



Lou Ann Texeira
 Executive Officer

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|---|--|
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<i>Public Member</i> | Michael R. McGill
<i>Special District Member</i> |
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<i>City Member</i> | Rob Schroder
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|---|
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| Stanley Caldwell
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| Charles R. Lewis, IV
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| Edi Birsan
<i>City Member</i> |

September 14, 2022

**September 14, 2022
 Agenda Item 11**

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

Current and Potential LAFCO Applications

Dear Members of the Commission:

SUMMARY

This report identifies active applications on file with Contra Costa LAFCO as well as potential applications. This report is presented for information only.

DISCUSSION

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates LAFCOs with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving and disapproving boundary changes, boundary reorganizations, formations, mergers, consolidations, dissolutions, incorporations, sphere of influence (SOI) amendments, and extension of out of agency services. Applications involving jurisdictional changes filed by landowners or registered voters are placed on the Commission’s agenda as information items before action is considered by LAFCO at a subsequent meeting (Gov. Code §56857).

There is currently one approved proposal awaiting completion, four current applications that are either incomplete and/or awaiting a hearing date, and several potential applications.

Current Proposals – Approved and Awaiting Completion

Chang Property Reorganization (LAFCO 18-06)

This is an application filed by the landowner to annex 66.92± acres to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) and detach the same area from County Service Area (CSA) P-6. The subject area is located at the intersection of Crow Canyon and Bollinger Canyon Roads in unincorporated San Ramon. The Commission approved the boundary reorganization in August 2017 with conditions. One of the conditions has not yet been met. The applicant has requested and received several extensions of time with the current extension to July 9, 2022.

At the June 8, 2022 LAFCO meeting, the Commission approved a time extension to December 31, 2022 to complete the easement.

Current Applications – Under Review

LAFCO Tassajara Parks Project – Boundary Reorganization (LAFCO 16-06)

This is an application filed by the landowner to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD). The project includes development of 125 single-family homes. The subject area is located east of the City of San Ramon and the Town of Danville. The application is currently incomplete. The project is currently being litigated.

LAFCO Tassajara Parks Project – SOI Amendments (LAFCO 16-07)

This is an application filed by the landowner to amend the SOIs for CCCSD and EBMUD by 30± acres in anticipation of corresponding annexations. The application is currently incomplete. The project is currently being litigated.

Faria Southwest Hills – Boundary Reorganization (LAFCO 21-04)

This is an application filed by the City of Pittsburg to annex 606± acres to the City of Pittsburg, Contra Costa Water District and Delta Diablo, and detachment from CSA P-6. The project includes development of up to 1,500 residential units. The application is currently incomplete. On February 9, 2022, Contra Costa County Superior Court ruled that the City of Pittsburg violated CEQA. The Court issued a writ of mandate compelling the City to set aside the project approvals and the certification of the Final EIR, and that any further consideration of the project must comply with CEQA and be consistent with the Court's ruling. On August 15, 2022, the Pittsburg City Council voted to repeal and set aside all approvals for the Faria/Southwest Hills Annexation Project.

Annexation to EBMUD – Thomas Property (LAFCO 22-04) Happy Valley Road, Lafayette

This is an application filed by the landowner to annex 35± acres to EBMUD in order to receive municipal water service and in response to poor water quality on the property. This application is currently under review.

Potential Applications

On April 14, 2021, LAFCO approved the extension of out of agency water service by the City of Martinez to the Bay's Edge Subdivision 9065 located in unincorporated Martinez (Mt. View). LAFCO's approval was conditioned on commitment from the City to submit to LAFCO an application to annex the subject parcels to the City of Martinez by *August 31, 2022*, in the event the entirety of Mt. View is not annexed to the City prior to that date. On August 10, 2022, the Commission approved extension of time to submit the annexation application by August 31, 2023.

There are currently several potential applications that may be submitted to Contra Costa LAFCO in the future including annexations to Byron Bethany Irrigation District, City of Brentwood, City of Concord, City of Martinez, and West County Wastewater District.

RECOMMENDATION – Informational item – no actions required.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment

Current Applications Table

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
CURRENT APPLICATIONS – September 14, 2022**

Attachment

File #	APPLICATION NAME/LOCATION	APPLICATION SUMMARY	STATUS
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	Application submitted in May 2016 by the landowner to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) to support development of 125 residential lots and related improvements. On July 13, 2021, the County Board of Supervisors certified the project EIR, amendment the ULL, executed a land preservation agreement, and acted on various discretionary project approvals.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
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	Application submitted in May 2016 by the landowner to amend the SOIs for CCCSD and EBMUD in anticipation of annexation.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
21-05	Faria Southwest Hills Reorganization: proposed annexations to City of Pittsburg, CCWD and DD of 606± acres located southwest of the City of Pittsburg	Application submitted in June 2021 by City of Pittsburg to annex 606± acres to the City, Contra Costa Water District (CCWD) and Delta Diablo (DD) and detach from County Service Area (CSA) P-6 to support hillside estate development of up to 1,500 units.	Application is currently incomplete. <i>Notices of Incomplete Application</i> issued on 7/21/21 and 1/28/22. Following litigation on the project, on 8/15/22, the Pittsburg City Council voted to repeal and set aside all approvals for the Faria/Southwest Hills Annexation Project.
21-17	Dissolution of County Service Area (CSA) R-9	LAFCO initiated dissolution of CSA R-9	Pending
22-04	Annexation to EBMUD – Thomas Property (Happy Valley Road, Lafayette)	Application submitted in May 2022 by the landowners to annex 35± acres to EBMUD	Currently under review