63 from July 1, 2019, to Jan. 18 and reported a cash balance of \$28,740.41 as of Jan. 18.

In separate financial contribution records, the Yes on Y coalition received a total of \$400,000 from Davidon Homes of Walnut Creek — \$150,000 on Jan. 28, \$100,000 on Dec. 26, 2019, and \$150,000 on Dec. 6, 2019, according to filings with Danville.

“In terms of the respective campaigns spending, Davidon has invested at least \$475,000 in a massive effort to buy results,” Bob Nealis of the Danville Open Space Committee, said in an email statement. “We are convinced this attempt to overwhelm Danville voters with massive outdoor signage, colorful mailers that are appearing in mailboxes at nearly a weekly rate and eliciting the direct support of Mayor Karen Stepper ... in mailers and Town Hall phone presentations will backfire on them.

“Danville voters will see through this effort and vote no to maintain our small town atmosphere local residents appreciate,” he said.

Attempts to reach the Yes on Y coalition were not successful.

As proposed, the project includes 69 houses on 29 acres of the 410-acre plot — or 7 percent of the land off Diablo Road. The remainder of the property would be open space, with two miles of public trails.

The housing development — which has been in the works since 2011 — was first approved by the Danville Town Council on July 2 — including support from Stepper, who wasn't mayor at the time and who voted for the project. In its decision, Danville council members voted unanimously 5-0 and praised the benefit of hundreds of acres of open space.

In addition to the Danville Town Council, Measure Y is backed by Contra Costa Supervisor Candace Anderson; the East Bay Regional Park District; Seth Adams, land conservation director for the nonprofit Save Mount Diablo; and bicycle groups, including Mount Diablo Cyclists, Bike East Bay and Dublin-based Valley Spokesmen Bicycle Club.

“The project is consistent with the town’s general plan,” Danville Councilmember Robert Storer said after the July 2 meeting, when he was the mayor. He noted the project calls for preserving more than 93 percent of the 410-acre property for open space and trails.

The Danville Open Space Committee opposes the project, which it contends is essentially the same one approved by the council in 2013. That project was the subject of a lawsuit that ended

with the council rescinding its approval. The town was ordered to redo its environmental impact report to address bicycle safety impacts.

The committee said the bicycle safety problems haven't been improved, traffic congestion in the area has not been addressed, and the project doesn't include parks or open space. It also says the town is circumventing the public vote required to change agricultural open space to residential use.

But an easement would be granted for an 8-foot-wide paved trail that's to run parallel to Diablo Road for both bicyclists and pedestrians, according to Danville town planner David Crompton. The town has budgeted the trail in its capital improvement projects, Crompton said.

Bicyclist Al Kalin, president of Mount Diablo Cyclists and chairman of the Danville Bicycle Advisory Committee, has said his groups endorsed the Magee Preserve Project. He said his organizations agree with other bike groups, including Bike East Bay and Valley Spokesmen Bicycle Club of Dublin, "that the cycling community and motorists will benefit from this precedent."

Adams, of Save Mount Diablo, praised the project at the July 2, 2019, council meeting.

"This has been a long time coming," Adams said. "There aren't many projects that Save Mount Diablo actually supports, but the conservation benefits of this one are superlative. This is one of the highest conservation value tradeoffs that we've seen in any project in Contra Costa County. Danville has had an incredibly thoughtful process in going through its considerations on the project, and we support the tradeoff."

Jed Magee, who owns Magee Ranch, voiced his support for the project at the July 2, 2019, meeting. And he expected opposition to the project to continue.

"The NIMBYs have all become BANANAs — which stands for 'Build Absolutely Nothing Anywhere Near Anybody,' " Magee said.

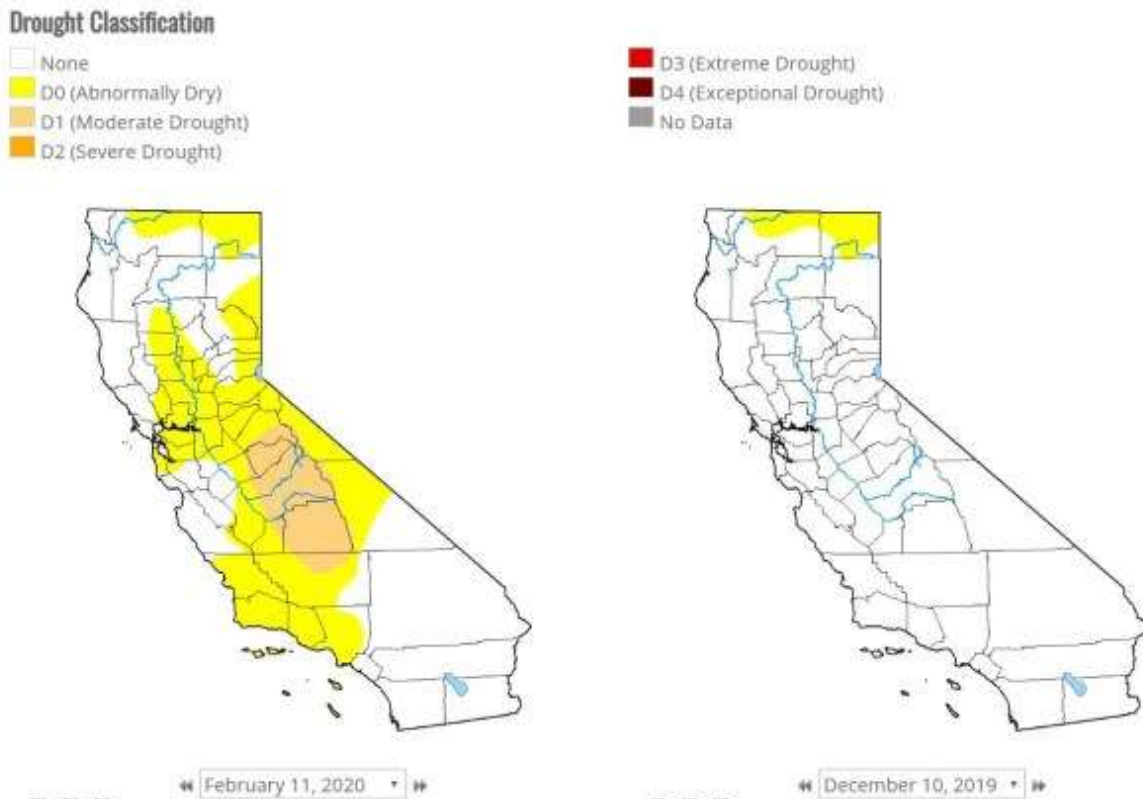
The Danville Open Space Committee began circulating referendum petitions July 17, one day after the council formally approved the project and collected enough signatures to force a referendum on the housing project.

# Drought conditions returning to California, new report shows

Nearly 10% of California now in drought, federal government says

By [Paul Rogers](#) | [progers@bayareanewsgroup.com](mailto:progers@bayareanewsgroup.com) |

PUBLISHED: February 13, 2020 at 6:49 a.m. | UPDATED: February 14, 2020 at 4:13 a.m.



On Thursday Feb. 13, 2020, nearly 10% of the state’s land area was classified as being in drought conditions, according to federal scientists, as the state has seen little rain in recent weeks.

Driven by weeks of unusually dry weather, the federal government on Thursday classified parts of California as back in a drought for the first time since last year.

Altogether, 9.5% of the state’s land area is now in a moderate drought, with forecasts showing no rain in most of the state for at least the next 10 days. The area classified as being in moderate drought Thursday was in the Central Valley, covering roughly 10 million acres from Tuolumne County to Kern County.

That’s the most since Feb. 12, 2019, when 10.5% of California’s land area also was in a moderate drought, according to the [U.S. Drought Monitor](#), a weekly report put out by the National Oceanic and Atmospheric Administration, the U.S. Department of Agriculture and the University of Nebraska-Lincoln.

“Across Nevada and California, dryness and drought intensification prevailed,” wrote Richard Tinker, a meteorologist with NOAA in College Park, Maryland, who wrote this week’s report.

The Drought Monitor also classified nearly half the state — 46% — as being “abnormally dry,” up from just 3% a month ago. Much of that dry area is in the Central Valley. But it also includes large portions of the Bay Area, such as San Mateo, San Francisco, Alameda, Contra Costa, Solano, Napa and northern Santa Clara counties, along with the coastal region from San Luis Obispo to Los Angeles counties.

The last time any part of California was classified as being in a moderate drought was three months ago, when .01% of California’s land area had that classification.

The new report does not mean, however, that California is heading back into the type of harsh conditions that occurred during the state’s historic drought from 2012 to 2017. “Moderate drought” is the mildest of five categories that the federal scientists use to classify drought conditions in the report.

How bad was it back then? By comparison, exactly five years ago, on the week of Feb. 10, 2015, an overwhelming 98% of the state was in at least a moderate drought, and 40% was in exceptional drought, the most severe of the five categories.

Nevertheless, after a series of soaking atmospheric river storms late last year that drenched California around Thanksgiving and into December, much of California has seen little rain or snow in the seven weeks since the new decade began.

“It’s been disappointing as rainfall totals go,” said Jan Null, a meteorologist with Golden Gate Weather Services in Half Moon Bay. “We had half of normal rainfall in January, and now we’ve gone 0-for-February.”

San Francisco is often used as a measure of Bay Area weather history because its records go back the furthest. This month, the city has recorded no rainfall so far, Null said. The only time San Francisco had no measurable rain in February was in 1864, when Abraham Lincoln was president.

To the east, the statewide Sierra snowpack, the source of nearly one-third of California’s water, on Wednesday was 58% of its historic average for that date, down from 92% on New Year’s Day.

Most Bay Area cities have received about half their average rainfall so far this winter season, and only one day in 2020 so far, Jan. 16, brought more than 1 inch to San Francisco, Oakland and San Jose.

Overall, San Francisco has received 8.83 inches of rain since Oct. 1, or 58% of its historical average. San Jose, with only 3.82 inches, is just 42% of average. And Oakland is at 45% of average with 5.8 inches.

Ridges of high pressure have blocked storms coming off the Pacific Ocean, sending them to Washington and Oregon.

There is still another month and a half of winter left, however. And the state has had “Miracle March” conditions before. Last year, after a dry start to the season, a wet late February and March boosted the statewide Sierra Nevada snowpack from 69% on Jan. 1, 2019, to 161% by April 1.



Another positive sign: Many of California’s biggest reservoirs are holding plenty of water, the result of wet winters over the last two years. On Thursday, Shasta Lake, the state’s largest reservoir, was 78% full — 111% of its historic average for mid-February. Oroville was 65% full, or 94% of its historic average. And San Luis Reservoir near Los Banos was 75% full, or 92% of average for this time of year.

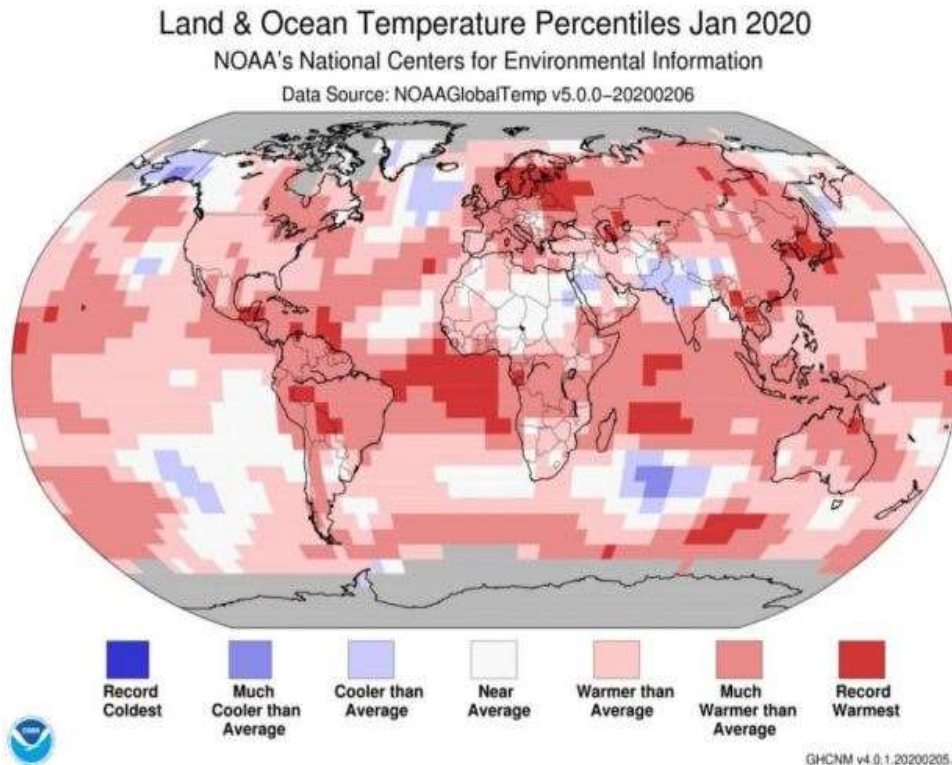
“It’s not like we’re in the second or third or fourth year of a drought and the reservoirs are low. It’s not so bad,” said Jay Lund, director of the UC Davis Center for Watershed Sciences. “It normally takes a year or two of dry years for a drought to settle in.”

With each passing day, however, as winter conditions begin to wane, the chances of hitting historic seasonal averages fall.

Meanwhile, the federal government Thursday reported that the Earth’s climate continues to warm. Federal scientists at NOAA [announced Thursday](#) that this January was the warmest January ever recorded on Earth back to 1880, when modern temperature records first began.

The January 2020 global land and ocean surface temperature was 2.05 degrees Fahrenheit above the 20th century average of 53.6 degrees Fahrenheit, the researchers said. Russia and parts of Scandinavia and eastern Canada experienced temperatures 9 degrees above average.

While California has had droughts many times in its history, scientists say climate change exacerbates them, making them hotter and drier and increasing the risk of wildfires in the summer and fall months.



“Let’s hope we’re not going into another drought again,” Lund said. “But this is California. And whether we are going to have it this year or next year, or another year, California is going to have another drought. It’s just part of life here, and it will probably become even more so with climate change.”

January, 2020 was the warmest January ever recorded on Earth back to 1880 when modern temperature records began, NOAA reported Thursday Feb. 13, 2020. (NOAA)

## East Bay Times

# East Bay park district will get nearly 350 acres of new open space if Danville's Magee Ranch housing ballot measure passes

## Opponent of the plan says developer is trying to distract voters



This aerial view shows the Magee Ranch Preserve housing plan and open space that was approved by the Danville Town Council on July 2, 2019.. The proposal is the subject of a referendum, Measure Y, on the March 3 ballot. (Town of Danville)

By [Jon Kawamoto](#) | [jkawamoto@bayareanewsgroup.com](mailto:jkawamoto@bayareanewsgroup.com) | Bay Area News Group

PUBLISHED: February 14, 2020 at 11:50 a.m. | UPDATED: **February 14, 2020** at 6:03 p.m.

The East Bay Regional Park District will gain nearly 350 acres to expand an open space preserve in Danville — for free — if voters approve a ballot measure that allows 69 new single-family homes to be built on Magee Ranch agricultural land.

But opponents of the plan cried foul, saying the last minute announcement — three weeks before the March 3 election — sought to distract voters from what the ballot measure is really about: rezoning agriculture land for yet another large housing development.

The park district made the announcement Monday as part of agreement with the landowner and developer, which was already being negotiated long before Measure Y was placed on the March 3 ballot, according to a district official. The ballot measure requires that 381 of the 410-acre

property be dedicated to permanent open space, regardless of whether the park district accepts the land or not.

If the measure is approved, the park district would receive fee title or conservation easement to 343 acres of the site, and use it to expand the Sycamore Valley Open Space Preserve as part of the Magee Ranch Preserve development plan, according to Carol Johnson, EBRPD assistant general manager of public affairs.

“Since 1998, the park district has been acquiring land to create Sycamore Valley Open Space Preserve, a gorgeous publicly accessible Danville park stitched together by land dedications from six different housing developers over the years,” said EBRPD General Manager Robert Doyle in a statement. “With the additional ... acres, Sycamore Valley Open Space will reach a total of 1,085 acres with over 3.5 miles of new trails of beautiful vistas of Mount Diablo and the Tassajara Valley.”

Johnson said in an email that the deal between the park district and developer Davidon Homes depends on voters approving the ballot measure.

According to Johnson, the park district has been “engaged since 2010 with the Town of Danville and the prospective developers of the Magee property to amend their development footprint to preserve maximum open space, including ridge lines and connections to Sycamore Valley Regional Preserve.

“Two years ago and prior to Measure Y, Magee developer (Davidon Homes) asked if the park district would accept a dedication of open space expanding public trails access at Sycamore Valley Open Space,” Johnson continued. “The detail of the dedication and access was worked out in 2019 and presented to EBRPD Board by staff where they offered their full support. Given the uncertainty over the project with Measure Y, formal real estate transactions are pending.”

The opposition to Measure Y, the Danville Open Space Committee, was quick to criticize the agreement, which it said it learned of Monday.

“The last-minute press release by EBRPD is yet one more example of the pressure that this development is feeling,” said Bob Nealis of the Danville Open Space Committee in an email statement. “This ballot measure is about rezoning existing open space to construct a major 69-home subdivision in our back yard, not about hiking trails.

“The fact that a few miles of trails might be created simply masks over the fact that this development ignores congestion, decreases road safety for both bikes and cars on a narrow-overburdened country road and significantly adds increased risk during emergency evacuations for all current residents,” Nealis continued. “If people are looking for miles of trails and open space, they need go no further than just across the street to Mount Diablo State Park.”

The Danville Town Council approved the project by a 5-0 vote on July 2, 2019, but opponents successfully forced a referendum on the proposal.

## Los Angeles Times

# Is California headed back into drought, or did we never really leave one?

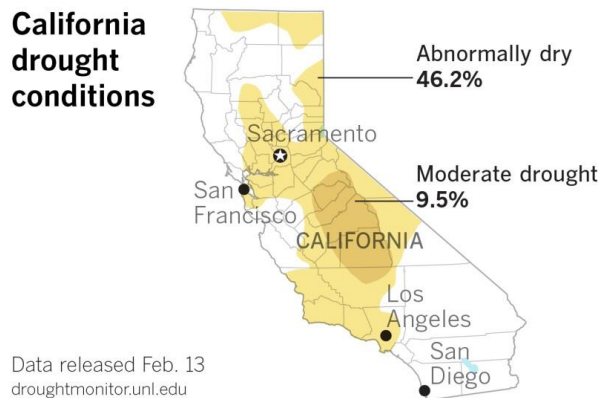
By [Paul Duginski](#), Graphics and Data Journalist

Feb. 15, 2020

6:18 PM

The [most recent U.S. Drought Monitor](#), issued on Thursday, shows an oval-shaped patch of Central California slipping back into moderate drought. This is after a couple months where the Drought Monitor showed the state to be [almost drought-free](#).

### California drought conditions



The [2018-19 water year](#) that came to a close last June was good — above average in many places in the state — but not great. The 2019-20 water year got off to a fast start with [a couple of potent storms](#), and Southern California was [above seasonal norms](#) even as Northern California lagged. Then January and February — two of the state’s wettest months — turned bone dry. And February looks unlikely to overcome its arid habits before the month ends, even though the calendar has given it an extra day this year in which to try.

A persistent ridge of high pressure has taken up residence in the eastern Pacific, and it shows no sign of budging. It is diverting storms into the Pacific Northwest region, which means more dry weather for California.

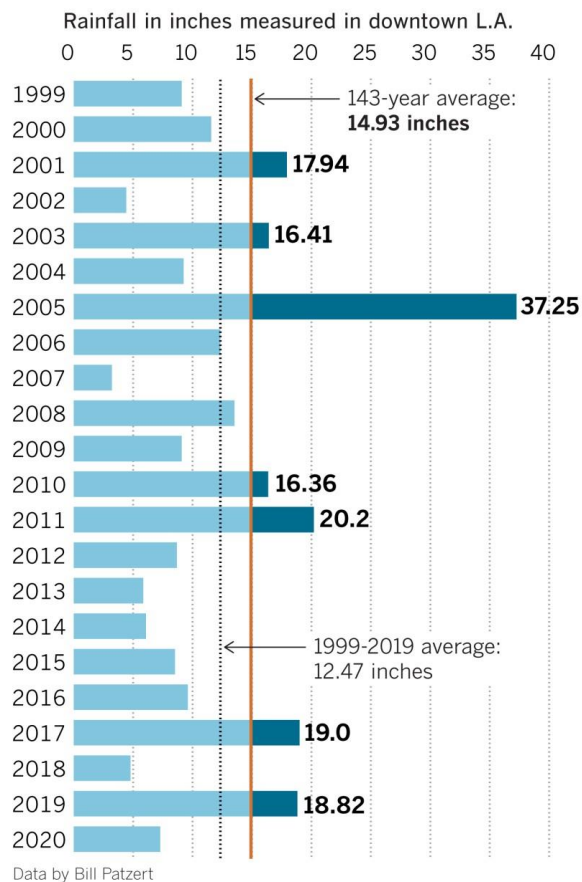
But did the drought in California ever really end? Climatologist and weather expert Bill Patzert thinks Southern California continues to be mired in a two-decade drought, and he uses rainfall figures for downtown Los Angeles to illustrate his point.

Over a period of 143 years, the average annual rainfall recorded in downtown Los Angeles has been 14.93 inches. Rainfall figures for downtown Los Angeles from 1999 to 2019 show many more disappointingly dry years than robustly wet ones.

During the 21 years ending with the 2019 season, 14 years have been below average, and only seven have been above, according to Patzert, who until recently was with NASA’s Jet Propulsion Laboratory. In fact, three of the driest years since 1878 occurred during this period: 2002, 2007 and 2018. The period from 2012 to 2016 accounted for the five driest consecutive years on record, when the average rainfall each year was only 7.74 inches, or 50% of normal.

## Is this what a 20-year drought looks like?

For the rainfall years ending in 1999 through 2019, 14 have fallen below the 143-year average.



Between 1999 and 2019, downtown Los Angeles was a total of almost 52 inches below average, Patzert points out. “That’s like losing 3½ average years of rainfall over the last 21 years.”

The lower rainfall brought the average for those years down to 12.47 inches per year — 2.47 inches short of normal each year, on average. “That’s mucho groundwater, irrigation for crops, lots of dead lawns and mass mortality in the great forests of California,” said Patzert.

“This drought did not simply come and go every other year, it has continued to deepen for two decades,” Patzert explained. “And the impacts have been long-lasting for urban dwellers, farmers, water managers and especially firefighters.”

The effects of persistent drought last a long time. For example, Lake Mead, a key reservoir formed by the Hoover Dam on the Colorado River, supplies water to millions of people in Arizona, California and Nevada, including Los Angeles. In 1999, its level was 1,212 feet above sea level. Now it’s at 1,094 feet — 118 feet lower — which represents a 50% drop in the

volume of the lake. It will take decades for the reservoir to recover, Patzert warns.

“That’s ominous because the population served by water from the Colorado River has exploded since the 1950s,” said Patzert. “Lake Mead is our drought monitor for the American Southwest.”

Patzert emphasizes that although one or two dry years can be punishing, a slowly building, large-scale drought is much more damaging. Long, major droughts are not zero or 50% below-normal rain. Droughts are when you drop from an average of 14.93 inches of rain per year to 12.47 inches — a subtle 16% decrease in average rain for 21 years, he explained. The two-decade drop in the level of Lake Mead is the result.

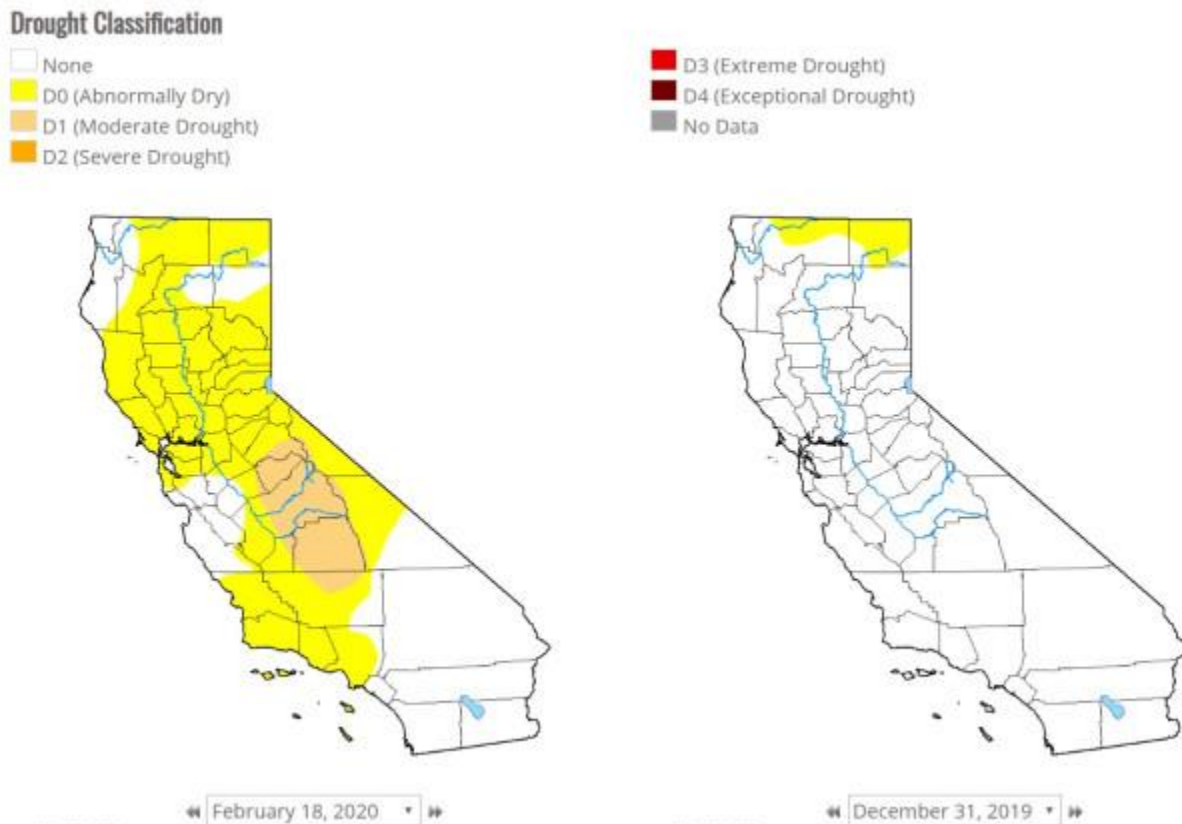
“History and science show us that droughts are large, long-lasting, and they wax and wane,” said Patzert. “This is especially true in the American West. The great Dust Bowl started in 1930 and lasted for almost a decade. California experienced on-again, off-again drought from the mid-1940s through the late 1970s. During these prolonged dry spells, a single wet year or two can provide temporary relief but will not break a multiyear drought.

“Droughts build incrementally, and recovery happens in slow motion, not with one wet year,” he said. “Droughts fool you. You think you’re out, and they pull you back in.”

## East Bay Times

# California drought 'pretty likely' by summer as new report shows state growing more dry

## Majority of California landscape is now classified as "abnormally dry"



On Thursday Feb. 20, 2020, the U.S. Drought Monitor report classified 59% of California as “abnormally dry” and 9.5% as in “moderate drought,” a significant change from Dec. 31, 2019, when just 3.5% was abnormally dry and none was in drought.

By [Paul Rogers](#) | [progers@bayareanewsgroup.com](mailto:progers@bayareanewsgroup.com) |

PUBLISHED: February 20, 2020 at 6:46 a.m. | UPDATED: **February 21, 2020** at 10:27 a.m.

Following another week without rain — and none forecast through the end of this month across Northern California — the federal government on Thursday announced that unusually dry conditions are expanding across a wider swath of California’s landscape, increasing concerns about summer fire risk and the possible return of at least a modest drought this year.

Overall, 59.9% of the state’s land area is now classified as “abnormally dry,” up from 46.1% last week, according to [the U.S. Drought Monitor](#), a weekly report issued by the National Oceanic

and Atmospheric Administration, the U.S. Department of Agriculture and the University of Nebraska-Lincoln.

All nine Bay Area counties are now classified as abnormally dry. So are places that have suffered devastating fires in recent years: Sonoma, Napa, Lake and Mendocino counties. Without significant rain in March or April, fire danger in those areas and other parts of the state will be higher than normal again this summer.

“Given what we’ve seen so far this year and the forecast for the next few weeks, I do think it’s pretty likely we’ll end up in some degree of drought by this summer,” said Daniel Swain, a climate scientist at UCLA, on Thursday.

Swain noted, however, that the state is equipped to handle one-year droughts pretty well without major water shortages because of water stored in reservoirs, groundwater wells and conservation.

It’s when dry conditions persist for several years, as they did during the state’s historic drought from 2012 to 2017, that problems arise.

“Assuming this year ends dry, which is pretty likely,” Swain said, “the question is what happens next year?”

Of note in Thursday’s federal report: The area of California where abnormally dry conditions are now present is 14 million acres larger than it was last week, a landscape 44 times the size of Los Angeles.

“The plants and the forests don’t benefit from the water storage reservoirs,” Swain said. “If conditions remain very dry heading into summer, the landscape and vegetation is definitely going to feel it this year. From a wildfire perspective, the dry years do tend to be the bad fire years, especially in Northern California.”

Last year, following a wet February and March, the state experienced a mild fire year, with high moisture levels in grasses, shrubs and trees — a welcome departure from prior years when major fires devastated Napa and Sonoma County, along with the town of Paradise in Butte County.

Altogether, Thursday’s report noted, 58% of California’s population, or 21.7 million people, are currently living in areas that are in moderate drought or are abnormally dry.

The amount of the state in “moderate drought,” a more serious category, remained the same this week as last week, at 9.5%. But that’s expected to increase if the National Weather Service’s dry forecast for the next two weeks bears out.

The reason for the dry conditions is a persistent weather pattern that is sending California’s rain toward Seattle.

“High pressure off the California coast kept much of California, Nevada, Arizona, and Utah precipitation-free this week, with above-normal temperatures in California,” wrote David Miskus, a NOAA meteorologist and author of Thursday’s drought report.

“Instead, Pacific storm systems were deflected northward or southward, allowing the Pacific Northwest to receive welcome moisture.”

The area in moderate drought Thursday, the driest in California, was in the Central Valley, covering roughly 10 million acres from Tuolumne County to Kern County.

The new report does not mean, however, that California is heading back into the kind of severe drought that the state experienced from 2012 to 2017.

There is still another month in the state’s rainy season. And California has had very wet “Miracle March” conditions in years past.

By comparison, five years ago, on the week of Feb. 17, 2015, an overwhelming 98% of the state was in at least a moderate drought, and 41% was in exceptional drought, the most severe of the five categories used in the report. That drought was broken by a series of massive atmospheric river, or “Pineapple Express,” storms that roared in off the Pacific in early 2017 and caused flooding in downtown San Jose and the collapse of the spillway at Oroville Dam in Butte County.

This winter season, although California experienced some decent rainfall around Thanksgiving and into December, the storms all but shut down after the New Year, and January and February have been unusually warm and dry.

Just one day in 2020 so far, Jan. 16, has had enough rain to bring at least 1 inch to San Francisco, Oakland and San Jose.

So far in February, not a drop of rain has fallen in San Francisco. If the month ends without any rain, it will be the first time since 1864 when February, usually one of the wettest months of the year, came up completely dry.

Lack of rain has meant lack of snow. On Wednesday, the statewide Sierra snowpack, the source of nearly one-third of California’s water, was at 52% of its historic average for that date, down from 92% on New Year’s Day.

The good news is that last year’s wet winter filled reservoirs, boosting the state’s water supply. On Thursday, Shasta Lake, the state’s largest reservoir, was 78% full — 109% of its historic average for mid-February. Oroville was 64% full, or 93% of its historic average. And San Luis Reservoir near Los Banos was 73% full, or 88% of average for this time of year.

Water managers are watching the weather trend nervously. Because of the reservoir storage, California usually needs at least two dry winters in a row before significant water conservation measures are imposed.

“I’m keeping my fingers crossed for some rain,” Swain said. “But there isn’t any on the horizon right now. At this point the odds of ending up at average for the whole winter are astronomically low. A Miracle March wouldn’t dig us all the way out of the hole, but it could help.”



## East Bay Times

# March 30 deadline for Danville term limits ballot measure

**Backers of term limits must collect 3,000 valid signatures to qualify for the November ballot**



The Town of Danville offices at 510 La Gonda Way, where the Town Council holds its meetings. (Google Street View)

By [Jon Kawamoto](#) | [jkawamoto@bayareanewsgroup.com](mailto:jkawamoto@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: February 19, 2020 at 2:00 p.m. | UPDATED: **February 21, 2020** at 3:02 p.m.

DANVILLE — The backers of an effort to impose term limits on the Danville Town Council have until March 30 to collect the necessary signatures to qualify for the November ballot.

The Danville Term Limits group is seeking to cap council members' service to two terms and eight years. It must gather 3,000 valid signatures, roughly 10 percent of the registered voters in Danville, before the deadline, said town Clerk Marie Sunseri.

Although the group said it is confident it will be successful in getting the measure on the ballot, it declined to say how many signatures it has collected so far.

“We are guaranteed that will we get this on the ballot,” said Nasser Mirzai, of the [Danville Term Limits](#) group.

Mirzai said the term limits group’s efforts has benefited from questions and concerns about [Measure Y, the Magee Ranch Preserve](#) project on the March 3 ballot. The project, approved unanimously by the Danville Town Council and endorsed by Save Mount Diablo and several bicycle groups among others, proposes to build 69 homes and create more than 300 acres of open space and trails on a 410-acre parcel.

Mirzai said the group is not targeting any members of the Council.

“This is not an attack on any individual,” he said. “We need to have the system in place. It’s time to have new energy, new blood” on the council. He pointed out that term limits are in place for the U.S. president and the California Legislature.

According to its Danville Term Limits website, the current five Town Council members have served on either the council or commissions for a total of 93 years. Councilmember Newell Arnerich has served as a councilman or on commissions 31 years.

Since Danville incorporated in 1982, no incumbent Town Council member has ever lost a re-election contest.

“Danville has a collective Town Council incumbency of nearly 100 cumulative years, with several members having been in power for 20 and 30 years individually,” the Danville Term Limits stated on its website. “History has shown that long-time incumbency delays progress, perpetuates old ideas, and results in a stagnated vision. Term limits will decisively put an end to 30-year incumbents and usher in new, vibrant leadership with fresh perspectives to improve our town, rather than continue with political ‘business as usual.’ ”

Councilman Robert Storer, who served as mayor last year, took issue with the term limits campaign when the drive began this past October.

“As a council member in the Town of Danville, we are already limited to a four-year term,” he said in an email. “Then voters are presented with a whole new opportunity to vote to select their elected representatives.

“The whole concept of term limits suggest that voters lack the ability to make educated choices and need to have their options further narrowed by eliminating some experienced candidates who have strong records to stand on,” he continued.

## East Bay Times

# Editorial: Danville should stop NIMBYism, vote for Magee Ranch homes

**Vote yes on Measure Y for project with new houses, traffic improvements, 93% open space and safe bike route**



This aerial view shows the Magee Ranch Preserve housing plan and open space that was approved by the Danville Town Council on July 2, 2019. The proposal is the subject of a referendum, Measure Y, on the March 3 ballot. (Town of Danville)

By [East Bay Times editorial](#) |

PUBLISHED: February 22, 2020 at 5:10 a.m. | UPDATED: **February 22, 2020** at 6:55 a.m.

For about a decade, a small group of Danville homeowners have been fighting plans for construction of 69 homes on the 410-acre Magee Ranch property off Diablo Road.

Now, they've used a signature-gathering drive to force the issue to the ballot. It's time for voters to end this NIMBYism.

Danville residents should vote yes on Measure Y, which would reaffirm the City Council's decision to rezone the land so Davidon Homes can build the houses.

The plans also call for East Bay Regional Park District to take control and open for public use most of the 381 acres of open space that's part of the deal; the city to move forward on a critical

bike path to get cyclists off dangerous Diablo Road; and the county to install a new signal that would significantly improve traffic flow during the dreaded morning commute.

That's right: The road improvements required with the development would make traffic better. The Magee Preserve project is a win-win: More homes, plus improvements that benefit the community.

The owners of the land were actually entitled to build more houses on the property. And they could have spread them out over the 410 acres. Instead they plan to cluster the construction near Diablo Road, setting aside 93% of the land as permanent open space.

The City Council, which unanimously approved the rezoning necessary for the clustering, understood the benefits. Unfortunately, members of the opposition group, which first sued unsuccessfully to stop development on the site, is now trying to overturn the council decision through a ballot referendum.

Opponents admit that what they really want the city to do is stop the rezoning that enables the clustering of homes. They figure the developer wouldn't be able to cost-effectively build as many houses if they're spread out. Simply put, they want to make it more expensive to build on the property.

It's mind-boggling: We're talking about 69 homes along a thoroughfare that has thousands of homes around it, including those of the opponents. We're not talking about a development that pushes beyond the county's urban growth boundaries. We're talking about a project that's essentially suburban in-fill.

Opponents say they're worried about traffic the project would generate. But the developer would be required to install a much-needed signal light that would replace stop signs at the intersection of Diablo Road and Mt. Diablo Scenic Boulevard.

The result, according to traffic studies for the project's environmental impact report, would be a 39% reduction in travel time along a two-mile stretch of Diablo Road during the morning commute and average speed improvement from 18 mph to 29 mph.

Opponents say they're worried about fire danger, but the environmental study and fire officials say the project would not hurt the ability of firefighters to serve the area.

Opponents say they're concerned about bike safety. But this project would improve bike safety. The developer would be required to dedicate land the city has been seeking for a new paved trail that cyclists heading for Mount Diablo, or just going for a local jaunt, could use instead of risking their lives on Diablo Road. That's why cycling groups have supported the development.

The City Council got it right. The Magee Preserve project deserves support. Vote yes on Measure Y.

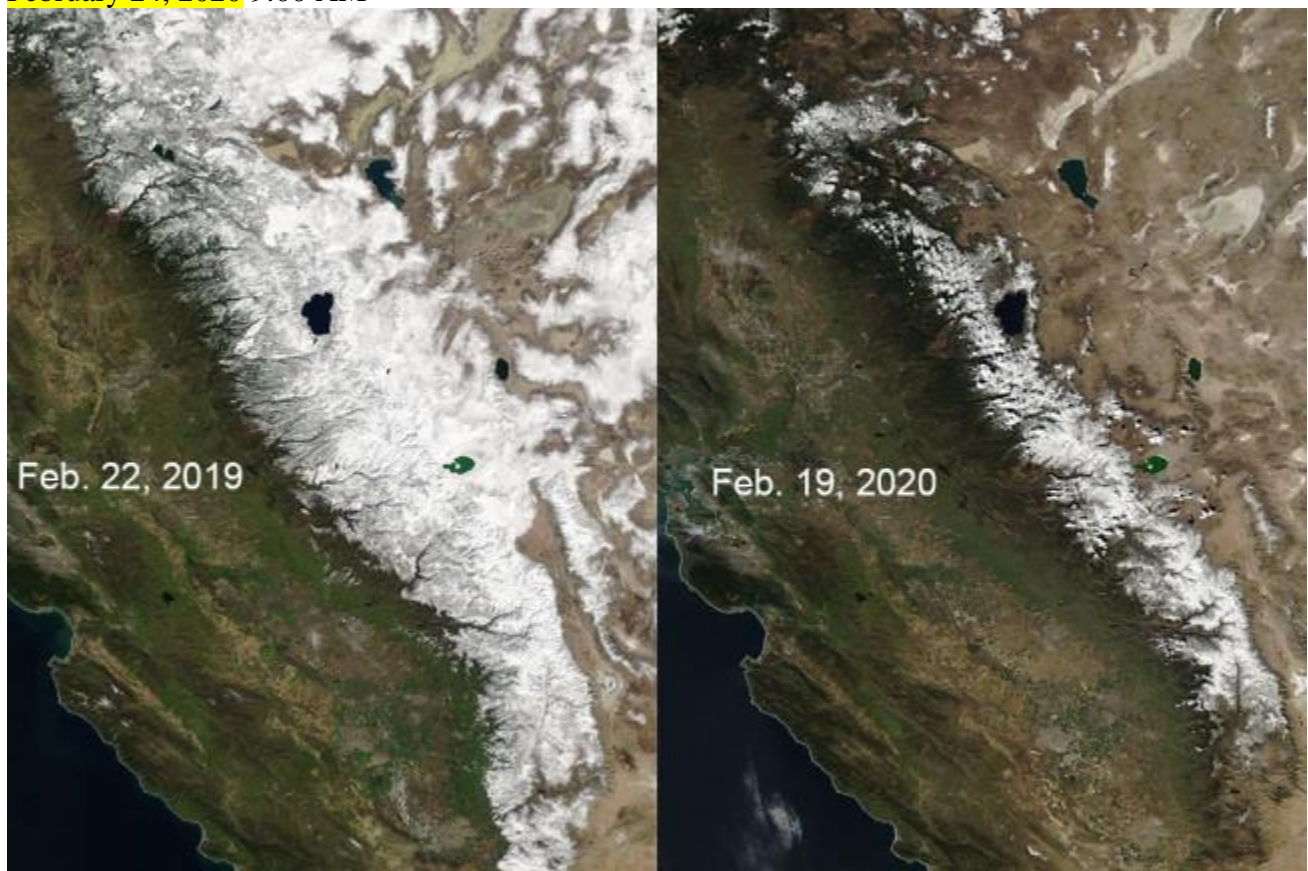
Discover Magazine

## California's Snowpack Shrivels, Raising Fears of Future Wildfires

Meanwhile, the Colorado Rockies have so far received a bounty of snow. But new research portends a dry future ahead for 40 million people in the western U.S. and Mexico.

[ImaGeo](#) By [Tom Yulsman](#)

February 24, 2020 9:00 AM



Satellite images taken about a year apart show a dramatic difference in snowpack in California's Sierra Nevada range — source of 30 to 50 percent of the state's water. In late February last year, snowpack stood at nearly 150 percent of normal. Now, it's barely above 50 percent. (Images: NASA Worldview)

What a difference a year makes.

As the comparison of satellite images above shows, last year at this time California's Sierra Nevada range was buried in snow. And even as recently as January of this year, snowpack was looking pretty good.

But since then, the jet stream has ferried storms north of California, causing the snowpack to shrivel — from about 150 percent of average last February down to just a little more than 50 percent now.

Although the Sierra Nevada covers just a quarter of California, the range provides [60 percent of the state's fresh water](#), serving 23 million people. The water also is vital to the state's agricultural production, which supplies [more than a third](#) of the fruits, vegetables, and nuts consumed in the United States.

Agricultural exports are also a key part of the California — and U.S. — economies. Ag exports from the state total some \$20 billion a year, which by [one estimate](#) generates nearly 175,000 jobs.

There is one bright spot: Water storage in eight of 12 major California reservoirs is close to or above average for this time of year, thanks to abundant precipitation during last year's wet season. But without replenishment, those reservoirs levels will come down.

Shriveling snowpack doesn't only put water supplies at risk. A dry winter can lead to disasters in summer and fall. "A below-average snowpack in the Sierra at this time of year will often mean a more severe wildfire season is ahead, beginning in the summer," [according to AccuWeather Meteorologist Bill Deger](#).

With about six weeks left to the wet season, things could still turn around. In fact, in 2018 one key measurement on March 1 showed snowpack barely pushing 50 percent of average. But then the mountains were pummeled with snow in what was described as a "miracle March." By April 1 conditions had improved to 93 percent.

Even so, 2018 turned out to be a [horrific year for California wildfires](#). More than 3,000 square miles burned — an area two thirds the size of the Los Angeles metropolitan area — and 24,226 structures were damaged or destroyed. One hundred people lost their lives that year, 75 of them in the Camp Fire, which ranks now as [California's deadliest](#).

Even as concerns mount in California, things are looking better to the east, with some parts of the Colorado Rockies receiving a bounty of snow.

Things may look good now, but over the long run, snowpack in the mountains that feed water into the Colorado River is likely to decline significantly, thanks to human-caused warming. A [new study](#) shows that if greenhouse gas emissions remain high in the absence of policies to mitigate climate change, the Colorado could lose 31 percent of its flow by mid-century compared to the average for 1913–2017.

If policies were enacted to rein in emissions of planet-warming carbon dioxide and other greenhouse gases, the losses would be limited to 14 percent, according to the study. That's obviously much better than losing nearly a third of the flow.

But it's important to keep this in mind: More water is already being drawn from the Colorado River Basin [than is actually flowing within it](#). So further declines in the water supply, even at the low end, will only make things worse.

Here are the numbers: An estimated 20 million [acre-feet](#) are used each year, compared to the Colorado's long-term average flow of about 12 million to 15 million acre-feet of water annually. The result: a steady drawdown of the two giant hydrological savings banks on the Colorado River. The first is Lake Powell, impounded by the Glen Canyon Dam, seen in the satellite image above. It currently stands at just [50 percent of capacity](#).

Downstream along the Colorado is Lake Mead near Las Vegas, created by Hoover Dam.

You can watch the dramatic impact of demand outstripping supply in the animation of Landsat images above. One image was acquired in 1984, when the reservoir was brimming with water. The other was captured in 2016, after nearly 20 years of low flows in the Colorado.

Today, Lake Mead stands at just [43 percent of capacity](#). Despite decent snowpack this winter in the mountains upstream, inflow this year is projected to be just [80 percent of average](#).

With the future promising even drier conditions, much is at risk. The Colorado River Basin supplies water to 40 million people in seven U.S. states and Mexico. It's estimated to support [\\$1.4 trillion in economic activity](#) and 16 million U.S. jobs. That's one twelfth of the total U.S. domestic product.

From month to month and year to year, snowpack levels from California east through the Rockies will vary, [perhaps even more dramatically](#) due to climate change. But despite any short-term upticks, over the long run we are clearly in an era of limits.

## San Francisco Chronicle

# SF expecting first dry February in 156 years, but rain possible Sunday

[Alejandro Serrano](#) Feb. 24, 2020 Updated: Feb. 24, 2020 4:33 p.m.

As temperatures increase throughout the Bay Area, weather officials spotted something hopeful in the seven-day forecast: a chance of rain.

The lack of precipitation in downtown San Francisco this month is nearing a historic feat. The city has not had a February with no rainfall since 1864, according to the National Weather Service.

There is a [20% to 30% chance of rain across the region Sunday](#), when an upper-level trough of low pressure from the northwest is expected to import cooler temps, according to the National Weather Service. Of course, that would be March 1.

“It is very exciting — if it happens,” said Matt Mehle, a meteorologist with the weather service.

The last recorded rainfall in San Francisco was Jan. 28, when weather officials marked nine-hundredths of an inch downtown. Santa Rosa also measured its last apparent rainfall that day, while the East Bay hills and, outside the Bay Area, parts of Monterey got a light splash over the weekend.

“Enough to wet the ground and wet the cars and stuff,” Mehle said.

The closest San Francisco has come to a dry February was in 1953, when four-hundredths of an inch fell downtown.

“Last year, we had 7.94 inches of rain in San Francisco,” Mehle said.

The dry conditions have raised concerns, and Mehle said a recent report indicated that several Bay Area communities may be headed toward a drought if the trend continues into March.

“It is basically the first stage of drought concern, which makes sense,” he said.

The lack of rain has been caused, in part, by a high-pressure system sitting in place over the region, keeping storms at bay.

“Almost like a roadblock in the atmosphere,” Mehle said. “The storm track has been to the north.”



Dry winds moving from land to sea and high pressure are expected to warm up temperatures across the region this week.

Temperatures in San Francisco should approach 70 by the end of the week. Forecasters said much of the inland valleys will have high temps in the mid-70s, but the Santa Rosa area may reach 80 degrees.

*Alejandro Serrano is a San Francisco Chronicle staff writer. Email: [alejandro.serrano@sfchronicle.com](mailto:alejandro.serrano@sfchronicle.com) Twitter: [@serrano\\_alej](https://twitter.com/serrano_alej)*