



Lou Ann Texeira
Executive Officer

NOTICE AND AGENDA FOR REGULAR MEETING

Wednesday, June 12, 2024, 1:30 PM

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

The public may attend this meeting in person at the following locations: Board of Supervisor Chambers, County Administration Building, 1025 Escobar St. 1st Floor, Martinez, CA 94553, and 1516 Kamole St., Honolulu, HI. The public may also attend this meeting remotely by Zoom or telephone. If joining remotely by Zoom, please click the link below:

Please click the link below to join the webinar:

<https://cccounty-us.zoom.us/j/81056159459>

Or Telephone:

Dial:

USA 214 765 0478 US Toll

USA 888 278 0254 US Toll-free

Conference code: 220394

LAFCO meetings are audio recorded and posted online at <http://contracostalafco.org/meetings-and-public-hearings/>. Audio recordings are available the day following the LAFCO meeting. LAFCO meeting materials and staff reports are available online at <http://contracostalafco.org/meetings-and-public-hearings/>.

PUBLIC COMMENT: The Commission will consider all verbal and written comments received. Comments may be emailed to LouAnn.Texeira@lafco.cccounty.us or by U.S. mail to Contra Costa LAFCO at 40 Muir Road 1st Floor, Martinez, CA 94553. Please indicate the agenda item number, if any. For public hearings, the Chair will announce the opening and closing of the public hearing. The Chair will call for verbal public comments. Public comments generally will be limited to two minutes per speaker.

NOTICE TO THE PUBLIC

Disclosable public records for a regular meeting agenda distributed to a majority of the members of the Commission less than 72 hours prior to that meeting will be made available on <http://contracostalafco.org/meetings>

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 was 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 accommodation for persons with disabilities planning to join the meeting. Please contact the LAFCO office at least 48 hours before the meeting at 925-313-7133.

JUNE 12, 2024 CONTRA COSTA LAFCO MEETING AGENDA

1. Call to Order
2. Roll Call
3. **Selection of LAFCO Chair** - In May 2024, Public Member Chair Blubaugh retired from LAFCO. The Commission is asked to appoint the LAFCO Chair for the remainder of 2024.
4. Approval of minutes of the April 10, 2024, regular LAFCO meeting
5. Public Comment Period: Members of the public are invited to address the Commission regarding any item that is within the jurisdiction of the Commission and is not scheduled for discussion as part of this agenda. No action will be taken by the Commission at this meeting on any item not appearing on this agenda.

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

6. **LAFCO 24-01 – Deerwood Road Annexation to City of San Ramon and Detachment from CSA P-6** – consider proposed boundary reorganization of 0.13± acres (portion of APN 208-700-082-0) located on Deerwood Road in unincorporated San Ramon and consider taking related actions under the California Environmental Quality Act (CEQA) **Public Hearing**
7. **LAFCO 21-05 – Faria Southwest Hills Reorganization: Annexations to City of Pittsburg, Contra Costa Water District and Delta Diablo, and Detachments from County Service Area (CSA) P-6 and Ambrose Recreation and Park District** – consider proposed boundary reorganization of 606± acres (eight parcels) located southwest of the City of Pittsburg boundary to serve development of 1,500 residential units and consider taking related actions under CEQA **Public Hearing – Continued from April 10, 2024 LAFCO Meeting**

BUSINESS ITEMS

8. **Cemetery District Special Study** – consider accepting the special study covering finances and operations of the Alamo Lafayette Cemetery District and Byron Brentwood Knightsen Union Cemetery District and provide direction regarding preferred governance option
9. **3rd Round Wastewater Services Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates** – consider accepting the MSR report, making the required MSR and SOI determinations, updating SOIs for the districts covered in the MSR report, and consider taking related actions under CEQA **Public Hearing**
10. **Legislative Update and Position Letters** – receive legislative update and position letters
11. **Final FY 2024-25 LAFCO Budget and Work Plan** – consider approving the Final FY 2024-25 LAFCO Budget and Work Plan - **Public Hearing**

INFORMATIONAL ITEMS

12. **Current and Potential Applications** - update on current and potential applications – *information only*
13. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)
14. Commissioner Comments and Announcements
15. Staff Announcements/Newspaper Articles/CALAFCO Update

ADJOURNMENT

Next regular LAFCO meeting is July 10, 2024, at 1:30 pm.

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



Lou Ann Texeira
Executive Officer

MEMBERS

- Candace Andersen**
County Member
- Charles R. Lewis, IV**
Public Member
- Gabriel Quinto**
City Member
- Federal Glover**
County Member
- Michael R. McGill**
Special District Member
- Scott Perkins**
City Member
- Patricia Bristow**
Special District Member

ALTERNATE MEMBERS

- Diane Burgis**
County Member
- Scott Pastor**
Special District Member
- Rob Schroder**
Public Member
- Edi Birsan**
City Member

June 12, 2024 (Agenda)

**June 12, 2024
Agenda Item 3**

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

Selection of LAFCO Chair for Remainder of 2024

Dear Members of the Commission:

The procedure for selecting officers for the Contra Costa LAFCO is described in Section 1.4 (*Rules and Procedures*) of the Commission Handbook and provides that Commissioners shall elect a Chair and Vice Chair at the first meeting of the Commission held in January of each year or as soon thereafter as practicable.

The Chair and Vice Chair serve for one-year terms, or until their successors are elected, whichever occurs later. Under Section 1.4, officers are selected from the categories of members in the following order:

- County member 1
- Special District member 1
- City member 1
- Public member
- County member 2
- Special District member 2
- City member 2

In January 2024, the Commission appointed Public Member Blubaugh as LAFCO Chair and District Member McGill as LAFCO Vice Chair.

In April 2024, Commissioner Blubaugh announced his retirement from LAFCO. Also, in April the Commission elevated Public Member Alternate Charles R. Lewis, IV to the Public Member seat and appointed Rob Schroder as the Public Member Alternate following recruitment and interviews. Chair Blubaugh is now retired, and the Commission is asked to appoint a LAFCO Chair to serve until January 2025.

RECOMMENDATION – Select a LAFCO Chair to serve until January 2025.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

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CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES
April 10, 2024

June 12, 2024
Agenda item #4

1. Welcome and Call to Order by Chair Blubaugh, opening today's meeting at 1:33 p.m.
2. **Roll Call.** The following Commissioners and staff were present:

Regular Commissioners

Federal Glover (**absent**)
Don Blubaugh, Chair
Candace Andersen (**remote participation**)
Patricia Bristow
Mike McGill, Vice Chair
Scott Perkins (**absent**)
Gabriel Quinto

Alternate Commissioners

Charles R. Lewis, IV
Edi Birsan
Diane Burgis
Scott Pastor

Staff

Lou Ann Texeira, Executive Officer
Stephen M. Siproth, Legal Counsel
Anna Seithel, LAFCO Clerk Analyst

The Commission meeting is being held via Zoom videoconference and in person. The public may attend in person, via Zoom, or listen to the meeting telephonically and comment by calling in to the teleconference meeting per the instructions on page one of the agenda. As required by the Brown Act, all votes taken this afternoon will be done by a roll call vote of the attending Commissioners participating via teleconference and in person.

1. Call to Order
2. Roll Call
3. ***Approval of minutes of the March 13, 2024, regular LAFCO meeting. Chair Blubaugh invited Public Comment and there was no public comment. Upon motion by Vice Chair McGill and second by Commissioner Bristow, by a 7-0 vote, the Commission unanimously approved the meeting minutes of April 12, 2024.***
AYES: Andersen, Blubaugh, Birsan, Bristow, Burgis, McGill, Quinto
NOES: None
ABSENT: Glover, Perkins
ABSTAIN:
4. ***Public Comment*** Public Comment Period observes a three-minute time limit. Members of the public are invited to address the Commission regarding any item that is within the jurisdiction of the Commission and is not scheduled for discussion as part of this agenda. No action will be taken by the Commission at this meeting on any item not appearing on this agenda. ***Chair Blubaugh invited Public Comment and there was no comment.***

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

5. ***LAFCO 21-05 - Faria Southwest Hills Reorganization: Annexations to City of Pittsburg, Contra Costa Water District and Delta Diablo, and Detachments from County Service Area (CSA) P-6 and Ambrose Recreation and Park District*** -proposed boundary reorganization of 606± acres (eight parcels) located southwest of the City of Pittsburg boundary to serve development of 1,500 residential units. ***Chair Blubaugh invited Public Comment and there was no public comment. Upon a motion by Commissioner Burgis and second by Commissioner McGill, by a 7-0 vote the Commission continued the Public Hearing to June 12, 2024.***

BUSINESS ITEMS

Cemetery District Special Study - Richard Berkson of Berkson Associates provided an update on the status of the special study reviewing the financial operations of the Alamo Lafayette Cemetery District and Byron Brentwood Knightsen Union Cemetery District, via a PowerPoint presentation. Commissioners Andersen, Chair Blubaugh, Commissioner Birsan, Commissioner Bristow, Commissioner Burgis, Commissioner Lewis, Vice Chair McGill, and Commissioner Quinto, made comments and inquiries about the findings and feasible governance options. ***Chair Blubaugh invited Public Comment and there was no public comment.*** As the study is still under review, the Commission will continue deliberation until the review is completed.

6. ***Selection of Public Member Alternate*** - the Commission received the staff report regarding the screening committee's recommendation to appoint Rob Schroder as the Public Member Alternate. ***Chair Blubaugh invited Public Comment. Diddo Clark, Walnut Creek resident and alternate public candidate, noted that, 1) Rob Schroder's election to be in violation of LAFCO 's charter in allowing three seats to the City role, 2) Rob Schroder resides in Martinez, as does Commissioner Lewis, allowing both public members to provide the City of Martinez disproportionate representation, and 3) Rob Schroder is a man, allowing disproportionate male to female representation. Diddo Clark suggested promoting the second choice to take appointment over Rob Schroder. Commissioner Lewis addressed the first and second concerns by noting, 1) LAFCO Commissioners represent the entire county, and 2) Commissioner Lewis lives in Rodeo, not Martinez. Vice Chair McGill addressed concern 3), Rob Schroder has exceptional LAFCO experience, although all candidates were excellent. Vice Chair McGill reiterated with examples confirming an absence of conflict-of-interest because once selected, the elected Commissioner represents the entire county, not electorate constituency. Chair Blubaugh invited further comment from the Commission; there was no further comment. Chair Blubaugh noted that alternate Commissioners cannot vote unless the voting member is absent. Vice Chair McGill noted that there must be one vote from each of the four categories represented on LAFCO. Upon motion by Commissioner Burgis and second by Vice Chair McGill, by a 6-0 vote, the Commission unanimously approved the appointment of Rob Schroder for CCLAFCO 's alternate public seat.***

AYES: Andersen, Birsan, Bristow, Burgis, McGill, Quinto
NOES: None
ABSENT: Glover, Perkins
ABSTAIN: Blubaugh

8. ***Environmental Planning Services Contract-*** consider approving a contract with Yuba Planning Group in the amount of \$30,000 to provide as-needed environmental planning services (May 1, 2024, through April 30, 2026). ***Chair Blubaugh invited Public comment and there was no public comment. Upon motion by Chair Blubaugh and second by Commissioner Bristow, by a 7-0 vote, the Commission unanimously approved the contract with Yuba Planning Group.***

AYES: Andersen, Birsan, Blubaugh, Bristow, Burgis, McGill, Quinto
NOES: None
ABSENT: Glover, Perkins
ABSTAIN:

9. ***Request to Transfer Jurisdiction from Alameda LAFCO to Contra Costa LAFCO*** - consider assuming jurisdiction and authorizing staff to send a request to Alameda LAFCO to transfer jurisdiction to Contra Costa LAFCO to process a proposed boundary reorganization (i.e., annexation to East Bay Municipal Utility District and West County Wastewater District). The subject property is located on Castro Ranch Road (APN 432-040-004-9) in unincorporated El Sobrante. ***Chair Blubaugh invited Public comment and there was no public comment. Upon motion by Commissioner Quinto and second by Commissioner Birsan, by a 7-0 vote, the Commission unanimously approved the request.***

AYES: Andersen, Birsan, Blubaugh, Bristow, Burgis, McGill, Quinto
NOES: None
ABSENT: Glover, Perkins
ABSTAIN:

10. ***Proposed FY 2024-25 LAFCO Budget and Work Plan*** - consider approving the proposed LAFCO budget and work plan for FY 2024-25 ***Public Hearing. Chair Blubaugh invited Public Comment and there was no public comment. Chair Blubaugh invited Commissioner comment. Commissioner Lewis, asked about the proposed fund balance for FY 2024-25 to be \$200k as opposed to the budget last line under revenue showing a fund balance of \$250k. Staff confirmed \$250k is the proposed amount. Upon motion by Vice Chair McGill, and second by Commissioner Bristow, by a 7-0 vote, the Commission unanimously approved the proposed FY24-25 budget and work plan.***

AYES: Andersen, Birsan, Blubaugh, Bristow, Burgis, McGill, Quinto
NOES: None
ABSENT: Glover, Perkins
ABSTAIN:

11. ***Executive Officer's Performance Review and Compensation*** - consider approving a salary increase for the Executive Officer in conjunction with the recent performance review. ***Chair Blubaugh invited Public Comment and there was no public comment. Chair Blubaugh invited Commissioner comment and there was no Commissioner comment. Upon motion by Vice Chair McGill, and second by Commissioner Bristow, by a 7-0 vote, the Commission unanimously approved a 5% salary increase for the Executive Officer in conjunction with the recent performance review.***

AYES: Andersen, Birsan, Blubaugh, Bristow, Burgis, McGill, Quinto
NOES: None
ABSENT: Glover, Perkins
ABSTAIN:

INFORMATIONAL ITEMS

12. ***Current and Potential Applications*** - update on current and potential applications - *information only.*
13. ***Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)*** - *information only.*
14. ***Commissioner Comments and Announcements*** - *Vice Chair McGill noted CALAFCO Legislative Committee meetings on March 22, and May 10, 2024, and a CALAFCO Board Meeting on April 12, 2024. Commissioner Quinto noted his City seat with Contra Costa Mayors Conference ends May 5, 2024, and he intends to seek reappointment.*
15. ***Staff Announcements/Newspaper Articles/CALAFCO Update*** - *a special district election is underway including candidates Commissioner Mike McGill representing Central Contra Costa Sanitary District, and John MacKenzie representing Crockett Community Services District. Voting ends April 19th. The annual CALAFCO Staff Workshop is April 24-26, 2024, in Pleasanton. The annual CALAFCO Conference is October 16-18, 2024, in Yosemite.*
16. ***Recognition of Outgoing Commissioner Don Blubaugh*** - *resolution and gift presented. Commissioners and staff provided comments and thanks to Commissioner Blubaugh.*

ADJOURNMENT

Th April 10, 2024 meeting was adjourned at 3:40 pm. The next regular LAFCO meeting is May 8, 2024, at 1:30 pm.

LAFCO STAFF REPORTS AVAILABLE AT:

http://www.contracostalafco.org/meeting_archive.htm

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CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 12, 2024 (Agenda)

June 12, 2024
Agenda Item 6

LAFCO 24-01 Annexation to the City of San Ramon and Detachment from County Service Area (CSA) P-6

APPLICANT The City of San Ramon adopted several resolutions relating to the subject area, including Resolution No. 2024-013 adopted February 13, 2024 to initiate LAFCO proceedings

SYNOPSIS The subject area comprises 0.13± acres (portion of Assessor Parcel Number 208-700-082-0) located on Deerwood Road in unincorporated San Ramon - see Exhibit A.

The subject area is an island. The purpose of the reorganization is to eliminate the island and allow for the extension of city services to area. The proposal also includes a corresponding detachment from CSA P-6.

DISCUSSION

In LAFCO’s review of a boundary change, the Commission must consider various factors pursuant to Government Code (GC) §56668. In the Commission’s review of these factors, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

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

LAFCO is charged with both regulatory and planning functions. Changes of organization are a regulatory act, while establishing SOIs is a planning function. The SOI is an important benchmark as it defines the primary area within which urban development may occur. For the Commission to approve an annexation, it must be consistent with the jurisdiction's SOI. The subject area is within the City of San Ramon’s SOI, and within the City’s Urban Growth Boundary (UGB) and the County’s Urban Limit Line (ULL).

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

The Contra Costa County and City of San Ramon land use designations for the subject area are shown in the table below. Upon annexation, the City’s land use designations will apply.

	County	City
General Plan	Multiple Family Residential (MH)	Open Space
Zoning	General Agriculture District (A-2)	On December 12, 2023, the San Ramon City Council adopted Ordinance No. 524 amending the San Ramon Zoning Map to designate the approximate 0.13-acre area within the Open Space (OS-1) prezone district, effective January 12, 2024.

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

The proposal area is not within any designated agricultural lands nor is it adjacent to any designated agricultural lands. Additionally, the proposal area constitutes a 0.13-acre remainder area of existing privately-owned open space that was previously approved in 1992 as urban development that includes a variety of land uses (including, but not limited to, multi-family residential and open space).

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

The topography of the proposal area is generally characterized as a 0.13-acre open space hillside which ranges in elevation from 554 feet to 584 feet – a 30-foot change in elevation. There are no other significant natural features affecting the proposal.

5. ***Population:***

The subject area includes zero dwelling units. The applicable San Ramon Open Space General Plan land use designation and Open Space prezone district (OS-1) for the proposed area does not allow new dwelling units. Additionally, the proposal area is not identified in the adopted and State certified 2023-2031 Housing Element as a Housing Opportunity site.

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

One of the factors the Commission must consider in its review of a proposal is the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. Regional housing needs are determined by the State Department of Housing and Community Development; the councils of government throughout the State allocate to each jurisdiction a “fair share” of the regional housing needs (GC §65584).

In Contra Costa County, the Association of Bay Area Governments (ABAG) determines each city's fair share of regional housing needs. Each jurisdiction is required to incorporate its fair share of the regional housing needs into the Housing Element of its General Plan. In December 2021, ABAG adopted the Final Regional Housing Needs Allocation (RHNA) Plan for the San Francisco Bay Area (2023-2031). The RHNA Plan includes the following allocations for the City of San Ramon: 1,985 above moderate-income units, 767 moderate income units, 862 low-income units, and 1,497 very low-income units housing units for a total of 5,111 units.

The applicable San Ramon Open Space General Plan land use designation and Open Space prezone district for the proposal area do not allow new dwelling units in the subject area.

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

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

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

The City submitted a *Plan for Providing Services* which includes parks and recreation, police, fire protection, ambulance, library schools, refuse collection, recreation, community facilities, flood control, public facilities, streets and roadways. Water service is provided by East Bay Municipal Utility District (EBMUD), wastewater service is provided by Central Contra Costa Sanitary District (CCCSD), fire and emergency medical service is provided by San Ramon Valley Fire Protection District (SRVFPD). The subject area is within EBMUD, CCCSD, and SRVFPD service boundaries.

In conjunction with the proposed boundary reorganization, the City will extend City police, streets and roadways, and parks and recreation services to the subject area as described below.

Parks and Recreation – The proposal area does not include any existing dwelling units nor are any dwelling units allowed in subject area pursuant to the San Ramon land use designations. Therefore, there are no recreational services, community facilities, or additional parkland proposed for the proposal area.

Police Services – Law enforcement services are currently provided to the annexation area by the Contra Costa County Sheriff's Department. Upon annexation, police services will be provided by the City of San Ramon. The City's police department maintains a ratio of approximately 0.82 officers per 1,000 population for police services. The General Plan includes performance guidelines that include adequate standards which the City can meet. The area surrounding the proposal area is currently served by the City of San Ramon. No additional police officers are anticipated to serve the subject area.

Fire Protection – Fire and emergency medical services are, and will continue to be, provided by SRVFPD following annexation. The City's General Plan policies include service guidelines relating to fire response time (i.e. 4-5 minutes for emergency calls 90% of the time).

Fire Station No. 38 will serve as the primary fire station to serve the annexation area. Fire Station No. 38 is located approximately 1.03 miles from the annexation area and has primary responsibility for fire and emergency medical services. Fire Stations 31 and 34 will respond as secondary and tertiary stations, respectively. These Fire Stations are less than three miles from the subject area. The main access roads (routes) to the annexation area include Crow Canyon Road, Deerwood Road, San Ramon Valley Boulevard, and Alcosta Blvd.

Streets and Roadways – The annexation area is served by an adjacent collector road (Deerwood Road) and arterial roads (Crow Canyon Road and San Ramon Valley Boulevard). There are no streets or roadways directly within the area, nor are any streets or roadways required to serve the proposal area.

Wastewater Services – Wastewater service to the annexation area is provided by CCCSD, which is responsible for wastewater collection, treatment and disposal, maintenance of sewer lines, recycled water for landscape use, pollution prevention, and a permanent household hazardous waste collection facility.

CCCSD covers approximately 145 square miles and serves a population of approximately 487,329. CCCSD facilities include a wastewater treatment plant, 1,535 miles of pipeline and 18 pump stations. Treatment capacity includes 35 million gallons per day (MGD) average dry weather flow, 34 MGD average daily flow, 13 billion gallons of wastewater treated and cleaned annually. The plant can accommodate 250 MGD of wet weather flow, and 54 MGD is the design capacity of the treatment plant. Regarding recycled water,

approximately 600 million gallons per year are used for irrigation, industrial processes, and plant operations.

The City notes that the existing infrastructure to serve the proposal area is adequate for the existing open space land use. Also, the applicable San Ramon Open Space General Plan land use designation and Open Space prezone district for the proposal area would not result in new development from the existing open space land use. As a result, there is no additional wastewater demand in the proposal area.

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

Pursuant to the CKH Act, LAFCO must consider the timely and available supply of water in conjunction with a boundary change proposal.

Water service to the subject area is provided by EBMUD, which is responsible for water supply, wastewater treatment, and disposal of wastewater within areas in Alameda and Contra Costa counties. EBMUD covers approximately 232 square miles and serves approximately 159,000 accounts in Contra Costa County.

The existing infrastructure for water service to the subject area is adequate for the existing open space land use. The applicable San Ramon Open Space General Plan land use designate and Open Space prezone district (OS-1) for the proposal area will not result in new development. Consequently, there is no additional water demand in conjunction with this proposal.

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

The annexation area is within tax rate area (TRA) 66091. The assessed value for the entire TRA is \$8,579. The area proposed for annexation has a zero assessed value. The City and County will rely on the master tax transfer agreement for this annexation.

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

In 2023, the City of San Ramon approved the San Ramon General Plan 2040, along with a Specific Plan Amendment, Rezone, Prezone, Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations, and an Environmental Impact Report (EIR). The approval associated with this action amended the General Plan to designate the 0.13+ acres of real property as Open Space General Plan designation and amended the zoning map to designate the 0.13± acres of real property as Open Space (OS-1) prezone district. These documents are sufficient for LAFCO purposes.

11. ***Landowner Consent and Consent by Annexing Agency:***

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

The landowner was notified of the June 12, 2024 LAFCO public hearing.

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

The annexation area is within the City's SOI and is contiguous to the city's boundary. A corresponding detachment from CSA P-6 of the same area is also proposed. A map and legal description to implement the proposed boundary change has been received and is subject to final approval by the County Surveyor.

13. ***Environmental Justice:***

LAFCO is required to consider the extent to which a change or organization of reorganization will promote environmental justice. As defined by statute, environmental justice means “the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.” [GC § 56668(p)] The proposed boundary reorganization is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

14. ***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 not a DUC.

15. ***Comments from Affected Agencies/Other Interested Parties:***

No comments have been received to date.

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

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to GC §65080 [GC §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 sub-regional basis (GC §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, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), in July 2013, 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 plan sufficient housing for the region's projected population over the next 25 years.

In October 2021, ABAG and MTC adopted *Plan Bay Area 2050*, which serves as the Bay Area's official long-range plan for housing, economic development, transportation, and environmental resilience for the next four years. While prior iterations of *Plan Bay Area* focused on transportation and housing, the 2050 plan expands the scope introducing strategies for long-term economic development and environmental resilience, while meeting federal and state requirements.

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to GC §65080 [GC §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 (GC §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.

This fall, ABAG and MTC are starting Plan Bay Area 2050 which will focus on four key issues the economy, the environment, housing and transportation - and will identify a path to make the Bay Area more equitable for all residents and more resilient in the face of unexpected challenges. Work with local jurisdictions is currently underway to explore new PDAs, PCAs and a new variable – Priority Production Areas (PPAs).

The area proposed for annexation is within the City's SOI and UGB and is not within a designated PDA or PCA. The annexation has been anticipated by, is consistent with, the San Ramon General Plan 2040, and does not appear to conflict with the regional growth plan.

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

- A. Adopt Resolution No. 24-01, making CEQA findings and approving the proposal.
- B. Approve the proposal, to be known as **Deerwood Road Annexation to the City of San Ramon and Detachment from CSA P-6** subject to the terms and conditions in Resolution No. 24-01, including the following:

The territory being annexed shall be liable for the continuation of any authorized or existing special taxes, assessments, and charges comparable to properties presently within the annexing agency.

- C. Find that the subject territory is uninhabited. Should the Commission receive an objection from any affected landowner within the subject area, LAFCO will conduct a protest hearing. Absent any objection received before the conclusion of the commission proceedings on June 12, 2024, the Commission will waive the protest proceedings.

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 reorganization as proposed.

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

c: Distribution

Attachment

1 - Draft LAFCO Resolution 24-01

Exhibit

A – Map of Reorganization Area

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RESOLUTION NO. 24-01

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING
ANNEXATION TO CITY OF SAN RAMON AND DETACHMENT FROM COUNTY
SERVICE AREA (CSA) P-6 – DEERWOOD ROAD**

WHEREAS, the above-referenced proposal was filed with the Executive Officer of the Contra Costa Local Agency Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (§56000 et seq. of the Government Code); and

WHEREAS, the Executive Officer 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 gave notice of the Commission's consideration of the proposal; and

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

WHEREAS, at a public hearing held on June 12, 2024, 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 recommendations, the environmental documents and determinations, applicable General and Specific Plans, consistency with the spheres of influence, 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 subject area object to the proposal; and

WHEREAS, the applicant has delivered to LAFCO an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions to challenge the annexation; 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 and the City of San Ramon.

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

1. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, considered the environmental effects of the project as shown in the City of San Ramon's Environmental Impact Report. The Commission finds that all changes or alterations in the project that avoid or substantially lessen its significant environmental effects are within the responsibility and jurisdiction of the City of San Ramon and not LAFCO, and that changes have been, or can and should be, adopted by the City of San Ramon as the lead agency.

2. Annexation to City of San Ramon and Detachment from CSA P-6 0.13± acres (portion of APN 208-700-082-0) is hereby approved.
3. The subject proposal is assigned the following distinctive short-form designation:
ANNEXATION TO CITY OF SAN RAMON/DETACHMENT FROM COUNTY SERVICE AREA P-6
4. The boundary of the subject area is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject area shall be liable for any authorized or existing taxes, charges, and assessments currently being levied on comparable properties within the annexing agencies.
6. The subject area is uninhabited.
7. No affected landowners or registered voters within the subject area object to the proposal, and the conducting authority (protest) proceedings are hereby waived.
8. 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.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

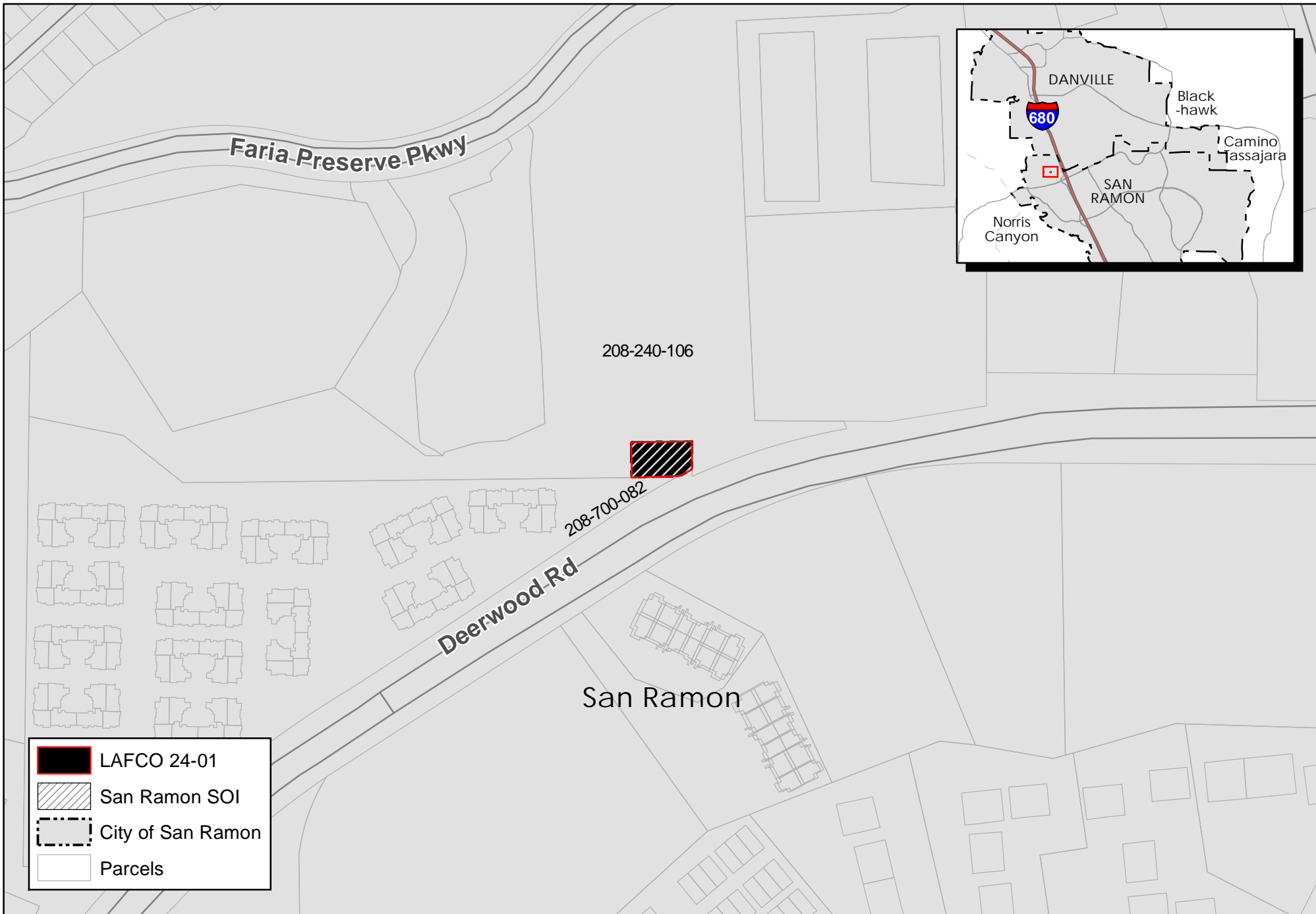
CHAIR, CONTRA COSTA LAFCO





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

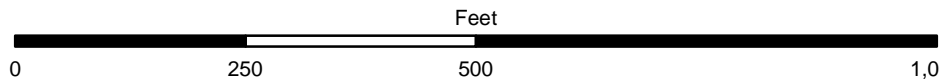
Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

LAFCO 24-01: Deerwood Road Annexation to City of San Ramon and Detachment from CSA P-6



	LAFCO 24-01
	San Ramon SOI
	City of San Ramon
	Parcels



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CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 12, 2024 (Agenda)

June 12, 2024
Agenda Item 7

LAFCO 21-05 *Faria Southwest Hills Reorganization: Annexations to City of Pittsburg, Contra Costa Water District (CCWD), and Delta Diablo (DD), and Detachments from County Service Area (CSA) P-6 and Ambrose Recreation and Park District*

APPLICANT City of Pittsburg – Resolution No. 21-13907 – Pittsburg City Council
February 22, 2021

SYNOPSIS This item was continued from the April 10, 2024 LAFCO meeting.

The proposed project is located southwest of the City of Pittsburg's (City) existing city limits, within the City's Urban Limit Line (ULL) and the Southwest Hills planning area. The project site includes approximately 606± acres (eight parcels) bounded by vacant land, the approved Bailey's Estates Subdivision, and Bailey Road to the east, the Concord City limits and closed Concord Naval Weapons Station to the south and west, and existing residential development (San Marcos and Vista Del Mar subdivisions) to the north and northeast.

The applicant proposes to build up to 1,500 single-family residential units along with 265± acres of preserved open space.

BACKGROUND In 2009, at the request of the City of Pittsburg and Discovery Builders, LAFCO prepared an Initial Study/Negative Declaration to expand the spheres of influence (SOIs) for the City of Pittsburg, Contra Costa Water District (CCWD), and Delta Diablo (DD) to coincide with the voter-approved Urban Limit Line (ULL). LAFCO served as the Lead Agency and prepared an Initial Study (IS)/Negative Declaration (ND) in accordance with the California Environmental Quality Act (CEQA). The Commission approved the SOI expansions on a 4-3 vote. Subsequently, LAFCO approved two boundary reorganizations, including the Montreux Reorganization in 2016 and the Tuscany Meadows Reorganization in 2017. The City prepared individual Environmental Impact Reports (EIRs) for each project.

In February 2021, the Pittsburg City Council approved the Faria Southwest Hills boundary reorganization proposal, which was submitted to LAFCO in June 2021. In March 2021, Save Mt. Diablo (SMD) filed a lawsuit challenging the City's approval of the *Faria/Southwest Hills Annexation Project* for failure to comply with the California Environmental Quality Act (CEQA), State Planning and Zoning law, and other statutes.

In February 2022, the Court issued a statement of decision, finding as follows: “*the City violated CEQA because 1) the Project description failed to include the 150 ADUs; 2) the Environmental Impact Report (EIR) failed to describe the baseline of biological resources, specifically, special status plant species; 3) the EIR failed to consider the water supply impact on 1,650 units; and 4) the discussion of air pollution impacts and mitigation measures is too vague. In addition, the Court finds that while the First Tier EIR was not required to more specifically address geologic hazards related to grading and appropriate measures for grading and filing, effect on streams, and existence of agricultural lands, these impacts must be considered in subsequent environmental review.*”

The Court issued a Writ of Mandate compelling the City to set aside the project approvals and certification of the EIR, noting that “any further consideration of the project must comply with this order.” The City noted that, while the Court identified three specific items that needed to be addressed to comply with CEQA, several items challenged by SMD were found by the Court to have been properly disclosed and mitigated. Additional information pertaining to the City's environmental documents is discussed in the “Environmental Impact of the Proposal” section of this report.

In August 2022, the City set aside the project approvals and the EIR certification, in compliance with the writ of mandate.

On February 14, 2023, the Pittsburg Planning Commission voted 4-1 “to not recommend that the City Council approve the Development Agreement, Amendments to the General Plan and Rezoning Designations, and Adoption of a Master Plan for the Faria/Southwest Hills Annexation Project.”

On April 17, 2023, the City Council approved the Faria Southwest Hills Annexation project for a second time. The City’s action included: certifying a revised and updated final EIR, and adopting CEQA findings, adopting a statement of overriding considerations, adopting a mitigation monitoring and reporting program (MMRP), approving General Plan amendments, adopting a rezoning ordinance and master plan, adopting a development agreement, and initiating annexation proceedings. On April 19, 2023, the City filed a Notice of Determination for the proposed project with the County Clerk. SMD did not further challenge the adequacy of the CEQA review because no lawsuit challenging the City’s EIR certification was filed within the 30 days after April 19, 2023.

In May 2023, the City resubmitted an updated application to LAFCO, which is before the Commission today. The City’s 2023 LAFCO application is extensive and includes the required LAFCO application materials; a “Plan for Services” which includes cost estimates for services; specialized reports (e.g., fire, water, wastewater and fire service assessments, etc.), and other supporting documents.

DISCUSSION: In LAFCO’s review of a boundary change, the Commission must consider various factors pursuant to Government Code (“GC”) §56668. In the Commission’s review of these factors, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

- 1. Consistency with the Sphere of Influence (SOI) of Any Local Agency:** LAFCO is charged with regulatory and planning functions. Changes of organization (e.g., annexation and reorganization) are a regulatory act. For the Commission to approve a boundary change, it must be consistent with the local agency’s SOI. The subject area is within the voter-approved Urban Limit Line (ULL).The subject area is also within the SOIs of the City of Pittsburg, CCWD and DD as approved by LAFCO in July 2009. The 2009 decision was difficult and challenging for LAFCO and it was approved by the Commission on a 4-3 vote.
- 2. Land Use, Planning, and Zoning – Present and Future:** The Faria property is primarily vacant except for one existing dwelling unit, two roadway segments (San Marco Boulevard and Rosa Blanca Drive) and utilities (including water main lines and sewer infrastructure). The City’s General Plan and zoning designations are noted in the table below. The land use designations for the subject area were amended in 2023. The County’s General Plan and zoning designations currently regulate and guide land use in the subject area. In anticipation of future annexation, the City approved “pre-zoning” designations would become effective upon LAFCO’s approval of the reorganization.

The Commission, as a condition of annexation to a city, shall require that the city pre-zone the subject territory. However, the Commission shall not specify how the territory shall be pre-zoned (GC §56375(a)(7)). The current County and City land use and pre-zoning designations are shown below.

	County	City
General Plan	Agricultural Land	Hillside Density and Open Space
Zoning	Agricultural Preserve (majority of subject area); 8.33 acres is General Agriculture	Pre-zoned RS-4-P (Single Family Residential with 4,000 square foot minimum lot size; and Master Plan Overlay and Open Space with Master Plan Overlay Districts

Note: The City’s General Plan does not specify what land use designations coincide with specific zoning amendments and allows for one to five units per acre.

The 4,000 minimum square foot lot size is consistent with the City’s recently adopted Low-Density Residential designation, which was specifically designed to be consistent with the project’s pre-zoning amendments, allows for one to five units per acre.

The application notes that the subject property has not been used for commercial agricultural purposes and is used by the property owner for occasional grazing/weed abatement. The property is not currently grazed for commercial purposes.

Existing surrounding land uses include vacant and open space to the east (as well as an approved 255-unit residential development - Bailey Estates); the closed Naval Weapons Station with open space to the south and west; and existing residential development and neighborhoods to the north.

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

LAFCOs are charged with promoting orderly development, balancing development with sometimes competing state interests of discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services. In 2016, the Commission adopted LAFCO’s *Agricultural and Open Space Preservation Policy (AOSPP)*. The purpose of the policy is threefold: 1) to provide guidance to the applicant on how to assess the impacts on prime agricultural, agricultural and open space lands of applications submitted to LAFCO, and enable the applicant to explain how the applicant intends to mitigate those impacts; 2) to provide a framework for LAFCO to evaluate and process in a consistent manner, applications before LAFCO that involve or impact prime agricultural, agricultural and/or open space lands; and 3) to explain to the public how LAFCO will evaluate and assess applications that affect prime agricultural, agricultural and/or open space lands. The AOSPP includes Goals, which “are intended to be the outcome LAFCO wants to achieve;” Policies, which “provide direction with regard to how those Goals should be achieved by providing specific guidance for decision makers and proponents;” and Guidelines, which “give stakeholders procedures and practical tips regarding what information LAFCO commissioners and staff need to evaluate an application that affects prime agricultural, agricultural, and/or open space lands.”

This application included an Agricultural and Open Space Impact Assessment (AOSPP Guideline 1), which included sufficient information to allow staff to evaluate the application under the AOSPP, Government Code section 56377, and Government Code section 56668(e) and (f), as follows:

The proposal area is not currently used to produce agricultural commodities for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program. Further, the project is not currently under a Williamson Act contract.

The project site is currently zoned by Contra Costa County as “Agricultural Preserve” with a County General Plan designation of “Agricultural Land.” The proposed project site does not include Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. There are no agricultural lands adjacent to the development site. The City’s EIR concluded that “*soil types on the Southwest Hills site are generally of low quality*” and that “*the Faria property does not qualify as Prime Agricultural land.*” The project site is not currently used for agricultural purposes. Cattle are sporadically brought to the site to manage vegetation and fire risks; however, there is no cattle operation that qualifies as agricultural use.

The areas to be designated as open space will be subject to a conservation easement and may continue to be used for grazing purposes. The City's application notes *"there will be preservation of 265 acres of open space and a greenbelt buffer along the western edge of the Faria project."*

Also, the East Bay Regional Park District (EBRPD) and Faria Land Investors, LLC previously reached an agreement regarding the Faria planned residential development project and EBRPD's planned Thurgood Marshall Regional Park. The agreement includes Faria's public access easements and design standards for the Faria project and other terms.

Based on the above and the entire record, LAFCO concludes that the application meets the goals of the LAFCO *Agricultural & Open Space Preservation Policy (AOSPP)*, including Goal 1, which is to "minimize the conversion of prime agricultural land and open space land to other land uses while balancing the needs to ensure orderly growth and development and the efficient provision of services."

4. Topography, Natural Features, and Drainage Basins:

The project site consists mostly of rolling hills with valleys, ridges, and vegetation. The site generally slopes varying from approximately 8% to 20% in the easterly and westerly direction. The site elevations range from elevation 500 feet to elevation 900 feet. As previously noted, there is a valley area located approximately in the middle/center portion of the project site where the future development is proposed preserving the surrounding hills. Open space and greenbelt areas will be preserved on the eastern and western portions of the project site.

5. Population:

Currently, there is one existing dwelling unit on the subject property which appears to be vacant. The proposed use of the subject property is the construction of 1,500 single-family residential units. The application notes that the recent U.S. Census Bureau projects an average of 3.2 persons per household, generating a projected population of approximately 4,800 persons.

6. Fair Share of Regional Housing:

One of the factors the Commission must consider in its review of a proposal is the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. Regional housing needs are determined by the State Department of Housing and Community Development; the councils of government throughout the State allocate to each jurisdiction a "fair share" of the regional housing needs (GC §65584).

In Contra Costa County, the Association of Bay Area Governments (ABAG) determines each city's fair share of regional housing needs. Each jurisdiction is required to incorporate its fair share of the regional housing needs into the Housing Element of its General Plan. In December 2021, ABAG adopted the Final Regional Housing Needs Allocation (RHNA) Plan for the San Francisco Bay Area (2023-2031). The RHNA Plan includes the following allocations for the City of Pittsburg: total RHNA is calculated at 2,052 units; and includes 894 above moderate-income units, 346 moderate income units, 296 low-income units, and 516 very low-income units.

The proposal includes up to 1,500 single family homes throughout the site with proximity and access to public transit. It is anticipated that these units will be sold at market rate; however, pursuant to a Developer Agreement between the City and Discovery Builders, the latter would be obligated to pay the City's In Lieu of Affordable Housing fee in the amounts and rates prescribed by the Pittsburg Municipal Code (PMC) Chapter 18.86.

The application notes that the City of Pittsburg’s progress toward its Fifth Cycle RHNA Allocation for 2016-2023 obligation of 1,063 units for above-moderate income households is 68.39%, its progress toward units for low-income households is 89.37%, and its progress toward units for very low-income households is 5.87%. For the now-operative Sixth Cycle RHNA Plan for 2023-2031, the City of Pittsburg will need to construct an additional 894 above moderate-income units, 346 moderate-income units, 296 low-income units, and 516 very low-income units.

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

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

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

The City submitted a plan for providing services that covers water, wastewater, storm drainage, roadways, fire and emergency services, police, parks and recreation, street lighting, library services, refuse collection, schools, electricity/gas, transit, and pedestrian/bicycle trail. The level and range of services to be extended to the subject area will be comparable to services currently provided within the City. Some services will be provided by other public agencies. as summarized below.

Fire and Emergency Medical services will be provided by Contra Costa County Fire Protection District (CCCFPD). CCCFPD has 36 fire stations and serves an area of 495+ square miles. CCCFPD provides fire prevention, suppression, and emergency medical response services for advanced and basic life support to 12 cities, including the City of Pittsburg and the project site, along with the unincorporated areas of Alhambra Valley, Bay Point, Bethel Island, Byron, Clyde, Discovery Bay, El Sobrante, Knightsen, Marsh Creek/Morgan Territory area, and Pacheco. CCCFPD has four fire stations within four miles of the project site (see table – Page 6).

The DEIR (page 4.11-8) notes that “The CCCFPD’s current response time goal for emergency and non-emergency calls is five minutes to 90 percent of all calls received. According to CCCFPD, actual response times vary, However, the CCCFPD response time, as of September 2016, “was within approximately 8 minutes and 55 seconds 90 percent of the time.” This data indicates that CCCFPD does not achieve its goal. The DEIR concluded that “Based on the analysis below and the lack of feasible mitigation related to a conflict with location and response time standards established by the General Plan, the impact would be *significant and unavoidable*.” This issue was noted in the City’s Statement of Overriding Considerations. In recent years, CCCFPD relocated Fire Station 86 to 10 Globe Drive in Bay Point adjacent to Highway 4, less than 1.5 miles north of the northern boundary of the Project site, further demonstrating adequate fire and emergency response. The *Plan for Services* also noted that through the City review process, CCCFPD could impose Project specific mitigations or conditions of approval, including traffic signal preemption system, construction of adequate emergency vehicle access roadways, or implementation of wildland/urban interface vegetation management, to enhance the necessary emergency services it provides.

Fire Station	Location	Distance from Project Site (miles)	Equipment
84	1903 Railroad Ave	3.5	1 ladder truck 1 reserve ladder truck
85	2331 Loveridge Rd	4.2	1 Type 1 engine 1 Type 3 engine
86	10 Globe Drive	1.5	1 Type 1 engine 1 Type 3 engine
87	800 W. Leland Road	2.5	1 Type 1 engine 1 Type 3 engine

The Pittsburg City Council formed a Community Facilities District (CFD) to help finance emergency medical and fire protection services, including equipment or personnel costs. Funds are generated through the assessment of an annual special tax on properties within the CFD 2017-1. The project sponsor will annex the project site to CFD 2017-1 and pay applicable fire service development impact fees per unit at the time of building permit issuance.

Parks and Recreation – The subject area is currently within the Ambrose Recreation and Park District (ARPD) and East Bay Regional Park District (EBRPD) service areas. The proposal includes detachment from the ARPD. The City of Pittsburg provides its own parks and recreation services including classes, programs, parks and facilities.

In March 2021, the Pittsburg City Council amended the City zoning map to include a Master Plan open space overlay on the subject property. The project Master Plan is consistent with the City’s open space policies by preserving open space and promoting trail connections, park, facilities and recreation.

Pittsburg residents have access to trails and regional parks near the project site. Southeast of the site is Black Diamond Mines Regional Preserve, owned and operated by EBRPD. Black Diamond Mines Regional Preserve provides 65 miles of hiking trails within 5,985 acres. As part of the proposed development, a substantial portion of the project site will be undeveloped and preserved for open space uses. It is anticipated that a “greenway” linear park/trail path will be planned and will be integrated into the overall land plan along the westerly edge of the project site (adjacent to the former Concord Naval Weapon Station) connecting the pedestrian walkways in the existing San Marco development to the north and City approved future Bailey Estates Development to the south. These enhancements are designed to provide pedestrian connectivity in the southwest hills area and provide view corridors at strategic locations.

Also, neighborhood and in-tract pocket parks will be integrated into the site development at a centralized location providing outdoor uses for the residents and the public. Greenbelts and walkways will be interspersed between the neighborhoods and along local collector roadways, providing integrated pedestrian connections throughout the development, access to the open space and neighboring community trails/pathways.

It should be noted that site-specific information such as overall concept, locations, sizes, trail widths, and specific amenities for the parks and trail design have not yet been developed. The specific details will be prepared in conjunction with the entitlement process following the annexation process as required by the City.

Regarding funding, the project sponsor will meet their park dedication requirements with either a dedication and construction of park facilities, or payment of in-lieu fees, or a combination of both, in accordance with the City’s municipal requirements. Costs for development of park facilities as required by applicable conditions of approval will be borne by the project sponsor.

Police Services – Law enforcement services are currently provided to the annexation area by the Contra Costa County Sheriff’s Department. Upon annexation, police services will be provided by the City of Pittsburg. The Pittsburg Police Department (PPD) operates out of its headquarters located at 65 Civic Avenue, approximately 4.5 miles northeast of the project site, and has an authorized staff level of 81 sworn officers. The Pittsburg Police Department anticipates opening a substation in the Oak Hills Shopping Center (660 Bailey Road) In Fiscal Year 2024-25. The substation will be 1.5 miles northeast of the project site.

Based on an increase in population of approximately 4,800 new residents and 1,500 single-family units, there will be an increased demand for law enforcement services, sworn officers, staff, and equipment. It is anticipated that the project will be annexed to the Community Facilities District (CFD) 2005-1 to ensure the availability of PPD to provide services to the project site. As noted in the *Plan for Services*, the project sponsor will annex the project into CFD 2005-1 for public safety services prior to recordation of the first Final Map, which will provide for increased police coverage for the project site.

Streets and Roadways – The annexation area is served by on- and off-site roadways as detailed in the *Plan for Services*.

San Marco Boulevard will be the primary collector road traversing north/south across the project site, connecting the existing San Marco development to the north and the future Bailey Estates development to the south. The extension will provide a direct connection from State Route 4 to Bailey Road to the south and will provide primary access and circulation for the proposed neighborhoods within the project site. It is anticipated that San Marco Blvd will have two northbound and two southbound lanes and bike lanes in each direction, landscaped medians, dedicated left turn pockets for access to local collector roadways connecting the neighborhoods on the east and west sides of San Marco Boulevard, sidewalks, and landscaped parkways with a combined right of way width of 100 feet. Traffic signals (as needed) will be installed at major intersections to enhance vehicular circulation and pedestrian safety.

As noted in the *Plan for Services*, specific information related to the roadways, widths, geometrics, and alignments for the various roadway segments, as well as locations of traffic signals has not yet been developed. However, these will be prepared in conjunction with entitlement process after the annexation process is complete and as required by the City prior to entitlement approval. It should be noted that such site-specific roadway widths and sections would typically be determined by the City and incorporated into the final site development plan preparation during the entitlement process.

Sanitary Sewer Services – The City of Pittsburg maintains and owns the local sewage collection system and is responsible for collecting and conveying wastewater to the Delta Diablo (DD) Wastewater Treatment Plant (WWTP). DD owns and operates the regional interceptors and wastewater treatment plant. The project site is located within DD’s SOI but is not currently within DD’s service area. Annexation to DD is included with the LAFCO application.

DD currently serves an area of 53.1± square miles and serves the cities of Antioch and Pittsburg and the unincorporated Bay Point community. Services include water resource recovery services, including secondary treatment of wastewater, recycled water production and distribution, pollution prevention, energy recovery, beneficial reuse of biosolids, street sweeping, and household hazardous waste collection.

The City of Pittsburg will be responsible for the wastewater collection system from the project site to the designated DD regional wastewater conveyance facility. Effluent treatment is provided to the City of Pittsburg under contract with DD. The regional conveyance facilities transport wastewater to the DD WWTP located in Antioch. After secondary treatment, the effluent is either discharged through a deep-

water outfall to New York Slough, or further processed through DD's Recycled Water Facility to tertiary Title 22 recycled water standards and distributed for reuse.

The WWTP National Pollutant Discharge Elimination System (NPDES) Permit allows an average dry weather flow (ADWF) of 16.5 million gallons per day (MGD), and DD's WWTP has an ADWF design capacity of 19.5 MGD.

The WWTP has a 2023 average annual wastewater flow of 14.3 MGD and an average dry weather flow (ADWF) of 13.5 MGD (2023 flows).

Since the WWTP serves the cities of Pittsburg and Antioch and the unincorporated Bay Point community, it is important to consider future potential growth in all three communities. Pittsburg and Antioch have a combined RHNA (6th Cycle) of 5,068. DD, like many other wastewater districts, uses an average wastewater flow of 200 gallons per day (gpd) per residential connection to estimate wastewater flows. Future flows to the WWTP are expected to increase by 1.01 MGD. The 1.01 MGD increase is within the remaining capacity of the WWTP, approximately 5 MGD for average dry weather flows (Pittsburg, Housing Element, 2023). The calculated remaining capacity is based on average dry weather flow and does not consider peak wastewater flows. During rainy periods, peak flows increase, and the ability (capacity) of the WWTP to accommodate peak flows is an important factor. The Delta Diablo Resource Recovery Facility 2022 Master Plan includes phased treatment plant expansion to increase the plant's solid loading capacity beyond the current capacity of 58,000 pounds biological oxygen demand (BOD) per day in order to accommodate the anticipated General Plan buildout for the communities of Pittsburg, Antioch, and unincorporated Bay Point (Pittsburg, Housing Element, 2023). DD's Master Plan projects that the current solids loading capacity will be exceeded sometimes between 2030 and 2037. This means the treatment plant must be expanded to treat more solids (i.e., not to treat additional flow). It is not clear whether, or to what extent, the City and/or project sponsor will contribute toward this physical expansion project.

Following an analysis by *Woodard & Curran* in December 2021, it was determined that there is adequate capacity in the existing offsite sanitary sewers to serve the proposed project. Subsequently, DD issued an updated will-serve letter for the project.

Based on the generation rate from the *City of Pittsburg General Plan* of 220 gpd for single-family developments, the proposed project is anticipated to generate approximately 330,000 gpd (0.33 MGD). The addition of 0.33 MGD of effluent to the WWTP would result in a total wastewater volume of 13.73 MGD, which would not exceed the permitted capacity of the WWTP of 16.5 MGD. Therefore, the additional wastewater generated by the Faria project is not anticipated to exceed WWTP's capacity.

The City of Pittsburg is in DD's Zone 2. Each zone pays different connection fees based on the value of wastewater transmission facilities serving each zone. Wastewater sewer service charges are the same for each zone and are identified by zone on property tax bills used as the means to collect DD's sewer service charges. The costs for construction of the sanitary sewer collection system infrastructure and connection fees to the City of Pittsburg will be borne by the project sponsor.

8. Timely Availability of Water and Related Issues:

The City's EIR and *Plan for Services* indicates that there is adequate water supply to serve the proposed annexation area and future development. The City's water supplies include purchased surface water from CCWD, ground water supplies from two City wells, and recycled water supplies provided by DD.

Surface water and ground water are conveyed to the City's water treatment plant, treated, and conveyed via the City's potable water distribution system. The City's municipal water system consists of a water treatment facility, groundwater wells, storage reservoirs, pump stations transmission and distribution mains, fire hydrants, and pressure-reducing valves. The City's water service area is divided into five

pressure zones and will eventually be expanded to service future development in the southeast and southwest hills areas.

In May 2022, the City commissioned a new, updated water management plan to assess the adequacy of the City's water suppliers and projected water demand for the subject project. The updated plan and the City's final environmental impact report note that the City's water supplies are adequate to meet the projected water demand for the subject project.

As described in the *Plan for Services*, it is anticipated that a population growth of approximately 4,935 people and a projected increase in water demand of 572 acre-feet per year would occur as a result of this project. The increases in population and water demand are consistent with the City's 2011 General Plan 10-year update and 2020 Urban Water Management Plan.

Although the City is expected to have sufficient water supplies to meet anticipated demand with or without prolonged drought conditions, the City has developed a water shortage contingency plan to address potential water shortage conditions, reduce demand, and ensure water reliability.

Further, the City has water waste prevention ordinances which are permanent water use restrictions as detailed in the *Plan for Services*.

The *Plan for Services* notes that "for the purpose of this application, design details and plans for the water line alignment, water tank, booster pump station and pressure reducing valves locations have not yet been developed and will be prepared in conjunction with entitlement and/or site improvement plans preparation phase after the annexation process is complete as required by the City for review prior to entitlement approval or issuance of site construction permits. Such site-specific design and information will be specific to the Project site plan development for the purposes of water distribution within the proposed development and will not change the availability and adequacy of water supplies or capacity for the Project."

The costs to finance the infrastructure, including design and construction, will be borne by Discovery Builders. Discovery Builders may also pursue formation of a Community Facilities District to finance the infrastructure. The project sponsor will also pay the City of Pittsburg Facilities Reserve Charge for water service and meter on each single-family dwelling unit. The City has a Water Utility Enterprise Fund used to finance maintenance and operations. The *Plan for Services* notes that the City's water enterprise is currently in strong financial condition, with a Net Position of approximately \$89 million, and an annual operating surplus of over \$7.4 million.

Although the Project site is within the CCWD SOI, it is not currently within the CCWD service area. As a result, the project site will need to be annexed to CCWD's service area and included in the Central Valley Project (CVP) area. Discovery Builders, Inc. (Project Sponsor) will provide all necessary documentation required by the CCWD for its application for inclusion of the project site into the CCWD service boundary.

9. Storm Drainage:

The City of Pittsburg's existing drainage system is comprised primarily of channelized creeks fed by surface runoff and underground storm drains. The City maintains the flood control system within the incorporated area. In the unincorporated parts of the City's Planning Area, the Contra Costa County Flood Control and Water Conservation District maintains major channels and creeks over which they hold land rights, while the County Department of Public Works maintains road drainage systems and several detention basins.

The project site is tributary to the Lawlor Creek watershed which drains into Suisun Bay. Most of the Lawlor Creek watershed south of Bay Point is currently undeveloped, though residential development exists south of State Route (SR) 4. Most runoff is conveyed by natural channels, except for storm drains located in developed areas and culverts under SR 4. Minor watersheds are located west of Lawlor Creek, between Lawlor and Kirker Creeks, and adjacent to the northeastern boundary of the Kirker Creek watershed north of SR 4. The minor watersheds are drained by small natural channels without official names. The Contra Costa Canal also intersects both the Lawlor Creek and Kirker Creek watersheds.

The project site currently consists primarily of two tributary drainage areas, the northerly and southerly portions of the project site. The northerly portion of the site is within the Contra Costa County Flood Control Drainage Area 48B (DA 48B). DA 48B drains through the existing San Marco project located to the north, then under SR 4 and through the Bay Point area to Suisun Bay. The southerly portion of the project site naturally drains through the undeveloped approved Bailey Estates project area to the east into a drainage system that crosses under Bailey Road into Lawlor Ravine, which also drains under SR 4 through the Bay Point Area to Suisun Bay. In accordance with the City of Pittsburg and Contra Costa County drainage requirements, any development, (including the subject development), must maintain more or less the same volume of runoff as the predevelopment condition, and the post development peak flow runoff should not exceed the pre-development condition. Given the two separate existing watersheds within the project site, the proposed drainage design, alignment, and sizing will need to comply with City and County requirements. Details regarding the drainage areas are provided in the *Plan for Services*.

The costs for construction of storm drainage infrastructure will be borne by the project sponsor. Ongoing maintenance will be provided by the City and paid for by homeowners through a CFD or drainage fees assessed by the City, the County Flood Control District, and the collection of local taxes.

10. Assessed Value, Tax Rates, and Indebtedness:

The annexation area is within tax rate area 79004. The assessed value is \$7,900,026 (2022-23 Roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies, if applicable. The City will rely on the master tax transfer agreement for this annexation.

11. Environmental Impact of the Proposal:

In 2009, at the request of the City and Discovery Builders, LAFCO prepared and approved an Initial Study/Negative Declaration (IS/ND) to expand the SOIs for the City of Pittsburg, CCWD, and DD. It was noted that any future annexations would be subject to a “project level” environmental review.

Previous City of Pittsburg boundary changes, including the Montreux Reorganization (2016) and Tuscany Meadows Reorganization (2017), were supported by individual Project Level Environmental Impact Reports (EIRs) for each reorganization.

In October 2018, the City prepared and released a Program Level Draft EIR for the subject project which addressed the environmental consequences of a proposed Master Plan for the Faria Southwest Hills Annexation Project. Based on comments received on the Program Level Draft EIR, in 2019 the City released a *Partially Recirculated Draft EIR*, which focused on Transportation, Traffic, and Circulation. As noted above, in March 2021, SMD filed a lawsuit challenging the City’s approval of the *Faria/Southwest Hills Annexation Project* for failure to comply with CEQA, State Planning and Zoning law, and other statutes. In August 2022, following the conclusion of litigation, the City set aside the project approvals and the EIR certification, in compliance with the writ of mandate issued by the court.

On April 17, 2023, the City approved the Faria/Southwest Hills Annexation project for a second time. As noted above, the City’s CEQA actions included: certifying a revised and updates final EIR, adopting CEQA findings, a statement of overriding considerations, and a MMRP.

Between 2010 and 2023, LAFCO submitted 10 comment letters to the Pittsburg City Council and Pittsburg Planning Commission commenting on the Faria Southwest Hills project. Other than climate change, most of LAFCO's comments were not addressed in conjunction with the CEQA process and City actions. However, the most recent updated LAFCO application submitted in 2023 addressed LAFCO's comments and concerns.

For this boundary reorganization, LAFCO is a "responsible agency" under CEQA. A responsible agency cannot act until it has considered the project's environmental affects as described in the final EIR certified by the lead agency. In this case, the City is the lead agency and certified a revised and updated final EIR for the project. Although LAFCO submitted 10 comment letters commenting on the project, and most of LAFCO's comments were not addressed in conjunction with the City's CEQA process, LAFCO must rely on the revised and updated final EIR certified by the City on April 17, 2023. Under Public Resources Code §21167.3, a responsible agency is required to treat the environmental documents of a lead agency as legally adequate even when these documents are the subject of pending litigation against the lead agency. (*City of Redding v. Shasta County LAFCO* (1989) 209 Cal.App.3d 1169.) Here, the City filed a Notice of Determination for the project on April 19, 2023, and it appears no lawsuit challenging the City's EIR certification was filed within 30 days after April 19. Thus, LAFCO must treat the final EIR as legally adequate because no circumstances exist under CEQA Guidelines section 15162 that would allow LAFCO to assume the lead agency role or prepare its own subsequent EIR.

It should also be noted that under GC §56886 (in the CKH Act), LAFCO cannot impose any conditions on its approval of the project that "directly regulate land use, property development, or subdivision requirements". LAFCO's CEQA findings, prepared in its capacity as a responsible agency, are attached (Attachment 2).

All of the City's environmental documents are available on the City's website at <https://www.pittsburgca.gov/services/community-development/planning/advanced-planning-special-projects/faria-southwest-hills-annexation>.

12. Land Owner Consent and Consent by Annexing Agencies:

The landowner, City of Pittsburg, CCWD and DD consent to the proposed boundary change. No objections were received from Contra Costa County or the Ambrose Recreation and Park District.

13. Boundaries and Lines of Assessment:

The annexation area is within the SOIs of the City of Pittsburg, CCWD and DD and is contiguous to the agency boundaries. Corresponding detachments from CSA P-6 and ARPD are also proposed. A map and legal description to implement the proposed boundary changes was received and is subject to final approval by the County Surveyor.

14. Environmental Justice:

LAFCO is required to consider the extent to which a change of organization or reorganization will promote environmental justice. As defined by statute, environmental justice means "the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities." [Gov. Code §56668(p)] The proposed boundary reorganization is not expected to either promote or discourage the fair treatment of minority or economically disadvantaged groups.

15. 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 not a DUC.

16. Comments from Affected Agencies/Other Interested Parties:

To date, LAFCO has received nearly 400 “*Save the Ridge*” letters opposing the Faria Southwest Hills reorganization. Reasons cited include protection of wildlife, open space, and the Thurgood Marshall Regional Park; lack of a Site Plan; noise, light, pollution, and other impacts; and nearly 13,000 daily vehicle trips generated by this project. Comments also requested that LAFCO require a larger buffer.

LAFCO also received letters from Raymond O’Brien; Shute, Mihaly & Weinberger, LLP; and HansonBridgett (attached).

17. Regional Transportation and Regional Growth Plans

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to GC §65080 [GC §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 sub-regional basis (GC §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, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), in July 2013, 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 plan sufficient housing for the region’s projected population over the next 25 years.

In October 2021, ABAG and MTC adopted *Plan Bay Area 2050*, which serves as the Bay Area’s official long-range plan for housing, economic development, transportation, and environmental resilience for the next four years. While prior iterations of *Plan Bay Area* focused on transportation and housing, the 2050 plan expands the scope introducing strategies for long-term economic development and environmental resilience, while meeting federal and state requirements.

ALTERNATIVES FOR COMMISSION ACTION

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

Option 1 Adopt this report and approve LAFCO Resolution No. 21-05 (Attachment 1), approve and adopt CEQA findings (Attachment 2) and approve the proposal, to be known as *Faria Southwest Hills*

Reorganization: Annexations to City of Pittsburg, Contra Costa Water District, Delta Diablo and Detachments from County Service Area P-6 and Ambrose Recreation and Park District.

LAFCO urges the City of Pittsburg, Discovery Builders, and Save Mt. Diablo to work together on a mutually agreed open space buffer zone in the subject area and permanent protection of the open space and provide an update to LAFCO within six months of LAFCO approval.

Option 2 Adopt this report and DENY the proposal.

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

RECOMMENDATION: Option 1

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

Exhibit

Map - 21-05 - Annexations to City of Pittsburg, CCWD, and DD and Detachments from CSA P-6 and ARPD.

Attachments

1. Draft LAFCO Resolution 21-05
2. LAFCO CEQA Findings
3. City of Pittsburg Resolution No. 23-14269 - CEQA Findings
4. City of Pittsburg Mitigation Monitoring and Reporting Program
5. City's Applicable General Plan Goals and Policies
6. Save the Ridge List of Petitioners & Example Letter (received nearly 400)
7. Save Mt. Diablo Letter
8. Hanson Bridgett Letter

c: Garrett Evans, City Manager, City of Pittsburg
Louis Parsons, Discovery Builders
Rachel Murphy, General Manager, CCWD
Vince DeLange, General Manager, DD
Doug Long, General Manager, ARPD
Contra Costa County Distribution List

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RESOLUTION NO. 21-05

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING ANNEXATIONS
TO CITY OF PITTSBURG, CONTRA COSTA WATER DISTRICT (CCWD), AND
DELTA DIABLO (DD) AND DETACHMENTS FROM COUNTY SERVICE AREA
(CSA) P-6 AND AMBROSE RECREATION AND PARK DISTRICT (ARPD)**

WHEREAS, the above-referenced proposal was filed with the Executive Officer of the Contra Costa Local Agency Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (§56000 et seq. of the Government Code); and

WHEREAS, the Executive Officer 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 gave notice of the Commission's consideration of the proposal; and

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

WHEREAS, at a public hearing held on June 12, 2024, 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 recommendations, the environmental documents and determinations, applicable General and Specific Plans, consistency with the spheres of influence, 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 subject area object to the proposal; and

WHEREAS, the applicant has delivered to LAFCO an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions to challenge the annexation; 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 and the City of Pittsburg.

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

1. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, considered the environmental effects of the project as shown in the City of Pittsburg's Revised and Updated Final Environmental Impact Report (EIR). The Commission finds that all changes or alterations in the project that avoid or substantially lessen its significant environmental effects are within the responsibility and jurisdiction of the City of Pittsburg and not LAFCO, and that these

changes have been, or can and should be, adopted by the City of Pittsburg as the lead agency.

2. Annexations to City of Pittsburg, CCWD, and DD and Detachments from CSA P-6 and ARPD (APNs 092-010-002-1, 092-010-006-2, 092-020-002-9, 091-040-002-7, 092-020-003-7, 092-040-008-2, 092-050-002-2, 092-030-012-6, and 208-700-082-0) are hereby approved.
3. The subject proposal is assigned the following distinctive short-form designation:
ANNEXATIONS TO CITY OF PITTSBURG, CONTRA COSTA WATER DISTRICT, AND DELTA DIABLO, AND DETACHMENTS FROM COUNTY SERVICE AREA P-6 AND AMBROSE RECREATION AND PARK DISTRICT
4. The boundary of the subject area is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject area shall be liable for any authorized or existing taxes, charges, and assessments currently being levied on comparable properties within the annexing agencies.
6. The subject area is uninhabited.
7. No affected landowners or registered voters within the subject area object to the proposal, and the conducting authority (protest) proceedings are hereby waived.
8. 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.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

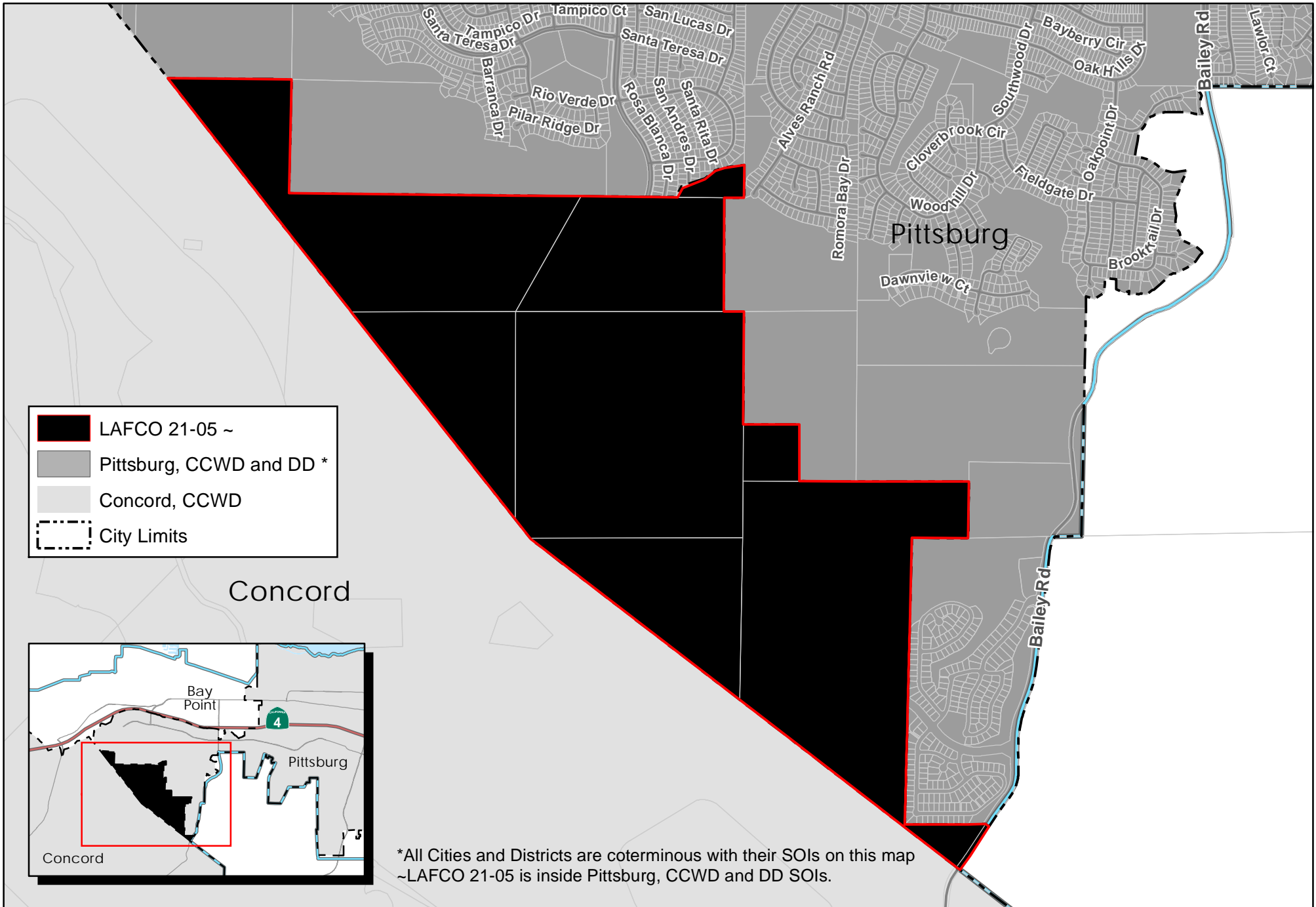
CHAIR, CONTRA COSTA LAFCO

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

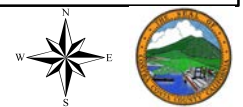
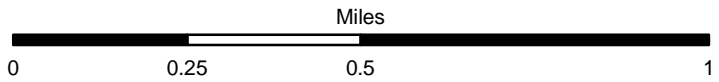
Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

LAFCO 21-05 - Faria Southwest Hills - Annexations to City of Pittsburg, Contra Costa Water District, and Delta Diablo. Detachment from CSA P-6 and Ambrose Recreation and Park District



*All Cities and Districts are coterminous with their SOIs on this map
 ~LAFCO 21-05 is inside Pittsburg, CCWD and DD SOIs.



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CEQA FINDINGS

Under the State CEQA Guidelines, with respect to the Faria Southwest Hills project, the Contra Costa Local Agency Formation Commission (“LAFCO”) is a Responsible Agency and the City of Pittsburg (“City”) is the Lead Agency. As the Lead Agency, the City prepared and certified the Revised and Updated Final Environmental Impact Report for the project (Final EIR). The City also adopted mitigation measures and findings related to mitigation measures, project alternatives, and a Statement of Overriding Considerations.

As a Responsible Agency, LAFCO’s role is limited:

“A responsible agency has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve.” (CEQA Guidelines, § 15096(g)(1)).

“When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.” (CEQA Guidelines, § 15096(g)(2), emphasis added).

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15091 AND 15096

1. CONSIDERATION OF THE EIR

The City of Pittsburg served as Lead Agency in preparing and accepting the environmental documents for the Faria Southwest Hills project. LAFCO has considered the environmental effects of the project as shown in the Revised and Updated Final EIR (certified by the City on April 17, 2023). Pursuant to CEQA Guidelines section 15096(f), LAFCO certifies that it has reviewed and considered the EIR documents prior to approving this proposal. In addition, all voting Commissioners have reviewed and considered testimony and additional information presented at or prior to the public hearing on June 12, 2024.

2. LOCATION OF RECORD OF PROCEEDINGS

Pursuant to CEQA Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the LAFCO Executive Officer, 40 Muir Road, First Floor, Martinez, CA 94553.

The record of proceedings for LAFCO’s decision on the Project includes, but is not limited to, the following documents:

- (1) Public notices issued by LAFCO in conjunction with the Project;
- (2) The resolution of application adopted by the Pittsburg City Council;

- (3) The application for reorganization submitted to LAFCO;
- (4) The environmental documents as noted above;
- (5) Any minutes and recordings of all information sessions, public meetings, and public hearings held by LAFCO in connection with the Project; and
- (6) All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Project prepared by LAFCO;
- (7) All documents submitted to LAFCO by other public agencies or members of the public in connection with the Project;
- (8) Any other materials required for the record of proceedings by Public Resources Code § 21167.6, subdivision (e).

3. FINDINGS REGARDING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

There are no identified direct significant environmental impacts of the proposed reorganization itself, which is a legislative act. Therefore, no findings required by CEQA Guidelines Section 15096(h) are needed for direct impacts of the reorganization itself.

Further, the final EIR was certified by the City of Pittsburg. The final EIR identified one or more significant environmental effects for the project. As specified in the City's CEQA findings, the final EIR identified the following potentially significant impacts that are mitigated to a less-than-significant level:

- Aesthetics (Impact 4.1-3)
- Biological Resources (Impacts 4.4-1, 4.4-2, 4.4-3, 4.4-4, 4.4-5, 4.4-8, 4.4-12, 4.4-14, 4.4-15)
- Cultural and Tribal Resources (Impact 4.5-2)
- Geology and Soils (Impacts 4.6-1, 4.6-2, 4.6-3, 4.6-4, 4.6-5)
- Hazards and Hazardous Materials (Impacts 4.7-1, 4.7-2, 4.7-4)
- Hydrology and Water Quality (Impacts 4.8-1, 4.8-2, 4.8-3)
- Land Use and Planning (Impact 4.9-1)
- Noise (Impacts 4.10-2, 4.10-3)
- Public Services and Utilities (Impacts 4.11-1, 4.11-2)
- Transportation, Traffic, and Circulation (Impacts 4.12-4, 4.12-7, 4.12-10)

As specified in the City's CEQA findings, the final EIR also identified the following potentially significant, unavoidable impacts:

- Aesthetics (Impact 4.1-2)
- Air Quality and Greenhouse Gas Emissions (Impacts 4.3-1, 4.3-2, 4.3-4, 4.3-5)
- Public Services and Utilities (Impacts 4.11-4, 4.11-10)
- Transportation, Traffic, and Circulation (Impacts 4.12-2, 4.12-3, 4.12-5, 4.12-8, 4.12-9, 4.12-11)

As to each of the impacts listed above and specified in the City's CEQA findings, LAFCO finds that all changes or alterations that would avoid or substantially lessen the significant environmental effects as identified in the final EIR are within the responsibility and jurisdiction of the City of Pittsburg and not LAFCO. LAFCO further finds that all changes

or alterations in the project that avoid or substantially lessen its environmental effects are within the responsibility and jurisdiction of the City and not LAFCO, and that these changes have been, or can and should be, adopted by the City as the Lead Agency.

4. FINDING THAT MITIGATION OF CERTAIN IMPACTS IS WITHIN THE RESPONSIBILITY AND JURISDICTION OF ANOTHER PUBLIC AGENCY

The City of Pittsburg prepared a *Mitigation Monitoring and Reporting Program* (MMRP) for the Faria Southwest Hills project. The MMRP provides mitigation measures in the following categories: Aesthetics; Air Quality and Greenhouse Gas Emissions; Biological Resources; Cultural and Tribal Resources; Geology, Soils, and Seismicity; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Public Services and Utilities; and Recirculated Transportation, Traffic, and Circulation. Also noted in the MMRP, prior to submittal of a project tentative map, the applicant will submit to the City a Cultural and Historical Resource Survey.

The CEQA Guidelines provide that a responsible agency has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance or approve. (CEQA Guidelines § 15096(g)(1)). CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws (CEQA Guidelines Section 15040(b)). LAFCO's jurisdiction to impose conditions on this reorganization is limited under the Cortese-Knox-Hertzberg Local Government Reorganization Act and CEQA Guidelines Sections 15040 and 15096. Under Government Code section 56886, LAFCO cannot impose any conditions on its approval of the project that "directly regulate land use, property development, or subdivision requirements."

LAFCO has reviewed the mitigation measures and alternatives identified in the EIR prepared by the City. None of the mitigation measures or alternatives addresses the issues over which LAFCO has discretion in considering the application for reorganization. The proposed mitigation measures identified in the Final EIR that might reduce or eliminate the significant adverse indirect environmental impacts of the project are not within the limited jurisdiction of LAFCO in considering approval of this reorganization. For these reasons, LAFCO cannot impose the identified mitigation measures as LAFCO conditions of approval.

5. STATEMENT OF OVERRIDING CONSIDERATIONS

LAFCO has determined that the reorganization itself, which is a legislative act, will not cause any unavoidable adverse environmental effects. Therefore, it is not required to engage in the balancing of the benefits of the reorganization against unavoidable adverse environmental effects under CEQA Guidelines § 15093. Nonetheless, out of an abundance of caution, LAFCO has reviewed and considered the Statement of Overriding Considerations approved by the City of Pittsburg and the evidence that supports that Statement as set forth in the Final EIR and, based thereon, has concluded that any adverse environmental effects of the project are "acceptable."

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In The Matter of:

Certification of the Revised and Updated Final)
EIR, and Adoption of CEQA Findings, a)
Statement of Overriding Considerations, and)
a Mitigation and Monitoring Reporting Program)
for the "Faria/Southwest Hills Annexation)
Project, AP-10-717")

RESOLUTION 23-14269

The Pittsburg City Council FINDS AND DETERMINES as follows:

WHEREAS, the Faria/Southwest Hills Annexation Project (proposed project) includes applications for a General Plan amendment, change in rezoning designations, adoption of a Master Plan, approval of a development agreement, and initiation of annexation proceedings, for a 606-acre site located in the hills southwest of the existing city limits, including APN's 097-180-002, 097-180-006, 097-190-002, 097-200-002, 097-200-003, 097-230-008 & 097-240-002 (now APN's 091-040-002, 092-010-002 & -006, 092-020-002 & -003, 092-040-008, 092-050-002, and a portion of 092-030-012); and,

WHEREAS, in 2001, the current Pittsburg General Plan was adopted with a planned land use development pattern for the southwest hills (outside current city limits) that included a combination of Low Density Residential, Hillside Low Density Residential, and Open Space. The 2001 General Plan land use map for this area has not been amended since its initial adoption; and,

WHEREAS, on November 5, 2005, the voters of the City of Pittsburg approved a ballot initiative entitled, 'Measure P (City of Pittsburg Voter Approved Urban Limit Line and Rezoning Act)', which established a new Urban Limit Line (ULL) for the City of Pittsburg and rezoned certain properties, including the entire 606-acre Faria project site (as described above), to HPD (Hillside Planned Development) and OS (Open Space) Districts, consistent with existing General Plan residential and open space designations; and,

WHEREAS, on July 8, 2009, the Contra Costa Local Agency Formation Commission (LAFCo) approved an extension of the Pittsburg Sphere of Influence (SOI), as well as the SOIs for the Contra Costa Water District and Delta Diablo SOI, to include the project site; and,

WHEREAS, on September 24, 2010, Louis Parsons, on behalf of Faria Land Investors, LLC, filed Annexation Application No. 10-717, requesting that the City initiate proceedings to annex the approximately 606-acre site into the municipal boundary, as well as into the Contra Costa Water District and Delta Diablo service areas; and,

WHEREAS, the City has discretionary authority over the project and is identified as the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (14 Cal. Code Regs.

Section 15000, et seq.) because it is the public agency with the authority and principal responsibility for reviewing, considering, and potentially approving the proposed project. An Initial Study was prepared for the proposed project and released for public review in 2011. Extensive comments were received on the Initial Study, requesting further analysis in an Environmental Impact Report (EIR); and,

WHEREAS, in 2014, the project was modified to include a request for amended rezoning for an Interim Study Overlay (-S) District, to designate the site as an area where zoning regulations would remain under study until such time when the developer provided a development plan. The 2011 Initial Study was updated to reflect the revised project proposal. The revised Initial Study preliminarily analyzed the amended project and its potential impacts. Through this Initial Study, it was determined that the project could potentially have adverse impacts in the areas of aesthetics, agriculture and forest resources, air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation and circulation, utilities and services systems, and mandatory findings of significance. All other areas of potential environmental impact were determined to have no potential unmitigable adverse impacts under the project and were eliminated from further analysis. This Initial Study is included in Appendix C of the Draft EIR; and,

WHEREAS, on March 10, 2014, in accordance with Section 15082 of the State CEQA Guidelines, a Notice of Preparation (NOP) of the Draft EIR was released for a 30-day public review. During the NOP review period, a public scoping meeting was held on April 3, 2014, to receive verbal comments on the scope of the EIR; and,

WHEREAS, after substantial comments were received on the 2014 NOP, the project was revised again to incorporate the currently proposed Master Plan Overlay (-P) District, in place of the Interim Study Overlay (-S) District. Along with this change in the project, the approach for the environmental analysis was modified to study project-level impacts (rather than only more general programmatic-level impacts) to the greatest extent feasible, assuming a maximum development scenario of 1,500 new residential units as envisioned in the General Plan; and

WHEREAS, on March 8, 2017, a new NOP for the revised project was circulated to the public, local, state and federal agencies, and other interested parties for 30 days to solicit comments on the project and scope of the EIR. After releasing the 2017 NOP, a public scoping session was held on April 4, 2017, to receive additional comments. All concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and full text of comments on the NOP are presented in Appendix B of the Draft EIR; and,

WHEREAS, in accordance with Public Resources Code (PRC) Section 21080(d), an EIR was prepared to analyze the potential impacts of the project. On October 10, 2018, the Draft EIR (SCH# 2017032027) was released for a 45-day public review period that was extended to November 30, 2018, and a public workshop on the Draft EIR was held on November 15, 2018. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts and mitigation measures for impacts

found to be potentially significant, and an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at City offices and on the City's website. A total of 123 comment letters were received from state and local agencies and other interested parties regarding the Draft EIR; and,

WHEREAS, based on the comments received regarding the Draft EIR, the City determined that recirculation of Chapter 4.12, pertaining to Transportation, Traffic, and Circulation, was necessary to comply with CEQA; and,

WHEREAS, on October 17, 2019, a Partially Recirculated Draft EIR was released for a 45-day public review period from October 18, 2019 to December 2, 2019; and

WHEREAS, on July 17, 2020, the Final EIR was released for public review; and, the Final EIR, consisting of both the Draft EIR and Partially Recirculated Draft EIR, comments received on both documents, responses to those comments, and revisions made to the Draft and Partially Recirculated Draft EIR, was finalized and released for public review in compliance with Public Resources Code Section 21092.5; and

WHEREAS, on July 28, 2020, following a duly noticed public hearing, the Planning Commission adopted Resolution No. 10154, recommending City Council approval of the request for a General Plan amendment, annexation initiation, pre-zoning amendments (including the proposed Master Plan) and development agreement; and.

WHEREAS, on February 22, 2021, the City Council adopted Resolution Nos. 13906 and 13907 approving: 1) the General Plan amendments requested for the project; and 2) a petition for annexation into the City, the Contra Costa Water District (CCWD) service area and Delta Diablo Sanitation District (DDSD) service area; and

WHEREAS, on March 15, 2021, the City Council adopted Ordinance No. 21-1484 approving: 1) amendment of the pre-zoning designations of the Project Site from HPD and OS to Single Family Residential, 4,000 Square Foot Minimum Lot Size with a Master Plan Overlay (RS-4-P) and Open Space with a Master Plan Overlay (OS-P) Districts, with a Master Plan Overlay in place of the previously proposed Interim Study Overlay District; 2) the Faria/Southwest Hills Master Plan; and 3) a Development Agreement; and

WHEREAS, on March 2021, the non-profit organization Save Mount Diablo (SMD) filed a Petition for Writ of Mandate challenging the approval of the project based on CEQA, among other theories. The lawsuit, entitled Save Mount Diablo v. City of Pittsburg, et al., was filed in Contra Costa Superior Court; and

WHEREAS, on February 10, 2022, the Court issued a Statement of Decision in the action, rejecting the majority of SMD's allegations, apart from a limited number of items, and ordering that a, "Writ of Mandate shall issue compelling the City to set aside the Project approvals and the certification of the FEIR." The limited number of items requiring further consideration are detailed below; and

WHEREAS, on June 16, 2022, the Court issued a Peremptory Writ of Mandate (Writ) commanding the City to set aside the 2021 project approvals within 75 days of service of the Writ; and

WHEREAS, on August 15, 2022, the City Council adopted Resolution No. 22-14158, repealing and setting aside project approvals for the project in compliance with the Writ; and.

WHEREAS, in response to the Writ described above, the City has prepared a Revised and Updated Final Environmental Impact Report (RUF EIR) to address the few items determined by the Court to require further analysis. The RUF EIR has been prepared to address, through the inclusion of new memoranda and supporting analysis and data, the inadequacies of the original Final EIR, as determined by the Court. The new memoranda demonstrates that the analyses and conclusions prepared and presented in the Draft EIR and Partially Recirculated Draft EIR are supported by substantial evidence, and the conclusions remain valid. Specifically, the following issues identified by the Court have been further addressed: (1) ADUs have been eliminated as a requirement under the development agreement, and thus no analysis of environmental impacts associated with construction or operation of the ADUs is required, (2) the level of detail included in mitigation to address potential air quality and greenhouse gas (GHG) emission impacts has been addressed, (3) the baseline description of biological resources has been confirmed, and (4) the adequacy of the Draft EIR's water usage analysis has been confirmed. The RUF EIR contains revisions to the Final EIR based on the new memoranda. The updated information does not constitute "significant new information" that would require recirculation of the EIR. Instead, the additional technical reports and memoranda support and reaffirm the conclusions in the EIR; and

WHEREAS, the RUF EIR and its associated Mitigation Monitoring and Reporting Program (MMRP) has been available to the public since January 31, 2023, when they were posted on the City's website at (<https://www.pittsburgca.gov/services/community-development/planning/advanced-planning-special-projects/faria-southwest-hills-annexation>), and also have been available for public review and inspection at Pittsburg City Hall; and

WHEREAS, the City subsequently clarified information in the MMRP, and posted an updated MMRP on the City's website on March 2, 2023; and

WHEREAS, the RUF EIR identifies the potential for significant effects on the environment from implementation of the project, most of which can be substantially reduced through mitigation measures; therefore, CEQA Guidelines section 15091 requires that approval of the project must include findings. These required findings are set forth in Exhibit A, Section 1, below, and incorporated herein as though set forth in full; and,

WHEREAS, significant effects related to aesthetics, air quality and greenhouse gas emissions, public services and utilities, and transportation, traffic and circulation identified in the RUF EIR cannot be lessened to a level of less than significant; therefore, CEQA Guidelines sections 15091 and 15093 require that approval of the project must include findings and a Statement of Overriding Considerations (which states that significant

adverse project effects are acceptable because expected project benefits outweigh unavoidable adverse environmental impacts). These required findings are set forth in Exhibit A, Section 2; Exhibit B; and Exhibit C, below, all of which are incorporated herein as though set forth in full; and

WHEREAS, CEQA Section 21081.6 requires the preparation and adoption of an MMRP for any project for which mitigation measures have been imposed to ensure compliance with the adopted mitigation measures. The MMRP is set forth in Exhibit D, below, which is incorporated herein as though set forth in full; and

WHEREAS, on or before April 7, 2023, in accordance with Government Code sections 65090 and 65091, and PMC section 18.14.020, a "Notice of Public Hearing" for the April 17, 2023, City Council public hearing on this item was published in the East County Times; was posted at City Hall and in the "Public Notices" section of the City website; and was mailed via first class or electronic mail to the applicant/property owner, all property owners and/or residents within 800-feet of the site, all local service agencies expected to provide future services to the site, and to individuals who had previously filed written request for such notice. In addition, all though not required, the notice was also published on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed members in the following Nextdoor neighborhoods: Oak Hills South, San Marco, San Marco Villas, Toscana and Vista Del Mar; and,

WHEREAS, on April 17, 2023, the City Council held a duly-noticed public hearing on the appeal of the Planning Commission Decision to not Recommend Planning Application No. 10-717 (GP, RZ, DA, ANNEX), at which time oral and/or written testimony was considered; and

WHEREAS, documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based, are located at the City of Pittsburg Planning Division, located at 65 Civic Avenue in Pittsburg, California 94565.

NOW, THEREFORE, the City Council DOES RESOLVE as follows:

Section 1: Recitals.

The recitals set forth above are true and correct statements, and they are hereby incorporated by reference, in their entirety, in these findings.

Section 2: Certification of the EIR (RUF EIR).

- A. The project was processed, including but not limited to all public notices, in the time and manner prescribed by state and local law, including CEQA and the State CEQA Guidelines.
- B. The EIR for this project consists of the Draft EIR, dated October 2018; the Partially Recirculated Draft EIR, dated December 2019; the Revised and Updated Final EIR

dated March 2023; and all appendices thereto, collectively referred to as the RUF EIR. The RUF EIR is incorporated by this reference.

- C. Agencies and interested members of the public have been afforded ample notice and opportunity to comment on the project and the RUF EIR. Prior to taking action, the City Council has heard, been presented with, reviewed, and considered the information and data in the administrative record, including oral and written testimony.
- D. Based on the evidence and oral and written testimony presented at the public hearings, and based on all the information contained in the Planning Division's files on the project, including but not limited to the RUF EIR for the project and the City Council staff report entitled "Appeal of the Planning Commission's Determination to not Recommend for City Council Approval a Development Agreement, Amendments to the General Plan and Rezoning Designations, and Adoption of a Master Plan for the Faria/Southwest Hills Annexation Project. AP-10-717 (GP, RZ, DA)," dated April 17, 2023, the City Council hereby declares, finds, and certifies that:
 - 1. The City Council has independently considered the administrative record before it.
 - 2. The RUF EIR has been completed in compliance with CEQA and fully analyzes and discloses the potential impacts of the proposed project, and that those impacts have been mitigated or avoided to the extent feasible for the reasons set forth in the Exhibits hereto.
 - 3. The RUF EIR was presented to the City Council. The City Council has reviewed and considered the information in the RUF EIR, and the RUF EIR reflects the independent judgment of the City Council.
 - 4. Information presented in written and oral testimony does not constitute new information requiring recirculation of the RUF EIR under CEQA. None of the information, including written comments submitted by Shute, Mihaly & Weinberger on behalf of SMD, has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the proposed project or a feasible mitigation measure or alternative that the City has declined to implement.
 - 5. The RUF EIR is hereby certified as being in compliance with CEQA. The EIR adequately describes the project, its environmental impacts, reasonable alternatives, and appropriate mitigation measures.

Section 3: Adoption of Findings, Statement of Overriding Considerations, and Mitigation, Monitoring and Reporting Program.

- A. The City Council adopts the following with respect to the project:

1. Mitigation Findings Pursuant to CEQA Guidelines Section 15091, as set forth in Exhibit A to this resolution and incorporated herein by reference.
2. Findings Concerning Alternatives, as set forth in Exhibit B to this resolution and incorporated herein by reference.
3. Statement of Overriding Considerations, as set forth in Exhibit C to this resolution and incorporated herein by reference.
4. Mitigation Monitoring Reporting Program, attached as Exhibit D to this resolution and incorporated herein by reference.

Section 4: Notice of Determination.

The City Council hereby directs staff to file a Notice of Determination as set forth in Public Resources Code Section 21152.

Section 5: Effective Date.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg on the 17th day of April, 2023, by the following vote:

AYES: Adams, Killings, Lopez, Scales-Preston
NOES: None
ABSTAINED: None
ABSENT: Banales [Recused]


Shanelle Scales-Preston, Mayor

ATTEST:


Alice E. Evenson, City Clerk

Findings Pursuant to CEQA Guidelines Section 15091 For Approval of the Faria/Southwest Hills Annexation Project

SECTION 1:

FINDINGS ON POTENTIALLY SIGNIFICANT IMPACTS THAT ARE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

Aesthetics

Impact 4.1-3. Creation of new sources of substantial light or glare that would adversely affect day or nighttime views in the area.

Mitigation Measure 4.1-3. In conjunction with the submittal of any development applications for future development on the project site, the applicant shall prepare and submit a detailed lighting plan showing that light would not trespass onto adjacent properties to the City of Pittsburg Community Development Department for review and approval as part of the development review process. The lighting plan shall include, but not necessarily be limited to, the following provisions:

- Shield or screen lighting fixtures to direct the light downward and prevent light from spilling onto adjacent properties and nearby open space areas within the City of Concord;
- Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists;
- For public lighting, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash; and
- Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting motorists on nearby roadways.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring that future lighting would not trespass onto adjacent properties (Draft EIR pages 4.1-32 through -33). Applicable land use and development regulations, including outdoor lighting regulations that would apply to all future development occurring under buildout of the proposed project site, are memorialized in the Draft Master Plan. (See, e.g., Regulation C.3.a and Regulation C.3.b; see also Draft EIR pages 4.1-32 through -33.)

Furthermore, future development would be subject to other applicable regulations included in the Pittsburg Municipal Code (PMC) related to light and glare. For example, Section 18.56.090(I) of the PMC includes regulations requiring redirection and/or shielding of exterior lighting so as to prevent direct illumination of roadways

and light spillage onto adjacent properties, while Section 18.56.090(M)(6) requires that street lighting in residential areas be designed to emit the minimum light intensity required to provide public safety. (Draft EIR page 4.1-33.)

Biological Resources

Impact 4.4-1. Have a substantial adverse effect, either directly or through habitat modifications, on special-status plant species.

Mitigation Measure 4.4-1(a). Prior to the issuance of grading or construction permits for each phase of development of the project, the applicant shall pay the applicable ECCC HCP/NCCP per-acre Development Fee in effect for Zone II in compliance with Section 15.108.070 of the Pittsburg Municipal Code. The Development Fee will cover the development of habitat that primarily includes annual grassland. At the discretion of the East Contra Costa County Habitat Conservancy, the fee may also be required for the 72.9 acres of Open Space that would be temporarily disturbed by grading. Payment of the Development Fee would address the loss of potential habitat of special-status plant species associated with grasslands. The fees would be used in part to protect these affected special-status plant species by bringing existing populations of the species under protection.

Alternately, the project applicant may, in accordance with the terms of Pittsburg Municipal Code Chapter 15.108, offer to dedicate land or create and restore wetlands in lieu of some or all of the mitigation fees. All applicable mitigation fees shall be paid, or an "in-lieu-of fee" agreement executed, prior to the issuance of a grading permit for the project.

The Pittsburg Community Development Department and the Contra Costa County Conservancy shall approve the final method of compliance with the ECCC HCP/NCCP provisions.

Mitigation Measure 4.4-1(b). Prior to the issuance of grading or construction permits for each phase of development of the project, additional rare plant surveys shall be conducted for bent-flowered fiddleneck, big tarplant, round-leaved filaree, Mt. Diablo fairy-lantern, Mt. Diablo buckwheat, fragrant fritillary, Diablo helianthella, Brewer's western flax, showy golden madia, Mt. Diablo cottonweed, woodland woollythreads, adobe navarretia, shining navarretia, and rock sanicle. The surveys shall be appropriately timed and shall cover all potentially suitable on-site habitats. If none of the species occurs in the project development area, further mitigation is not required.

Mitigation Measure 4.4-1(c). If any of the above species occurs in the project development area, future development plans shall be designed to avoid such species, to the maximum extent feasible. If avoidance of the identified species is unavoidable, the project applicant shall notify the East Contra Costa County Habitat Conservancy of the construction schedule so as to allow the East Contra Costa County Habitat Conservancy the option to salvage the population(s) in accordance with HCP/NCCP Conservation Measure 3.10 (Plant Salvage when Impacts are

Unavoidable) described below. In addition, the project applicant shall confirm with the East Contra Costa County Habitat Conservancy that the take limits of the HCP/NCCP for the species identified in Impact 4.4-1 have not been breached (at the time of writing this EIR, the take limits have not been breached for the special-status plant species in question).

Perennial Covered Plants

Where removal of covered plant species cannot be avoided by approved covered activities, such as construction activities associated with development of the project site, the East Contra Costa County Habitat Conservancy has the option of salvaging the covered plants. Salvage methods for perennial species shall be tested for whole individuals, cuttings, and seeds. Salvage measures shall include the evaluation of techniques for transplanting as well as germinating seed in garden or greenhouse and then transplanting to suitable habitat sites in the field. Techniques shall be tested for each species, and appropriate methods shall be identified through research and adaptive management. Where plants are transplanted or seeds distributed to the field they shall be located in preserves in suitable habitat to establish new populations. Field trials shall be conducted to evaluate the efficacy of different methods and determine the best methods to establish new populations. New populations shall be located such that they constitute separate populations and do not become part of an existing population of the species, as measured by the potential for genetic exchange among individuals through pollen or propagule (e.g., seed, fruit) dispersal. Transplanting within the preserves shall only minimally disturb existing native vegetation and soils. Supplemental watering may be provided as necessary to increase the chances of successful establishment, but must be removed following initial population establishment. See also All Covered Plants below.

Annual Covered Plants

For annual covered plants, mature seeds shall be collected from all individuals for which removal cannot be avoided (or if the population is large, a representative sample of individuals). If storage is necessary, seed storage studies shall be conducted to determine the best storage techniques for each species. If needed, studies shall be conducted on seed germinated and plants grown to maturity in garden or greenhouse to propagate larger numbers of seed. Seed propagation methods shall ensure that genetic variation is not substantially affected by propagation (i.e., selection for plants best adapted to cultivated conditions). Field studies shall be conducted through the Adaptive Management Program to determine the efficacy and best approach to dispersal of seed into suitable habitat. Where seeds are distributed to the field, they shall be located in preserves in suitable habitat to establish new populations. If seed collection methods fail (e.g., due to excessive seed predation by insects), alternative propagation techniques will be necessary. See also All Covered Plants below.

All Covered Plants

All salvage operations shall be conducted by the East Contra Costa County Habitat Conservancy. To ensure enough time to plan salvage operations, project proponents shall notify the East Contra Costa County Habitat Conservancy of their schedule for removing the covered plant population.

The East Contra Costa County Habitat Conservancy may conduct investigations into the efficacy of salvaging seeds from the soil seed bank for both perennial and annual species. The soil seed bank may add to the genetic variability of the population. Covered species may be separated from the soil through garden/greenhouse germination or other appropriate means. Topsoil taken from impact sites shall not be distributed into preserves because of the risk of spreading new nonnative and invasive plants to preserves. For salvage operations, the East Contra Costa County Habitat Conservancy shall transplant new populations such that they constitute separate populations and do not become part of an existing population of the species, as measured by the potential for genetic exchange among individuals through pollen or propagule (e.g., seed, fruit) dispersal. Transplanting or seeding "receptor" sites (i.e., habitat suitable for establishing a new population) should be carefully selected on the basis of physical, biological, and logistical considerations (Fiedler and Laven 1996); some examples of these are listed below.

- Historic range of the species;
- Soil type;
- Soil moisture;
- Topographic position, including slope and aspect;
- Site hydrology;
- Mycorrhizal associates (this may be important for Mount Diablo manzanita);
- Presence or absence of typical associated plant species; and
- Presence or absence of herbivores or plant competitors. Site accessibility for establishment, monitoring, and protection from trampling by cattle or trail users.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring participation in and compliance with the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate impacts to special-status plant species (Draft EIR pages 4.4-42 through -46).

Impact 4.4-2. Have a substantial adverse effect, either directly or through habitat modifications, on special-status bird species, including those covered under the East Contra Costa County HCP/NCCP, such as Swainson's hawk, tricolored blackbird, burrowing owl, and golden eagle.

Golden Eagle

Mitigation Measure 4.4-2(a). Implement Mitigation Measure 4.4-1(a).

Mitigation Measure 4.4-2(b). The project shall implement the following avoidance measures for potential effects on golden eagles during construction:

- Based on the potential for active nests, prior to implementation of construction activities, including tree removal, a qualified biologist shall conduct a pre-construction survey to establish whether an active golden eagle nest is present on the project site or within 0.5 mile of the project site to the extent the biologist can gain access. If an active nest is not present, further mitigation is not required. If an occupied nest is present, minimization requirements and construction monitoring shall be required, as detailed below.
- Construction activities shall be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January through August, with peak activity in March through July. If site-specific conditions or the nature of the construction activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented, the East Contra Costa County Habitat Conservancy shall coordinate with CDFW/USFWS to determine the appropriate buffer size.
- Construction monitoring shall ensure that no construction activities occur within the buffer zone established around an active nest. Construction monitoring shall ensure that direct effects to golden eagles are avoided.

Swainson's Hawk

Mitigation Measure 4.4-2(c). Implement Mitigation Measure 4.4-1(a).

Mitigation Measure 4.4-2(d). The project applicant shall implement the following avoidance measures for potential effects on Swainson's hawk nests during construction:

- Prior to ground disturbing activities during the nesting season (March 15 through September 15), a qualified biologist shall conduct a pre-construction survey no more than one month prior to construction to establish whether occupied Swainson's hawk nests occur on or within 1,000 feet of the area of proposed construction. If occupied nests are not found, then further mitigation is not required.
- If occupied nests are found, project construction activity shall not occur within a 1,000-foot buffer zone distance from the nest unless a lesser buffer zone is approved by the City in consultation with CDFW. During the nesting season, construction activities shall be avoided within the established buffer zone to prevent nest abandonment. Construction monitoring shall be required to ensure that the established buffer zone is adhered to. If young fledge prior to September 15, construction activities can proceed normally without a buffer zone. If an active nest site is present but shielded from view and noise by other development or other features, the City may waive this avoidance measure (establishment of a buffer zone) if approved by the CDFW.

Burrowing Owl

Mitigation Measure 4.4-2(e). Implement Mitigation Measure 4.4-1(a).

Mitigation Measure 4.4-2(f). The project applicant shall implement the following measures to avoid or minimize impacts to western burrowing owl:

- No more than 14 days prior to initiation of ground disturbing activities, the project applicant shall retain a qualified burrowing owl biologist to conduct a take avoidance survey of the proposed project site, any off-site improvement areas, and all publicly accessible potential burrowing owl habitat within 500 feet of the project construction footprint. The survey shall be performed in accordance with the applicable sections of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If the survey does not identify any nesting burrowing owls on the proposed project site, further mitigation is not required. The take avoidance survey shall be submitted to the City of Pittsburg Community Development Department for review. The survey periods and number of surveys are identified below:
 - o If construction related activities commence during the non-breeding season (1 September to 31 January), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase.
 - o If construction related activities commence during the early breeding season (1 February to 15 April), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase.
 - o If construction related activities commence during the breeding season (16 April to 30 August), a minimum of three take avoidance surveys shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase. If construction related activities commence after 15 June, at least one of the three surveys shall be completed after 15 June.
 - o Because the owls are known to occur nearby and may take up occupancy on a site under construction, the take avoidance survey shall be conducted prior to the start of any new phase, and/or if construction-related activity is delayed or suspended for more than 30 days.
- If active burrowing owl dens are found within the survey area in an area where disturbance would occur, the project applicant shall implement measures consistent with the applicable portions of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If needed, as determined by the biologist, the formulation of avoidance and minimization approaches would be developed in coordination with the CDFW. The avoidance and minimization approaches would likely include burrow avoidance buffers during the nesting season (February to August). For burrowing owls present on-site, outside of the nesting season, passive exclusion of owls from the burrows could be utilized under a CDFW-approved burrow exclusion plan.

Mitigation Measure 4.4-2(g). If active owl burrows are present and the project would impact active burrows, the project applicant shall provide compensatory mitigation for the permanent loss of burrowing owl habitat at a ratio of 2.5 acres of higher quality owl habitat for every one acre of suitable owl habitat disturbed. The calculation of habitat loss may exclude acres currently occupied by hardscape or structures. Such mitigation may include the permanent protection of land that is deemed to be suitable burrowing owl habitat through a conservation easement deeded to a non-profit conservation organization or public agency with a conservation mission, or the purchase of burrowing owl conservation bank credits from a CDFW-approved burrowing owl conservation bank. A record of the compensatory mitigation provided by the project applicant shall be submitted to the City of Pittsburg Community Development Department prior to initiation of ground disturbing activities.

Tricolored Blackbird and Other Special-Status Avian Species

Mitigation Measure 4.4-2(h). Implement Mitigation Measure 4.4-1(a).

Mitigation Measure 4.4-2(i). If construction activities commence anytime during the nesting/breeding season of native bird species potentially nesting on or near the project site (typically February through August in the project region), a pre-construction survey for nesting birds shall be conducted by a qualified biologist within two weeks of the commencement of construction activities.

If active nests are found in areas that could be directly affected or are within 500 feet of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them shall be a minimum of 500 feet for raptors, and a minimum of 50 feet for other species, and may be enlarged by taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring participation in the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate impacts to birds covered under the ECCC HCP/NCCP, including Swainson's hawk, tricolored blackbird, burrowing owl, and golden eagle (Draft EIR pages 4.4-46 through -52).

Impact 4.4-3. Have a substantial adverse effect, either directly or through habitat modifications, on special-status mammals, including San Joaquin kit fox, San Joaquin pocket mouse, American badger, and special-status bats.

San Joaquin Kit Fox, San Joaquin pocket mouse, and American Badger

Mitigation Measure 4.4-3(a). Implement Mitigation Measure 4.4-1(a).

San Joaquin Kit Fox

Mitigation Measure 4.4-3(b). The project shall implement the following avoidance measures for potential effects on San Joaquin kit fox during construction:

- Prior to any ground disturbance, a USFWS/CDFW-qualified biologist shall conduct a pre-construction survey within the proposed disturbance footprint and a surrounding 250-foot radius. The survey shall establish the presence or absence of San Joaquin kit foxes and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS 1999). The pre-construction survey shall be conducted no more than 30 days prior to ground disturbance. On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit foxes and/or suitable dens. Adjacent parcels under different land ownership are not required to be surveyed. The status of all surveyed dens shall be determined and mapped. Written results of pre-construction surveys shall be submitted to USFWS within 5 working days after survey completion and before the start of ground disturbance. Concurrence is not required prior to ground disturbance.
- If San Joaquin kit foxes and/or suitable dens are identified in the survey area, the measures described below shall be implemented.
 - o If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a USFWS/CDFW-qualified biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used.
 - o Unoccupied dens shall be destroyed immediately to prevent subsequent use.
 - o If a natal or pupping den is found, USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW.
 - o If kit fox activity is observed at the den during the initial 3-day monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgment of the biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).

- If dens are identified in the survey area outside the proposed disturbance footprint, exclusion zones around each den entrance or cluster of entrances shall be demarcated. The configuration of exclusion zones should be circular, with a radius measured outward from the den entrance(s). Ground disturbance activities shall not occur within the exclusion zones. Exclusion zone radii for potential dens shall be at least 50 feet and shall be demarcated with four to five flagged stakes. Exclusion zone radii for known dens shall be at least 100 feet and shall be demarcated with staking and flagging that encircles each den or cluster of dens but does not prevent access to the den by kit fox.

San Joaquin Pocket Mouse

Mitigation Measure 4.4-3(c). Grading and vegetation clearing activities shall be conducted in a uniform direction to allow mobile animals, such as San Joaquin pocket mouse, the ability to escape the disturbance area into adjacent undisturbed habitat, and to prevent creating fragmented islands of habitat that would eventually be cleared/graded. The language of this mitigation shall be included, via notation, on any grading plans approved within the Draft Master Plan development area.

American Badger

Mitigation Measure 4.4-3(d). A pre-construction survey for potential den sites shall be conducted by a qualified biologist no more than four weeks before commencement of initial ground disturbance activities. If an occupied den is found (and if young are not present), then any badgers present shall be removed from the den either by trapping or the use of exclusionary devices. Prior to implementation, the removal method shall be approved by CDFW. If trapped, the badgers shall be moved to other suitable habitat. Once any badgers are trapped or excluded, the dens shall be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the badgers are successfully excluded from the site, as determined by a qualified biologist. Badgers shall not be relocated if it is determined by the biologists that young are or may be present.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring participation in the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate impacts to the San Joaquin kit fox. Additionally, while the American badger and San Joaquin pocket mouse are not covered species under the ECCC HCP/NCCP, the on-site grassland foraging habitat potentially used by both species is the same type and acreage of habitat whose loss would be mitigated by payment of the Development Fee pursuant to the HCP/NCCP, or execution of an "in-lieu-of fee" agreement (Draft EIR pages 4.4-53 through -56).

Impact 4.4-4. Have a substantial adverse effect, either directly or through habitat modifications, on California tiger salamanders.

Mitigation Measure 4.4-4(a). Implement Mitigation Measure 4.4-1(a).

Mitigation Measure 4.4-4(b). Prior to any ground disturbance, a USFWS/CDFW–approved biologist shall identify potential breeding habitat for CTS. If the project fills or surrounds suitable breeding habitat, the project proponent shall notify USFWS, CDFW, and the East Contra Costa County Habitat Conservancy of the presence and condition of potential breeding habitat, as described below. Preconstruction surveys are not required.

Written notification to USFWS, CDFW, and the East Contra Costa County Habitat Conservancy, including photos and breeding habitat assessment, is required prior to disturbance of any suitable breeding habitat. The project proponent shall also notify these parties of the approximate date of removal of the breeding habitat at least 30 days prior to this removal to allow USFWS or CDFW staff to translocate individuals, if requested. USFWS or CDFW must notify the project proponent of their intent to translocate CTS within 14 days of receiving notice from the project proponent. The applicant must allow USFWS or CDFW access to the site prior to construction if they request it. Restrictions under this Plan on the nature of the disturbance or the date of the disturbance do not exist unless CDFW or USFWS notify the project proponent of their intent to translocate individuals within the required time period. In this case, the project proponent must coordinate the timing of disturbance of the breeding habitat to allow USFWS or CDFW to translocate the individuals. USFWS and CDFW shall be allowed 45 days to translocate individuals from the date the first written notification was submitted by the project proponent (or a longer period agreed to by the project proponent, USFWS, and CDFW).

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring participation in the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate impacts to the California tiger salamanders (Draft EIR pages 4.4-57 through -58).

Impact 4.4-5. Have a substantial adverse effect, either directly or through habitat modifications, on California red-legged frogs.

Mitigation Measure 4.4-5. Implement Mitigation Measure 4.4-1(a).

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring participation in the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate impacts to the California red-legged frog (Draft EIR pages 4.4-58 through -59).

Impact 4.4-6. Have a substantial adverse effect, either directly or through habitat modifications, on western pond turtle.

Mitigation Measure 4.4-6. Implement Mitigation Measure 4.4-1(a).

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring

participation in the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate impacts to the western pond turtle (Draft EIR pages 4.4-59 through -60).

Impact 4.4-8. Have a substantial adverse effect, either directly or through habitat modifications, on western bumble bee.

Mitigation Measure 4.4-8. Implement Mitigation Measure 4.4-1(a).

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level. While the western bumble bee is not a covered species under the ECCC HCP/NCCP, the on-site grassland foraging habitat potentially used by the species is the same type and acreage of habitat whose loss would be mitigated by payment of the Development Fee pursuant to the HCP/NCCP, or execution of an "in-lieu-of fee" agreement. Therefore, payment of Development fees or execution of an "in-lieu of fee" agreement for covered ECCC HCP/NCCP species would provide similar mitigation for western bumble bee (Draft EIR pages 4.4-60 through -61).

Impact 4.4-12. Indirect impacts on adjacent lands.

Mitigation Measure 4.4-12(a). Implement Mitigation Measure 4.1-3.

Mitigation Measure 4.4-12(b). Prior to Improvement Plan approval, the project applicant shall prepare a list of recommended and prohibited landscaping plants for homes and common areas within the project site. The list shall be subject to review and approval by the City of Pittsburg Community Development Department. The list shall include a plant palette composed of non-invasive species and shall list invasive plant species that residents may not plant on the project site. The list of prohibited plants shall be compiled in cooperation with a qualified restoration specialist and distributed to future occupants of the project site as part of the Covenants, Conditions, and Restrictions (CC&R) applicable to future residential development.

Mitigation Measure 4.4-12(c). In deed disclosures, the project applicant shall notify all property owners/buyers of the potential interactions that may occur between pets and native wildlife. The disclosures shall discuss the presence of native animals (e.g., coyote, bobcat, mountain lion) that could prey on pets, and state that the property owners and/or residents shall not take any actions against native animals should they prey on pets that are allowed outdoors (unless danger of attacks on humans is present). The property owners shall be informed of the importance of keeping pets inside or within fenced yards for the pet's protection, as well as to protect nearby sensitive biological resources. The property owners shall also be informed of the importance of properly storing trash and not feeding wildlife so as not to attract non-native wildlife that could prey on native species.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring that lighting would not trespass onto adjacent properties, offering recommended and

prohibited landscaping plant types, and educating property owners (Draft EIR pages 4.4-63 through -66).

Furthermore, as stated in the Draft EIR, the portion of the Concord Naval Weapons Station that borders the project site to the south would be maintained as a park and open space by the East Bay Regional Park District. Maintaining this open space would provide opportunities for continued northwest-southeast wildlife movement in the area. Additionally, according to the ECCC HCP/NCCP, the project site is identified as being within the "lower" level of acquisition effort area in regards to "Needed Regional Connections with ECCC HCP/NCP System under the Maximum Urban Development Area." Thus, the project would not be considered to substantially interfere with the regional movement of wildlife species. (Final EIR page 2-5.)

Impact 4.4-14. Conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation Measure 4.4-14. Implement Mitigation Measure 4.4-1(a).

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring payment of the applicable ECCC HCP/NCCP per-acre Development Fee in effect for Zone II (Draft EIR page 4.4-67).

Impact 4.4-15. Cumulative loss of biological resources.

Mitigation Measure 4.4-15. Implement Mitigation Measures 4.4-1(a) through 4.4-14.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring participation in the ECCC HCP/NCCP, which provides a mechanism to adequately mitigate the project's contribution to cumulative impacts to potentially-occurring sensitive species listed in the ECCC HCP/NCCP. The proposed project's individual impacts to species not covered under the ECCC HCP/NCCP would be mitigated to a less-than-significant level with the mitigation measures listed above (Draft EIR pages 4.4-68 through -69).

Cultural and Tribal Resources

Impact 4.5-2. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 1564.5, directly or indirectly destroy a unique paleontological resource or unique geologic features, or disturb any human remains, including those interred outside of formal cemeteries.

Mitigation Measure 4.5-2(a). In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during earth-moving activities, all work within 100 feet of the resource shall be halted, and the applicant shall consult with a qualified archeologist. Representatives of the

City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation.

Mitigation Measure 4.5-2(b). If a human bone or bone of unknown origin is found during earth-moving activities, all work shall stop within 100 feet of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.

Mitigation Measure 4.5-2(c). If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.

If a Native American archeological, ethnographic, or a spiritual resource is discovered, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and are Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.

In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.

Mitigation Measure 4.5-2(d). The applicant shall retain the services of a professional paleontologist/archaeologist to educate the construction crew that will be conducting grading and excavation at the project site. The education shall consist of an introduction to the geology of the project site and the kinds of fossils, archeological, and/or Native American resources that may be encountered, as well as what to do in case of a discovery.

Should any paleontological resources be unearthed by the construction crew, such as vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves), then ground-disturbing activity shall be diverted to another part of the project site and the paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. Proof of the construction crew awareness

training shall be submitted to the City's Community Development Department in the form of a copy of training materials and the completed training attendance roster.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring appropriate handling of any encountered prehistoric subsurface archeological features, human remains, or Native American site, and educating the construction crew on resource discovery protocols (Draft EIR pages 4.5-14 through -17). Impact 4.5-3. Directly or indirectly disturb or destroy a unique tribal cultural resource, such as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe.

Mitigation Measure 4.5-3. Implement Mitigation Measures 4.5-2(a) through 4.5-2(d).

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring appropriate handling of any encountered prehistoric subsurface archeological features, human remains, or Native American site, and educating the construction crew on resource discovery protocols (Draft EIR page 4.5-17).

Geology and Soils

Impact 4.6-1. The project site is subject to seismic risks including fault rupture, strong ground shaking, and liquefaction that could adversely affect future development.

Mitigation Measure 4.6-1. As part of any future development application, the project applicant shall undertake a design-level geotechnical report that will include a subsurface exploration of soil borings and/or cone penetration tests within the development areas and laboratory soil testing to provide data for preparation of specific recommendations regarding grading, foundations, and drainage for the proposed construction. A California Registered Civil Engineer or Geotechnical Engineer shall produce a design-level geotechnical engineering report subject to prior review and written approval by the City Engineer. The report shall address the following:

1. The magnitude of remedial grading needed for the site;
2. Construction of high cut slopes and relatively deep fills;
3. The existence of adverse bedrock bedding;
4. The potential presence of artificial, undocumented fills;
5. The potential presence of compressible alluvial soils;
6. The liquefaction potential within alluvial-filled valley areas;
7. The anticipated effects of local groundshaking on the proposed development; and
8. Identification of the extent of liquefaction and lateral spreading in the potential development area.

Furthermore, the design-level geotechnical engineering report shall include project design measures and engineering techniques to avoid risks to people and structures from identified liquefaction and lateral spreading; address structures, structural foundations, and grading practices consistent with the CBC and any applicable City building and grading standards; and address both construction and operation of the project, as applicable. Design measures and engineering techniques may include, at a minimum, the following:

- Recommendations for strengthened foundations to resist excessive differential settlement associated with seismically-induced liquefaction;
- Removal and replacement of potentially liquefiable soils; and/or
- Densify potentially liquefiable soils with an in-situ ground improvement technique.

The Design Level Geotechnical Report shall identify the portions of the project site that cannot be graded and developed to meet CBC standards. Development shall not be allowed within those areas. The report shall be completed by a consultant selected and hired by the City of Pittsburg. The developer shall be responsible for the full cost of the report. Prior to the issuance of any Grading Permit and approval of a Tentative Map, the City Engineer shall review the Design Level Geotechnical Report and determine that the proposed grading conforms to the CBC.

Prior to issuance of building permits, the City shall site-inspect to ensure that construction is in accordance with the approved plans and incorporates all required design measures and engineering techniques, and that such measures perform as identified in the design-level geotechnical engineering report and conforms to the standards of the CBC.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation of, and implementation of the recommendations within, a design-level geotechnical report that includes clear performance standards and timelines for implementation (Draft EIR pages 4.6-16 through -19).

Impact 4.6-2. Implementation of the project could result in substantial erosion or loss of topsoil.

Mitigation Measure 4.6-2. As part of any future development application, the project applicant shall submit an erosion control plan subject to prior review and written approval by the City Engineer to limit the erosion effects during construction of the proposed project. Measures shall be identified to limit and control the amount of erosion, and the transport of soils or sediment off of the construction site. Measures could include, but are not limited to:

- Hydro-seeding exposed soils;
- Placement of erosion control measures within drainageways and ahead of drop inlets;

- The temporary lining (during construction activities) of drop inlets with “filter fabric” (a specific type of geotextile fabric);
- The placement of straw wattles along slope contours and back-of-curb prior to installation of landscaping;
- Directing subcontractors to a single designation “wash-out” location (as opposed to allowing them to wash-out in any location they desire);
- The use of siltation fences; and
- The use of sediment basins and dust palliatives.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation and implementation of an erosion control plan that includes clear performance standards and timelines for implementation (Draft EIR pages 4.6-19 through -20).

Impact 4.6-3. Implementation of the project could result in risks to people and structures associated with compressible soil, undocumented fill, expansive soils, and/or corrosive soil.

Mitigation Measure 4.6-3. The design-level geotechnical engineering report required by Mitigation Measure 4.6-1 shall address the potential for compressible soil, undocumented fill, corrosive soil, and expansive soil on the project site and shall identify engineering techniques to reduce any identified impacts to less than significance. The techniques shall include but not be limited to the following:

- Undocumented fill - the over-excavation of a minimum of three feet of soil to remove existing non-engineered fill in order to place engineered fill;
- Corrosive soil – If on-site soil is found to be corrosive to concrete, preventative measures such as protective treatment of concrete surfaces or the use of corrosion resistant materials shall be included in site design; and
- Expansive soil – The use of post-tensioned concrete mat foundations or similarly stiffened foundations systems which are designed to resist the deflections associated with soil expansion.

The Design Level Geotechnical Report shall identify the portions of the project site that cannot be graded and developed to meet CBC standards. Development shall not be allowed within those areas. The report shall be completed by a consultant selected and hired by the City of Pittsburg. The developer shall be responsible for the full cost of the report. Prior to the issuance of any Grading Permit and approval of a Tentative Map, the City Engineer shall review the Design Level Geotechnical Report and determine that the proposed grading conforms to the CBC.

Prior to issuance of building permits, the City shall site-inspect to ensure that construction is in accordance with the approved plans and incorporates all required design measures and engineering techniques, and that such measures perform as identified in the design-level geotechnical engineering report to address compressible soil, undocumented fill, corrosive soil, and expansive soil impacts and conforms to the CBC.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring implementation of all recommendations within the design-level geotechnical report that includes clear performance standards and timelines for implementation (Draft EIR pages 4.6-21 through -23).

Impact 4.6-4. Implementation of the project could result in risks to people and structures associated with landslides.

Mitigation Measure 4.6-4(a). The design-level geotechnical engineering report required by Mitigation Measure 4.6-1 shall address the existing landslides and the potential for landslides to occur throughout the project site. In addition, the design-level geotechnical engineering report shall include and address the following:

1. Characterization and remediation of existing large-scale landslides;
2. Description of the proximity of the project site and development areas to existing graded parcels;
3. Settlement and deflection of deep fills; and
4. Potential erosion of high cut slopes and fill slopes.

Furthermore, the design-level geotechnical engineering report shall include design measures to reduce the risks from landslides, which may include, but are not limited to, the following techniques:

- Graded cut and fill slopes over 15 feet in vertical height should be no steeper than 3H:1V (Horizontal:Vertical). Cut and fill slopes up to 15 feet in vertical height may be constructed at slope gradients no steeper than 2H:1V;
- Graded cut and fill slopes exceeding 30 feet in height may be provided with intermediate benches on the slope surface spaced no greater than 30 feet vertically. Benches should be at least at 8 feet wide with a concrete-lined J or V-ditch to intercept surface runoff;
- Mass grading should begin with construction of toe keys and subdrains. All fills should be adequately keyed into firm natural materials unaffected by shrinkage cracks. Recommended keyway sizes and locations will be determined by the Geotechnical Engineer and will be approximately shown in the final remedial grading plans. Additionally, where fills are placed along slopes, subexcavated benches should be planned above toe keys as filling progresses. The Geotechnical Engineer will determine the actual size of the keyways during plan review and supplemental recommendations provided during grading. Toe keyways should also be used along where debris benches are recommended in design-level geotechnical studies; and
- A Geotechnical Engineer shall prepare all grading and slope stability plans.

The Design Level Geotechnical Report shall identify the portions of the project site that cannot be graded and developed to meet CBC standards. Development shall not be allowed within those areas. The report shall be completed by a consultant selected and hired by the City of Pittsburg. The developer shall be responsible for the full cost of the report. Prior to the issuance of any Grading Permit and approval of a Tentative

Map, the City Engineer shall review the Design Level Geotechnical Report and determine that the proposed grading conforms to the CBC.

Prior to issuance of building permits, the City shall site-inspect to ensure that construction is in accordance with the approved plans and incorporates all required design measures and engineering techniques, and that such measures perform as identified in the design-level geotechnical engineering report to address landsliding and slope stability impacts and compliance with the CBC.

Mitigation Measure 4.6-4(b). The project applicant shall establish a GHAD encompassing the area within a 1,000-foot radius of the area affected by the 2007 landslide south of Vista Del Mar. Establishment of the GHAD shall ensure that potential future development or grading activity conducted within the vicinity includes proper mitigation techniques to ensure long-term stability of the area and reduce potential impacts related to slope instability. Specific grading techniques to ensure slope stability may include, but are not limited to, the techniques outlined in Mitigation Measure 4.6-4(a) of this EIR.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring implementation of all recommendations within the design-level geotechnical report that includes clear performance standards and timelines for implementation (Draft EIR pages 4.6-23 through -26).

Impact 4.6-5. Cumulative increase in the potential for geological related impacts and hazards.

Mitigation Measure 4.6-5. Implement Mitigation Measures 4.6-1(a), 4.6-3, 4.6-4(a), and 4.6-4(b).

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation of, and implementation of the recommendations within, a design-level geotechnical report as well as preparation and implementation of an erosion control plan that includes clear performance standards and timelines for implementation (Draft EIR pages 4.6-27 through -28).

Hazards and Hazardous Materials

Impact 4.7-1. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Asbestos-Containing Materials

Mitigation Measure 4.7-1(a). Prior to issuance of a demolition permit for any on-site structures, the project applicant shall provide a detailed assessment to the City Planning Department pertaining to the potential presence of asbestos-containing

materials in existing on-site structures to be demolished. If asbestos-containing materials are not detected, further mitigation is not required. If asbestos-containing materials are detected, the applicant shall prepare and implement an asbestos abatement plan consistent with federal, State, and local standards, subject to review and approval by the Bay Area Air Quality Management District and the City Planning Department.

Lead-Based Paint

Mitigation Measure 4.7-1(b). Prior to issuance of a demolition permit for any on-site structures, the project applicant shall provide a detailed assessment to the City Planning Department pertaining to the potential presence of lead-based paint in existing-on-site structures to be demolished. If lead-based paint is not detected, further mitigation is not required. If lead-based paint is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with federal, State, and local regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with federal, State, and local regulations subject to review and approval by the Bay Area Air Quality Management District and the City Planning Department.

Above-Ground Storage Tanks

Mitigation Measure 4.7-1(c). Prior to issuance of any grading permits, the applicant shall hire a qualified geotechnical engineer to remove and abandon the two on-site ASTs in accordance with federal, State, and local guidelines, pursuant to review and approval by the City Engineer and the Contra Costa Health Services Department. In addition, an evaluation of the area surrounding the storage tanks for unusual odors, visible discoloration, or other indications of soil contamination shall be conducted. If soils suspected of being contaminated are encountered, they shall be stockpiled on plastic sheeting. Stockpiled soils shall be sampled in accordance with the San Francisco Bay Regional Water Quality Control Board guidelines, and the findings forwarded to the San Francisco Bay Regional Water Quality Control Board for review. Further remediation, if necessary, and disposal of the soils shall be conducted in accordance with State and federal guidelines.

On-Site Water Supply Wells

Mitigation Measure 4.7-1(d). Prior to initiation of any ground disturbing activities within 50 feet of a well on the project site, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from the Contra Costa Health Services Department, and properly abandon the on-site wells in accordance with regional and local standards, pursuant to review and approval by the City Engineer and the Contra Costa Health Services Department.

On-Site Septic Systems

Mitigation Measure 4.7-1(e). Prior to initiation of any ground disturbing activities within 50 feet of a septic tank on the project site, the applicant shall hire a qualified geotechnical engineer to obtain a septic system abandonment permit from the Contra Costa Health Services Department, and properly abandon the on-site septic systems, pursuant to review and approval by the City Engineer and the Contra Costa Health Services Department.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring appropriate handling of potentially hazardous materials during construction and demolition (Draft EIR pages 4.7-6 through -10).

Impact 4.7-2. Emit hazardous emissions or handle hazardous materials within one-quarter mile of a school.

Mitigation Measure 4.7-2. Implement Mitigation Measures 4.7-1(a-e).

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring appropriate handling of potentially hazardous materials during construction and demolition (Draft EIR page 4.7-10).

Impact 4.7-4. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Mitigation Measure 4.7-4(a). Development of the proposed project shall include the installation of fire suppression systems (e.g., fire hydrants, fire sprinklers, smoke detectors) and be designed in accordance with the latest requirements of the California Fire Code. All project development plans shall be subject to review by the Contra Costa County Fire Protection District as part of the future discretionary development applications and Building Permit review processes to ensure the provisions of the California Fire Code are included in the plans. Fire-resistant roof construction, fire-resistant attachments, vegetative buffer zones, and other fire-safe measures may be required as part of their review.

Mitigation Measure 4.7-4(b). The Master Plan shall include the following language under Section 2(A)(4):

- e) Defensible space in accordance with the guidelines of the California Fire Protection Standards shall be maintained in all portions of the Master Plan Area adjacent to open space areas. If the required defensible space distances cannot be attained, structures within the defensible space shall be constructed with fire-resistant materials and practices.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring installation of appropriate fire suppression systems (Draft EIR pages 4.7-11 through -13).

Hydrology and Water Quality

Impact 4.8-1. Substantially alter the existing drainage pattern of the site or area or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

Mitigation Measure 4.8-1. As part of any development application, the applicant shall submit a site-specific drainage study which shall identify site design measures, source controls, and stormwater treatment and flow control measures showing that the project runoff will not exceed the capacity of existing and planned stormwater drainage systems and will not result in flooding on- or off-site. The study shall include, but not be limited to, the following:

- Calculations of pre-development runoff conditions and post-development runoff conditions, using appropriate engineering methods;
- An assessment of downstream drainage and City storm-water facilities impacted by potential project runoff in accordance with General Plan Policy 9-P-21, which requires the following:
 - o Calculate potential sedimentation and runoff based on the maximum storm event and determine necessary capacity of the downstream drainage system. If the project presents potential downstream sedimentation, runoff, or flooding issues, the drainage study shall require additional mitigation including, but not limited to, limitations on grading, construction only in dry seasons, and funding for downstream improvements, maintenance, and repairs;
- Assessment of existing drainage facilities within the project area and an inventory of necessary upgrades, replacements, redesigns, and/or rehabilitation in order to accommodate the proposed project;
- Recommendation of appropriate design measures required to meet C.3 requirements, and relevant requirements from Chapter 13.28 of the City's Municipal Code; and
- A proposed maintenance program for the on-site drainage system.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation of a site-specific drainage study and implementation of the proposed maintenance program (Draft EIR pages 4.8-16 through -18).

Impact 4.8-2. Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality through erosion during construction.

Mitigation Measure 4.8-2. Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:

- Silt fencing;
- Fiber Rolls;
- Vehicle washout areas and trackout control;
- Desilting Basins;
- Gravel Bag Berms; or
- Storm Drain inlet protection.

The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Property boundaries between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation and implementation of a Storm Water Pollution Prevention Plan and implementation of BMPs, such as silt fencing, and fiber rolls, to reduce pollutants in stormwater discharges to the maximum extent practicable (Draft EIR pages 4.8-18 through -20).

Impact 4.8-3. Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during operations.

Mitigation Measure 4.8-3. Implement Mitigation Measure 4.8-1.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation of a site-specific drainage study and implementation of the proposed maintenance program (Draft EIR pages 4.8-20 through -21).

Land Use and Planning

Impact 4.9-1. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect.

Mitigation Measure 4.9-1. Prior to approval of the first tentative map for the project site, the Land Use Map for the proposed project shall be revised to remove development from all areas with elevations in excess of 900 feet. All areas within the project site with elevations in excess of 900 feet shall be designated as Open Space, and, with the exception of areas designated for development of a future water tank, future development shall not be allowed to occur in any areas of the project site with elevations exceeding 900 feet. The revised Land Use Map shall be subject to review and approval by the City of Pittsburg Community Development Department.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring that the proposed project would be consistent with all applicable land use plans, policies, and regulations of agencies with jurisdiction over the project, including (but not limited to) the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 and Contra Costa County Local Agency Formation Commission Policies (c), (d), (f), (h), (n), and (o) (Draft EIR pages 4.9-18 through 4.9-23).

Noise

Impact 4.10-2. Expose persons to or generate noise levels in excess of standards established in the General Plan.

Mitigation Measure 4.10-2. As part of any development application, the applicant shall submit a site-specific noise study with an analysis of traffic and any other significant noise generators and recommended measures to reduce the exterior and interior noise levels at all future residences or other sensitive receptors to below 65 dB Ldn and 45 dB Ldn, respectively. Potential measures could include, but would not be limited to, inclusion of noise buffers in site design, restriction of two-story homes, or incorporation of noise-insulating building materials such as windows with a sound transmission class rating of 35-38 and resilient channels for walls.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring preparation of, and implementation of the recommendations included within, a site-specific noise study (Draft EIR page 4.10-16).

Impact 4.10-3. Construction of the project could cause a substantial temporary increase in ambient noise levels.

Mitigation Measure 4.10-3(a). In compliance with Section 18.82.040 of the City's Municipal Code, construction hours shall be restricted to 8:00 AM to 5:00 PM. In addition, construction shall not occur on City-observed holidays. Such restrictions shall be noted on grading plans and other construction plans for the review and approval of the City of Pittsburg Community Development Department.

Mitigation Measure 4.10-3(b). Prior to issuance of any grading permit, the project contractor shall ensure that all equipment to be used in the construction of the project (i.e., owned, leased, and subcontractor vehicles) shall be fitted with factory equipped

mufflers and in good working order, subject to review and approval by the City Engineer. The aforementioned requirements shall be noted on the grading plans.

Mitigation Measure 4.10-3(c). If the project is constructed in phases, construction staging areas and construction activities shall be located as far from prior phases as feasible, as determined by the City Engineer. Such restrictions shall be noted on grading plans and other construction plans for the review and approval of the City of Pittsburgh Community Development Department.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring construction noise occurs in allowable hours, equipment is properly maintained, and that construction phases are coordinated appropriately (Draft EIR pages 4.10-16 through -18).

Public Services and Utilities

Impact 4.11-1. Result in insufficient water supply available to serve the project from existing entitlements and resources, or require the construction of new water delivery, collection, or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Mitigation Measure 4.11-1(a). The developer shall provide all necessary documentation required by the CCWD for its application for inclusion of the project site in the CVP. No grading or building permits shall be issued until the project site has been annexed into the CCWD service area and the developer provides the City with a "Will Serve" letter from the CCWD verifying that the project site has been included in the CVP.

Mitigation Measure 4.11-1(b). Prior to final subdivision map approval, per SB 221 (Government Code Section 66473.7), the water supplier (the City of Pittsburgh) shall provide a written verification that the water supply for the proposed project is sufficient, to the satisfaction of the CCWD.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring that a "Will Serve" letter from CCWD is received prior to development (Draft EIR pages 4.11-26 through -29). CCWD has the capacity to serve the proposed project, and although deficits may occur in single- or multiple-dry years, the response to recent drought-related supply curtailments has shown that the City and CCWD could adequately respond to drought conditions and provide sufficient water supplies to the project (Draft EIR page 4.11-29).

Impact 4.11-2. Exceed wastewater treatment requirements of the applicable RWQCB, require the construction of new wastewater delivery, collection, or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, or require sewer service that may not be available by the area's wastewater treatment provider.

Mitigation Measure 4.11-2(a). The developer shall provide all necessary documentation required by the DDS D for its application for inclusion of the project site in the DDS D's service area. No grading or building permits shall be issued until the project site has been annexed into the DDS D service area and the developer provides the City with a "Will Serve" letter from the DDS D.

Mitigation Measure 4.11-2(b). In conjunction with the first development application within the Draft Master Plan Area, the developer shall provide to the City confirmation from the DDS D that adequate trunk sewer system capacity exists to serve the proposed project.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by ensuring that a "Will Serve" letter from DDS D is received prior to development (Draft EIR pages 4.11-29 through -31). According to the Sanitary Sewer System technical memorandum prepared for the proposed project by Isakson & Associates Inc., development of the proposed project would not result in any new capacity deficiencies at buildout (Draft EIR page 4.11-30).

Transportation, Traffic, and Circulation

Impact 4.12-4. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation Measure 4.12-4(a). As part of any future development applications, the project applicant shall demonstrate that the project would include bus turnouts, including shelters and bicycle racks, where appropriate. The turnouts, shelters, and bicycle racks shall be constructed with the roadway improvements consistent with General Plan Policy 7-P-29. The final location and design of the turnouts, shelters, and bicycle racks shall be submitted to the City Engineer for review and approval prior to approval of a future tentative subdivision map.

Mitigation Measure 4.12-4(b). As part of any future development applications, the project applicant shall demonstrate that the project would provide linkages to nearby pedestrian and bicycle facilities consistent with the Design Review Guidelines provided in the Draft Master Plan. The final location and design of the linkage shall be submitted to the City Engineer for review and approval prior to approval of a future tentative subdivision map.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring all future development to include provision of circulation-related facilities, as necessary, and to provide connections to nearby pedestrian and bicycle facilities (Recirculated Draft EIR pages 4.12-71 through -73).

Impact 4.12-7. Result in an internal circulation system design that does not meet City standards, substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access.

Mitigation Measure 4.12-7. As part of any future development applications, the project applicant shall submit a circulation plan to the City identifying how many units would be constructed before implementation of the proposed secondary access point at Bailey Road. The circulation plan shall comply with all applicable Contra Costa County Fire District standards related to emergency access.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring submittal of a circulation plan to ensure adequate emergency access (Recirculated Draft EIR pages 4.12-78 through -79).

Impact 4.12-10. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities under Long-Term (2035) Plus Project Conditions.

Mitigation Measure 4.12-10. Implement Mitigation Measures 4.12-4(a) and 4.12-4(b).

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less-than-significant level by requiring all future development to include adequate infrastructure, including bus turnouts, shelters, bicycle racks, and linkages to nearby pedestrian and bicycle facilities, consistent with existing General Plan policies and the Design Review Guidelines included in the Draft Master Plan. (Recirculated Draft EIR page 4.12-103).

SECTION 2:
FINDINGS ON POTENTIALLY SIGNIFICANT, UNAVOIDABLE IMPACTS

Aesthetics

Impact 4.1-2. Substantial degradation of the existing visual character or quality of the project site and/or the site's surroundings.

Mitigation Measure: None feasible.

Finding: Feasible mitigation to reduce the alteration of the natural topography of the project site is not available at this time. Therefore, the impact would remain significant and unavoidable (Draft EIR pages 4.1-19 through -32). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Air Quality and Greenhouse Gas Emissions

Impact 4.3-1. Generation of short-term construction-related criteria air pollutant emissions in excess of 54 lbs/day for ROG, NO_x, and PM_{2.5} and 82 lbs/day for PM₁₀.

Mitigation Measure 4.3-1. Prior to issuance of a grading permit, the project applicant shall show on the grading plans via notation that the contractor shall ensure that all off-road heavy-duty diesel-powered equipment larger than 100 horsepower (e.g., rubber tired dozers, excavators, graders, scrapers, pavers, paving equipment, and cranes) to be used for each phase of construction of the project (i.e., owned, leased, and subcontractor vehicles) shall meet USEPA emissions standards for Tier 4 engines or equivalent. The grading plans shall be submitted for review and approval by the City Engineer.

Finding: The above feasible mitigation measure will substantially lessen the significant environmental impact described by reducing construction emissions of NO_x. However, NO_x emissions would remain in excess of the applicable threshold of significance of 54 lbs/day. Additional feasible mitigation does not exist to reduce the NO_x emissions to below the applicable threshold of significance, and the impact would remain significant and unavoidable (Draft EIR pages 4.3-32 through -34). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.3-2. Generation of operational criteria air pollutant emissions in excess of 54 lbs/day for ROG, NO_x, and PM_{2.5} and 82 lbs/day for PM₁₀ and conflict with or obstruct implementation of the 2017 Clean Air CAP, and/or the 2001 Ozone Attainment Plan.

Mitigation Measure 4.3-2. In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that ROG and NO_x emissions associated with project operations would not exceed the BAAQMD 54lbs/day thresholds of significance. Mitigation measures shall be developed in coordination with the BAAQMD and shall include, those measures set forth in Mitigation Measure 4.3-5(a) and the following measures listed below:

- Use zero-VOC paints, finishes, and adhesives only;
- Install smart meters and programmable thermostats;
- Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.);
- Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches;
- Promote ridesharing, transit, bicycling, and walking for work trips;
- Promote use of public electric vehicle charging infrastructure;
- Provide traffic calming features;
- Pre-wire homes for photovoltaic systems;
- Use water efficient landscapes and native/drought-tolerant vegetation; and
- Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment.

If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where BAAQMD would commit to reducing the type and amount of emissions identified in the agreement.

The analysis and proposed mitigation measures shall be reviewed as part of the development review process.

Finding: The above feasible mitigation measure will substantially lessen the significant environmental impact described by reducing operational emissions of ROG and NO_x. However, until further project-level design details are available and a project-level air quality analysis can be performed to show otherwise, the impact is assumed to remain significant and unavoidable (Draft EIR pages 4.3-34 through -37). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR.

The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.3-4. Generation of cumulative criteria air pollutant emissions in excess of 10 tons/year for ROG, NO_x, and PM_{2.5} and 15 tons/yr for PM₁₀.

Mitigation Measure 4.3-4. Implement Mitigation Measure 4.3-2.

Finding: The above feasible mitigation measure will substantially lessen the significant environmental impact described by reducing operational emissions of ROG and NO_x. However, until further project-level design details are available and a project-level air quality analysis can be performed to show otherwise, the impact is assumed to remain significant and unavoidable (Draft EIR pages 4.3-41 through -42). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.3-5. Generation of a cumulatively considerable contribution to GHG emissions in excess of 1,100 MTCO_{2e}/yr or 4.6 MTCO_{2e}/SP/yr by 2020, 660 MTCO_{2e}/yr or 2.76 MTCO_{2e}/SP/yr by 2030, or an 80 percent reduction from 1990 levels by 2050.

Mitigation Measure 4.3-5(a). In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that project GHG emissions would not exceed 2.76 MTCO_{2e}/SP/yr threshold of significance. Mitigation measures shall be developed in coordination with BAAQMD and shall include, but not be limited to, BAAQMD's recommended mitigation measures as follows:

- Use of cool roof materials;
- Planting of shade trees;
- Improvement of bike network (connection to adjacent areas, connection to bike network, etc.);
- Improvement of pedestrian network (complete sidewalks, connection to adjacent areas, etc.);
- Extension of transit service into project site.
- Implementation of bicycle facilities;
- Community-based traveling;
- Participation in bike sharing programs;
- Providing of charging stations and preferential parking spots for electric vehicles;
- Minimizing the use of cul-de-sacs and incomplete roadway segments;
- Installation of energy star appliances;

- Installation of solar water heating;
- Exceeding minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);
- Providing community composting facilities or curbside food waste services;
- Elimination of natural gas infrastructure; and
- Reduction of VMT by 15 percent per capita consistent with SB 743 targets and OPR technical guidance.

Mitigation Measure 4.3-5(b). The project-level air quality analysis required by Mitigation Measure 4.3-5 (a) shall include an analysis of project-level GHG emissions. Such project level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure 4.3-5 (a) designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the 2022 Ramboll Report or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall deem all measures in Mitigation Measure 4.3-5(a) feasible or presumptively feasible unless the applicant can demonstrate otherwise with substantial evidence.

Finding: Implementation of the above feasible mitigation measures would reduce the significant impact associated with the generation of GHG emissions. However, unless subsequent GHG emissions analysis can be performed to show otherwise, the impact is assumed to remain cumulatively considerable and significant and unavoidable (Draft EIR 4.3-42 through -45). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Public Services and Utilities

Impact 4.11-4. Result in substantial adverse physical impacts associated with the provisions of new or physically altered fire protection facilities, and/or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection facilities.

Mitigation Measure 4.11-4. Prior to recordation of a Final Map for any portion of the proposed project site, the project applicant shall provide proof, to the City of Pittsburg Community Development Department, that the proposed project site has been annexed into CFD 2017-1.

Finding: The above feasible mitigation measures will lessen the significant environmental impact described, as inclusion of the project site within CFD 2017-1 would ensure that special taxes would be assessed on future development within the project site, which would support the provision of emergency medical and fire protection services. However, the project site is located outside of the 1.5-mile response time radius of the nearest fire station, and mitigation that would establish project consistency with the location criteria goals prescribed in General Plan Policy 11-P-26 does not exist. No other mitigation measures were recommended to the City during the public comment period for the Draft EIR to address this impact. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.11-10. Development of the proposed project, in combination with future buildout in the City of Pittsburg, would increase demand for additional public services and utilities.

Mitigation Measure: None feasible.

Finding: The proposed project's incremental contribution to increases in demand for fire protection services would be considered significant and unavoidable (Draft EIR pages 4.11-40 through -42). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Transportation, Traffic, and Circulation

Impact 4.12-2. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the study intersections under Existing Plus Project Conditions.

Mitigation Measure 4.12-2(a). As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1028). Such improvements would include, but would not necessarily be limited to, the following:

1. The EB SR-4 Ramps/Willow Pass Road intersection shall be signalized, a southbound left turn lane shall be added, the shared southbound through-left lane shall be restriped to be a through lane, and the eastbound approach shall be restriped to be an eastbound left turn lane and a shared eastbound through-right lane; and
2. The WB SR-4 Ramps/Willow Pass Road shall be signalized, a northbound left turn lane shall be added, the northbound shared through-left turn lane shall be restriped to be a through lane, and the westbound approach shall be restriped to be two westbound left turn lanes and a shared westbound through-right lane.

Proof of payment shall be submitted to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-2(b). As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Concord CIP (Project 2049). Such improvements would include, but would not necessarily be limited to, the following:

- The southbound approach at the Concord Boulevard and Bailey Road intersection shall be widened and restriped to include a southbound left turn lane, a southbound through lane, and a southbound right turn lane. The northbound approach shall be widened to be a northbound left turn lane and a shared through-right turn lane;
- The northbound and southbound approach shall be modified from split phasing to protected phasing; and
- The Bailey Road and Myrtle Drive intersection shall be signalized, a southbound left turn lane shall be added, and the shared southbound through-left lane shall be restriped to be a through lane.

Finding: The above feasible mitigation measures would reduce some impacts to the intersections found to operate unacceptably. However, impacts at the following study intersections would remain significant and unavoidable (Recirculated Draft EIR pages 4.12-47 through -66):

- EB SR 4 Ramps/Willow Pass Road (Intersection #2);
- WB SR 4 Ramps/Willow Pass Road (Intersection #3);
- W. Leland Road/San Marco Boulevard (Intersection #6);
- WB SR-4 Ramps/San Marco Boulevard (Intersection #18); and
- Concord Boulevard and Bailey Road (Intersection #35).

No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.12-3. Conflict with an applicable congestion management program, including, but not limited to, LOS standards, and travel demand measures, or other standards established by a county congestion management agency for designated roadways.

Mitigation Measure 4.12-3. Prior to issuance of building permits, the project applicant shall pay the necessary East Contra Costa Regional Fee. Proof of payment shall be submitted to the Community Development Department.

Finding: While implementation of the above feasible mitigation measure would alleviate some of the impacts associated with unacceptable delay index, the City of Pittsburg would not be able to guarantee the construction of any improvements on the freeway. As such, even with mitigation, the impact is significant and unavoidable

(Recirculated Draft EIR pages 4.12-66 through -71). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.12-5. Result in a projected future over-capacity freeway condition where current long-range planning studies show an under-capacity condition at a freeway segment under Existing Plus Project Conditions.

Mitigation Measure 4.12-5. Implement Mitigation Measure 4.12-3.

Finding: While implementation of the above feasible mitigation measure would reduce the above impact, the necessary improvements would require cooperation and coordination with Caltrans and CCTA. Therefore, because the City of Pittsburg would not be able to guarantee the construction of any improvements on the freeway, the impact remains significant and unavoidable. (Recirculated Draft EIR pages 4.12-73 through -76). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.12-8. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the study roadway intersections under Long-Term (2035) Plus Project Conditions.

Mitigation Measure 4.12-8(a). Prior to occupancy of the proposed buildings, the project applicant shall complete the following improvements at intersections within the City of Concord, subject to coordination with and approval by the City of Concord Traffic Engineering and Transportation Planning Division.

- The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane;
- The southbound approach at the Clayton Road and Bailey Road intersection (Intersection #40) shall be restriped to be a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane; and
- The intersection timing splits at the following intersections shall be optimized: Clayton Road/Treat Boulevard (Intersection #39) and Concord Boulevard/Port Chicago Highway (Intersection #48).

Mitigation Measure 4.12-8(b). As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1832). Such improvements would include, but would not necessarily be limited to, the following:

- The southbound right turn lane at the WB SR-4 Ramps and Willow Pass Road intersection shall be converted to a free right turn lane.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-8(c). As part of future development applications, the project improvement plans shall show that an eastbound left turn lane would be added to the Rio Verde Circle and San Marco Boulevard intersection. Implementation of the required improvements shall be accomplished by way of one of the following methods:

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-8(d). As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required improvements shall be accomplished by way of one of the following methods:

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-8(e). As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped, and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods:

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-8(f). As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project S-16) to the City of Pittsburg Community Development Department. Such improvements would include optimization of timing splits at the following intersection:

1. W. Leland Road and Burton Avenue.

Proof of payment shall be submitted to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-8(g). As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

Mitigation Measure 4.12-8(h). Implement Mitigation Measure 4.12-2(b).

Mitigation Measure 4.12-8(i). As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project ST-27) to the City of Pittsburg Community Development Department. Such improvements would include widening of Bailey Road from two lanes to four lanes. Proof of payment shall be submitted to the City of Pittsburg Community Development Department.

Finding: Implementation of the above feasible mitigation measure would reduce some of the potentially significant impacts associated to study intersections. Nonetheless, because several intersections are located outside of the City of Pittsburg's jurisdiction, completion of the proposed improvements cannot be guaranteed. Therefore, the project impact would remain significant and unavoidable. (Recirculated Draft EIR pages 4.12-79 through -98). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.12-9. Impacts related to Central and East County Routes of Regional Significance under Long-Term (2035) Plus Project Conditions.

Mitigation Measure 4.12-9. Implement Mitigation Measure 4.12-3.

Finding: Two freeway segments would not meet the MTSO criteria for Routes and Regional Significance and, thus, the project could be inconsistent with the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 and Contra Costa County Local Agency Formation Commission Policy (g). While implementation of Mitigation Measure 4.12-3 would reduce the above impact, the necessary improvements would require cooperation and coordination with Caltrans and CCTA. Therefore, because the City of Pittsburg would not be able to guarantee the construction of any improvements on the freeway, the impact remains significant and unavoidable. (Recirculated Draft EIR pages 4.12-98 through -103). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 4.12-11. Result in a projected future over-capacity freeway condition where current long-range planning studies show an under-capacity condition at a freeway segment under Long-Term (2035) Plus Project Conditions.

Mitigation Measure 4.12-11. Implement Mitigation Measure 4.12-3.

Finding: While implementation of the above feasible mitigation measure would reduce the above impact, the necessary improvements would require cooperation and coordination with Caltrans and CCTA. Therefore, because the City of Pittsburg would not be able to guarantee the construction of any improvements on the freeway, the impact remains significant and unavoidable. (Recirculated Draft EIR pages 4.12-103 through -109). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

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SECTION 3:
ADDITIONAL FINDINGS

1. The City Council finds and determines there was procedural compliance with the mandates of CEQA and that the Final EIR provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues.

2. CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR, but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide examples of significant new information under this standard. The City recognizes that the Revised and Updated Final EIR incorporates information obtained by the City since the Draft EIR was completed, and contains additions, clarifications, modifications, and other changes. With respect to this information, the City Council finds that the clarifications do not cause the project to result in new or substantially more severe adverse environmental effects, or otherwise require recirculation of the EIR.

3. In making its determination to certify the Revised and Updated Final EIR and to approve the project, the City Council recognizes that a range of technical and scientific opinion exists with respect to the environmental issues. The City Council has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR and Partially Recirculated Draft EIR, the evidence and analysis presented in the comments on the Draft EIR and Partially Recirculated Draft EIR, the evidence and analysis presented in the Revised and Updated Final EIR, the information submitted on the Revised and Updated Final EIR, and the reports prepared by the experts who prepared the EIR, the City's consultants, the applicants' consultants, and by staff, addressing those comments. The City Council has gained a comprehensive and well-rounded understanding of the environmental issues presented by the project. In turn, this understanding has enabled the City Council to make its decisions after weighing and considering the various viewpoints on these important issues. Accordingly, the City Council certifies that its findings are based on full appraisal of all of the evidence contained in the Revised and Updated Final EIR, as well as the evidence and other information in the record addressing the Revised and Updated Final EIR.

4. These findings provide the written analysis and conclusions of the City Council regarding the environmental impacts of the project and the mitigation measures identified in the Revised and Updated Final EIR and adopted by the City Council as conditions of approval for the project. In making these findings, the City Council has considered the opinions of other agencies and members of the public, including opinions that disagree with some of the thresholds of significance and analysis used in the Revised and Updated Final EIR. The City Council finds that the analysis and determination of significance thresholds are judgments within the discretion of the City Council; the analysis and significance thresholds used in the Revised and Updated Final EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City consultants and staff; and the significance thresholds used in the Revised and

Updated Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the project.

Findings Concerning Alternatives

CEQA Guidelines Section 15126.6(a) specifies that the EIR identify alternatives to the project that “would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant environmental effects of the project.” “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and social factors. In addition, consistent with PRC Section 21002, a project should not be approved if feasible alternatives would substantially lessen the project’s significant effects. Significant unavoidable impacts were identified for the project related to aesthetics, air quality and greenhouse gas emissions, public services and utilities, and transportation, traffic and circulation. The following findings determine that none of the alternatives would substantially lessen the significant and unavoidable impacts resulting from the proposed project, and two alternatives would not fully meet the project’s objectives to:

- Ensure orderly planning for the development of a large, undeveloped area in the City’s SOI consistent with the General Plan;
- Maintain an environmental equilibrium consistent with existing vegetation, soils, geology, topography, and drainage patterns;
- Avoid premature or inappropriate development that would result in incompatible uses or create public service demands exceeding the capacity of existing or planned facilities; and
- Encourage sensitive site planning and design.

Alternative 1: No Project (No Build) Alternative

The No Project (No Build) Alternative is described and analyzed on pages 6-8 through 6-10 of the Draft EIR. The No Project (No Build) Alternative to the proposed project is defined as the continuation of the existing conditions of the project site, which is currently occasionally grazed, mostly vacant land, with two existing residential structures.

Finding: This alternative is infeasible and rejected for the following separate and independent reasons, each of which alone justifies rejection of the alternative:

1. The City Council finds that the No Project Alternative is rejected as an alternative because it is inconsistent with the current General Plan land use map, the intent of the 2005 voter approved Measure P, and the following existing General Plan goals/policies in support of housing development on the site:
 - a. General Plan, Goal 2-G-34, “Encourage development of higher-end, low-density residential [in the Southwest Hills].”
 - b. General Plan, Policy 2-P-93, “Allow Low Density residential development west of Bailey Road, as shown on the General Plan Diagram. Ensure that such development is minimally visible from Bailey Road and mitigates any impacts to creeks and wetlands in the area.”

- c. General Plan, Policy 2-P-96, "Allow an overall maximum density of 3.0 du/ac within the Low Density Residential areas south of the San Marco project and outside the present Sphere of Influence line with a maximum number of 1500 residential units."
- d. General Plan, Goal 3-G-2, "Realize the opportunities afforded by establishment of the Voter Approved Urban Limit Line to allow the City to grow in such a way as to diversify and expand the employment base, develop a range of housing opportunities, increase the depth of municipal fiscal resources, enhance the quality of urban life for all Pittsburg residents and prohibit urban development beyond the Voter Approved Urban Limit Line."
- e. Housing Element, Goal 13-G-1, "Foster development of a variety of housing types, densities, and prices to balance the City's housing stock and meet Pittsburg's regional fair share housing needs for people of all income levels."
- f. Housing Element, Policy 13-P-1.2, "Encourage the construction of both high end and moderate-income housing in the southern foothills, downtown, along the waterfront, and throughout Pittsburg to provide above moderate-income housing opportunities in the community and to increase economic activity within the city."
- g. Housing Element, Policy 13-P-1.2.D, "Support the development of moderate and above moderate income housing within existing City limits such as high end condominiums, townhouses, and single-family units with premium views and amenities throughout the city to increase economic activity within these areas."

2. The City Council finds that the No Project Alternative is rejected as an alternative because it would not meet most of the basic objectives identified for the project (Draft EIR pages 6-8 through 6-9).

Alternative 2: Mixed Use Alternative

The Mixed-Use Alternative is described and analyzed on pages 6-10 through 6-15 of the Draft EIR. The Mixed Use Alternative would include approximately 50,000 square feet (sf) of commercial building floor area on approximately 15 acres, which would include one grocery store and several smaller flexible commercial spaces. The residential unit count would be up to 1,250 units. Development of the Mixed Use Alternative would generally be located in the same development areas as indicated in the Draft Master Plan.

Finding: This alternative is infeasible and rejected for the following separate and independent reasons, each of which alone justifies rejection of the alternative:

1. The City Council finds that the Mixed Use Alternative is rejected as an alternative because it would not meet all of the objectives identified for the project, and it would not substantially lessen any of the significant and unavoidable impacts that are anticipated to result due to the implementation of the proposed project (Draft EIR

pages 6-10 through 6-15). Furthermore, the Mixed Use Alternative would result in greater impacts associated with hazards and hazardous materials than the proposed project (Draft EIR page 6-13).

Alternative 3: Clustered Development Alternative

The Clustered Development Alternative is described and analyzed on pages 6-15 through 6-23 of the Draft EIR. The Clustered Development Alternative would include the construction of 750 single-family residences; however, the units would be clustered such that the area of development would reduce from what would occur under the proposed project to approximately 300 acres focused in the low-lying areas of the site.

Finding: This alternative is infeasible and rejected for the following separate and independent reasons, each of which alone justifies rejection of the alternative:

1. The City Council recognizes that the State of California is currently facing a severe housing shortage and housing affordability crisis.
2. The City Council recognizes that the City of Pittsburg 2015-2023 Housing Element, adopted by the City Council on May 4, 2015, includes specific goals to guide the City's approach to housing, including "Fostering development of a variety of housing types, densities, and prices to balance the city's housing stock and meet Pittsburg's regional fair share housing needs for people of all income levels." (Housing Element page 5-8.) The Housing Element also includes a series of policies for the City Council to support this goal including:
 - Encouraging the construction of both high end and moderate-income housing in the southern foothills and throughout Pittsburg to provide moderate-income housing opportunities in the community and to increase economic activity within the city (Housing Element page 5-10).
 - Meeting Pittsburg's fair share of housing regional needs (Housing Element page 5-13).
3. The City Council recognizes that Pittsburg specifically, in relation to the surrounding Contra Costa County, faces a unique need for single family housing to account for population growth over the next 20 years. Pittsburg's population growth is expected to be 1.3% per year from 2010 to 2040, and the city's population growth is at a faster rate than Contra Costa County in general. Pittsburg is expected to grow to approximately 91,600 residents and 27,510 households by 2040. (Housing Element page 2-2.) Pittsburg households also tend to be larger than Contra Costa County households in general, and Pittsburg families are more likely to contain more persons than Contra Costa County families overall. (Housing Element page 2-12.)
4. The City Council recognizes that it has not yet completed all housing production required pursuant to the City of Pittsburg's Regional Housing Needs Assessment (RHNA) under SB 35.

5. The City Council finds that the Clustered Development Alternative is rejected as an alternative because it would result in only slightly fewer impacts than the proposed project, and would not eliminate any of the significant and unavoidable impacts that are anticipated to result due to the implementation of the proposed project (Draft EIR pages 6-15 through 6-23). The City Council finds that although the Clustered Development Alternative would eliminate some environmental effects relating to Geology, Soils, and Seismicity, these effects are already mitigated to less than significant levels under the proposed project (Draft EIR pages 4.6 -25 and 6-19).
6. The City Council finds that the Clustered Development Alternative is rejected as an alternative because it would achieve the slight reduction in impacts by substantially lowering the maximum potential single-family residences of the proposed project to 750 units, reducing the housing capacity of the project by one-half in contravention of the goals and policies of the Housing Element, and substantially reducing the project's potential lower-income housing to improve the City's progress under SB 35.

Alternative 4: Reduced Intensity Alternative

The Reduced Intensity Alternative is described and analyzed on pages 6-23 through 6-30 of the Draft EIR. The Reduced Intensity Alternative would include the construction of 1,000 single-family residences in the same development areas as indicated in the Draft Master Plan.

Finding: This alternative is infeasible and rejected for the following separate and independent reasons, each of which alone justifies rejection of the alternative:

1. The City Council recognizes that the State of California is currently facing a severe housing shortage and housing affordability crisis.
2. The City Council recognizes that the City of Pittsburg 2015-2023 Housing Element, adopted by the City Council on May 4, 2015, includes specific goals to guide The City's approach to housing, including "Fostering development of a variety of housing types, densities, and prices to balance the city's housing stock and meet Pittsburg's regional fair share housing needs for people of all income levels." (Housing Element page 5-8.) The Housing Element also includes a series of policies for the City Council to support this goal including:
 - Encouraging the construction of both high end and moderate-income housing in the southern foothills and throughout Pittsburg to provide moderate-income housing opportunities in the community and to increase economic activity within the city (Housing Element page 5-10).
 - Meeting Pittsburg's fair share of housing regional needs (Housing Element page 5-13).
3. The City Council recognizes that Pittsburg specifically, in relation to the surrounding Contra Costa County, faces a unique need for single family housing to account for

population growth over the next 20 years. Pittsburg's population growth is expected to be 1.3% per year from 2010 to 2040, and the city's population growth is at a faster rate than Contra Costa County in general. Pittsburg is expected to grow to approximately 91,600 residents and 27,510 households by 2040. (Housing Element page 2-2.) Pittsburg households also tend to be larger than Contra Costa County households in general, and Pittsburg families are more likely to contain more persons than Contra Costa County families overall. (Housing Element page 2-12.)

4. The City Council recognizes that it has not yet completed all housing production required pursuant to the City of Pittsburg's Regional Housing Needs Assessment (RHNA) under SB 35.
5. The City Council finds that the Reduced Intensity Alternative is rejected as an alternative because it would result in only slightly fewer impacts than the proposed project, and would not substantially lessen the significant and unavoidable impacts that are anticipated to result due to the implementation of the proposed project (Draft EIR pages 6-23 through 6-30).
6. The City Council finds that the Reduced Intensity Alternative is rejected as an alternative because it would achieve the slight reduction in impacts by substantially lowering the maximum potential single-family residences of the proposed project to 1000 units, reducing the housing capacity of the project by one-third in contravention of the goals and policies of the Housing Element, and substantially reducing the project's potential lower-income housing to improve the City's progress under SB 35.

**Statement of Overriding Conditions for Adoption and Approval of the
Faria/Southwest Hills Annexation Project**

The California Environmental Quality Act (CEQA) requires the decision-making agency to balance the environmental, economic, social, technological, and other benefits of a project against its significant unavoidable environmental effects when determining whether to approve the project. If the benefits of the project outweigh the significant unavoidable environmental effects, then those effects may be considered acceptable. CEQA requires the agency to make written findings supporting the specific reasons for considering a project acceptable when significant environmental effects are unavoidable. The reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record. The reasons for proceeding with the proposed project (project), despite the significant unavoidable environmental effects that may result, are provided in this Statement of Overriding Considerations.

More specifically, Public Resources Code section 21002 provides that, "in the event specific economic, social and other conditions make infeasible such project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." In addition, Public Resources Code section 21002.1(c) provides that "[i]f economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency. . . ." Finally, CEQA Guidelines section 15093(a) provides that "[i]f the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The Revised Updated and Final Environmental Impact Report (RUFER) for the project identifies all of the potential environmental effects of the project, as well as applicable policies and mitigation measures to reduce environmental impacts. The RUFER also identifies the environmental effects of the project that will remain significant and unavoidable, even after the imposition of all feasible mitigation measures, because there are no policies, mitigation measures, or alternatives considered available or practical to reduce these impacts to a less-than-significant level. The project will result in significant and unavoidable impacts in the area of aesthetics, air quality and greenhouse gas emissions, public services and utilities, and transportation, traffic, and circulation. In deciding to approve the proposed project, the City has considered each of the following unavoidable or unmitigable significant environmental impacts:

1. Impact 4.1-2. The proposed project could result in substantial degradation of the existing visual character or quality of the project site and/or the site's surroundings. Specifically, implementation of the proposed project would include grading activities and residential development that would have the potential to substantially degrade the existing visual character or quality of the project site and/or the site's surroundings.

2. Impact 4.3-1. Implementation of the proposed project could result in generation of short-term construction-related criteria air pollutant emissions in excess of 54 lbs/day for ROG, NO_x, and PM_{2.5} and 82 lbs/day for PM₁₀. Specifically, NO_x emissions related to build-out of the Draft Master Plan would remain in excess of the applicable threshold of significance of 54 lbs/day.
3. Impact 4.3-2. Implementation of the proposed project could result in generation of operational criteria air pollutant emissions in excess of 54 lbs/day for ROG, NO_x, and PM_{2.5} and 82 lbs/day for PM₁₀ and conflict with or obstruct implementation of the 2017 Clean Air CAP, and/or the 2001 Ozone Attainment Plan. Operational emissions of ROG and NO_x from the future development could exceed the applicable thresholds of significance and conflict with regional air quality plans. Because project-level design details are unavailable at this time, the impact is assumed to remain significant and unavoidable.
4. Impact 4.3-4. Implementation of the proposed project could result in generation of cumulative criteria air pollutant emissions in excess of 10 tons/year for ROG, NO_x, and PM_{2.5} and 15 tons/yr for PM₁₀. The proposed project has been evaluated at a program-level, and a guarantee cannot be made that emissions from future development in the project area would not exceed the thresholds of significance. Therefore, until further project-level design details are available and a project-level air quality analysis can be performed to show otherwise, the impact is assumed to remain significant and unavoidable.
5. Impact 4.3-5. Implementation of the proposed project could result in generation of a cumulatively considerable contribution to GHG emissions in excess of 1,100 MTCO_{2e}/yr or 4.6 MTCO_{2e}/SP/yr by 2020, 660 MTCO_{2e}/yr or 2.76 MTCO_{2e}/SP/yr by 2030, or an 80 percent reduction from 1990 levels by 2050. Operational emissions from future development in the year 2030 would not be anticipated to achieve the 40 percent emissions reduction from 1990 levels required by SB 32, and a reduction of GHG emissions to 80 percent below 1990 levels by 2050 consistent with Executive Order S-03-05 cannot be verified or guaranteed at this time. Therefore, the impact is assumed to remain significant and unavoidable.
6. Impact 4.11-4. Implementation of the proposed project could result in substantial adverse physical impacts associated with the provisions of new or physically altered fire protection facilities, and/or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection facilities. Because the project site is outside of the 1.5-mile response time radius of the nearest fire station, the project is considered to conflict with General Plan Policy 11-P-26.
7. Impact 4.11-10. Development of the proposed project, in combination with future buildout in the City of Pittsburg, would increase demand for additional public services and utilities. Specifically, the proposed project's incremental contribution to increases in demand for fire protection services would be considered significant and

unavoidable.

8. Impact 4.12-2. Implementation of the proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the study intersections under Existing Plus Project Conditions. While implementation of mitigation measures would reduce some impacts to the affected intersections, impacts at the following intersections would remain significant and unavoidable:
 - EB SR 4 Ramps/Willow Pass Road (Intersection #2);
 - WB SR 4 Ramps/Willow Pass Road (Intersection #3);
 - W. Leland Road/San Marco Boulevard (Intersection #6);
 - WB SR-4 Ramps/San Marco Boulevard (Intersection #18); and
 - Concord Boulevard and Bailey Road (Intersection #35).
9. Impact 4.12-3. Implementation of the proposed project could conflict with an applicable congestion management program, including, but not limited to, LOS standards, and travel demand measures, or other standards established by a county congestion management agency for designated roadways. Specifically, project-generated traffic could increase the delay index on several freeway segments, and could conflict with the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 and Contra Costa County Local Agency Formation Commission Policy (g).
10. Impact 4.12-5. Implementation of the proposed project could result in a projected future over-capacity freeway condition where current long-range planning studies show an under-capacity condition at a freeway segment under Existing Plus Project Conditions. Two study segments (NB SR-242, between Clayton Road off-ramp and SR-4 (PM peak hour), and EB SR-4, between I-680 on-ramp and SR-242 off-ramp (PM peak hour)) would operate at unacceptable LOS under Existing Plus Project Conditions.
11. Impact 4.12-8. Implementation of the proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the study roadway intersections under Long-Term (2035) Plus Project Conditions. Traffic generated by buildout of the Draft Master Plan Area could result in significant impacts under Long-Term (2035) Plus Project Conditions at the following study intersections:
 - Avila Road and Willow Pass Road;
 - WB SR-4 Ramps and Willow Pass Road;
 - W. Leland Road and San Marco Boulevard;
 - W. Leland Road and Bailey Road;
 - Concord Boulevard and Bailey Road;
 - Bailey Road and Myrtle Drive;
 - Clayton Road and Treat Boulevard;
 - Clayton Road and Bailey Road;
 - Bailey Road and Project Entrance; and
 - Concord Boulevard and Port Chicago Highway.

12. Impact 4.12-9. Implementation of the proposed project could result in impacts related to Central and East County Routes of Regional Significance under Long-Term (2035) Plus Project Conditions. Two freeway segments would not meet the MTSO criteria for Routes and Regional Significance and, thus, the project could be inconsistent with the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 and Contra Costa County Local Agency Formation Commission Policy (g). The necessary improvements would require cooperation and coordination with Caltrans and CCTA. Therefore, because the City of Pittsburg would not be able to guarantee the construction of any improvements on the freeway, the impact remains significant and unavoidable.

13. Impact 4.12-11. Implementation of the proposed project could result in a projected future over-capacity freeway condition where current long-range planning studies show an under-capacity condition at a freeway segment under Long-Term (2035) Plus Project Conditions. Two freeway segments in the East and Central County (NB SR-242, between Clayton Road off-ramp and SR-4 (PM peak hour), and EB SR-4, between I-680 on-ramp and SR-242 off-ramp (PM peak hour)) would operate at unacceptable LOS under Long-Term (2035) Plus Project Conditions.

The City Council has carefully balanced the benefits of the project against the significant unavoidable environmental effects identified in the RUF EIR that cannot be feasibly mitigated to a less than significant level. The City also recognizes that growth will continue to occur throughout the State, City, Sphere of Influence, and Planning Area.

Having (i) adopted all feasible mitigation measures; (ii) rejected as infeasible the alternatives to the project; (iii) recognized all significant, unavoidable impacts; and (iv) balanced the benefits of the project against the project's significant and unavoidable impacts, the City Council, pursuant to Public Resources Code sections 21002 and 21002.1 and CEQA Guidelines sections 15092 and 15093, hereby finds and determines that each of the project's long-term social, environmental, land use, economic, and other overriding considerations and benefits, as listed below, outweighs and overrides the significant unavoidable impacts identified in the RUF EIR. The City Council further finds and determines that any and each of the following considerations is sufficient to approve the proposed project despite any one or more of the unavoidable impacts identified, and that each of the overriding considerations is adopted with respect to each of the impacts individually, and that each consideration is severable from any other consideration and provides a separate and independent ground for the City's decision to approve the project despite the project's identified significant and unavoidable environmental impacts.

Specifically, the project's significant and unavoidable adverse impacts are outweighed by the following project benefits and considerations:

1. The project will provide citywide and regional economic benefits through tax revenues and contributions to established fee programs, which funding would be used for public improvements, services, and other benefits to community residents, employees, and visitors.

2. The project will create jobs for local residents through construction of the proposed project, which is anticipated to occur over the course of several years and, as committed to by the project applicant, will include skilled labor.
3. The project will help respond to the State Legislature's declaration of a statewide housing crisis (Government Code § 65589.5(a)(1) and (a)(2)), and will respond to existing and future housing needs in the City of Pittsburg by resulting in the development of up to 1,500 residential units.
4. Development of the project site will fulfill the voter initiative (Measure P) and General Plan land use designation, which anticipated the development of the site with residential uses and established the requirement for a greenbelt buffer for open space and ridgeline preservation along the western edge of the site, thereby effectuating the will of the voters.
5. Approval of the associated development agreement includes community benefits beyond the requirements of the Pittsburg Municipal Code, including (but not limited to): 1) payment of \$100,000 to expand the City's security camera network; 2) payment of a \$1,000,000 community benefit fee; 3) payment of \$50,000 to construct monument city entry signs; 4) installation of basic home security systems into each future house; and 5) fair share contributions to Community Facilities Districts (CFDs) for park maintenance, off-site stormwater facilities, police and other emergency services, and fire facilities, fire safety and emergency services.
6. The project is expected to result in a variety of housing types and sizes at different price points, thereby increasing housing choice and helping to ensure that households of different types and income levels have the opportunity to find suitable ownership or rental housing.
7. The project will include connections and increased access to existing parks and recreational opportunities, thereby leading to increased opportunities for existing and future residents to enjoy outdoor recreation.
8. The project will preserve open space by focusing all development within the natural valley area that runs through the middle of the site (north to south), allowing for a natural buffer on the east and the west, where several prominent ridgelines are located that would remain mostly untouched.
9. The project will increase the open space preservation area by approximately 127 acres more than what the current General Plan has planned, thereby supporting good zoning practices and leading to a more environmentally conscious development of the area.

In sum, the City Council finds and determines that approval of the project, despite the project's unavoidable impacts, will provide for orderly and well-supported continuing growth; establish a balance between future development and conservation of local resources; support commercial development to promote a healthy local economy; and provide housing for the City and the region.

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MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Faria/Southwest Hills Annexations Project. The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Faria/Southwest Hills Annexations Project prepared by the City of Pittsburg. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

The Faria/Southwest Hills Annexations Project EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Pittsburg. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

During construction of the project, the City will assign an inspector(s) who will be responsible for field monitoring of mitigation measure compliance. The inspector(s) will report to the City Planning Department and will be thoroughly familiar with permit conditions and the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.1 Aesthetics					
4.1-3	Creation of new sources of substantial light or glare that would adversely affect day or nighttime views in the area.	<p>4.1-3 <i>In conjunction with the submittal of any development applications for future development on the project site, the applicant shall prepare and submit a detailed lighting plan showing that light would not trespass onto adjacent properties to the City of Pittsburg Community Development Department for review and approval as part of the development review process. The lighting plan shall include, but not necessarily be limited to, the following provisions:</i></p> <ul style="list-style-type: none"> • <i>Shield or screen lighting fixtures to direct the light downward and prevent light from spilling onto adjacent properties and nearby open space areas within the City of Concord;</i> • <i>Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists;</i> • <i>For public lighting, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure</i> 	City of Pittsburg Community Development Department	In conjunction with submittal of any development applications	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>sodium, or fluorescent bulbs) or that blink or flash; and</p> <ul style="list-style-type: none"> Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting motorists on nearby roadways. 			
4.3 Air Quality and Greenhouse Gas Emissions					
4.3-1	Generation of short-term construction-related criteria air pollutant emissions in excess of 54 lbs/day for ROG, NOX, and PM2.5 and 82 lbs/day for PM10.	4.3-1 Prior to issuance of a grading permit, the project applicant shall show on the grading plans via notation that the contractor shall ensure that all off-road heavy-duty diesel-powered equipment larger than 100 horsepower (e.g., rubber tired dozers, excavators, graders, scrapers, pavers, paving equipment, and cranes) to be used for each phase of construction of the project (i.e., owned, leased, and subcontractor vehicles) shall meet USEPA emissions standards for Tier 4 engines or equivalent. The grading plans shall be submitted for review and approval by the City Engineer.	City Engineer	Prior to issuance of a grading permit	
4.3-2	Generation of operational criteria air pollutant emissions in excess of 54 lbs/day for ROG, NOX, and PM2.5	4.3-2 In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but	City of Pittsburg Community Development Department	In conjunction with submittal of subsequent applications	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	and 82 lbs/day for PM10 and conflict with or obstruct implementation of the 2017 Clean Air CAP, and/or the 2001 Ozone Attainment Plan.	<p><i>not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that ROG and NO_x emissions associated with project operations would not exceed the BAAQMD 54 lbs/day thresholds of significance. Mitigation measures shall be developed in coordination with the BAAQMD and shall include those measures set forth in Mitigation Measure 4.3-5(a) and the following measures listed below:</i></p> <ul style="list-style-type: none"> • <i>Use zero-VOC paints, finishes, and adhesives only;</i> • <i>Install smart meters and programmable thermostats;</i> • <i>Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.);</i> • <i>Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches;</i> • <i>Promote ridesharing, transit, bicycling, and walking for work trips;</i> 		within the proposed project	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • Promote use of public electric vehicle charging infrastructure; • Provide traffic calming features; • Pre-wire homes for photovoltaic systems; • Use water efficient landscapes and native/drought-tolerant vegetation; and • Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment. <p><i>If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where</i></p>			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>BAAQMD would commit to reducing the type and amount of emissions identified in the agreement.</i></p> <p><i>The analysis and proposed mitigation measures shall be reviewed as part of the development review process.</i></p>			
4.3-4	Generation of cumulative criteria air pollutant emissions in excess of 10 tons/year for ROG, NOX, and PM2.5 and 15 tons/yr for PM10.	4.3-4 <i>Implement Mitigation Measure 4.3-2.</i>	See Mitigation Measure 4.3-2	See Mitigation Measure 4.3-2	
4.3-5	Generation of a cumulatively considerable contribution to GHG emissions in excess of 1,100 MTCO ₂ e/yr or 4.6 MTCO ₂ e/SP/yr by 2020, 660 MTCO ₂ e/yr or 2.76 MTCO ₂ e/SP/yr by 2030, or an 80 percent reduction from 1990 levels by 2050.	4.3-5(a) <i>In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that project GHG emissions would not exceed 2.76 MTCO₂e/SP/yr threshold of significance. Mitigation measures shall be developed in coordination with BAAQMD and shall include, but not be limited to, BAAQMD's recommended mitigation measures as follows:</i>	City of Pittsburg Community Development Department	In conjunction with submittal of each application within the proposed project area	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • <i>Use of cool roof materials;</i> • <i>Planting of shade trees;</i> • <i>Improvement of bike network (connection to adjacent areas, connection to bike network, etc.);</i> • <i>Improvement of pedestrian network (complete sidewalks, connection to adjacent areas, etc.);</i> • <i>Extension of transit service into project site;</i> • <i>Implementation of bicycle facilities;</i> • <i>Community-based traveling;</i> • <i>Participation in bike sharing programs;</i> • <i>Providing of charging stations and preferential parking spots for electric vehicles;</i> • <i>Minimizing the use of cul-de-sacs and incomplete roadway segments;</i> • <i>Installation of energy star appliances;</i> • <i>Installation of solar water heating;</i> • <i>Exceeding minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);</i> • <i>Providing community composting facilities or curb-side food waste services;</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • Elimination of natural gas infrastructure; and • Reduction of VMT by 15 percent per capita consistent with SB 743 targets and OPR technical guidance. <p>4.3-5(b) The project-level air quality analysis required by Mitigation Measure 4.3-5(a) shall include an analysis of project-level GHG emissions. Such project-level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts, which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure 4.3-5(a) designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the 2022 Ramboll Report or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall deem</p>			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>all measures in Mitigation Measure 4.3-5(a) feasible or presumptively feasible unless the applicant can demonstrate otherwise with substantial evidence.</i>			
4.4 Biological Resources					
4.4-1	Have a substantial adverse effect, either directly or through habitat modifications, on special-status plant species.	<p><i>4.4-1(a) Prior to the issuance of grading or construction permits for each phase of development of the project, the applicant shall pay the applicable ECCC HCP/NCCP per-acre Development Fee in effect for Zone II in compliance with Section 15.108.070 of the Pittsburg Municipal Code. The Development Fee will cover the development of habitat that primarily includes annual grassland. At the discretion of the East Contra Costa County Habitat Conservancy, the fee may also be required for the 72.9 acres of Open Space that would be temporarily disturbed by grading. Payment of the Development Fee would address the loss of potential habitat of special-status plant species associated with grasslands. The fees would be used in part to protect these affected special-status plant species by bringing existing populations of the species under protection.</i></p> <p><i>Alternately, the project applicant may, in accordance with the terms of Pittsburg Municipal Code Chapter 15.108, offer to</i></p>	<p>City of Pittsburg Community Development Department</p> <p><i>East Contra Costa County Habitat Conservancy</i></p>	Prior to issuance of grading or construction permits	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>dedicate land or create and restore wetlands in lieu of some or all of the mitigation fees. All applicable mitigation fees shall be paid, or an “in-lieu-of fee” agreement executed, prior to the issuance of a grading permit for the project.</i></p> <p><i>The Pittsburg Community Development Department and the Contra Costa County Conservancy shall approve the final method of compliance with the ECCC HCP/NCCP provisions.</i></p> <p>4.4-1(b) <i>Prior to the issuance of grading or construction permits for each phase of development of the project, additional rare plant surveys shall be conducted for bent-flowered fiddleneck, big tarplant, round-leaved filaree, Mt. Diablo fairy-lantern, Mt. Diablo buckwheat, fragrant fritillary, Diablo helianthella, Brewer’s western flax, showy golden madia, Mt. Diablo cottonweed, woodland woollythreads, adobe navarretia, shining navarretia, and rock sanicle. The surveys shall be appropriately timed and shall cover all potentially suitable on-site habitats. If none of the species occurs in the project development area, further mitigation is not required.</i></p>	<p>City of Pittsburg Community Development Department</p> <p>East Contra Costa County Habitat Conservancy</p>	<p>Prior to issuance of grading or construction permits</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>4.4-1(c) <i>If any of the above species occurs in the project development area, future development plans shall be designed to avoid such species, to the maximum extent feasible. If avoidance of the identified species is unavoidable, the project applicant shall notify the East Contra Costa County Habitat Conservancy of the construction schedule so as to allow the East Contra Costa County Habitat Conservancy the option to salvage the population(s) in accordance with HCP/NCCP Conservation Measure 3.10 (Plant Salvage when Impacts are Unavoidable) described below. In addition, the project applicant shall confirm with the East Contra Costa County Habitat Conservancy that the take limits of the HCP/NCCP for the species identified in Impact 4.4-1 have not been breached (at the time of writing this EIR, the take limits have not been breached for the special-status plant species in question).</i></p> <p><u>Perennial Covered Plants</u></p> <p><i>Where removal of covered plant species cannot be avoided by approved covered activities, such as construction activities associated with development of the project site, the East Contra Costa County Habitat Conservancy has the option of salvaging</i></p>	<p>City of Pittsburg Community Development Department</p> <p>East Contra Costa County Habitat Conservancy</p>	<p>If any of the species listed in Mitigation Measure 4.4-1(b) occur in the project development area</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>the covered plants. Salvage methods for perennial species shall be tested for whole individuals, cuttings, and seeds. Salvage measures shall include the evaluation of techniques for transplanting as well as germinating seed in garden or greenhouse and then transplanting to suitable habitat sites in the field. Techniques shall be tested for each species, and appropriate methods shall be identified through research and adaptive management. Where plants are transplanted or seeds distributed to the field they shall be located in preserves in suitable habitat to establish new populations. Field trials shall be conducted to evaluate the efficacy of different methods and determine the best methods to establish new populations. New populations shall be located such that they constitute separate populations and do not become part of an existing population of the species, as measured by the potential for genetic exchange among individuals through pollen or propagule (e.g., seed, fruit) dispersal. Transplanting within the preserves shall only minimally disturb existing native vegetation and soils. Supplemental watering may be provided as necessary to increase the chances of successful establishment, but must be removed following initial population</i></p>			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>establishment. See also All Covered Plants below.</i></p> <p><u><i>Annual Covered Plants</i></u></p> <p><i>For annual covered plants, mature seeds shall be collected from all individuals for which removal cannot be avoided (or if the population is large, a representative sample of individuals). If storage is necessary, seed storage studies shall be conducted to determine the best storage techniques for each species. If needed, studies shall be conducted on seed germinated and plants grown to maturity in garden or greenhouse to propagate larger numbers of seed. Seed propagation methods shall ensure that genetic variation is not substantially affected by propagation (i.e., selection for plants best adapted to cultivated conditions). Field studies shall be conducted through the Adaptive Management Program to determine the efficacy and best approach to dispersal of seed into suitable habitat. Where seeds are distributed to the field, they shall be located in preserves in suitable habitat to establish new populations. If seed collection methods fail (e.g., due to excessive seed predation by insects), alternative propagation techniques will be necessary. See also All Covered Plants below.</i></p>			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><u>All Covered Plants</u></p> <p>All salvage operations shall be conducted by the East Contra Costa County Habitat Conservancy. To ensure enough time to plan salvage operations, project proponents shall notify the East Contra Costa County Habitat Conservancy of their schedule for removing the covered plant population.</p> <p>The East Contra Costa County Habitat Conservancy may conduct investigations into the efficacy of salvaging seeds from the soil seed bank for both perennial and annual species. The soil seed bank may add to the genetic variability of the population. Covered species may be separated from the soil through garden/greenhouse germination or other appropriate means. Topsoil taken from impact sites shall not be distributed into preserves because of the risk of spreading new nonnative and invasive plants to preserves. For salvage operations, the East Contra Costa County Habitat Conservancy shall transplant new populations such that they constitute separate populations and do not become part of an existing population of the species, as measured by the potential for genetic exchange among individuals</p>			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>through pollen or propagule (e.g., seed, fruit) dispersal. Transplanting or seeding “receptor” sites (i.e., habitat suitable for establishing a new population) should be carefully selected on the basis of physical, biological, and logistical considerations (Fiedler and Laven 1996); some examples of these are listed below.</i></p> <ul style="list-style-type: none"> • <i>Historic range of the species;</i> • <i>Soil type;</i> • <i>Soil moisture;</i> • <i>Topographic position, including slope and aspect;</i> • <i>Site hydrology;</i> • <i>Mycorrhizal associates (this may be important for Mount Diablo manzanita);</i> • <i>Presence or absence of typical associated plant species; and</i> • <i>Presence or absence of herbivores or plant competitors. Site accessibility for establishment, monitoring, and protection from trampling by cattle or trail users.</i> 			
4.4-2	Have a substantial adverse effect, either directly or through habitat modifications, on special-status bird species, including those	<p><i>Golden Eagle</i></p> <p>4.4-2(a) <i>Implement Mitigation Measure 4.4-1(a).</i></p>	See Mitigation Measure 4.4-1(a)	See Mitigation Measure 4.4-1(a)	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	covered under the East Contra Costa County HCP/NCCP, such as Swainson’s hawk, tricolored blackbird, burrowing owl, and golden eagle.	<p>4.4-2(b) <i>The project shall implement the following avoidance measures for potential effects on golden eagles during construction:</i></p> <ul style="list-style-type: none"> <i>Based on the potential for active nests, prior to implementation of construction activities, including tree removal, a qualified biologist shall conduct a pre-construction survey to establish whether an active golden eagle nest is present on the project site or within 0.5 mile of the project site to the extent the biologist can gain access. If an active nest is not present, further mitigation is not required. If an occupied nest is present, minimization requirements and construction monitoring shall be required, as detailed below.</i> <i>Construction activities shall be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January through August, with peak activity in March through July. If site-specific conditions or the nature of the construction activity (e.g., steep topography, dense vegetation, limited activities) indicate that a</i> 	<p>City of Pittsburg Community Development Department</p> <p>East Contra Costa County Habitat Conservancy</p>	During construction	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>smaller buffer could be appropriate or that a larger buffer should be implemented, the East Contra Costa County Habitat Conservancy shall coordinate with CDFW/USFWS to determine the appropriate buffer size.</i></p> <ul style="list-style-type: none"> <i>Construction monitoring shall ensure that no construction activities occur within the buffer zone established around an active nest. Construction monitoring shall ensure that direct effects to golden eagles are avoided.</i> <p><i>Swainson's Hawk</i></p> <p>4.4-2(c) <i>Implement Mitigation Measure 4.4-1(a).</i></p> <p>4.4-2(d) <i>The project applicant shall implement the following avoidance measures for potential effects on Swainson's hawk nests during construction:</i></p> <ul style="list-style-type: none"> <i>Prior to ground disturbing activities during the nesting season (March 15 through September 15), a qualified biologist shall conduct a pre-construction survey no more than one month prior to construction to establish whether</i> 	<p>See Mitigation Measure 4.4-1(a)</p> <p>City of Pittsburg Community Development Department</p> <p>CDFW</p>	<p>See Mitigation Measure 4.4-1(a)</p> <p>During construction</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>occupied Swainson's hawk nests occur on or within 1,000 feet of the area of proposed construction. If occupied nests are not found, then further mitigation is not required.</i></p> <ul style="list-style-type: none"> <i>If occupied nests are found, project construction activity shall not occur within a 1,000-foot buffer zone distance from the nest unless a lesser buffer zone is approved by the City in consultation with CDFW. During the nesting season, construction activities shall be avoided within the established buffer zone to prevent nest abandonment. Construction monitoring shall be required to ensure that the established buffer zone is adhered to. If young fledge prior to September 15, construction activities can proceed normally without a buffer zone. If an active nest site is present but shielded from view and noise by other development or other features, the City may waive this avoidance measure (establishment of a buffer zone) if approved by the CDFW.</i> <p><i>Burrowing Owl</i></p> <p><i>4.4-2(e) Implement Mitigation Measure 4.4-1(a).</i></p>			
			See Mitigation Measure 4.4-1(a)	See Mitigation Measure 4.4-1(a)	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>4.4-2(f) <i>The project applicant shall implement the following measures to avoid or minimize impacts to western burrowing owl:</i></p> <ul style="list-style-type: none"> <i>No more than 14 days prior to initiation of ground disturbing activities, the project applicant shall retain a qualified burrowing owl biologist to conduct a take avoidance survey of the proposed project site, any off-site improvement areas, and all publicly accessible potential burrowing owl habitat within 500 feet of the project construction footprint. The survey shall be performed in accordance with the applicable sections of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If the survey does not identify any nesting burrowing owls on the proposed project site, further mitigation is not required. The take avoidance survey shall be submitted to the City of Pittsburg Community Development Department for review. The survey periods and number of surveys are identified below:</i> 	<p>City of Pittsburg Community Development Department</p> <p>CDFW</p>	<p>No more than 14 days prior to initiation of ground disturbing activities</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> ○ <i>If construction related activities commence during the non-breeding season (1 September to 31 January), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase.</i> ○ <i>If construction related activities commence during the early breeding season (1 February to 15 April), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase.</i> ○ <i>If construction related activities commence during the breeding season (16 April to 30 August), a minimum of three take avoidance</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>surveys shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase. If construction related activities commence after 15 June, at least one of the three surveys shall be completed after 15 June.</i></p> <ul style="list-style-type: none"> ○ <i>Because the owls are known to occur nearby and may take up occupancy on a site under construction, the take avoidance survey shall be conducted prior to the start of any new phase, and/or if construction-related activity is delayed or suspended for more than 30 days.</i> • <i>If active burrowing owl dens are found within the survey area in an area where disturbance would occur, the project applicant shall implement measures consistent with the applicable portions of the March 7, 2012, CDFW's Staff</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Report on Burrowing Owl Mitigation guidelines. If needed, as determined by the biologist, the formulation of avoidance and minimization approaches would be developed in coordination with the CDFW. The avoidance and minimization approaches would likely include burrow avoidance buffers during the nesting season (February to August). For burrowing owls present on-site, outside of the nesting season, passive exclusion of owls from the burrows could be utilized under a CDFW-approved burrow exclusion plan.</i></p> <p>4.4-2(g) <i>If active owl burrows are present and the project would impact active burrows, the project applicant shall provide compensatory mitigation for the permanent loss of burrowing owl habitat at a ratio of 2.5 acres of higher quality owl habitat for every one acre of suitable owl habitat disturbed. The calculation of habitat loss may exclude acres currently occupied by hardscape or structures. Such mitigation may include the permanent protection of land that is deemed to be suitable burrowing owl habitat through a conservation easement deeded to a non-</i></p>	<p>City of Pittsburg Community Development Department CDFW</p>	<p>During construction</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>profit conservation organization or public agency with a conservation mission, or the purchase of burrowing owl conservation bank credits from a CDFW-approved burrowing owl conservation bank. A record of the compensatory mitigation provided by the project applicant shall be submitted to the City of Pittsburg Community Development Department prior to initiation of ground disturbing activities.</i></p> <p><i>Tricolored Blackbird and Other Special-Status Avian Species</i></p> <p>4.4-2(h) <i>Implement Mitigation Measure 4.4-1(a).</i></p> <p>4.4-2(i) <i>If construction activities commence anytime during the nesting/breeding season of native bird species potentially nesting on or near the project site (typically February through August in the project region), a pre-construction survey for nesting birds shall be conducted by a qualified biologist within two weeks of the commencement of construction activities.</i></p> <p><i>If active nests are found in areas that could be directly affected or are within 500 feet of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created</i></p>	<p>City of Pittsburg Community Development Department</p> <p>CDFW</p>	<p>Prior to construction activities</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them shall be a minimum of 500 feet for raptors, and a minimum of 50 feet for other species, and may be enlarged by taking into account factors such as the following:</i></p> <ul style="list-style-type: none"> <i>Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;</i> <i>Distance and amount of vegetation or other screening between the construction site and the nest; and</i> <i>Sensitivity of individual nesting species and behaviors of the nesting birds.</i> 			
4.4-3	Have a substantial adverse effect, either directly or through habitat modifications, on special-status mammals, including San Joaquin kit fox, San Joaquin pocket mouse, American badger, and special-status bats.	<p><i>San Joaquin Kit Fox, San Joaquin pocket mouse, and American Badger</i></p> <p><i>4.4-3(a) Implement Mitigation Measure 4.4-1(a).</i></p> <p><i>San Joaquin Kit Fox</i></p> <p><i>4.4-3(b) The project shall implement the following avoidance measures for potential effects on San Joaquin kit fox during construction:</i></p>	<p>See Mitigation Measure 4.4-1(a)</p> <p>City of Pittsburg Community</p>	<p>See Mitigation Measure 4.4-1(a)</p> <p>During construction</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • <i>Prior to any ground disturbance, a USFWS/CDFW-qualified biologist shall conduct a pre-construction survey within the proposed disturbance footprint and a surrounding 250-foot radius. The survey shall establish the presence or absence of San Joaquin kit foxes and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS 1999). The pre-construction survey shall be conducted no more than 30 days prior to ground disturbance. On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit foxes and/or suitable dens. Adjacent parcels under different land ownership are not required to be surveyed. The status of all surveyed dens shall be determined and mapped. Written results of pre-construction surveys shall be submitted to USFWS within 5 working days after survey completion and before the start of ground disturbance. Concurrence is</i> 	Development Department CDFW USFWS		

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>not required prior to ground disturbance.</i></p> <ul style="list-style-type: none"> • <i>If San Joaquin kit foxes and/or suitable dens are identified in the survey area, the measures described below shall be implemented.</i> <ul style="list-style-type: none"> o <i>If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a USFWS/CDFW-qualified biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used.</i> o <i>Unoccupied dens shall be destroyed immediately to prevent subsequent use.</i> o <i>If a natal or pupping den is found, USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW.</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> o <i>If kit fox activity is observed at the den during the initial 3-day monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgment of the biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> <i>If dens are identified in the survey area outside the proposed disturbance footprint, exclusion zones around each den entrance or cluster of entrances shall be demarcated. The configuration of exclusion zones should be circular, with a radius measured outward from the den entrance(s). Ground disturbance activities shall not occur within the exclusion zones. Exclusion zone radii for potential dens shall be at least 50 feet and shall be demarcated with four to five flagged stakes. Exclusion zone radii for known dens shall be at least 100 feet and shall be demarcated with staking and flagging that encircles each den or cluster of dens but does not prevent access to the den by kit fox.</i> <p><i>San Joaquin Pocket Mouse</i></p> <p>4.4-3(c) <i>Grading and vegetation clearing activities shall be conducted in a uniform direction to allow mobile animals, such as San Joaquin pocket mouse, the ability to escape the disturbance area into adjacent undisturbed habitat, and to prevent creating fragmented islands of habitat that would eventually be cleared/graded. The language of this</i></p>			
			City Engineer	Prior to issuance of grading permit	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>mitigation shall be included, via notation, on any grading plans approved within the Draft Master Plan development area.</i></p> <p><i>American Badger</i></p> <p>4.4-3(d) <i>A pre-construction survey for potential den sites shall be conducted by a qualified biologist no more than four weeks before commencement of initial ground disturbance activities. If an occupied den is found (and if young are not present), then any badgers present shall be removed from the den either by trapping or the use of exclusionary devices. Prior to implementation, the removal method shall be approved by CDFW. If trapped, the badgers shall be moved to other suitable habitat. Once any badgers are trapped or excluded, the dens shall be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the badgers are successfully excluded from the site, as determined by a qualified biologist. Badgers shall not be relocated if it is determined by the biologists that young are or may be present.</i></p>	<p>City of Pittsburg Community Development Department</p> <p>CDFW</p>	<p>No more than four weeks prior to commencement of initial ground disturbance activities</p>	
4.4-4	Have a substantial adverse effect, either directly or through habitat modifications,	<p>4.4-4(a) <i>Implement Mitigation Measure 4.4-1(a).</i></p> <p>4.4-4(b) <i>Prior to any ground disturbance, a USFWS/CDFW-approved biologist shall</i></p>	<p>See Mitigation Measure 4.4-1(a)</p> <p>USFWS</p>	<p>See Mitigation Measure 4.4-1(a)</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	on California tiger salamanders.	<p><i>identify potential breeding habitat for CTS. If the project fills or surrounds suitable breeding habitat, the project proponent shall notify USFWS, CDFW, and the East Contra Costa County Habitat Conservancy of the presence and condition of potential breeding habitat, as described below. Preconstruction surveys are not required.</i></p> <p><i>Written notification to USFWS, CDFW, and the East Contra Costa County Habitat Conservancy, including photos and breeding habitat assessment, is required prior to disturbance of any suitable breeding habitat. The project proponent shall also notify these parties of the approximate date of removal of the breeding habitat at least 30 days prior to this removal to allow USFWS or CDFW staff to translocate individuals, if requested. USFWS or CDFW must notify the project proponent of their intent to translocate CTS within 14 days of receiving notice from the project proponent. The applicant must allow USFWS or CDFW access to the site prior to construction if they request it. Restrictions under this Plan on the nature of the disturbance or the date of the disturbance do not exist unless CDFW or USFWS notify the project proponent of their intent to translocate individuals within the required time period.</i></p>	<p>CDFW</p> <p>East Contra Costa County Habitat Conservancy</p>	<p>Prior to any ground disturbance</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>In this case, the project proponent must coordinate the timing of disturbance of the breeding habitat to allow USFWS or CDFW to translocate the individuals. USFWS and CDFW shall be allowed 45 days to translocate individuals from the date the first written notification was submitted by the project proponent (or a longer period agreed to by the project proponent, USFWS, and CDFW).</i>			
4.4-5	Have a substantial adverse effect, either directly or through habitat modifications, on California red-legged frogs.	4.4-5 <i>Implement Mitigation Measure 4.4-1(a).</i>	See Mitigation Measure 4.4-1(a)	See Mitigation Measure 4.4-1(a)	
4.4-6	Have a substantial adverse effect, either directly or through habitat modifications, on western pond turtle.	4.4-6 <i>Implement Mitigation Measure 4.4-1(a).</i>	See Mitigation Measure 4.4-1(a)	See Mitigation Measure 4.4-1(a)	
4.4-8	Have a substantial adverse effect, either directly or through habitat modifications, on western bumble bee.	4.4-8 <i>Implement Mitigation Measure 4.4-1(a).</i>	See Mitigation Measure 4.4-1(a)	See Mitigation Measure 4.4-1(a)	
4.4-12	Indirect impacts on adjacent lands.	4.4-12(a) <i>Implement Mitigation Measure 4.1-3.</i> 4.4-12(b) <i>Prior to Improvement Plan approval, the project applicant shall prepare a list of</i>	See Mitigation Measure 4.1-3 City of Pittsburg Community	See Mitigation Measure 4.1-3	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>recommended and prohibited landscaping plants for homes and common areas within the project site. The list shall be subject to review and approval by the City of Pittsburg Community Development Department. The list shall include a plant palette composed of non-invasive species and shall list invasive plant species that residents may not plant on the project site. The list of prohibited plants shall be compiled in cooperation with a qualified restoration specialist and distributed to future occupants of the project site as part of the Covenants, Conditions, and Restrictions (CC&R) applicable to future residential development.</i></p>	Development Department	Prior to approval of Improvement Plans	
		<p>4.4-12(c) <i>In deed disclosures, the project applicant shall notify all property owners/buyers of the potential interactions that may occur between pets and native wildlife. The disclosures shall discuss the presence of native animals (e.g., coyote, bobcat, mountain lion) that could prey on pets, and state that the property owners and/or residents shall not take any actions against native animals should they prey on pets that are allowed outdoors (unless danger of attacks on humans is present). The property owners shall be informed of the importance of keeping pets inside or within fenced yards for the pet's protection, as well as to</i></p>	City of Pittsburg Community Development Department	Prior to subsequent final map approvals	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>protect nearby sensitive biological resources. The property owners shall also be informed of the importance of properly storing trash and not feeding wildlife so as not to attract non-native wildlife that could prey on native species.</i>			
4.4-14	Conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.	4.4-14 <i>Implement Mitigation Measure 4.4-1(a).</i>	See Mitigation Measure 4.4-1(a)	See Mitigation Measure 4.4-1(a)	
4.4-15	Cumulative loss of biological resources.	4.4-15 <i>Implement Mitigation Measures 4.4-1(a) through 4.4-14.</i>	See Mitigation Measures 4.4-1(a) through 4.4-14	See Mitigation Measures 4.4-1(a) through 4.4-14	
4.5 Cultural and Tribal Resources					
4.5-2	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 1564.5, directly or indirectly destroy a unique paleontological resource or unique geologic features, or disturb any human remains, including those	4.5-2(a) <i>In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during earth-moving activities, all work within 100 feet of the resource shall be halted, and the applicant shall consult with a qualified archeologist. Representatives of the City and the qualified archeologist shall coordinate to determine the appropriate</i>	City of Pittsburg Representative Qualified Archeologist	In the event that any prehistoric subsurface archeological features or deposits are discovered during earth-moving activities	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	interred outside of formal cemeteries.	<p><i>course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation.</i></p> <p>4.5-2(b) <i>If a human bone or bone of unknown origin is found during earth-moving activities, all work shall stop within 100 feet of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</i></p> <p>4.5-2(c) <i>If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</i></p> <p><i>If a Native American archeological, ethnographic, or a spiritual resource is discovered, all identification and treatment shall be conducted by qualified archeologists, who are certified by the</i></p>	<p>City of Pittsburg Community Development Department</p> <p>Contra Costa County Coroner</p> <p>NAHC, if the remains are determined to be Native American</p> <p>Appropriate Native American Representatives</p>	<p>If human bone or bone of unknown origin is found during earth-moving activities</p> <p>If a Native American site is discovered</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and are Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</i></p> <p><i>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</i></p> <p>4.5-2(d) <i>The applicant shall retain the services of a professional paleontologist/archaeologist to educate the construction crew that will be conducting grading and excavation at the project site. The education shall consist of an introduction to the geology of the project site and the kinds of fossils, archeological, and/or Native American resources that may be encountered, as well as what to do in case of a discovery.</i></p>	City of Pittsburg Community Development Department	Prior to commencement of construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Should any paleontological resources be unearthed by the construction crew, such as vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves), then ground-disturbing activity shall be diverted to another part of the project site and the paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. Proof of the construction crew awareness training shall be submitted to the City's Community Development Department in the form of a copy of training materials and the completed training attendance roster.</i></p>			
4.5-3	Directly or indirectly disturb or destroy a unique tribal cultural resource, such as a site, feature, place, cultural landscape, sacred place or object with cultural	4.5-3 <i>Implement Mitigation Measures 4.5-2(a) through 4.5-2(d).</i>	See Mitigation Measures 4.5-2(a) through 4.5-2(d)	See Mitigation Measures 4.5-2(a) through 4.5-2(d)	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	value to a California Native American tribe.				
4.6 Geology, Soils, and Seismicity					
4.6-1	The project site is subject to seismic risks including fault rupture, strong ground shaking, and liquefaction that could adversely affect future development.	<p><i>4.6-1 As part of any future development application, the project applicant shall undertake a design-level geotechnical report that will include a subsurface exploration of soil borings and/or cone penetration tests within the development areas and laboratory soil testing to provide data for preparation of specific recommendations regarding grading, foundations, and drainage for the proposed construction. A California Registered Civil Engineer or Geotechnical Engineer shall produce a design-level geotechnical engineering report subject to prior review and written approval by the City Engineer. The report shall address the following:</i></p> <ol style="list-style-type: none"> <i>1. The magnitude of remedial grading needed for the site;</i> <i>2. Construction of high cut slopes and relatively deep fills;</i> <i>3. The existence of adverse bedrock bedding;</i> <i>4. The potential presence of artificial, undocumented fills;</i> <i>5. The potential presence of compressible alluvial soils;</i> 	City Engineer	As part of any future development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>6. <i>The liquefaction potential within alluvial-filled valley areas;</i></p> <p>7. <i>The anticipated effects of local groundshaking on the proposed development; and</i></p> <p>8. <i>Identification of the extent of liquefaction and lateral spreading in the potential development area.</i></p> <p><i>Furthermore, the design-level geotechnical engineering report shall include project design measures and engineering techniques to avoid risks to people and structures from identified liquefaction and lateral spreading; address structures, structural foundations, and grading practices consistent with the CBC and any applicable City building and grading standards; and address both construction and operation of the project, as applicable. Design measures and engineering techniques may include, at a minimum, the following:</i></p> <ul style="list-style-type: none"> • <i>Recommendations for strengthened foundations to resist excessive differential settlement associate with seismically-induced liquefaction;</i> • <i>Removal and replacement of potentially liquefiable soils; and/or</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> Densify potentially liquefiable soils with an in-situ ground improvement technique. <p>The Design Level Geotechnical Report shall identify the portions of the project site that cannot be graded and developed to meet CBC standards. Development shall not be allowed within those areas. The report shall be completed by a consultant selected and hired by the City of Pittsburg. The developer shall be responsible for the full cost of the report. Prior to the issuance of any Grading Permit and approval of a Tentative Map, the City Engineer shall review the Design Level Geotechnical Report and determine that the proposed grading conforms to the CBC.</p> <p>Prior to issuance of building permits, the City shall site-inspect to ensure that construction is in accordance with the approved plans and incorporates all required design measures and engineering techniques, and that such measures perform as identified in the design-level geotechnical engineering report and conforms to the standards of the CBC.</p>			
4.6-2	Implementation of the project could result in substantial erosion or loss of topsoil.	4.6-2 As part of any future development application, the project applicant shall submit an erosion control plan subject to prior review and written approval by the	City Engineer	As part of any future development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>City Engineer to limit the erosion effects during construction of the proposed project. Measures shall be identified to limit and control the amount of erosion, and the transport of soils or sediment off of the construction site. Measures could include, but are not limited to:</i></p> <ul style="list-style-type: none"> • <i>Hydro-seeding exposed soils;</i> • <i>Placement of erosion control measures within drainageways and ahead of drop inlets;</i> • <i>The temporary lining (during construction activities) of drop inlets with “filter fabric” (a specific type of geotextile fabric);</i> • <i>The placement of straw wattles along slope contours and back-of-curb prior to installation of landscaping;</i> • <i>Directing subcontractors to a single designation “wash-out” location (as opposed to allowing them to wash-out in any location they desire);</i> • <i>The use of siltation fences; and</i> • <i>The use of sediment basins and dust palliatives.</i> 			
4.6-3	Implementation of the project could result in risks to people and	4.6-3 <i>The design-level geotechnical engineering report required by Mitigation Measure 4.6-1 shall address the potential for</i>	City Engineer	As part of any future	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	structures associated with compressible soil, undocumented fill, expansive soils, and/or corrosive soil.	<p><i>compressible soil, undocumented fill, corrosive soil, and expansive soil on the project site and shall identify engineering techniques to reduce any identified impacts to less than significance. The techniques shall include but not be limited to the following:</i></p> <ul style="list-style-type: none"> • <i>Undocumented fill - the over-excavation of a minimum of three feet of soil to remove existing non-engineered fill in order to place engineered fill;</i> • <i>Corrosive soil – If on-site soil is found to be corrosive to concrete, preventative measures such as protective treatment of concrete surfaces or the use of corrosion resistant materials shall be included in site design; and</i> • <i>Expansive soil – The use of post-tensioned concrete mat foundations or similarly stiffened foundations systems which are designed to resist the deflections associated with soil expansion.</i> <p><i>The Design Level Geotechnical Report shall identify the portions of the project site that cannot be graded and developed to meet CBC standards. Development shall</i></p>		development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>not be allowed within those areas. The report shall be completed by a consultant selected and hired by the City of Pittsburg. The developer shall be responsible for the full cost of the report. Prior to the issuance of any Grading Permit and approval of a Tentative Map, the City Engineer shall review the Design Level Geotechnical Report and determine that the proposed grading conforms to the CBC.</i></p> <p><i>Prior to issuance of building permits, the City shall site-inspect to ensure that construction is in accordance with the approved plans and incorporates all required design measures and engineering techniques, and that such measures perform as identified in the design-level geotechnical engineering report to address compressible soil, undocumented fill, corrosive soil, and expansive soil impacts and conforms to the CBC.</i></p>			
4.6-4	Implementation of the project could result in risks to people and structures associated with landslides.	<p>4.6-4(a) <i>The design-level geotechnical engineering report required by Mitigation Measure 4.6-1 shall address the existing landslides and the potential for landslides to occur throughout the project site. In addition, the design-level geotechnical engineering report shall include and address the following:</i></p>	City Engineer	As part of any future development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<ol style="list-style-type: none"> 1. <i>Characterization and remediation of existing large-scale landslides;</i> 2. <i>Description of the proximity of the project site and development areas to existing graded parcels;</i> 3. <i>Settlement and deflection of deep fills; and</i> 4. <i>Potential erosion of high cut slopes and fill slopes.</i> <p><i>Furthermore, the design-level geotechnical engineering report shall include design measures to reduce the risks from landslides, which may include, but are not limited to, the following techniques:</i></p> <ul style="list-style-type: none"> • <i>Graded cut and fill slopes over 15 feet in vertical height should be no steeper than 3H:1V (Horizontal:Vertical). Cut and fill slopes up to 15 feet in vertical height may be constructed at slope gradients no steeper than 2H:1V;</i> • <i>Graded cut and fill slopes exceeding 30 feet in height may be provided with intermediate benches on the slope surface spaced no greater than 30 feet vertically. Benches should be at least at 8 feet wide with a concrete-lined J or V-ditch to intercept surface runoff;</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<ul style="list-style-type: none"> • <i>Mass grading should begin with construction of toe keys and subdrains. All fills should be adequately keyed into firm natural materials unaffected by shrinkage cracks. Recommended keyway sizes and locations will be determined by the Geotechnical Engineer and will be approximately shown in the final remedial grading plans. Additionally, where fills are placed along slopes, subexcavated benches should be planned above toe keys as filling progresses. The Geotechnical Engineer will determine the actual size of the keyways during plan review and supplemental recommendations provided during grading. Toe keyways should also be used along where debris benches are recommended in design-level geotechnical studies; and</i> • <i>A Geotechnical Engineer shall prepare all grading and slope stability plans.</i> <p><i>The Design Level Geotechnical Report shall identify the portions of the project site that cannot be graded and developed to meet CBC standards. Development shall</i></p>			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>not be allowed within those areas. The report shall be completed by a consultant selected and hired by the City of Pittsburg. The developer shall be responsible for the full cost of the report. Prior to the issuance of any Grading Permit and approval of a Tentative Map, the City Engineer shall review the Design Level Geotechnical Report and determine that the proposed grading conforms to the CBC.</i></p> <p><i>Prior to issuance of building permits, the City shall site-inspect to ensure that construction is in accordance with the approved plans and incorporates all required design measures and engineering techniques, and that such measures perform as identified in the design-level geotechnical engineering report to address landsliding and slope stability impacts and compliance with the CBC.</i></p>			
		<p>4.6-4(b) <i>The project applicant shall establish a GHAD encompassing the area within a 1,000-foot radius of the area affected by the 2007 landslide south of Vista Del Mar. Establishment of the GHAD shall ensure that potential future development or grading activity conducted within the vicinity includes proper mitigation techniques to ensure long-term stability of the area and reduce potential impacts</i></p>	City Engineer	As part of any future development application within 1,000 feet of Vista Del Mar	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>related to slope instability. Specific grading techniques to ensure slope stability may include, but are not limited to the techniques outlined in Mitigation Measure 4.6-4(a) of this EIR</i>			
4.6-5	Cumulative increase in the potential for geological related impacts and hazards.	4.6-5 <i>Implement Mitigation Measures 4.6-1(a), 4.6-3, 4.6-4(a), and 4.6-4(b).</i>	See Mitigation Measures 4.6-1(a), 4.6-3, 4.6-4(a), and 4.6-4(b)	See Mitigation Measures 4.6-1(a), 4.6-3, 4.6-4(a), and 4.6-4(b)	
4.7 Hazards and Hazardous Materials					
4.7-1	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	<p><i>Asbestos-Containing Materials</i></p> <p>4.7-1(a) <i>Prior to issuance of a demolition permit for any on-site structures, the project applicant shall provide a detailed assessment to the City Planning Department pertaining to the potential presence of asbestos-containing materials in existing on-site structures to be demolished. If asbestos-containing materials are not detected, further mitigation is not required. If asbestos-containing materials are detected, the applicant shall prepare and implement an asbestos abatement plan consistent with federal, State, and local standards, subject to review and approval by the Bay Area Air Quality Management District and the City Planning Department.</i></p>	<p>City of Pittsburg Planning Department</p> <p>BAAQMD</p>	Prior to issuance of a demolition permit	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Lead-Based Paint</i></p> <p>4.7-1(b) <i>Prior to issuance of a demolition permit for any on-site structures, the project applicant shall provide a detailed assessment to the City Planning Department pertaining to the potential presence of lead-based paint in existing-on-site structures to be demolished. If lead-based paint is not detected, further mitigation is not required. If lead-based paint is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with federal, State, and local regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with federal, State, and local regulations subject to review and approval by the Bay Area Air Quality Management District and the City Planning Department.</i></p>	City of Pittsburg Planning Department	Prior to issuance of a demolition permit	
		<p><i>Above-Ground Storage Tanks</i></p> <p>4.7-1(c) <i>Prior to issuance of any grading permits, the applicant shall hire a qualified geotechnical engineer to remove and</i></p>	City Engineer	Prior to issuance of a grading permit	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>abandon the two on-site ASTs in accordance with federal, State, and local guidelines, pursuant to review and approval by the City Engineer and the Contra Costa Health Services Department. In addition, an evaluation of the area surrounding the storage tanks for unusual odors, visible discoloration, or other indications of soil contamination shall be conducted. If soils suspected of being contaminated are encountered, they shall be stockpiled on plastic sheeting. Stockpiled soils shall be sampled in accordance with the San Francisco Bay Regional Water Quality Control Board guidelines, and the findings forwarded to the San Francisco Bay Regional Water Quality Control Board for review. Further remediation, if necessary, and disposal of the soils shall be conducted in accordance with State and federal guidelines.</i></p> <p><i>On-Site Water Supply Wells</i></p> <p>4.7-1(d) <i>Prior to initiation of any ground disturbing activities within 50 feet of a well on the project site, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from the Contra Costa Health Services Department, and properly abandon the on-site wells in accordance with regional and local</i></p>	<p>Contra Costa Health Services Department RWQCB</p> <p>City Engineer Contra Costa Health Services Department</p>	<p>Prior to initiation of any ground disturbing activities within 50 feet of a well</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>standards, pursuant to review and approval by the City Engineer and the Contra Costa Health Services Department.</i></p> <p><i>On-Site Septic Systems</i></p> <p>4.7-1(e) <i>Prior to initiation of any ground disturbing activities within 50 feet of a septic tank on the project site, the applicant shall hire a qualified geotechnical engineer to obtain a septic system abandonment permit from the Contra Costa Health Services Department, and properly abandon the on-site septic systems, pursuant to review and approval by the City Engineer and the Contra Costa Health Services Department.</i></p>	<p>City Engineer</p> <p>Contra Costa Health Services Department</p>	<p>Prior to initiation of any ground disturbing activities within 50 feet of a septic tank</p>	
4.7-2	Emit hazardous emissions or handle hazardous materials within one-quarter mile of a school.	4.7-2 <i>Implement Mitigation Measures 4.7-1(a-e).</i>	See Mitigation Measures 4.7-1(a-e)	See Mitigation Measures 4.7-1(a-e)	
4.7-4	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	4.7-4(a) <i>Development of the proposed project shall include the installation of fire suppression systems (e.g., fire hydrants, fire sprinklers, smoke detectors) and be designed in accordance with the latest requirements of the California Fire Code. All project development plans shall be subject to review by the Contra Costa County Fire Protection District as part of the future discretionary development applications and Building Permit review processes to</i>	Contra Costa County Fire Protection District	Prior to approval of development plans	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<p><i>ensure the provisions of the California Fire Code are included in the plans. Fire-resistant roof construction, fire-resistant attachments, vegetative buffer zones, and other fire-safe measures may be required as part of their review.</i></p> <p>4.7-4(b) <i>The Master Plan shall include the following language under Section 2(A)(4):</i></p> <p style="padding-left: 40px;"><i>e) Defensible space in accordance with the guidelines of the California Fire Protection Standards shall be maintained in all portions of the Master Plan Area adjacent to open space areas. If the required defensible space distances cannot be attained, structures within the defensible space shall be constructed with fire-resistant materials and practices.</i></p>	City of Pittsburg Planning Department	Prior to Master Plan approval	
4.8 Hydrology and Water Quality					
4.8-1	Substantially alter the existing drainage pattern of the site or area, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater	4.8-1 <i>As part of any development application, the applicant shall submit a site-specific drainage study which shall identify site design measures, source controls, and stormwater treatment and flow control measures showing that the project runoff will not exceed the capacity of existing and planned stormwater drainage systems and</i>	City Engineer	In conjunction with submittal of any development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	drainage systems, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.	<p><i>will not result in flooding on- or off-site. The study shall include, but not be limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>Calculations of pre-development runoff conditions and post-development runoff conditions, using appropriate engineering methods;</i> • <i>An assessment of downstream drainage and City storm-water facilities impacted by potential project runoff in accordance with General Plan Policy 9-P-21, which requires the following:</i> <ul style="list-style-type: none"> ○ <i>Calculate potential sedimentation and runoff based on the maximum storm event and determine necessary capacity of the downstream drainage system. If the project presents potential downstream sedimentation, runoff, or flooding issues, the drainage study shall require additional mitigation including, but not limited to, limitations on grading, construction only in dry seasons, and funding for downstream improvements, maintenance, and repairs;</i> 			

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • <i>Assessment of existing drainage facilities within the project area and an inventory of necessary upgrades, replacements, redesigns, and/or rehabilitation in order to accommodate the proposed project;</i> • <i>Recommendation of appropriate design measures required to meet C.3 requirements, and relevant requirements from Chapter 13.28 of the City's Municipal Code; and</i> • <i>A proposed maintenance program for the on-site drainage system.</i> 			
4.8-2	Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality through erosion during construction.	<p>4.8-2 <i>Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:</i></p> <ul style="list-style-type: none"> • <i>Silt fencing;</i> • <i>Fiber Rolls;</i> • <i>Vehicle washout areas and trackout control;</i> • <i>Desilting Basins;</i> • <i>Gravel Bag Berms; or</i> 	Director of Public Works/City Engineer	Prior to issuance of grading permits	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> Storm Drain inlet protection. <p>The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Property boundaries between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</p>			
4.8-3	Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during operations.	4.8-3 Implement Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1	See Mitigation Measure 4.8-1	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.9 Land Use and Planning					
4.9-1	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect.	<i>4.9-1 Prior to approval of the first tentative map for the project site, the Land Use Map for the proposed project shall be revised to remove development from all areas with elevations in excess of 900 feet. All areas within the project site with elevations in excess of 900 feet shall be designated as Open Space, and, with the exception of areas designated for development of a future water tank, future development shall not be allowed to occur in any areas of the project site with elevations exceeding 900 feet. The revised Land Use Map shall be subject to review and approval by the City of Pittsburg Community Development Department.</i>	City of Pittsburg Community Development Department	Prior to approval of the first Tentative Map	
4.10 Noise					
4.10-2	Expose persons to or generate noise levels in excess of standards established in the General Plan.	<i>4.10-2 As part of any development application, the applicant shall submit a site-specific noise study with an analysis of traffic and any other significant noise generators and recommended measures to reduce the exterior and interior noise levels at all future residences or other sensitive receptors to below 65 dB Ldn and 45 dB Ldn, respectively. Potential measures could include, but would not be limited to, inclusion of noise buffers in site design,</i>	City Engineer	In conjunction with submittal of any development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>restriction of two-story homes, or incorporation of noise-insulating building materials such as windows with a sound transmission class rating of 35-38 and resilient channels for walls.</i>			
4.10-3	Construction of the project could cause a substantial temporary increase in ambient noise levels.	<p>4.10-3(a) <i>In compliance with Section 18.82.040 of the City’s Municipal Code, construction hours shall be restricted to 8:00 AM to 5:00 PM. In addition, construction shall not occur on City-observed holidays. Such restrictions shall be noted on grading plans and other construction plans for the review and approval of the City of Pittsburgh Community Development Department.</i></p> <p>4.10-3(b) <i>Prior to issuance of any grading permit, the project contractor shall ensure that all equipment to be used in the construction of the project (i.e., owned, leased, and subcontractor vehicles) shall be fitted with factory equipped mufflers and in good working order, subject to review and approval by the City Engineer. The aforementioned requirements shall be noted on the grading plans.</i></p> <p>4.10-3(c) <i>If the project is constructed in phases, construction staging areas and construction activities shall be located as far from prior phases as feasible, as determined by the City Engineer. Such restrictions shall be noted on grading plans</i></p>	<p>City of Pittsburgh Community Development Department</p> <p>City Engineer</p> <p>City Engineer City of Pittsburgh Community Development Department</p>	<p>Prior to approval of construction plans</p> <p>Prior to issuance of grading permit</p> <p>Prior to approval of construction plans</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>and other construction plans for the review and approval of the City of Pittsburg Community Development Department.</i>			
4.11 Public Services and Utilities					
4.11-1	Result in insufficient water supply available to serve the project from existing entitlements and resources, or require the construction of new water delivery, collection, or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	<p><i>4.11-1(a) The developer shall provide all necessary documentation required by the CCWD for its application for inclusion of the project site in the CVP. No grading or building permits shall be issued until the project site has been annexed into the CCWD service area and the developer provides the City with a “Will Serve” letter from the CCWD verifying that the project site has been included in the CVP.</i></p> <p><i>4.11-1(b) Prior to final subdivision map approval, per SB 221 (Government Code Section 66473.7), the water supplier (the City of Pittsburg) shall provide a written verification that the water supply for the proposed project is sufficient, to the satisfaction of the CCWD.</i></p>	<p>City of Pittsburg Community Development Department CCWD</p> <p>City of Pittsburg Community Development Department CCWD</p>	<p>Prior to issuance of grading or building permits</p> <p>Prior to final subdivision map approval</p>	
4.11-2	Exceed wastewater treatment requirements of the applicable RWQCB, require the construction of new wastewater delivery, collection, or treatment facilities or expansion	<p><i>4.11-2(a) The developer shall provide all necessary documentation required by the DDS D for its application for inclusion of the project site in the DDS D’s service area. No grading or building permits shall be issued until the project site has been annexed into the DDS D service area and the developer</i></p>	<p>City of Pittsburg Community Development Department DDS D</p>	<p>Prior to issuance of grading or building permits</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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	of existing facilities, the construction of which could cause significant environmental effects, or require sewer service that may not be available by the area’s wastewater treatment provider.	<i>4.11-2(b) provides the City with a “Will Serve” letter from the DDS.</i> <i>In conjunction with the first development application within the Draft Master Plan area, the developer shall provide to the City confirmation from the DDS that adequate trunk sewer system capacity exists to serve the proposed project.</i>	City of Pittsburg Community Development Department DDS	In conjunction with the first development application	
4.11-4	Result in substantial adverse physical impacts associated with the provisions of new or physically altered fire protection facilities, and/or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection facilities.	<i>4.11-4 Prior to recordation of a Final Map for any portion of the proposed project site, the project applicant shall provide proof, to the City of Pittsburg Community Development Department, that the proposed project site has been annexed into CFD 2017-1.</i>			
4.12 Recirculated Transportation, Traffic, and Circulation					
4.12-2	Conflict with an applicable plan,	<i>4.12-2(a) As part of future development applications, the project applicant shall pay the fair-</i>	City of Pittsburg Community	In conjunction with the first	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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	ordinance or policy establishing measures of effectiveness for the performance of the study intersections under Existing Plus Project Conditions.	<p><i>share fee for the improvements planned in the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1028). Such improvements would include, but would not necessarily be limited to, the following:</i></p> <ol style="list-style-type: none"> <i>1. The EB SR-4 Ramps/Willow Pass Road intersection shall be signalized, a southbound left turn lane shall be added, the shared southbound through-left lane shall be restriped to be a through lane, and the eastbound approach shall be restriped to be an eastbound left turn lane and a shared eastbound through-right lane; and</i> <i>2. The WB SR-4 Ramps/Willow Pass Road shall be signalized, a northbound left turn lane shall be added, the northbound shared through-left turn lane shall be restriped to be a through lane, and the westbound approach shall be restriped to be two westbound left turn lanes and a shared westbound through-right lane.</i> <p><i>Proof of payment shall be submitted to the City of Pittsburg Community Development Department.</i></p>	Development Department	development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<p>4.12-2(b) <i>As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Concord CIP (Project 2049). Such improvements would include, but would not necessarily be limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>The southbound approach at the Concord Boulevard and Bailey Road intersection shall be widened and restriped to include a southbound left turn lane, a southbound through lane, and a southbound right turn lane. The northbound approach shall be widened to be a northbound left turn lane and a shared through-right turn lane;</i> • <i>The northbound and southbound approach shall be modified from split phasing to protected phasing; and</i> • <i>The Bailey Road and Myrtle Drive intersection shall be signalized, a southbound left turn lane shall be added, and the shared southbound through-left lane shall be restriped to be a through lane.</i> 	City of Pittsburg Community Development Department	In conjunction with the first development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<i>Guidelines provided in the Draft Master Plan. The final location and design of the linkage shall be submitted to the City Engineer for review and approval prior to approval of a future tentative subdivision map.</i>			
4.12-5	Result in a projected future over-capacity freeway condition where current long-range planning studies show an under-capacity condition at a freeway segment under Existing Plus Project Conditions.	4.12-5. <i>Implement Mitigation Measure 4.12-3.</i>	See Mitigation Measure 4.12-3	See Mitigation Measure 4.12-3	
4.12-7	Result in an internal circulation system design that does not meet City standards, substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access.	4.12-7 <i>As part of any future development applications, the project applicant shall submit a circulation plan to the City identifying how many units would be constructed before implementation of the proposed secondary access point at Bailey Road. The circulation plan shall comply with all applicable Contra Costa County Fire District standards related to emergency access.</i>	City of Pittsburg Community Development Department	In conjunction with the first development application	
4.12-8	Conflict with an applicable plan, ordinance or policy establishing measures of	4.12-8(a) <i>Prior to occupancy of the proposed buildings, the project applicant shall complete the following improvements at intersections within the City of Concord,</i>	City Engineer	Prior to occupancy	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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	effectiveness for the performance of the study roadway intersections under Long-Term (2035) Plus Project Conditions.	<p><i>subject to coordination with and approval by the City of Concord Traffic Engineering and Transportation Planning Division.</i></p> <ul style="list-style-type: none"> • <i>The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane;</i> • <i>The southbound approach at the Clayton Road and Bailey Road intersection shall be restriped to be a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane; and</i> • <i>The intersection timing splits at the following intersections shall be optimized: Clayton Road/Treat Boulevard (Intersection #39) and Concord Boulevard/Port Chicago Highway (Intersection #48).</i> <p>4.12-8(b) <i>As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1832). Such improvements would include, but would not necessarily be limited to, the following:</i></p>	City of Pittsburg Community Development Department	In conjunction with the first development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<ul style="list-style-type: none"> The southbound right turn lane at the WB SR-4 Ramps and Willow Pass Road intersection shall be converted to a free right turn lane. <p>Or</p> <p>If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.</p> <p>4.12-8(c) As part of future development applications, the project improvement plans shall show that an eastbound left turn lane would be added to the Rio Verde Circle and San Marco Boulevard intersection. Implementation of the required improvements shall be accomplished by way of one of the following methods:</p> <p>If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the proposed residences. If the improvements</p>	City of Pittsburg Community Development Department	In conjunction with the first development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<p><i>are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.</i></p> <p><i>Or</i></p> <p><i>If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.</i></p> <p>4.12-8(d) <i>As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required improvements shall be accomplished by way of one of the following methods:</i></p> <p><i>If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence. If the improvements</i></p>	City of Pittsburg Community Development Department	In conjunction with the first development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<p><i>are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.</i></p> <p><i>Or</i></p> <p><i>If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.</i></p> <p>4.12-8(e) <i>As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods:</i></p> <p><i>If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project</i></p>	City of Pittsburg Community Development Department	In conjunction with the first development application	

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		<p><i>shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.</i></p> <p><i>Or</i></p> <p><i>If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.</i></p> <p>4.12-8(f) <i>As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project S-16) to the City of Pittsburg Community Development Department. Such improvements would include optimization of timing splits at the following intersection:</i></p> <p><i>1. W. Leland Road and Burton Avenue.</i></p>	City of Pittsburg Community Development Department	In conjunction with the first development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<p><i>Proof of payment shall be submitted to the City of Pittsburg Community Development Department.</i></p> <p>4.12-8(g) <i>As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:</i></p> <p><i>If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.</i></p> <p><i>Or</i></p> <p><i>If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project</i></p>	City of Pittsburg Community Development Department	In conjunction with the first development application	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.</i></p> <p>4.12-8(h) <i>Implement Mitigation Measure 4.12-2(b).</i></p> <p>4.12-8(i) <i>As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project ST-27) to the City of Pittsburg Community Development Department. Such improvements would include widening of Bailey Road from two lanes two four lanes. Proof of payment shall be submitted to the City of Pittsburg Community Development Department.</i></p>	<p>See Mitigation Measure 4.12-2(b)</p> <p>City of Pittsburg Community Development Department</p>	<p>See Mitigation Measure 4.12-2(b)</p> <p>In conjunction with the first development application</p>	
4.12-9	Impacts related to Central and East County Routes of Regional Significance under Long-Term (2035) Plus Project Conditions.	4.12-9. <i>Implement Mitigation Measure 4.12-3.</i>	See Mitigation Measure 4.12-3	See Mitigation Measure 4.12-3	
4.12-10	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities	4.12-10 <i>Implement Mitigation Measures 4.12-6(a) and 4.12-6(b).</i>	See Mitigation Measures 4.12-6(a) and 4.12-6(b)	See Mitigation Measures 4.12-6(a) and 4.12-6(b)	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	under Long-Term (2035) Plus Project Conditions.				
4.12-11	Result in a projected future over-capacity freeway condition where current long-range planning studies show an under-capacity condition at a freeway segment under Long-Term (2035) Plus Project Conditions.	4.12-11 Implement Mitigation Measure 4.12-3.	See Mitigation Measure 4.12-3	See Mitigation Measure 4.12-3	
Initial Study					
V. a-d	<p>a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?</p> <p>b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?</p> <p>c. Directly or indirectly destroy a unique</p>	<p>V.1 Prior to submittal of a tentative map application within the Faria/Southwest Hills Annexation area, a Cultural and Historical Resources Survey shall be conducted for the project site by a qualified archaeologist and submitted for the City's review and approval. The required analysis and mitigation measures shall be implemented by the project applicant(s) to minimize or avoid impacts to any identified cultural resources to the greatest extent feasible.</p> <p>V.2 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil</p>	<p>City of Pittsburg Community Development Department</p> <p>City of Pittsburg Community</p>	<p>Prior to submittal of a tentative map application</p> <p>During construction</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FARIA/SOUTHWEST HILLS ANNEXATIONS PROJECT					
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		<p><i>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</i></p> <p>V.4</p> <p><i>If a human bone or bone of unknown origin is found during earth-moving activities, all work shall stop within 100 feet of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</i></p>	<p>City of Pittsburg Community Development Department</p> <p>Contra Costa County Coroner</p> <p>NAHC, if the remains are determined to be Native American</p>	<p>During construction</p>	

Attachment 6
Applicable General Plan Goals and Policies
 Faria/Southwest Hills annexation Project, AP-10-717 (GP, RZ, DA)

General Plan Goal or Policy	Analysis
Land Use Element – Citywide	
2-G-5: Promote a diversity of housing types, including opportunities for hillside estate development, as well as smaller lot, infill, and high-density housing.	Consistent. Implemented with the proposed Master Plan.
2-G-8: Ensure that hillside development enhances the built environment, improves safety through slope stabilization, is respectful of topography and other natural constraints, and preserves ridgelines and viewsheds.	Consistent. Implemented with the proposed Master Plan.
2-G-9: Exercise leadership in securing development and preserving open space consistent with the General Plan in portions of the Planning Area that will ultimately be inside the city boundaries.	Consistent. The proposed project would result in more open space land than what currently exists in the General Plan.
2-P-4: Consider amendments to the current Sphere of Influence for properties along the eastern and western edges of the City, to take advantage of providing City services for the development of adjacent vacant lands.	Consistent. Project area is within the Sphere of Influence.
2-P-6: Ensure provision of community amenities within planned development projects, including parks and recreation facilities, streetscaping and pedestrian paths, transit facilities, parking areas, and public safety facilities. Ensure construction of amenities at a time that is in balance with the needs of the development.	Consistent. Implemented with the proposed Master Plan.
2-P-15: Ensure minimum residential densities, in accordance with the ranges stipulated in this Plan.	Consistent.
2-P-22: Ensure that all General Plan policies apply to hillside land irrespective of zoning – whether Planned Development or any other base district.	Consistent. Proposed General Plan amendments (as described in the project description) would ensure consistency with this policy.
2-P-23: Restrict development on minor and major ridgelines (as identified in Figure 4-2). Encourage residential construction on flatter natural slopes or non-sensitive graded areas that reduce environmental and visual impacts. Minimize cut-and-fill of natural hillsides.	Consistent. There are no designated minor or major ridgelines on the site.

General Plan Goal or Policy	Analysis
<p>2-P-24: Prohibit new development on designated ridgelines. Ensure that residential developers cluster housing units to reduce both environmental and visual impact of hillside development.</p>	<p>Consistent. There are no designated minor or major ridgelines on the site. Proposed development area would be focused to the valley-like area in the center of the site, minimizing the potential for visual impacts</p>
<p>2-P-26: Ensure that new hillside development utilizes fire-resistant building materials, per the Uniform Building Code. Require that all residential units adjacent to open slopes maintain a 30-ft setback with fire-resistant landscaping.</p>	<p>Consistent. The Master Plan requires maintenance of a 100-ft setback with fire resistant landscaping,</p>
<p>*2-P-27: Minimize single-access residential neighborhoods in the hills; maximize access for fire and emergency response personnel.</p>	<p>Consistent. Implemented with the proposed Master Plan.</p>
<p>Land Use Element – Southwest Hills</p>	
<p>2-G-33: Maintain the general character of the hill forms.</p>	<p>Proposed for Deletion.</p>
<p>2-G-34: Encourage development of higher-end, low-density residential</p>	<p>Consistent. Proposed project densities would not exceed 5 units per acre.</p>
<p>2-P-85: Ensure extension of West Leland Road and San Marco Boulevard through the area, as shown on the General Plan Diagram, as a condition of any new approval in the area.</p>	<p>Consistent. Proposed Master Plan would require San Marco Blvd. to extend south through the site.</p>
<p>2-P-90: Ensure that all new development in Southwest Hills provides trailheads and linkages into the multi-use trail system planned to extend from West Leland Road to Oak Hills Park.</p>	<p>Consistent. Implemented with the proposed Master Plan.</p>
<p>2-P-91: Ensure as part of the development review process that any future subdivision in the southwest hills that is adjacent to the 2005 Pittsburg voter approved urban limit line, establishes a greenbelt buffer within the City's urban limit line between the proposed development and the urban limit line. The greenbelt buffer shall include all land between the City of Concord border and the first set of ridges, including the tops of these same ridges which generally run parallel to the common border. The City will consider, in conjunction with subdivision applications on these properties and related environmental analysis, general plan and/or the transfer of lost development rights as a result of these greenbelts to other portions of these properties, while not increasing the overall number of units permitted on these properties.</p>	<p>Consistent. While no subdivision or site specific development plan has been proposed at this time, the land use and rezoning amendments proposed, together with the Master Plan, would implement this policy by establishing the required greenbelt buffer along the western edge of the site through new Open Space designations.</p>

General Plan Goal or Policy	Analysis
<p>2-P-93: Allow Low Density residential development west of Bailey Road, as shown on the General Plan Diagram. Ensure that such development is minimally visible from Bailey Road and mitigates any impacts to creeks and wetlands in the area.</p>	<p>Consistent. Implemented with the proposed Master Plan.</p>
<p>2-P-96: Allow an overall maximum density of 3.0 du/ac within the Low Density Residential areas south of the San Marco project and outside the present Sphere of Influence line with a maximum number of 1500 residential units.</p>	<p>Consistent. As proposed, the developable areas for residential use would be reduced; however, the project would still allow for buildout of up to 1,500 units, consistent with this policy.</p>
Growth Management Element	
<p>3-G-2: Realize the opportunities afforded by establishment of the Voter Approved Urban Limit Line to allow the City to grow in such a way as to diversify and expand the employment base, develop a range of housing opportunities, increase the depth of municipal fiscal resources, enhance the quality of urban life for all Pittsburg residents and prohibit urban development beyond the Voter Approved Urban Limit Line.</p>	<p>Consistent. The project would allow development of new higher-end single family homes in the southwest hills, within the Voter Approved Urban Limit Line.</p>
<p>3-G-5: Ensure that new residential, commercial and industrial growth within the Voter-Approved Urban Limit Line pays its share of the costs for the construction of facilities needed to serve that growth.</p>	<p>Consistent. Implemented primarily through the terms of the proposed Development Agreement.</p>
<p>3-G-10: Foster development of a variety of housing types, densities and prices to balance the City's housing stock and meet the City's regional fair share housing needs for people of all income levels. (Housing Element Goal 13-G-1)</p>	<p>Consistent. According to the current Regional Housing Needs Allocation (RHNA), there is a need for more above-moderate income housing within the City.</p>
<p>3-P-1: Allow urban and suburban development only in areas where public facilities and infrastructure (police, fire, parks, water, sewer, storm drainage, and community facilities) are available or can be provided.</p>	<p>Consistent.</p>
Urban Design Element	
<p>4-G-1: Retain views of major and minor ridgelines within the southern hills, as designated in Figure 4-2.</p>	<p>Consistent. There are no designated minor or major ridgelines on the site; however, the existing ridgelines on the east and west side of the site would be preserved as open space.</p>

General Plan Goal or Policy	Analysis
<p>4-G-2: Preserve minor ridgelines south of State Route 4 as open space to provide screening for hillside development.</p>	<p>Consistent. There are no designated minor or major ridgelines on the site; however, the existing ridgelines on the east and west side of the site would be preserved as open space.</p>
<p>4-G-3: Ensure that new residential development in the southern hills provides adequate transition between urban and open space uses on the City's edge.</p>	<p>Consistent. Project includes establishment of a greenbelt buffer along the western edge of the site.</p>
<p>4-G-4: Encourage development that preserves unique natural features, such as topography, rock outcroppings, mature trees, creeks, and ridgelines, in the design of hillside neighborhoods.</p>	<p>Modification Proposed: Encourage development that preserves unique natural features, such as topography, rock outcroppings, mature trees, creeks, and <u>designated major and minor ridgelines</u>, in the design of hillside neighborhoods.</p>
<p>4-G-5: Encourage a sense of rural character in the design and construction of hillside development, including extensive landscaping, rooftop terraces, sloping rooflines, and use of natural materials.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>*4-P-1: Require ridge setbacks for all new hillside development. Building pads should be located at least 150 feet away from the crest of a major ridgeline (measured horizontally from the centerline), as designated in Figure 4-3.</p>	<p>Consistent. There are no designated minor or major ridgelines on the site; however, the project would meet the 150-foot setback requirement along its western edge.</p>
<p>*4-P-2: As part of the development review process, require design review of proposed hillside development. Ensure that:</p> <ul style="list-style-type: none"> • Hillside development is clustered in small valleys and behind minor ridgelines, to preserve more prominent views of the southern hills. • Hillside streets are designed to allow open views by limiting the building of structures or planting of tall trees along the southern edge or terminus of streets. 	<p>Modification Proposed: As part of the development review process, require design review of proposed hillside development. <u>Encourage</u> Ensure that:</p> <ul style="list-style-type: none"> • Hillside development <u>that</u> is clustered in small valleys and behind minor ridgelines, to preserve more prominent views of the southern hills. • Hillside streets <u>that</u> are designed to allow open views by limiting the building of structures or planting of tall trees along the southern edge or terminus of streets.
<p>4-P-3: As part of the development review process, limit building heights and massing where views of the hills from adjacent properties and public spaces could be preserved.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>

General Plan Goal or Policy	Analysis
<p>4-P-5: Design and install entry features at the entrances to the City, implemented through the City’s Capital Improvement Program. Use landscaping, signs, lighting, and other visual features to announce the gateway along regional roadways.</p>	<p>Consistent. Implemented by the proposed Development Agreement.</p>
<p>4-P-6: Ensure that developers of new residential projects in the southern hills plant trees and other vegetation along collector and arterial roadways, in order to maintain the sense of “rural” open space at the City’s southern boundary.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>4-P-7: Ensure that design treatment of new development at the City’s southern boundary retains a rural feel by:</p> <ul style="list-style-type: none"> • Discouraging the use of solid walls along these edges (fences must be visually permeable; however, discourage use of chain link in front and side yards); • Using materials and design to promote a rural feeling (for example, wooden or other rustic materials); and • Encouraging development at the outer edge of the City to face outwards toward the rural landscape (preventing a solid wall of residential back yard fences). 	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>4-P-10: Minimize grading of the hillsides. Amend the City’s Zoning Ordinance to allow density bonuses of 10 percent (maximum) for new hillside development that preserves 40 percent of natural hill contours.</p>	<p>Proposed for Deletion</p>
<p>*4-P-11: Limit grading of hillside areas over 30 percent slope (see Figure 10-1) to elevations less than 900 feet, foothills, knolls, and ridges not classified as major or minor ridgelines (see Figure 4-2). During review of development plans, ensure that necessary grading respects significant natural features and visually blends with adjacent properties.</p>	<p><i>Modification Proposed:</i> Limit grading of hillside areas over 30 percent slope (see Figure 10-1 [of the General Plan]) to elevations less than 900 feet, foothills, knolls, and ridges not classified as major or minor ridgelines (see Figure 4-2 [of the General Plan]), <u>unless deemed necessary for slope stability remedial grading, or installation of City infrastructure.</u> During review of development plans, ensure that necessary grading respects significant natural features and visually blends with adjacent properties.</p>
<p>4-P-12: Encourage terracing in new hillside development to be designed in small incremental steps. Extensive flat pad areas should be limited.</p>	<p>Proposed for Deletion</p>

General Plan Goal or Policy	Analysis
*4-P-14: Preserve natural creeks and drainage courses as close as possible to their natural location and appearance.	Proposed for Deletion
*4-P-15: Minimize the visual prominence of hillside development by taking advantage of existing site features for screening, such as tree clusters, depressions in topography, setback hillside plateau areas, and other natural features.	Consistent. There are no designated minor or major ridgelines on the site; however, the existing ridgelines on the east and west side of the site would be preserved as open space.
4-P-16: Allow flag lots with common driveways within hillside neighborhoods, in order to encourage terracing of buildings while minimizing roadway cut-and-fill (see Figure 4-4).	Consistent. Implemented by the proposed Master Plan.
*4-P-17: Encourage clustering of Hillside Low-Density units in the Southern Hills, with resulting pockets of open space adjacent to major ridgelines and hillside slopes. Allow density bonuses of 10 percent (maximum) for preservation of 60 percent or more of a project's site area as open space.	Consistent. Implemented by the proposed project land use lay out with residential areas in the center valley and open space on the outer edges of the site.
4-P-19: Encourage lot configuration such that perimeter walls and fences along arterial corridors within the southern hills are not needed.	Consistent. Implemented by the proposed Master Plan.
4-P-20: Discourage lot orientation that fronts onto the cross-slope of street segments on steep grades.	Proposed for Deletion
4-P-21: Encourage single-loaded streets parallel to steep slopes, with placement of lots on the uphill side of the street, such that homes front down-slope and allow open vistas from the public street.	Consistent. Implemented by the proposed Master Plan.
4-P-22: Discourage placement of lots that allow the rear of homes to be exposed to lower elevation views.	Proposed for Deletion
*4-P-24: Building forms should be "stepped" to conform to site topography. Encourage use of rooftop terraces and decks atop lower stories.	Consistent. Building type allowed by the proposed Master Plan.
*4-P-25: During development review, encourage residential rooflines that are oriented in the same direction as the natural hillside slope.	Proposed for Deletion

General Plan Goal or Policy	Analysis
<p>4-P-26: Reflect the predominant colors and textures within the surrounding landscape in selection of building materials for hillside development. Roof colors should tend toward darker earth tones, so that they are less visible from adjacent or upslope properties.</p>	<p>Proposed for Deletion</p>
<p>4-P-27: Maximize water conservation, fire resistance, and erosion control in landscape design through use of sturdy, native species. Use irregular planting on graded slopes to achieve a natural appearance.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>*4-P-28: Encourage developers to align and construct streets along natural grades. Minimize visibility of streets from other areas within the City (see Figure 4-7).</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>4-P-29: Encourage the construction of split roadways on steep hillsides, where appropriate.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>*4-P-30: Ensure that all residential developers provide multi-use trails or trailheads connecting to local schools and parks, commercial centers, and regional open spaces.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>4-P-31: Provide on-street parking along hillside roads in parking bays where topography allows.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>Transportation Element</p>	
<p>7-P-13: Upgrade or extend the hillside access routes from Bailey Road, Buchanan Road, Kirker Pass Road, and proposed San Marco Boulevard, as development potential warrants.</p>	<p>Consistent. Extension of San Marco Blvd would be required by the proposed Master Plan.</p>
<p>*7-P-14: Increase access to alternative north-south routes providing connection to State Route 4, other than Railroad Avenue.</p>	<p>Consistent. Extension of San Marco Blvd would be required by the proposed Master Plan.</p>
<p>*7-P-41: Ensure the provision of multi-use trails or trailheads within new hillside developments, preferably connecting to the regional trail network.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>Open Space, Youth and Recreation Element</p>	
<p>8-G-3: Promote a local trail and linear park system to provide access to regional open space areas, as well as connections between neighborhoods.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>

General Plan Goal or Policy	Analysis
<p>*8-P-2: Pursue the development of park and recreation facilities within reasonable walking distance of all homes.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>8-P-9: Design the layout of new park facilities in accordance with the natural features of the land. Where possible, preserve such natural features as creeks and drainage ponds, rock outcroppings, and significant topographic features.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>8-P-21: Encourage new residential development in hillside areas to develop public trails and/or trailheads providing connections to other regional and local open spaces.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>Resource Conservation Element</p>	
<p>*9-P-1: Ensure that development does not substantially affect special status species, as required by State and federal agencies and listed in Table 9-1. Conduct assessments of biological resources as required by CEQA prior to approval of development within habitat areas of identified special status species, as depicted in Figure 9-1.</p>	<p>Consistent.</p>
<p>9-P-6: In order to preserve viewsheds of the southern hills, preserve major ridgelines (shown in Figure 9-1) throughout the Planning Area. Revise the Municipal Code per Policy 4-P-1: building pads and structural elements shall be located at least 150 feet away from (horizontally) the crest of a major ridgeline.</p>	<p>Consistent. There are no designated minor or major ridgelines on the site; however, the project would meet the 150-foot setback requirement along its western edge.</p>
<p>*9-P-7: During the design of hillside residential projects, encourage clustering of housing to preserve large, unbroken blocks of open space, particularly within sensitive habitat areas. Encourage the provision of wildlife corridors to ensure the integrity of habitat linkages.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>*9-P-9: Establish creek setbacks along riparian corridors, extending a minimum of 50 to 150 feet laterally on each side of the creek bed. Setback buffers for habitat areas of identified special status species and wetlands may be expanded as needed to preserve ecological resources.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>Health and Safety Element</p>	

General Plan Goal or Policy	Analysis
<p>*10-P-3: Regulate the grading and development of hillside areas for new urban land uses. Ensure that such new uses are constructed to reduce erosion and land sliding hazards:</p> <ul style="list-style-type: none"> • Limit cut slopes to 3:1, except where an engineering geologist can establish that a steeper slope would perform satisfactorily over the long term. • Encourage use of retaining walls or rock-filled crib walls as an alternative to high cut slopes. • Ensure revegetation of cut-and-fill slopes to control erosion. <p>Ensure blending of cut-and-fill slopes within existing contours, and provision of horizontal variation, in order to mitigate the artificial appearance of engineered slopes.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>*10-P-8: During development review, ensure that new development on unstable slopes (as designated in Figure 10-1) is designed to avoid potential soil creep and debris flow hazards. Avoid concentrating runoff within swales and gullies, particularly where cut-and-fill has occurred.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>*10-P-11: Form geological hazard abatement districts (GHADs) prior to development approval in unstable hillside areas (as designated in Figure 10-1) to ensure that geotechnical mitigation measures are maintained over the long-term, and that financial risks are equitably shared among owners and not borne by the City.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>Housing Element</p>	
<p>13-G-1: Foster development of a variety of housing types, densities, and prices to balance the City’s housing stock and meet Pittsburg’s regional fair share housing needs for people of all income levels.</p>	<p>Consistent.</p>
<p>13-P-1.2: Encourage the construction of both high end and moderate-income housing in the southern foothills, downtown, along the waterfront, and throughout Pittsburg to provide above moderate-income housing opportunities in the community and to increase economic activity within the city.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>

General Plan Goal or Policy	Analysis
<p>13-P-1.2.A: Establish minimum lot sizes when pre-zoning the foothills to accommodate large homes. Provide flexible lot sizes on up to 50% of the lots, when requested, in conjunction with a density bonus and long-term affordable housing agreement.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>13-P-1.2.B: Ensure subdivisions in the foothills include an adequate supply of estate-sized lots for estate size homes.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>
<p>13-P-1.2.D: Support the development of moderate and above moderate income housing within existing City limits such as high end condominiums, townhouses, and single-family units with premium views and amenities throughout the city to increase economic activity within these areas.</p>	<p>Consistent. Implemented by the proposed Master Plan.</p>

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SAVE THE RIDGE! MARCH 2024

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SAVE THE RIDGE TEMPLATE PETITION LETTER

From: XXXXXXXXXXXXXXXXXXXXXXXXXX
Sent: Monday, May 6, 2024 10:30 PM
To: Lou Ann Texeira <LouAnn.Teixeira@lafco.cccounty.us>
Subject: Save the Ridge Now!

LAFCO Executive Officer Lou Ann Texiera,

Please protect the beautiful Los Medanos Hills, the ridge between Pittsburg and Concord, and the neighboring new Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature. We urge the Concord City Council to intervene with Pittsburg to negotiate a bigger buffer for the regional park, to Save the Ridge!

We urge the Pittsburg City Council to demand a bigger buffer for the regional park, to Save the Ridge!

We urge LAFCO to require a bigger buffer for the regional park, to Save the Ridge!

Seeno/Discovery Builders and the City of Pittsburg are trying to jam the bad Faria project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno rushed through a new document that didn't give the public time to review it. Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains largely unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge. They claim a large amount of open space but don't mention that most of it would be graded and scarred.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted. It also ignores voter-approved Measure P, which limited development to a much smaller project.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

We urge the Concord City Council to intervene with Pittsburg to negotiate a bigger buffer for the regional park, to Save the Ridge!

We urge the Pittsburg City Council to demand a bigger buffer for the regional park, to Save the Ridge!

We urge LAFCO to require a bigger buffer for the regional park, to Save the Ridge! Please change the project so that the ridge is saved. It's not too late to do the right thing for this project!

Contra Costa County residents deserve to have their hills protected, like so many other Bay Area communities already do. Both Concord and Pittsburg should have the same access to Thurgood Marshall Regional Park that their neighbors will have.

Sincerely,

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX@yahoo.com

Pittsburg, California 94565

▪

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May 29, 2024

Via Electronic Mail

Lou Ann Texeira
Executive Officer
Contra Costa Local Agency Formation
Commission
40 Muir Rd., 1st Fl.
Martinez, CA 94553

Re: Faria/Southwest Hills Annexation Project

Dear Ms. Texeira:

This firm represents Save Mount Diablo in matters related to the Faria/Southwest Hills Annexation Project (“Project”). We submit these comments to the Contra Costa County Local Agency Formation Commission (“LAFCO”) on its behalf with regard to the application of the City of Pittsburg (“City”) and developer Seeno and Discovery Builders (“Seeno”) to annex the Project site to the City, the Contra Costa Water District (“CCWD”) and the Delta Diablo Sanitation District (“DDSD”).

We believe the current record is insufficient for LAFCO’s review. The City and Seeno have not provided the information necessary to ensure compliance with the California Environmental Quality Act (“CEQA”) or with LAFCO polices, including this agency’s Agricultural and Open Space Preservation Policy (“AOSPP”). Moreover, any LAFCO approval must include conditions that ensure compliance with CEQA and LAFCO policies, such as expanded ridgeline buffers and agricultural conservation easements. These issues are also addressed in separate comments submitted to LAFCO by Save Mount Diablo.

After LAFCO continued the hearing on this matter to June 12, Save Mount Diablo attempted to work with Seeno to address these concerns. In particular, Save Mount Diablo asked Seeno to incorporate expanded ridgeline buffers into the project, a request Save Mount Diablo has made in the past. Unfortunately, to date Seeno has not agreed to incorporate these buffers. We therefore urge LAFCO to continue any consideration of the

proposed annexation until the City and Seeno have submitted all information necessary for LAFCO review and LAFCO has developed appropriate conditions.

I. LAFCO cannot approve the Project until it has adequate information to ensure the Project fully complies with LAFCO policies and CEQA.

The proposed Project is a poorly planned and environmentally destructive subdivision in unincorporated Contra Costa County, south of Pittsburg. The 600-acre Site is almost entirely steep hillsides, with peaks over 1,000 feet, as well as hazards like liquefaction zones and large-scale landslides. Draft Environmental Impact Report, Faria/Southwest Hills Annexation, City of Pittsburg, October 2018 (“DEIR”), 2-1, 4.9-3.¹ The Project Site is designated “Agricultural Lands” (“AL”) in the Contra Costa County General Plan and the “Agricultural Preserve” zoning requires 20-acre minimum parcels. *Id.* 4.9-4.

The City’s 2023 approvals included a Master Plan and Development Agreement, as well as rezoning that removed the Site from the protective hillside protection zone and allowed intensive residential development. The City also adopted General Plan Amendments changing the land use designation and deleting or weakening a dozen long-standing policies designed to protect hillsides, scenic views, and natural creeks and drainages. DEIR 3-11-13.

This Project requires annexation of the Project site into the City of Pittsburg city limits and into the CCWD and DDS. As a result, the Project cannot move forward without LAFCO approval. *See* DEIR, 4.2-9.

As you know, under the Cortese-Knox-Hertzberg Local Government Reorganization Act, Gov. Code, § 56000 et seq. (“CKH Act”), LAFCOs serve as the Legislature’s “watchdog” over city or special district boundary changes or “changes of organization.” *See Fallbrook Sanitary Dist. v. San Diego Local Agency Formation Com.* (1989) 208 Cal.App.3d 753, 759; Gov. Code § 56375. In reviewing boundary change requests from cities and counties, LAFCOs are to encourage and provide “planned, well-ordered, efficient urban development patterns with appropriate consideration of

¹ The DEIR

(<https://www.pittsburgca.gov/home/showpublisheddocument/10497/63747914262463000>) was supplemented and amended by the Partially Recirculated Draft EIR (PRDEIR) (October 2019) and the Revised and Updated Final EIR (RUFER) (March 2023) (<https://www.pittsburgca.gov/home/showpublisheddocument/14798/63813368778987000>).

preserving open-space and agricultural lands within those patterns.” Gov. Code § 56300(a). The CKH Act enumerates factors a LAFCO must consider when evaluating a city’s boundary change request. *See e.g., id.* § 56377 (discouraging premature development of agricultural land); § 56668 (proposal’s effect “on maintaining the physical and economic integrity of agricultural lands”); § 56668(b)(1)(l) (availability of water supplies). In addition, each LAFCO must adopt written policies and procedures to evaluate boundary change proposals, including standards and criteria to guide the LAFCO’s review. *Id.* §§ 56300(a), 56375(g).

LAFCO may “approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization.” Gov. Code § 56375(a)(1). Thus, a LAFCO may “disapprove an annexation if it finds that it violates the detailed criteria which a LAFCO must consider.” *Bozung v. Local Agency Formation Commission* (1975) 13 Cal.3d 263, 284.² LAFCO also has broad authority to amend applications or condition approval on applicants’ compliance with LAFCO policies. *Fallbrook Sanitary Dist.*, 208 Cal.App.3d at 760 (holding that “a ‘watchdog’ has few teeth if it must obtain approval from proponents of matters . . . which the agency believes are in the interest of accountable and efficient government”); Gov. Code §§ 56885.5, 56886; *Voices for Rural Living v. El Dorado Irrigation Dist.* (2012) 209 Cal.App.4th 1096, 1116 (LAFCO has power to impose enforceable conditions on approval of an annexation).

LAFCO decisions are also subject to CEQA. *Bozung*, 13 Cal.3d 279; *City of Santa Clara v. Local Agency Formation Com.* (1983) 139 Cal.App.3d 923, 930-31. As a responsible agency, LAFCO is responsible for: determining whether a subsequent or supplemental EIR is required for its approval (Pub. Resources Code § 21166; CEQA Guidelines §§ 15050(c)(2), 15162³); mitigating Project impacts within its jurisdiction (CEQA Guidelines § 15096(g)); and adopting CEQA findings (*id.* §§ 15096(h), 15093).

² While LAFCO’s discretion to disapprove an annexation is limited in certain circumstances (Gov. Code § 56375(a)(4)), those circumstances do not apply here. The Site is *not* an island or substantially surrounded by the City, substantially developed or developing, or located within an urban service area adopted by LAFCO; moreover, the Site *may* constitute prime agricultural land. *See id.*

³ The CEQA Guidelines, Cal. Code Regs., tit. 14, section 15000 et seq., are referred to herein as “CEQA Guidelines.”

As set forth below, LAFCO can go forward with its review only after further CEQA review, submission of additional information, and establishment of appropriate conditions and mitigation. The applications as currently submitted should be denied.

II. LAFCO should require supplemental CEQA review for the Project.

The City certified the programmatic RUF EIR for the Project in April 2023, after the Contra Costa Superior Court held that the 2021 Final EIR violated CEQA in litigation filed by Save Mount Diablo. As LAFCO has repeatedly observed, while the EIR is a “program level” EIR—based on a master plan that is essentially a development footprint—a “project-level” EIR is necessary for LAFCO review. *See* July 10, 2023 LAFCO letter to City at 1-2. For example, in 2021, LAFCO stated:

[W]hat is submitted as a “Master Plan” does not meet the test for a development project and the EIR is expressly identified and described as a “Program” level EIR, prepared in accordance with §15168 of the CEQA Guidelines. Therefore, the program level EIR is not acceptable for LAFCO’s purposes....

If, and when, an annexation application is submitted to LAFCO, LAFCO expects additional environmental and other information on a “project” level to enable LAFCO to make an informed decision on the project’s annexation application.

February 19, 2021 LAFCO comments to City Council (“2021 LAFCO Comments”) at 2. LAFCO’s comments on the EIR for the Project also stated that the EIR “is not adequate for LAFCO purposes” due to the lack of “graphic displays showing the location and extent of proposed land uses including residential neighborhoods of varying densities, parks, open spaces and recreation facilities, land to be set aside for permanent open space, alignment of roadways, topographic contours that would reflect how the project site would appear once proposed grading is completed,” and lack of information “regarding mass grading, quantitative levels of demand for public utilities and services including water, wastewater, storm water, police and fire.” November 30, 2018 LAFCO comments on DEIR (“LAFCO DEIR Comments”) at 2.

As a responsible agency, LAFCO is required to prepare a subsequent or supplemental EIR (“SEIR”) for a project where substantial changes occur with respect to the circumstances under which the project is being undertaken, or new information on environmental impacts becomes available. Pub. Resources Code § 21166; CEQA Guidelines § 15162. LAFCO has independent authority under CEQA to determine whether these conditions have been met. *See* CEQA Guidelines §§ 15050(c)(2) (lead agency determination not conclusive where conditions for SEIR are met), 15096(e)(3).

Here, LAFCO has requested extensive additional information on a range of issues: financing, water services, storm drains, parks and recreation services, fire and emergency services, streets, schools, accessory dwelling units; an updated “Plan for Services” for water and parks and recreation services; information on whether a Streambed Alteration Agreement from California Department of Fish and Wildlife is needed; and an actual grading plan. November 16, 2023 LAFCO letter to City at 1-2. As detailed below, additional information, such as an Agricultural and Open Space Impact Assessment, is also required to assess the Project’s compliance with LAFCO’s open space and agriculture policies. Until this information is provided, any LAFCO decision on annexation is premature.

Moreover, any new, project-specific information that is submitted must be carefully assessed to determine whether it triggers the need for supplemental CEQA review. If, for example, the new information shows that Project’s environmental impacts will be more severe or that there are additional mitigation measures or alternatives that would reduce impacts, additional CEQA review is required. CEQA Guidelines § 15162(a)(3); *California Coastkeeper Alliance v. State Lands Commission* (2021) 64 Cal.App.5th 36, 43, 61 (upholding State Lands Commission’s decision to prepare a supplemental EIR based on City of Huntington Beach EIR). While future project-level review may tier from, or incorporate by reference, analysis in the earlier program-level (CEQA Guidelines §§ 15152, 15168), LAFCO cannot simply rely on the old EIR where it is inadequate for its review.

Before it can approve the Project, LAFCO also has an independent duty to consider all the environmental impacts of the Project, ensure appropriate mitigation for impacts within its jurisdiction, and identify overriding considerations for any impacts that are not mitigated. *See* CEQA Guidelines § 15096(g)(1) (responsible agency must mitigate or avoid “the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve”); *see also id.* § 15096(g)(2) (responsible agency “shall not approve a project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment”).

LAFCO must also adopt findings pursuant to Guidelines section 15091 for *each significant environmental impact* identified in the lead agency’s EIR. *Id.* § 15096(h). In addition, LAFCO must adopt a statement of overriding considerations for any significant and unavoidable impacts and a mitigation monitoring plan setting forth mitigation that is “fully enforceable through permit conditions, agreements, or other measures.” *Id.* §§ 15093, 15091(d). In making these findings, LAFCO is not bound by the findings of the

lead agency, but rather “must...issue its *own* findings.” *Riverwatch v. Olivenhain Mun. Water Dist.* (2009) 170 Cal.App.4th 1186, 1201.

The City’s EIR identified a **wide range of significant impacts** from the Project. These include impacts related to: degradation of the Site’s visual character; light and glare; air pollution; direct and cumulative habitat modification for special status plants, birds, and mammals, and other wildlife; conflicts with adopted habitat conservation plans; archeological impacts; seismic risks; erosion and loss of topsoil; landslides and other geological risks; hazardous materials; wildfire; drainage; water quality; land use conflicts; noise; water supply, wastewater and public services and utilities; and traffic, public transit, and circulation. DEIR 2-1-78; RUF EIR, 3-2-16.

Many of these significant impacts are within LAFCO jurisdiction. LAFCO must therefore develop specific conditions, based on current and complete information, to mitigate reduce those impacts. CEQA Guidelines §§ 15096(g), 15096(h). For example, the Project currently includes *no* mitigation for the loss of agricultural land and open space, while CEQA and LAFCO policy (AOSPP, Guideline 3) require such mitigation. Additional CEQA review should consider requiring a development buffer between the property line and any development to preserve grazing connectivity to adjacent parcels, as well as acquisition of agricultural conservation easements to minimize this loss. *See V Lions Farming, LLC v. County of Kern* (2024) 100 Cal.App.5th 412 (agricultural conservation easements may provide compensatory mitigation for conversion of agricultural land under CEQA).

Additional CEQA review is also required for impacts on open space. Any analysis should include visual simulations identifying how Site ridgelines would be visible in central County. *See Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655, 694-95 (CEQA required visual simulations in order to allow the public and decision-makers to understand visual impacts of project). LAFCO must also consider an expanded ridgeline buffer to insulate the Project from the neighboring Thurgood Marshall Regional Park. *See* AOSPP, Guideline 3((b)(4) (LAFCO must consider “[e]stablishment of buffers sufficient to protect adjacent . . . open space lands from the effects of development”).

Because LAFCO does not have current and complete information to make the required CEQA findings on the present record, it should continue consideration until adequate CEQA review is complete.

III. The Project cannot be approved without appropriate conditions to ensure compliance with LAFCO Policies.

LAFCO must also ensure that Seeno and the City have submitted adequate information to enable LAFCO to evaluate the Project against its policies and guidelines and develop appropriate conditions. LAFCO's authority to deny, amend, or condition annexation applications is based on its independent authority, separate and apart from CEQA.⁴

Under the CKH Act, LAFCO's principal goals include "preserving open space and prime agricultural land" and "discouraging urban sprawl." Gov. Code § 56301; *see also id.* § 56001 (noting LAFCO role in preserving open space lands). This agency's AOSPP similarly provides that "boundary changes for urban development should be proposed, evaluated, and approved in a manner that is consistent with the continuing growth and vitality of agriculture within the county" and recognizes that open space lands "provide the regional with invaluable public benefits." AOSPP at 4. The AOSPP contains six Goals and ten Policies that establish LAFCO's intended outcome for projects impacting agricultural land or open space. AOSPP at 5-6. For example, AOSPP goals direct applicants to "[m]inimize the conversion of . . . open space land to other land uses" (Goal 1) and to "[i]ncorporate . . . open space land preservation into long range planning" (Goal 3). In reviewing the proposed annexation, LAFCO must consider whether the Project is consistent with these State goals and policies.

The 606-acre Site under review is currently used as, and designated for, open space and agriculture. At a minimum, it meets the LAFCO definition of "open space" and "agricultural land." The land is "substantially unimproved and devoted to an open-space use" and is designated by the County for agricultural use in the County's General Plan. Gov. Code §§ 56059 (defining open space), 65560 (open space includes land designated for the "managed production of resources" including "rangeland" and "agricultural lands"); DEIR, 4.9-4. The land's current and historic use is cattle grazing. *See* DEIR, 4.5-

⁴ Pub. Resources Code § 21174 (providing that CEQA is not "a limitation or restriction on the power or authority of any public agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer"); *Santa Clara Valley Water District v. San Francisco Bay Regional Water Quality Control Board* (2020) 59 Cal.App.5th 199, 213 (finding that the "Board's duties under CEQA did not deprive the Board of its independent authority under other laws to impose the mitigation requirements in its order" and the "the EIR's finality cannot prevent the Board from exercising its independent Porter-Cologne Act authority to protect water quality").

5, 4.7-2; Gov. Code § 56016 (defining agricultural lands as “land currently used for the purpose of producing an agricultural commodity”). The Site also likely qualifies as “prime agricultural land.” *See, infra*, section III.A.

The Project would convert most of the Site to urban uses. Thus, LAFCO’s approval of the annexation must ensure that it is consistent with policies for the preservation and protection of open space and agricultural land in both the CKH Act and the AOSPP.

A. The record is inadequate to make any determination as to existing agricultural values and proposed open space uses.

While the land is currently used for agricultural and open space uses, the record, as far as we are aware, fails to provide adequate information to determine whether the Site also qualifies as “prime agricultural land.” In past letters, LAFCO specifically requested information to determine whether the Site qualified as prime grazing land given its “long history of cattle grazing,” noting that conversion of such land was a significant impact that must be mitigated. LAFCO DEIR Comments at 3-5. LAFCO reiterated these requests in February 2021, noting that “the EIR lacks needed evidence, analysis, and conclusions of the impacts to agricultural land and open space, specifically those based on criteria LAFCO would use when considering the annexation proposal.” 2021 LAFCO Comments at 3.

Seeno failed to provide this information during the CEQA process. The EIR recognized, however, that the Site has a long history of cattle grazing. DEIR, 4.5-5, 4.7-2. The EIR’s background reports estimated that the 267-acre open space area (the most rugged portion of the Site) had a carrying capacity of 150-200 cattle. October 31, 2018 East Contra Costa County Habitat Conservancy Baseline Documentation Report, Nomad Ecology, at 11. More recent surveys also showed that much of the Site is “heavily grazed.” RUFER, Appendix D (August 2, 2022 letter from Salix Consulting), pdf 596; *id.* (May 19, 2022 survey), pdf 574 (“Nearly all the surface of the Faria Property is annual grassland and nearly all the annual grassland is grazed, primarily by cattle.”). This data suggests that the Site as a whole has sufficient capacity to qualify as prime agricultural land (one animal per acre). *See* LAFCO DEIR Comments at 3; Gov. Code § 56064 (defining “prime agricultural land”). LAFCO review cannot proceed until this determination is made.

The EIR also fails to make clear how designated open space would serve the purposes of the CKH Act and the AOSPP. *See* LAFCO DEIR Comments at 4. Most of the Site will be bulldozed—the 339 acres slated for development and much of the “open

space,” including land in the “greenbelt ridgeline buffer.” DEIR, 3-10-11, 4.1-19. The most recent grading maps we are aware of, from June 23, 2020, showed that **119.55** acres—45%—of the open space would be graded, with a total grading footprint of **460.6** acres, or three-quarters of the entire Site. See Attachment A.

This agency “embraces its objectives of encouraging orderly growth and development while discouraging urban sprawl” by providing that “[v]acant land within urban areas should be developed before . . . open space land is annexed for non-agricultural and non-open space purposes.” AOSPP at 2, 5. As far as we are aware, the City has provided no information about whether there is vacant urban land available for the development proposed by the Project. Without that information, LAFCO simply cannot determine whether the Project is consistent with this policy.

In short, the public is currently in the dark as to critical questions that must be answered for adequate LAFCO review. These questions include:

Has an Agricultural and Open Space Impact Assessment been submitted pursuant to Guideline 1 of the AOSPP?

Does the Site qualify as “agricultural land” (Gov. Code § 56016) or prime agricultural land (*id.* § 56064) due to its carrying capacity for cattle grazing?

How much land currently qualifies as open space under the CKH Act (Gov. Code, § 56059)?

How much land will qualify as open space under the proposed Project and what uses will it support?

Pursuant to Policy 2 of the AOSPP, how much vacant land in the City is currently available for development or entitled for development but unbuilt? Has the “land use inventory” required by Guideline 3(a) been submitted?

Pursuant to Policy 5 of the AOSPP, what other “feasible alternatives” are available for orderly and efficient growth?

How will the Project impact the neighboring Thurgood Marshall Regional Park? What measures are being proposed to “minimize adverse impacts to open space uses” (Policy 8 of the AOSPP)? This should include visual simulations to analyze these impacts.

B. Any annexation would have to comply with the AOSPP’s “mitigation hierarchy.”

The AOSPP also “provides for a mitigation hierarchy which 1) encourages avoidance of impacts to prime agricultural, agricultural and open space lands, 2) minimizes impacts to these lands, and 3) mitigates impacts that cannot be avoided while pursuing orderly growth and development.” AOSPP at 5.

As LAFCO has already acknowledged, it could “require the applicant to establish that mitigation measures required under the AOSPP are incorporated into the project,” and these measures “may exceed the City’s proposed CEQA mitigation measures.” 2021 LAFCO Comments at 3. Before LAFCO can even consider mitigation, however, it must have adequate information to determine how the project will “minimize adverse impacts to” neighboring open space uses (Policy 8) and what “feasible mitigation” is available for the loss of agricultural and open space lands (Policy 9).

This would require additional information required by Guideline 3 of the AOSPP, including “a land use inventory that indicates the amount of available land within the subject jurisdiction for the proposed land use” and “an evaluation of the effectiveness of measures proposed by the applicant to mitigate the loss of prime agricultural, agricultural and/or open space lands, and to preserve adjoining lands for prime agricultural, agricultural and/or open space use to prevent their premature conversion to other uses.” None of this information has been made publicly available. And the EIR itself proposed *no* mitigation for the loss of agricultural land and open space. *See* DEIR 2-6-7.

Pursuant to Guideline 3, LAFCO must consider additional measures to reduce the Project’s impacts, including:

- acquisition of agricultural conservation easements or similar mechanisms for agricultural land conservation (Guidelines 3(b)(1)(3)&(6); *V Lions Farming*, 100 Cal.App.5th 412 (agricultural conservation easements may provide compensatory mitigation for conversion of agricultural land));
- Participation in transfers of development rights (Guideline 3(b)(2));
- Establishment of buffers, including an expanded buffer between the Project boundary and open space along the ridgeline and adjacent to East Bay Regional Park District lands (Guideline 3(b)(4) (applicant should evaluate measures such as the “[e]stablishment of buffers sufficient to protect adjacent . . . open space lands from the effects of development”).

Because LAFCO is authorized to consider “natural boundaries” in considering annexation proposals (Gov. Code § 56668(a)), it could also consider modifying the proposed annexation boundary to exclude the area within the ridgeline buffer from the annexation. *See Fallbrook Sanitary Dist.*, 208 Cal.App.3d at 760 (LAFCO has authority to amend applications to meet its goals).

Given the lack of detail about the proposed development and absence of mitigation in the program-level EIR, LAFCO lacks the information necessary to find that the loss of land and open space are adequately mitigated. To ensure compliance with the goals and policies of the CKH Act and the AOSPP, LAFCO must require further analysis and mitigation, including consideration of agricultural easements and measures to protect the open space values of the adjacent Thurgood Marshall Regional Park.

IV. The public has been denied adequate review of this Project.

Public participation is at the heart of California’s environmental protection laws. LAFCO is required to provide public hearings on annexation proposals. Gov. Code § 56661. Likewise, the Supreme Court has explained that “the ‘privileged position’ that members of the public hold in the CEQA process . . . is based on a belief that citizens can make important contributions to environmental protection and on notions of democratic decision-making.” *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936 (citation and internal quotations omitted). Indeed, the entire CEQA review process is premised on an “interactive process of assessment of environmental impacts and responsive project modification which must be genuine.” *Id.* (citations omitted); *see also Ocean View Estates Homeowners Ass’n, Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 400 (“Environmental review derives its vitality from public participation.”).

To date, however, the City and Seeno have only prepared programmatic environmental review of the Project, with key project details (extent of grading, subdivision plans) omitted. While LAFCO has requested more detailed information, there has been no public review of the annexation submittal materials. The responsibility to ensure adequate public participation now falls on LAFCO. It should refrain from taking further action until all of the critical documents have been made available for public review and appropriate CEQA review has been undertaken.

Now is the time to ensure that this Project is properly designed and its many impacts on public services, open space and agriculture are fully mitigated under CEQA and comply with LAFCO policy. It simply makes no sense for LAFCO to consider approving the requested annexations before the final site design and project footprint are

Lou Ann Texeira
May 29, 2024
Page 12

finalized. Once the project is approved and moves forward, it will be difficult or impossible to implement any necessary changes.

Thank you for the opportunity to submit these comments.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read "L. King", is written over the typed name.

Winter King

1765432.8

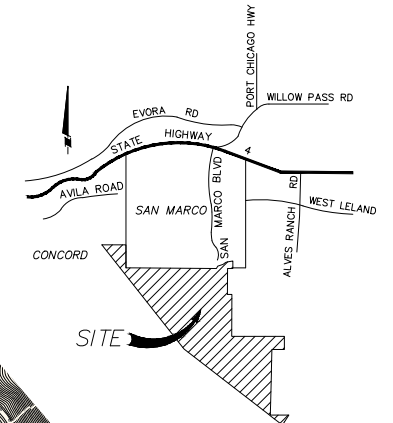
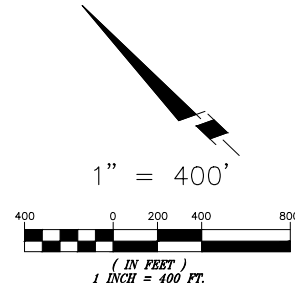
ATTACHMENT A

FARIA SW HILLS MASTER PLAN

JUNE 23, 2020

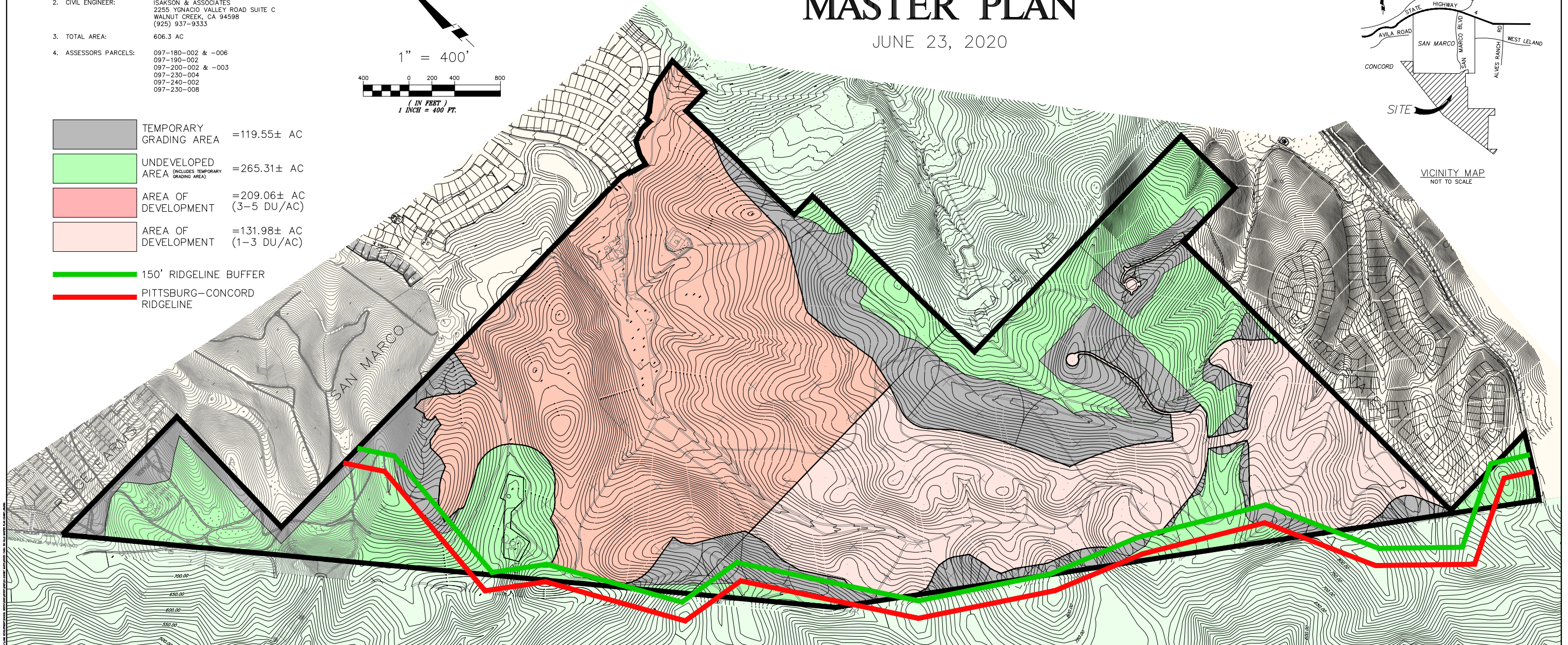
GENERAL NOTES:

1. OWNERS: FARIA LAND INVESTORS INC.
4061 PORT CHICAGO HIGHWAY, SUITE H
CONCORD, CA. 94524-4113
(925) 682-6419
2. CIVIL ENGINEER: ISAKSON & ASSOCIATES
2255 YGNACIO VALLEY ROAD SUITE C
WALNUT CREEK, CA 94598
(925) 937-9333
3. TOTAL AREA: 606.3 AC
4. ASSESSORS PARCELS: 097-180-002 & -006
097-190-002
097-200-002 & -003
097-230-004
097-240-002
097-230-008



VICINITY MAP
NOT TO SCALE

- TEMPORARY GRADING AREA =119.55± AC
- UNDEVELOPED AREA (INCLUDES TEMPORARY GRADING AREA) =265.31± AC
- AREA OF DEVELOPMENT (3-5 DU/AC) =209.06± AC
- AREA OF DEVELOPMENT (1-3 DU/AC) =131.98± AC
- 150' RIDGELINE BUFFER
- PITTSBURG-CONCORD RIDGELINE



SEAN R. MARCINIAK
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June 3, 2024

VIA E-MAIL AND U.S. MAIL

Contra Costa Local Agency Formation
Commission Members
c/o Lou Ann Texeira, Executive Officer
40 Muir Rd., 1st Fl.
Martinez, CA 94553
LouAnn.Teixeira@lafco.cccounty.us

Re: Response to Save Mount Diablo Comments on Faria/Southwest Hills Annexation Project

Dear Honorable Members of the Commission:

As you know, Hanson Bridgett LLP is assisting Discovery Builders, Inc. with respect to the City of Pittsburg's proposal to annex the Faria/Southwest Hills Project site into the City's territory. By this letter, we wish to respond to correspondence that Save Mount Diablo ("SMD") submitted to the Commission on April 3, 2024. **If there is a document, other than the staff report of course, that Commission members should read, we believe it is this response letter.**

SMD's correspondence is replete with misstatements of law and fact. The group is leading the Commission into dangerous territory by asking it to:

- **Undo judicial decisions** that the Contra Costa County Superior Court made in favor of the City of Pittsburg and Discovery Builders, which is not only improper but illegal;
- **Undo the decision by City of Pittsburg voters** to house the City's anticipated population growth on the Faria Project site, which consists of 1,500 units and is a fundamental pillar of the City's Housing Element;
- **Violate the Cortese-Knox-Hertzberg Local Government Reorganization Act** by asking the Commission to rezone the Project site, where the right to rezone exclusively belongs to the City, and by missing State deadlines for action; and
- **Violate the federal and California constitutions** by imposing mitigation measures where no nexus exists between a proposed measure and a Project impact.

The Faria Project is the culmination of 20 years of agency approvals and support from the City of Pittsburg voters, the City of Pittsburg elected officials, the East Bay Regional Park District, and the Commission itself. SMD's rhetoric, while vociferous and sensational, has no legal merit, and indulging in the group's requests would only put the Commission at odds with the law.

Below, we have:

- **Corrected the record;**
- **Identified SMD requests that already were decided by a court of law;** and
- **Identified what is essentially "nonsense"** — i.e., those statements SMD has made that sound sensational, but which in fact are irrelevant, aside from being false.

We ask that the Commission focus on the facts, and tune out the noise, in considering the City's request to annex the Project site into its jurisdiction. Here are the 13 misstatements that SMD would like the Commission to believe and act upon:

False SMD Claim No. 1: SMD prevailed in litigation against the City of Pittsburg and Discovery Builders, the litigation is still pending, and the Commission should wait until the lawsuit is over.

Details of claim: SMD claims it won two legal challenges to the Project, and that Discovery Builders unsuccessfully appealed a court's decision rejecting the Project approvals. We understand SMD may also have indicated to Commissioners that this lawsuit is still pending, implying the Commission should wait to make a decision until the lawsuit is resolved.

The truth: SMD prevailed on three of about forty-seven claims in court on the City of Pittsburg's CEQA document.¹ The three errors SMD identified were fixed by the City and their consultants, and all disputes about the lawfulness of the Project are fully resolved and final.

Regarding the three items that required minor revisions as a result of the SMD lawsuit (about 5 percent of its claims), such concerned the Project's environmental review. The City thereafter fixed the three small errors, and no challenge was made to those fixes. SMD even acknowledges in its letter to the Commission that these issues were "minor."² Accordingly, the matter is over and final, and cannot be relitigated by SMD or any other party. This means SMD can no longer file a lawsuit on these claims — not against the City, and not against the Commission.³

If SMD has claimed the lawsuit is still pending, the statement is disingenuous, manipulative, and designed to mislead the Commissioners. There is a remnant dispute *about how much money SMD's attorneys should get, if any, for prevailing on only 5 percent of their claims.*

The group's pending motion for attorney's fees does not affect the validity of the Project or its environmental review. Were the Commission to delay action on the City's annexation proposal,

¹ The merits of the SMD's lawsuit, entitled *Save Mount Diablo v. City of Pittsburg* (Case No. MSN210-0462), were decided in a Statement of Decision on February 9, 2022.

² On page 3 of its April 3, 2024 letter, SMD concedes: "The second court win resulting from the Applicant's unsuccessful appeal of the court's decision to order that previous approvals be rescinded and environmental review be fixed. *The City then fixed some minor aspects of the environmental review* and the Pittsburg City Council approved Faria for a second time in February 2023."

³ *Inland Oversight Committee v. City of San Bernardino* (2018) 27 Cal.App.5th 771, 781-782.

the delay would serve no legitimate purpose, and in fact put the Commission in violation of State law, which requires action be taken by June 19, 2024.⁴

SMD had its day in court, and it ultimately lost. We ask the Commission to respect the court's decisions.

False SMD Claim No. 2: **A 400- to 500-foot buffer is needed** along the Project's western boundary to reduce aesthetic, biological, fire hazard, agricultural, and air pollution impacts.

Details of claim: SMD asks the Commission to change the open space buffer along the Project's boundary with the City of Concord, suggesting the Commission legally can, and should, widen the buffer.

The truth: The Contra Costa County Superior Court, in a judicial decision dated February 9, 2022, held the Faria project and its open space plan (including the buffer) fully complied with all applicable law, including City's General Plan. The Court's ruling specifically mentioned the buffer was consistent with the City's hillside, ridgeline, and grading regulations.⁵

The current size of the Project's open space buffer was carefully designed and approved by key stakeholders, including the City of Pittsburg and with input from the East Bay Regional Park District.⁶ Ignoring the decisions of these agencies, SMD then sought to expand this buffer through a lawsuit, and it lost on those claims. Essentially, then, SMD is asking the Commission to reconsider issues previously analyzed and approved by the City, the East Bay Regional Park District, and a judge of the Contra Costa County Superior Court, which the Commission cannot do as a matter of law.

The law: The Commission should not attempt to change the size of the Project's open space buffer because, respectfully, it cannot do so as a matter of law.

Deciding the dimensions of a buffer is not within the authority of the Commission. Such is a zoning action within the purview of the City. To this end, State law provides that a "commission shall not impose any conditions that would directly regulate land use density or intensity,

⁴ Gov. Code sections 56106, 56658(c)&(h), and 56666(a). On February 9, 2024, Discovery Builders and the City submitted an updated Application provided information requested by the Contra Costa LAFCO. Upon receiving this February 9, 2024 submittal, LAFCO staff was required to determine within 30 days whether the Project application was complete and acceptable for filing or was incomplete. (Government Code section 56658(c)). Since no formal application completeness determination was communicated to Discovery Builders or the City within 30 days, the Application was deemed accepted as of March 10, 2024. (Government Code section 56658(e)). Pursuant to Government Code sections 56658(h) and 56106, the Commission must hold a hearing, and take action, on the Project application within 90 days of the date on which the application was deemed accepted. There is one exception to this rule. The Commission has a one-time right to continue the hearing, so long as the rescheduled hearing date will take place not more than 70 days after the original hearing date. (Government Code section 56666(a).)

⁵ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, pp. 35-36.

⁶ SMD fails to mention that, on October 1, 2021, Discovery Builders and the East Bay Regional Park District signed an agreement whereby project development would be rendered less visible from public vantage points, benefiting the Thurgood Marshall Regional Park.

property development, or subdivision requirements."⁷ Further, a "commission shall not specify how, or in what manner, the territory [to be annexed] shall be rezoned."⁸

To the extent the Commission might be concerned about a legal threat from SMD, such concerns are unwarranted. As a matter of law, SMD is legally estopped from bringing claims about the buffer again in any judicial forum.⁹

Detail on each of the environmental claims. SMD improperly argues the Commission should expand the buffer to address certain specified environmental issues. As discussed above, the Commission lacks the authority to do so. Below, we have meticulously demonstrated that each of SMD's environmental claims are meritless, and in fact were already litigated and resolved by the County court system.

False SMD Claim No. 3: The Commission needs project-level details to make a decision.

Details of claim: SMD repeatedly and vociferously claims the Project is not detailed enough for the Commission to make a decision. SMD points out that the Project consists only of programmatic pre-zoning and similar entitlements, and the group asserts that detailed utility, street, phasing, grading plans, EV charging stations, trails and bicycle alignments, and other Project elements are necessary. The group further claims that because of this vagueness, the Project's environmental review is inadequate.

The truth: SMD's claims have been declared false by a court of law. Programmatic approvals are perfectly acceptable,¹⁰ and the Contra Costa County Superior Court *repeatedly* found the Project's environmental review satisfied all pertinent CEQA requirements.¹¹

In fact, California law contemplates such a situation where a LAFCO, such as the Commission here, does not have project-level detail. In such situations, State law not only authorizes, but mandates, how a LAFCO should make decisions in these circumstances. As explained in the next paragraph, the only information a LAFCO is required to review are general plans and policies adopted by a city. In fact, this information is the only information a LAFCO can consider under the law. It is not necessary that a city identify the development purposes behind an annexation.

The law: State law provides that a "commission with regard to a proposal to annex territory to a city *shall* be based upon the general plan and rezoning of the city. *When the development purposes are not made known to the annexing city, the annexation shall be reviewed on the*

⁷ Government Code section 56375(a)(6).

⁸ Government Code section 56375(a)(7).

⁹ *Inland Oversight Committee v. City of San Bernardino* (2018) 27 Cal.App.5th 771, 781-782.

¹⁰ Even SMD admits that the Project is programmatic, requiring only programmatic environmental review. The Contra Costa Superior Court memorialized this fact in its decision. (*Save Mt. Diablo v. City of Pittsburg, Case No. MSN21-0462, Statement of Decision*, p. 6 [SMD "does not dispute whether [program-level EIR] was appropriate".])

¹¹ The Contra Costa Superior Court considered SMD arguments on this very issue. It then repeatedly held the project EIR was a sufficient, program-level study, and more detail was not required or necessary. (*Save Mt. Diablo v. City of Pittsburg, Case No. MSN21-0462, Statement of Decision*, pp. 5, 6, 20, 25, 29.)

basis of the adopted plans and policies of the annexing city or county."¹² In other words, all an applicant and annexing city need provide a LAFCO are general policies and, arguably, rezoning and a general plan designation. It is not even necessary for a city to identify what "development purposes" are proposed although.

Here, of course, the Commission has more than general policies to consider. It has a master plan that identifies the Project's development purposes, which is well beyond the minimum amount of information required by the State. Upon the receipt of such information, a LAFCO "shall" review the proposal on the basis of that information..¹³

With respect to the Project's environmental review, as noted above, the Contra Costa County Superior Court *repeatedly* found the Project's environmental review satisfied all pertinent CEQA requirements.¹⁴ There is no occasion for further environmental review. In fact, California law prohibits it.¹⁵

Further considerations: What SMD disingenuously fails to acknowledge, and what the County Superior Court recognized,¹⁶ is that the Project's Master Plan is not the last chapter in the Project's development. To build homes on the site, Discovery Builders will need to apply for subdivision map approvals from the City of Pittsburg, which triggers a review process that will require public notice and participation. A decision to annex the Project site does not mean development will occur without further public review. SMD knows this, given the County court wrote as much in its decision rejecting SMD's claims.¹⁷

False SMD Claim No. 4: Project-level review is required because a 2009 CEQA document says so.

Details of claim: SMD erroneously asserts that project-specific information is necessary at this time because the Commission's 2009 Initial Study/Negative Declaration, relating to proposed SOI expansions, provides that "all future development within the subject areas would be subject to a project level environmental review in conjunction with any future annexation."

The truth: First, an initial study is not a legal document. It is an environmental review document, and its purpose is to identify and disclose environmental impacts.¹⁸ Statements of

¹² Government Code section 56375(a)(7) (emphasis added).

¹³ See Government Code section 56375(a)(7)

¹⁴ The Contra Costa Superior Court considered SMD arguments on this very issue. It then repeatedly held the project EIR was a sufficient, program-level study, and more detail was not required or necessary. (*Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, *Statement of Decision*, pp. 5, 6, 20, 25, 29.)

¹⁵ See, e.g. *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal. App. 4th 788, 805 ("[a]fter a project has been subjected to environmental review, the statutory presumption flips in favor of the developer and against further review"); see also *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1072.

¹⁶ See *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, *Statement of Decision*, pp. 25, 29.)

¹⁷ The Contra Costa Superior Court repeatedly held the project EIR was a sufficient, program-level study, and more detail was not required or necessary at this time, and that project-level applications would warrant further public review. (*Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, *Statement of Decision*, pp. 5, 6, 20, 25, 29.)

¹⁸ CEQA's basic purpose is to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities." (CEQA Guidelines section 15002(a)(1).)

law in such a document, which are prepared by environmental consultants (not legislators or lawyers)¹⁹ do not constitute binding law, and the reference in the foregoing 15-year-old document is, respectfully, not a true statement of the law. As discussed in the previous response, no project-specific information is necessary or appropriate at this time. As also noted above, when the applicant seeks to build homes, it will have to submit proposals for subdivision maps which will be subject to a public review process before the City of Pittsburg.

False SMD Claim No. 5: There is other "key missing information" the Commission needs.

Details of claim: SMD claims that the Commission does not have sufficient information about the Project's financial feasibility.

The truth: SMD simply is unacquainted with the Project application and the Project's extensive administrative record. The Project application included an 84-page "Plan to Provide Public Services" for the Project, which explained in detail how the Project would be financially self-sustaining. This Plan was prepared by and supported with documentation from experts, including the City of Pittsburg; NHS Municipal Advisors (on behalf of the City); various engineers; and will-serve letter from all service providers, including the Contra Costa Water District, the Contra Costa County Fire Protection District, the Delta Diablo Sanitation District.

The information was deemed sufficient, and the application deemed complete, as of March 10, 2024.²⁰ Substantial evidence demonstrates the Project is self-funding over the long term.

False SMD Claim No. 6: The Project requires further mitigations.

Details of claim: SMD argues the Commission must adopt additional mitigations related to greenhouse gas emissions, water supply, and other alleged impacts.

The truth: Mitigations are required where a project has a significant impact. The Faria Project has undergone significant CEQA review before the City of Pittsburg, where this environmental review and its supporting documents exceed two thousand pages. The pertinent document, an Environmental Impact Report ("EIR") for the Project, is part of the Commission's record of proceedings.

The Project EIR thoroughly evaluated the Project and disclosed all environmental impacts. This included all impacts with respect to aesthetics, biological resources, fire hazards, agricultural resources, air quality (including greenhouse gas emissions), and water supply. For each of these impacts, the Project EIR has identified all feasible mitigation. In certifying the Project EIR and approving the Project on April 17, 2023, the City of Pittsburg also adopted a Mitigation Monitoring and Reporting Program, which made all mitigations in the EIR legally binding on Discovery Builders. The MMRP is also part of the Commission's administrative record for the Project.

¹⁹ The July 2009 Initial Study was prepared by planners employed by the environmental consulting firm PMC. (Initial Study, p. 103.)

²⁰ Government Code sections 56668(c)&(f).

As discussed above, SMD filed a lawsuit challenging about 50 different aspects of the Project and its EIR. The Contra Costa County Superior Court upheld the Project EIR on all points except three minor ones, which the City then remedied. SMD did not challenge the amendments the City made and adopted, and thus forfeited its right to do so in the future. The scope of the Project's impacts and the effectiveness of all mitigation is settled and final.

The issues raised by SMD in its recent letter to the Commission, and the associated mitigations it demands, merely rehash claims SMD already made in court, and which SMD lost. Each of SMD's environmental claims are identified and addressed below.

False SMD Claim No. 7: The Project would have unstudied aesthetic impacts.

Details of claim: SMD asserts that the Commission needs, and does not have, an "analysis to identify prominent hills from which development would be visible in central County and avoid construction on those hills." SMD further asserts that Project development would occur adjacent to the Thurgood Marshall Regional Park (managed by the East Bay Regional Park District), creating an unaddressed significant, negative aesthetic impact.

The truth: SMD already tried to argue, in court, that Project grading would result in unstudied aesthetic impacts.²¹ The Project EIR in fact does contain substantial analysis of the Project's aesthetic impacts, consisting of 36 pages and nine visual simulations.²² The Contra Costa County Superior Court determined, in writing, that SMD's claims had no legal merit, that the Project EIR was legally sufficient and that, insofar further Project detail surfaced through later tentative maps or other project-level entitlements, a lawful process existed for ensuring aesthetic impacts would be addressed.²³

Further considerations: On October 1, 2021, Discovery Builders and the East Bay Regional Park District signed an agreement whereby Project development would be rendered less visible from public vantage points, benefiting the Thurgood Marshall Regional Park. The East Bay Regional Park District does not object to the Project.

False SMD Claim No. 8: The Project would have unstudied impacts to biological resources.

Details of claim: SMD alleges that Project homes would be located in close proximity to "sensitive species breeding locations, including a known gold eagle nest site and a California tiger salamander breeding pond." The suggestion is that such information is new and has never been addressed before. SMD also asserts a wider buffer at the Project's westerly boundary would mitigate impacts to biological species.

²¹ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Save Mt. Diablo's Opening Brief, pp. 29-30 (alleging the Project "'EIR fails to identify impacts on scenic vistas' and that 'views from public trails and viewpoints' at Thurgood Marshall and Briones Regional Parks and Mt. Diablo 'will be significant impacted by the Project.'")

²² Project Draft EIR, Chapter 4.1; visual simulations on pp. 4.1-22 to 4.1-30.

²³ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, p. 25.

The truth: SMD already tried to argue, in court, that the Project EIR did not adequately assess the Project's impacts on the golden eagle, California tiger salamander, and other species.²⁴ The Project EIR in fact does contain substantial analysis of the Project's impacts on each of these species (and others), and determined impacts could be mitigated to less than significance with adherence to certain construction protocols.²⁵ The Contra Costa County Superior Court then determined, in writing, that SMD's claims had no legal merit, and that the Project EIR "sufficiently describe the baseline" for both species, and that the analysis was adequate.²⁶

Regarding SMD's claims that a wider buffer would mitigate impacts, the Project EIR already found that significant impacts of the Project, with the buffer selected by the City of Pittsburg, would all be mitigated to levels of insignificance. This analysis included study of the Project's impacts on wildlife corridors, which were found to be less than significance given the Project site "is surrounded by large expanses of open space," including open space maintained by the East Bay Regional Park District.²⁷ Both the City of Pittsburg and the Contra Costa County Superior Court, as indicated above, decided the Project EIR's evaluation of impacts on biological resources was legally sufficient.²⁸ Accordingly, no further mitigation is needed, and indeed it cannot be required as a matter of constitutional law.²⁹

False SMD Claim No. 9: The Project would have unstudied impacts to agricultural resources.

Details of claim: SMD claims the Faria property is agricultural land because "cows graze the property and are raised for beef production and that has been its historical use." Therefore, SMD concludes, the Project would result in the conversion of agricultural land to another use, triggering mitigation requirements that should be analyzed at a project level.

The truth: SMD's entire argument stems from a false statement of the facts. To the extent there are cows on the property, they exist for purposes of grazing in order to minimize wildfire risks. They are not "raised for beef" or "slaughtered for their meat," as SMD alleges, and there is not a shred of evidence to support this claim. Various livestock is brought in periodically to graze the site for property management purposes. The site is not irrigated and the grass is quickly grazed each spring/summer. The group's members, having lost in court, appear to be

²⁴ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Save Mt. Diablo's Opening Brief, p. 45; Reply Brief, p. 18 (attacking Project EIR analysis of golden eagle and California tiger salamander.)

²⁵ Project Draft EIR, pp. 4.4-46, 4.4-40, 4.4-50; Project Revised and Updated Final EIR, pp. 3-22, 3-23 (golden eagle analysis and mitigation); pp. 4.4-57, 4.4-58 (California tiger salamander analysis and mitigation).

²⁶ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, pp. 18-19.

²⁷ Project EIR, pp. 4.4-62, 4.4-63.

²⁸ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, pp. 18-19.

²⁹ A mitigation measure may go too far and cause a regulatory takings when there is no "essential nexus" between the condition and a legitimate state interest. (*Nollan v. California Coastal Com'n* (1987) 483 U.S. 825, 837.) That condition must also be "roughly proportional" to any harm or burden that the proposed project would cause. (*Dolan v. City of Tigard* (1994) 512 U.S. 374, 391.) Similarly, the Mitigation Fee Act, which in large part codifies the requirements established by the U.S. Supreme Court in *Nollan* and *Dolan*, requires a local government to establish a "reasonable relationship" between an exaction and a project's impact. (Gov. Code, § 66001(a)-(b); *Boatworks, LLC v. City of Alameda* (2019) 35 Cal.App.5th 290 [Mitigation Fee Act limits imposition of fees to those that have a reasonable relationship to the burden posed by the development].)

resorting now to misinformation tactics and dishonesty. Stated more plainly, they are making things up.

The Project's impacts on agricultural resources was thoroughly analyzed in the Project EIR. This environmental study concluded that (1) the Project's soils were poor;³⁰ (2) such soils were categorized as grazing land, such that the Project would not in any manner threaten agricultural lands; and (3) and no significant impacts would result from its redevelopment and thus no mitigation was necessary.³¹ In defining agricultural land, the Project EIR relied upon definitions set forth in Government Code sections 56016 and 56064.³² A court considered the adequacy of the Project EIR's analysis and determined that, with respect to impacts on agricultural lands, the analysis was "not defective."³³

Moreover, the applicant, in answering a Commission questionnaire, has further demonstrated that the Project site does not meet the definition of agricultural land under Government Code sections 56016 and 56064.³⁴

Further considerations: SMD also asks that a "formal analysis" be prepared "of consistency with LAFCO policies protecting agricultural lands and discouraging sprawl."

First, such an analysis already exists in the Project EIR. This analysis, prepared by environmental experts and peer-reviewed by the City of Pittsburg, concludes the Project site "does not meet the Contra Costa LAFCo's definition of 'agricultural lands' or 'prime agricultural land.'"³⁵

Second, the Commission's Agricultural and Open Space Preservation Policy incorporates the definitions of "agricultural land" set forth in the Government Code (i.e., the same definition reviewed in the Project EIR and the County Court), and the Commission's goals and policies all seek to minimize the conversion of such land, with more focus on prime agricultural land.³⁶ Given the Project site does not contain agricultural land (as defined in the Government Code), its redevelopment will not violate any Commission policies. In fact, annexation of the Project site would be encouraged under the Commission's policies, which encourage the Commission to annex properties with poor soils before annexing quality agricultural lands.³⁷

³⁰ For instance, the State Farmland Mapping and Monitoring Program indicates the Project site does not qualify as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Accordingly, nor does the Project contain soils capable of irrigation that are rated as class I or class II as defined by the USDA, or soils with a Storie Index Rating of 80 or more (on-site soil ratings range from 2 to 51).

³¹ Project Draft EIR, pp. 4.2-8 to 4.2-10, 4.2-15 to 4.2-17.

³² Project Draft EIR, pp. 4.2-9, 4.2-10.

³³ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, p. 20.

³⁴ Response to Contra Costa LAFCO "Questionnaire for Annexations, Detachments and Reorganizations," pp. 16-20.

³⁵ Project Draft EIR, pp. 4.2-10.

³⁶ Agricultural and Open Space Preservation Policy, Goals 1, 2, 3, 4, and 6; Policies, 1, 2, 5, and 9; Guidelines 1, 2, and 3

³⁷ ³⁷ Agricultural and Open Space Preservation Policy, Policy 4, which provides that non-prime agricultural land should be annexed before prime agricultural land. Given the Project sit does not even qualify as agricultural land under the Government Code and the Commission's Policy, it presumably would be first in line for annexation.

To the extent SMD demands mitigation, there is in fact no impact to mitigate. To impose mitigation in this circumstance would be illegal and qualify as an unconstitutional exaction.³⁸

False SMD Claim No. 10: The Project would have unstudied fire hazard impacts.

Details of claim: SMD asserts the Project site is in an area that is sensitive to climate change and, in particular, an area that "faces extreme danger from wildfire that will only grow worse without action." SMD bases its assertions on maps that, it alleges, visualize climate impacts that are "dramatically better" than previous maps. The group alleges that a greater buffer would minimize the Project's development footprint, reducing fire danger.

The truth: The issue of fire safety was litigated by SMD, and it lost on these claims.

No new information is presented. The Project EIR disclosed that the Project site was located in a moderate to high fire hazard severity zone, as identified by the State, but determined impacts were less-than-significant with mitigation.³⁹ SMD challenged this conclusion, arguing the mitigation measures were insufficient and a project-level analysis was needed.⁴⁰ This challenge included filing a 50-page letter with the City, making extensive comments on fire safety and other matters.⁴¹ The Contra Costa Superior Court held the Project EIR, which relied on findings that included evidence that a new fire station within 1.5 miles of the Project site will be operational, fully satisfied the law, and that "[f]urther detail is not necessary to provide substantial evidence to support these findings for the First-Tier EIR."⁴²

SMD does not produce an iota of new information in its latest letter. Nor does SMD make any claims it has not made previously — claims which were rejected by a court at law. There being no new significant information that was not known, or could not have been known, during the processing of the Project EIR, there is no occasion for more analysis.⁴³ In fact, it is prohibited under CEQA.

³⁸ A mitigation measure may go too far and cause a regulatory takings when there is no "essential nexus" between the condition and a legitimate state interest. (*Nollan v. California Coastal Com'n* (1987) 483 U.S. 825, 837.) That condition must also be "roughly proportional" to any harm or burden that the proposed project would cause. (*Dolan v. City of Tigard* (1994) 512 U.S. 374, 391.) Similarly, the Mitigation Fee Act, which in large part codifies the requirements established by the U.S. Supreme Court in *Nollan* and *Dolan*, requires a local government to establish a "reasonable relationship" between an exaction and a project's impact. (Gov. Code, § 66001(a)-(b); *Boatworks, LLC v. City of Alameda* (2019) 35 Cal.App.5th 290 [Mitigation Fee Act limits imposition of fees to those that have a reasonable relationship to the burden posed by the development].)

³⁹ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, p. 28; Project Draft EIR, p. 4.7-11

⁴⁰ *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, pp. 28-29.

⁴¹ Project Finale EIR, pp. 2-60 to 2-91.

⁴² *Save Mt. Diablo v. City of Pittsburg*, Case No. MSN21-0462, Statement of Decision, p. 29.

⁴³ See, e.g. *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal. App. 4th 788, 805 ("[a]fter a project has been subjected to environmental review, the statutory presumption flips in favor of the developer and against further review"); see also *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1072.

Separately and independently, further claims by SMD about fire safety are legally prohibited given a court has already ruled on these matters.⁴⁴

False SMD Claim No. 11: The LAFCO can and should consider adopting a more compact development footprint because it will result in less-than-significant impacts.

Details of claim: SMD alleges that compact development would result in fewer climate change impacts, like car pollution.

The truth: First, this assertion is directly contradicted by the Project EIR. Chapter 6 of the Draft EIR, which contains an analysis of Project alternatives, specifically evaluated a more compact development alternative and determined it would also result in significant and unavoidable impacts. To this end, the Draft EIR concluded that a compact development footprint, known as the Clustered Development Alternative, would be anticipated to result in significant and unavoidable impacts related to Aesthetics, Air Quality, and GHG Emissions, and Transportation, Traffic, and Circulation.⁴⁵ In fact, the Project EIR undertook a quantitative analysis of greenhouse gas emissions and determined that, on a per capita basis when evaluating future Project residents, the compact development alternative *would have more emissions*.⁴⁶

Second, the City found the compact development alternative was infeasible for multiple reasons, including that: (1) the alternative would impact the Project's ability to provide single family units, which was a unique need in the City, given household sizes in the City were on average larger than households in Contra Costa County; (2) this alternative would, from a practical standpoint, result in fewer residential units, including fewer low-income units, which was a poor policy decision given the housing crisis; and (3) the alternative did not significantly reduce the impacts of the proposed project.⁴⁷

Third, deciding where residential development will be situated on the Property is a zoning decision and is not, respectfully, within the authority of the Commission. Such a zoning action sits solely within the purview of the City. To this end, and as explained above, State law provides that a "commission shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements."⁴⁸ Further, a "commission shall not specify how, or in what manner, the territory [to be annexed] shall be rezoned."⁴⁹

⁴⁴ *Inland Oversight Committee v. City of San Bernardino* (2018) 27 Cal.App.5th 771, 781-782.

⁴⁵ Draft EIR, pp. would 6-15 through 6-23; Revised Final EIR, p. 2-6.

⁴⁶ Draft EIR, p. 6-17.

⁴⁷ *City of Pittsburg Certification of the Revised and Updated Final EIR, and Adoption of CEQA Findings, a Statement of Overriding Considerations, and a Mitigation and Monitoring Reporting Program for the "Faria/Southwest Hills Annexation Project, AP-10-717"*, Exhibit B, pp. 49-50, incorporated herein by this reference.

⁴⁸ Government Code section 56375(a)(6).

⁴⁹ Government Code section 56375(a)(7).

False SMD Claim No. 12: The Project must include further air quality mitigations.

Details of claim: SMD alleges the Commission should impose numerous mitigation measures on the Project to further reduce the Project's air emissions, including its greenhouse gas emissions. The suggested mitigation measures include improvements to transit, the provision of EV chargers, and use of low-carbon construction materials and techniques.⁵⁰

The truth: The Project EIR identified the Project's air emissions as a significant impact. Specifically, this environmental study quantified the amount of air pollutants the Project would emit and determined that emissions of reactive organic gases (ROG), nitrogen oxides (NO_x), and greenhouse gases would exceed quantitative government thresholds.⁵¹ The Project EIR then identified a robust mitigation plan consisting of 26 separate measures, which included many of the same mitigations that SMD has identified.⁵² This list is non-exclusive, meaning more measures can be added at the appropriate time.

To this end, the Project EIR's mitigation plan in fact serves as a menu of measures the City of Pittsburg can later apply once Discovery Builder's returns to it with applications for tentative maps containing more Project-related detail (e.g., the location of homes and roads). At that

⁵⁰ The full list of measures requested by SMD include the following:

- Use of low carbon concrete as it becomes available on market as project progresses
- Specifics on how Faria will increase ride sharing, transit, cycling, walking and how these actions will reduce carbon pollution
- Require all buildings to use:
 - zero-COV paints and finishes,
 - cool roof materials,
 - be wired for electric vehicle charging capacity (we note that the California Solar Mandate went into effect on January 1, 2020, and that it requires all new residential construction projects have solar photovoltaic (PV) systems installed. This includes single-family homes, condominiums, and apartment buildings less than three stories high.).
 - Use of low carbon concrete as it becomes available on market as project progresses.
- Hire local construction workers to reduce carbon pollution and other air pollutants due to commute trip lengths
- Provide subsidies for:
 - purchase of purchase of zero fossil fuel vehicles and school buses
 - shuttles to BART and transit
- Create and implement Vehicle Miles Travelled reduction and Travel Demand Management plans
- Establish a carbon sequestration project on-site..
- To reduce and avoid emissions due to land use change, minimize grading footprint, reduce constriction on steep slopes, retain hilltops and ridgelines (as has been discussed previously in this and other letters).
- Commitment to zero net carbon pollution for project.

⁵¹ Project Draft EIR, pp. 4.3-35, 4.3-44.

⁵² Project Draft EIR, pp. 4.3-35 to 4.3-37, 4.3-45; Project Revised and Updated Final EIR, pp. 3-20, 3-21, 3-22. These mitigations included improvement of bicycle networks and pedestrian networks; the promotion of EV charging infrastructure; the promotion of ridesharing and other travel demand management measures; the use of zero-COV paints and finishes and cool roof materials; the extension of transit service; and other measures.

time, the City will conduct further air quality analyses and pinpoint what mitigation measures will be necessary.⁵³ It is anticipated that the ultimate mitigation plan, chosen from the menu of mitigations in the Project EIR, will reduce all air impacts to a level of insignificance. However, because the Project is programmatic at this time, the Project EIR conservatively found it could not "guarantee ... that emissions from future development in the project area would not exceed the thresholds of significance."⁵⁴ While the Contra Costa Superior Court identified some minor issues with the enforceability of these mitigation plans, the City of Pittsburg thereafter subsequently cured those deficiencies, and SMD did not object.⁵⁵ SMD has legally forfeited its right to do so before the Commission and the courts.⁵⁶

What SMD is really arguing is that the Project must contain more detail, which has been addressed above under False SMD Claim No. 3.

False SMD Claim No. 13: The Project must include further water mitigations.

Details of claim: SMD asserts that the Commission must impose several mitigation measures that would offset Project impacts related to water supply, including requiring the use of recycled or gray water on the Project for landscaping and home use; that all landscaping be done with drought-tolerant California native plants; that all irrigation use non-potable or gray water; and that all Faria buildings use low water use fixtures.

The truth: The Project EIR thoroughly assessed the Project's water supply impacts, including its impacts on groundwater (found to be less than significant) and water supply (found to be less than significant with mitigation).⁵⁷ Accordingly, no further mitigation is needed, and indeed it cannot be required under the federal and state constitutions.⁵⁸

SMD also fails to acknowledge that Project landscaping, per Section 2.A.4, will comply with City municipal code requirements that are based on the model ordinance promulgated under the

⁵³ Project Revised and Updated Final EIR, pp. 3-20 (Mitigation Measures 4.3-2, requiring further air quality analysis to best determine mitigations to apply); pp. 3-21 and 3-22 (Mitigation Measures 4.3-5(a) and 4.3-5(b), requiring further air quality analysis to best determine mitigations to apply), 3-22.

⁵⁴ Project Draft EIR, p. 4.3-35, 4.2-45 (necessary greenhouse gas reductions "cannot be guaranteed at this time").

⁵⁵ Project Draft EIR, pp. 4.3-35 to 4.3-37, 4.3-45; Project Revised and Updated Final EIR, pp. 3-20, 3-21, 3-22; SMD letter dated April 4, 2024, p. 3 (After the court decision, the "City then fixed some minor aspects of the environmental review")

⁵⁶ *Inland Oversight Committee v. City of San Bernardino* (2018) 27 Cal.App.5th 771, 781-782.

⁵⁷ Project Draft EIR, pp. 4.8-21, 4.11-26, 4.11-27, and 4.11-28; Project Revised and Updated Final EIR, pp. 1-5, 1-6, 3-1, Appendix E.

⁵⁸ A mitigation measure may go too far and cause a regulatory takings when there is no "essential nexus" between the condition and a legitimate state interest. (*Nollan v. California Coastal Com'n* (1987) 483 U.S. 825, 837.) That condition must also be "roughly proportional" to any harm or burden that the proposed project would cause. (*Dolan v. City of Tigard* (1994) 512 U.S. 374, 391.) Similarly, the Mitigation Fee Act, which in large part codifies the requirements established by the U.S. Supreme Court in *Nollan* and *Dolan*, requires a local government to establish a "reasonable relationship" between an exaction and a project's impact. (Gov. Code, § 66001(a)-(b); *Boatworks, LLC v. City of Alameda* (2019) 35 Cal.App.5th 290 [Mitigation Fee Act limits imposition of fees to those that have a reasonable relationship to the burden posed by the development].)

Water Conservation in Landscaping Act. It has legally forfeited its right to do so before the Commission and the courts.⁵⁹

* * *

SMD is asking, in large part, that the Commission reconsider and reopen disputes that it already argued in court, and which it lost. It is improper, and more importantly illegal, for the Commission to adjudicate issues decided by the Contra Costa County Superior Court.

SMD is asking the Commission to violate the U.S. Constitution, the California Constitution, and the Cortese-Knox-Hertzberg Local Government Reorganization Act by asking the Commission to impose new mitigation and usurping the City of Pittsburg's zoning power.

It is important for the Commission to ignore SMD's frivolous and misleading claims, and approve the City of Pittsburg's and our request to annex the Faria Project site into the City's territory.

Please let us know if you have any questions.

Very truly yours,



Sean Marciniak
Partner

cc: Louis Parsons, President, Discovery Builders, Inc.
David Young, General Counsel, Discovery Builders, Inc.
Kristina Lawson, Partner, Hanson Bridgett LLP
Niran Somasundaram, Attorney, Hanson Bridgett LLP
Ellis Raskin, Partner, Hanson Bridgett LLP
Andrew Bassak, Partner, Hanson Bridgett LLP

⁵⁹ *Inland Oversight Committee v. City of San Bernardino* (2018) 27 Cal.App.5th 771, 781-782.



Lou Ann Teixeira
 Executive Officer

MEMBERS

- | | |
|---|--|
| Candace Andersen
<i>County Member</i> | Federal Glover
<i>County Member</i> |
| Charles R. Lewis, IV
<i>Public Member</i> | Michael R. McGill
<i>Special District Member</i> |
| Gabriel Quinto
<i>City Member</i> | Scott Perkins
<i>City Member</i> |
| Patricia Bristow
<i>Special District Member</i> | |

ALTERNATE MEMBERS

- | |
|---|
| Diane Burgis
<i>County Member</i> |
| Scott Pastor
<i>Special District Member</i> |
| Rob Schroder
<i>Public Member</i> |
| Edi Birsan
<i>City Member</i> |

June 12, 2024 (Agenda)

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

**June 12, 2024
 Agenda Item 8**

Special Study – Cemetery Districts

Dear Members of the Commission:

In August 2023, the Alamo Lafayette Cemetery District (ALCD) applied to LAFCO to dissolve the district due primarily to financial challenges. On November 8th, the Commission considered the proposed dissolution and deferred action. The Commission directed LAFCO staff to retain a consultant to prepare a special study to evaluate financial and operational issues and governance options for the two cemetery districts including ALCD and the Byron Brentwood Knightsen Union Cemetery District (BBKUCD).

In December 2023, the Commission approved a contract with Berkson Associates (“BA”) to prepare a special study to review financial and operational issues of both cemetery districts. On April 10, 2024, consultant Richard Berkson provided an overview (PowerPoint presentation) and entertained questions and comments from the Commission. Subsequently, BA prepared a special study covering the finances and operations of both cemetery districts (attached).

On May 8, 2024, the cemetery district special study was posted on the LAFCO website and sent to Commissioners, the applicant, and affected local agencies. The matter before the Commission on June 12th, is to receive the special study and provide comments and further direction. ***This is not a public hearing, and no decision will be made on June 12th regarding selection of a governance option.***

BACKGROUND: LAFCO reviewed the cemetery districts in two Municipal Service Reviews (MSRs). The first review in 2010 was in conjunction with parks and recreation service. The 2010 MSR noted benefits of expanding the ALCD sphere of influence (SOI) to include the entirety of the cities of Lafayette, San Ramon, Walnut Creek, the Town of Danville, unincorporated Walden/Contra Costa Centre area, and an unincorporated island within Walnut Creek. The 2010 MSR included an option to reduce ALCD’s SOI by 21+ acres in the City of Orinda. The MSR also noted that *ALCD should conduct a formal study as to the adequacy of the endowment care fee, and the necessary endowment fund balance to ensure perpetual care of the cemetery facilities and that the District adopt appropriate fees before an SOI amendment is considered.* The MSR consultants recommended expanding the SOI to include incorporated and unincorporated areas in conjunction with a fee study and potential property tax transfer agreements. LAFCO approved a provisional SOI for ALCD.

In 2021, LAFCO prepared a Cemetery District MSR covering both cemetery districts (available on the Contra Costa LAFCO website). The 2nd round “*Cemetery Districts*” focused on the following:

- ✚ Updating agency profile data including growth and population, finances (i.e., expenses, revenues, debt, reserves, endowment fund, fees, net position, other fiscal indicators), and staffing/management
- ✚ Capacity of public services, capital needs, and service to disadvantaged communities
- ✚ Shared services/facilities and collaboration
- ✚ Accountability, structure and efficiencies
- ✚ Governance structure options

The 2021 MSR noted the following regarding ALCD:

- ✚ *ALCD relies on property tax revenue and fees for services. Based on financial audits, ALCD showed an annual surplus of revenues over expenditures which allowed ALCD to increase its net position over time and plan for large capital outlay projects.*
- ✚ *There is currently no facility sharing.*
- ✚ *The pandemic delayed CIP projects due to limited contractor availability, and reduced demand for services due in part to increased restrictions.*

In conjunction with the 2021, LAFCO retained the existing coterminous SOI for both cemetery districts.

SUMMARY OF CEMETERY DISTRICTS SPECIAL STUDY

The 2024 special study addresses finances and operations of ALD and BBKUCD and provides boundary and governance options. Information contained in the study includes information about both cemetery districts including a market overview; district interments and capacity; district operations; financial conditions; and boundary and governance options.

The study includes a “Summary of Findings” for ALCD as summarized below:

✚ **Financial ability to provide services**

- Minimal property tax revenue and significant deferred maintenance.
- Small size of cemeteries, hilly terrain, and aged and deteriorated facilities contribute to higher costs
- Net Position has improved in recent years due to cost cutting and repayment of debt.
- Future sales revenue is uncertain due to lack of full-body burial capacity (Alamo cemetery).
- Deferred maintenance and declining physical conditions dues discourage sales, create safety hazards, and increase risk of injury to workers and visitors.

✚ **Adequacy of public services**

- ALCD operates on a “bare bones” budget and recently reduced office and interment hours.
- District staffing is reduced to one District Manager (DM) and occasional support from BBKUCD
- ALCD DM also serves as DM for BBKUCD.
- Landscape maintenance is now provided by contract with a private company rather than ALCD staff, at a greater cost and reduced management oversight.
- Lack of staff and minimal financial resources discourage best practices including digitization of records, financial and strategic planning, Capital Improvement Plan (CIP) update and implementation, revisions and updates to policies and documents, pursuit of new revenues, and other actions that could stabilize and improve operations.

Opportunities for Shared Services

- Some equipment cost and staff sharing occurs between ALCD and BBKUCD. Regarding staff sharing, the District Manager is paid separately by each district and works more than three-quarters of the time for ALCD and a similar amount of time for BBKUCD.
- Current sharing could be expanded to improve operations and reduce costs to both districts.
- The County offered functional office space to replace ALCD's dilapidated office and a grant to help create a foundation to raise funds; these offers could help to improve ALCD's fiscal and operating conditions.

Boundary Options

- Expansion of ALCD's boundary to fully encompass cities currently served could increase annual property taxes by about \$200,000. However, obtaining approval for tax sharing from multiple cities, districts, and/or the County is likely to be challenging.

Governance Structure Options

- Continuation of the “**Status Quo**” could result in further deterioration of facilities and reductions in services if other revenue and cost-saving actions are not taken. For example, “Functional Consolidation” and increased sharing of staff and services, whereby ALCD funds expansion of BBKUCD staff to replace the ALCD District Manager, could improve operations and generate cost savings.
- “**Dissolution**” Pursuant to LAFCO statutes (Gov. Code §57451) *“If the territory of a dissolved district is located within the incorporated territory of more than one city or the unincorporated territory of more than one county, or any combination of the incorporated or unincorporated territory of two or more such cities and counties, the successor is that city whose incorporated territory or that county whose unincorporated territory shall, upon the effective date of dissolution, contain the greater assessed value of all taxable property within the territory of the dissolved district, as shown on the last equalized assessment roll or rolls of the county or counties.*

If ALCD is dissolved, the County would be named successor agency. If this occurs, all assets and liabilities would then be transferred to the County, which could continue operations on a more limited scale, e.g., pause future new sales while honoring past commitments.

Reduced operations, growing property tax, and potential grants and contributions could help to address deferred maintenance over time. If efficient and cost-effective, the County could consider contracting with an experienced individual, company, or non-profit organization to operate and/or “wind down” the obligations and affairs of the former district as the cemeteries transition to more passive community “memorial parks”.

- “**Consolidation**” of ALCD and BBKUCD could achieve more efficient and cost-effective operations and savings. However, BBKUCD and its community have expressed strong opposition.

The new combined district could create “zones” to isolate ALCD costs, revenues and liabilities from BBKUCD. ALCD funding of BBKUCD staff could eliminate the current ALCD DM and produce net savings. Increased BBKUCD staff could also facilitate succession planning to improve long-term sustainability.

Other Options

If dissolution occurs, the County, as Successor Agency, could consider sale, lease or moving of the cemetery to a private or non-profit operator; however, legal and permit constraints, community objections, costs, and lack of future property tax and limited sales revenues reduce the viability of these non-governance options.

ADDITIONAL INFORMATION

On May 14, 2024, LAFCO received a letter from the Contra Costa County Public Works Department (PWD) (Attachment 2). In their letter, the PWD's said it has concerns about Contra Costa County being named the successor agency in the event of dissolution. The PWD's concerns include ALCD liabilities; financial status; PWD's current resources, challenges, staffing levels; and PWD's *"lack of experience with cemeteries."* Their letter also notes that PWD is *"not familiar with cemetery districts and would likely contract with outside service providers, which could further exacerbate the financial situation and not benefit the community and customers the cemetery serves.* The PWD also notes they are in full support of other options including functional consolidation, *where BBKUCD plays an active role in providing services to the families and community.*

RECOMMENDATIONS: Receive update, accept the special study, and provide direction as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Patricia Howard, District Manager, ALCD and BBKUCD
Richard Berkson, Berkson Associates
Distribution List

Attachments:

Attachment 1 - Special Study – Contra Costa Cemetery Districts
Attachment 2 – Letter from Contra Costa County Public Works



**Berkson
Associates**

Urban Economics
Policy Forensics & Forecasting
Planning & Policy Analysis

DRAFT REPORT

SPECIAL STUDY

CONTRA COSTA COUNTY CEMETERY DISTRICTS

ALAMO-LAFAYETTE CEMETERY DISTRICT (ALCD)

BYRON-BRENTWOOD-KNIGHTSEN UNION CEMETERY
DISTRICT (BBKUCD)

Prepared by BERKSON ASSOCIATES

May 3, 2024

www.berksonassociates.com

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Table of Contents

EXECUTIVE SUMMARY	1
Application to LAFCO to Dissolve the Alamo-Lafayette Cemetery District	1
2021 Municipal Services Review	2
Purpose and Methodology of the Special Study	2
Methodology	3
Summary of Findings	4
Financial Ability to Provide Services	4
Adequacy of Public Services	4
Opportunities for Shared Services	4
Boundary Options	5
Governance Structure Options	5
1 ABOUT THE DISTRICTS	6
Alamo-Lafayette Cemetery District	6
Lafayette Cemetery	7
Alamo Cemetery	7
Byron-Brentwood-Knightsen Union Cemetery District (BBKUCD)	9
Union Cemetery	9
2 MARKET OVERVIEW	10
District Demographics and Growth	10
3 DISTRICT INTERMENTS AND CAPACITY	11
ALCD	11
ALCD Expansion	11
BBKUCD	13
BBKUCD Expansion	13
4 DISTRICT OPERATIONS	14
Board of Trustees	14
Management and Administration	14
ALCD District Manager	15
Other Management and Administrative Staff	18
Cemetery Management and Administrative Software	18

Accounting.....	18
Cemetery Management	19
Management and Administrative Contracts.....	19
Landscape Maintenance	19
Interments	21
Public Outreach	21
Website	21
Facilities	22
Offices.....	22
Equipment and Tool Storage Shed	23
Maintenance and Burial Equipment.....	23
Computers, Telecommunications and Internet.....	23
Capital Improvements.....	23
Capital Improvement Plan.....	24
Other Plans and Programs	25
Strategic Plan.....	25
Succession Plan	25
Employee Handbook	25
5 FINANCIAL CONDITIONS	27
ALCD Financial Overview	27
Balanced Budget.....	27
Operating Reserves	28
ALCD Revenues	28
Property Tax	28
Fees and Charges for Services	31
Other Revenues.....	31
Prices and Payments	31
Plot Re-purchase	33
Endowment Care Fees.....	33
Interest earnings	34
Other Funding	34
Grants.....	34

Charitable Foundation.....	35
Other Parcel Taxes or Assessments.....	35
Expenditures	35
Assets.....	35
General Fund Assets.....	35
Reserves	35
Endowment Care Fund.....	36
Capital Assets	36
Liabilities	37
6 BOUNDARY OPTIONS	38
ALCD Boundary Options.....	38
Potential Property Tax from Expanded ALCD Boundaries.....	38
Additional Services from Expanded ALCD Boundaries	40
7 GOVERNANCE OPTIONS	41
Status Quo	44
Status Quo Prospects	44
ALCD Contracts with BBKUCD for Staff and Services.....	45
Board of Supervisors Serves as ALCD Trustees.....	46
Dissolution of ALCD.....	46
Dissolution of ALCD and Creation of County Service Area (CSA).....	47
County Costs.....	47
Interments and Sales.....	48
Consolidation of ALCD with BBKUCD	49
Other Options	51
Sale/Transfer to a Private or Non-Profit Organization	51
Contract with a Private or Non-Profit Organization	51
APPENDIX A	52
Table A-1 Summary of Fees at Selected Central/East Contra Costa Cemeteries	53
APPENDIX B	54
Table B-1 Summary of Costs, Revenues and DM Compensation – Selected Public Cemetery Districts	55

FIGURES AND TABLES

1 ABOUT THE DISTRICTS

Table 1	District Characteristics	6
Figure 1	View of Lafayette (1869)	6
Figure 2	View of Lafayette Cemetery	7
Figure 3	View of Alamo Cemetery	7
Figure 4	Regional Location of Districts and Cemeteries	8

2 MARKET OVERVIEW

Table 2	Population & Mortality Estimates.....	10
----------------	---------------------------------------	----

3 DISTRICT INTERMENTS AND CAPACITY

Table 3	Summary of ALCD Interments and Capacity	12
Table 4	Summary of BBKUCD Interments and Capacity	13

4 DISTRICT OPERATIONS

Table 5	Summary of District Manager Time Allocation	17
Table 6	Updated ALCD Capital Improvement Costs	24

5 FINANCIAL CONDITIONS

Table 7	Examples of Cemetery District Residents' Property Taxes	30
Table 8	Property Tax FY2023-24 Total, Increment and Allocation	31
Table 9	Summary of Cemetery Prices.....	32

6 BOUNDARY OPTIONS

Table 10	Potential Additional Property Tax if ALCD Boundaries are Expanded	39
Table 11	Potential Property Tax Shift from Expanded ALCD Boundaries	39

GOVERNANCE OPTIONS

Table 12	Summary of Governance Options.....	43
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EXECUTIVE SUMMARY

“Every community has a history, and the people there become an integral part of that history. A cemetery helps preserve the decedent's identity and name for the long term and gives people a place to find their roots. This aspect provides a sense of continuity for the community's members, helping them preserve their heritage. Later generations can also pay their respects to their ancestors by visiting their gravesites.”¹

Public cemetery districts were created in 1909 by legislation *“...to assure Californians that cemeteries holding their loved ones would be cared for in a dignified and respectful manner. Today over 256 communities are served by public cemetery districts throughout California.”²*

APPLICATION TO LAFCO TO DISSOLVE THE ALAMO-LAFAYETTE CEMETERY DISTRICT

The Contra Costa Local Agency Formation Commission (LAFCO) unexpectedly received an application in August 2023 to dissolve the Alamo-Lafayette Cemetery District (ALCD).³

The application was unexpected because LAFCO's recent 2021 ALCD Municipal Service Review reported no signs of serious financial decline or risk other than serious infrastructure needs which apparently were being addressed. The MSR identified approximately \$415,000 of capital improvements needed *“...to continue operating the district effectively and safely”⁴* which were to be funded by a loan (which did not materialize), a capital cost significantly less than the \$4.1 million to \$5.5 million currently reported by ALCD in its dissolution request to LAFCO.

ALCD states that the 2021 MSR did not properly represent the district's serious financial problems, for example, the MSR excluded ALCD-recommended edits clarifying that capital improvements were delayed not only by COVID-19 and limited contractor availability, but also because of *“...lack of funds”*, and the 2021 MSR did not elaborate on the District's fiscal problems. The MSR had no discussion about ALCD's cost cutting to repay its prior County obligation, its subsequent recovery and correlated cost increases.

¹ The Importance of a Cemetery to Our Community, Graeme Hogle, February 22, 2022.

² California Association of Public Cemeteries. What you Should Know About California Public Cemetery Districts.

³ Letter from ALCD to Lou Ann Texeira, Executive Officer, Contra Costa LAFCO. August 18, 2023.

⁴ 2021 MSR, Sec. 3.3.2 Infrastructure Needs.

2021 MUNICIPAL SERVICES REVIEW

The 2021 MSR noted that Fiscal Year (FY) 2020-21 “...saw a budgeted decrease in total District revenue due to the Covid-19 pandemic”⁵ but characterized those reductions as short-term saying “...the budget remains balanced, and revenues are anticipated to increase again in FY2022-23.”

While revenues have increased as described in the MSR, costs have also grown in response to inflation, a shift to contract maintenance services rather than staff, and payment of “catch up” retirement benefits that suffered during the earlier period of cost-cutting.

The MSR also noted that ALCD’s endowment care fees could not be increased to a level required to fully fund care for the entire cemetery.⁶

ALCD’s FY2021-22 financial audit reported no conditions or events “...that raise substantial doubt about the District’s ability to continue as a going concern for twelve months beyond the financial statement date.”⁷ The audit noted that it was management’s responsibility in the preparation of the financial reports to raise these doubts, however, no such doubts were included in the financial report.

At its meeting November 8, 2023, LAFCO considered the ALCD dissolution request. The dissolution application states that “ALCD is dissolving because it cannot afford any capital improvements, repairs, nor upgrades making conditions unsafe for the public.”⁸ ALCD expressed particular concern about risks and potential liability after “... a person slipped on the seriously deteriorated pathways [and] threatened to sue ALCD.”⁹

PURPOSE AND METHODOLOGY OF THE SPECIAL STUDY

In response to ALCD’s dissolution application, LAFCO requested that LAFCO staff prepare a Special Study and provide additional information to help LAFCO’s decision process.

This Special Study reviews the finances and operations of ALCD and the Byron-Brentwood-Knightsen Union Cemetery District (BBKUCD), although the primary focus is ALCD and its requested dissolution. The Special Study includes BBKUCD because prior MSRs identified consolidation of ALCD and BBKUCD as

⁵ 2021 MSR, 3.4.1 Revenues and Expenses.

⁶ 2021 MSR, 3.4.3 Endowment Fund.

⁷ ALCD Financial Statements For the Fiscal Years Ended June 30, 2022, and 2021, Responsibilities of Management for the Financial Statements.

⁸ Contra Costa LAFCO Questionnaire for Annexations, Detachments and Reorganizations submitted by ALCD to LAFCO, August 18, 2023.

⁹ Interview with P. Howard, March 4, 2024. See also “Current District Health, FY2022-2023” prepared by Cemetery Consulting Group, Inc., Attachment 1 to LAFCO Executive Officer’s Report, Nov. 8, 2023.

a possible option to reduce public cemetery costs and improve operating efficiencies. As an alternative to consolidation, this Special Study describes possible ways that both ALCD and BBKUCD could benefit financially and operationally by continuing and extending their current working relationship.

Methodology

The Special Study compiled financial documents including district budgets and financial reports supplemented by additional information provided by the District Manager for ALCD and BBKUCD in response to a preliminary data requests, site visits, and follow-up requests. Historical information was reviewed including past Municipal Service Reviews, and material included in the binders that ALCD provided to LAFCO; the included material extended as far back as 1966. Interviews were conducted and information gathered from other public cemetery districts and public sources.

The financial estimates presented in this Special Study are subject to change caused by fiscal and economic conditions, policy and operational decisions by the districts and other affected agencies, and more detailed analysis and research.

SUMMARY OF FINDINGS

Financial Ability to Provide Services

1. ALCD's minimal property tax revenue and significant deferred maintenance create financial barriers to short- and long-term fiscal viability.
2. The cemetery's small size, hilly conditions, and age and deteriorated facilities contribute to higher costs than larger cemeteries not experiencing those adverse factors.
3. Although ALCD's "Net Position" has improved in recent years, that has been partly the result of cost-cutting and repayment of a \$600,000 debt to the County.
4. Future sales revenues are uncertain due to lack of full-body burial capacity at the Alamo cemetery, although niche sales could continue with investment in columbaria.
5. Deferred maintenance and declining physical conditions discourage sales, create safety hazards, and increase risks of injury to workers and visitors.

Adequacy of Public Services

6. ALCD operates on a "bare bones" budget and recently reduced office and interment hours.
7. District staffing has declined to one District Manager (DM) and occasional support from BBKUCD.
8. The ALCD DM also serves as DM for BBKUCD.
9. Landscape maintenance is now provided by contract with a private company rather than ALCD staff, at a greater cost and reduced management oversight.
10. Lack of staff and minimal financial resources discourage best practices including digitization of records, financial and strategic planning, Capital Improvement Plan (CIP) update and implementation, revisions and updates to policies and documents, pursuit of new revenues, and other actions that could stabilize and improve operations.

Opportunities for Shared Services

11. Some minimal equipment cost and support staff sharing occurs between ALCD and BBKUCD in addition to each employing the same District Manager. The District Manager is paid separately by each district and works more than three-quarters time for ALCD and a similar amount of time for BBKUCD.
12. Current sharing could be expanded to improve operations and reduce costs to both districts.
13. The County has offered functional office space to replace ALCD's dilapidated office and a grant to help create a foundation to raise funds; these offers could help to improve ALCD's fiscal and operating conditions.

Boundary Options

14. Expansion of ALCD boundaries to fully encompass cities currently served could increase annual property taxes by about \$200,000. However, obtaining approval for tax sharing from multiple cities and/or the County is likely to be challenging.

Governance Structure Options

15. Continuation of the “**Status Quo**” could result in further deterioration of facilities and reductions in services if other revenue and cost-saving actions are not taken. For example, “Functional Consolidation” and increased sharing of staff and services, whereby ALCD funds expansion of BBKUCD staff to replace the ALCD District Manager, could improve operations and generate cost savings.

16. “**Dissolution**” would transfer all assets and liabilities to the County, who could continue operations on a more limited scale, e.g., pause future new sales while honoring past commitments.

Reduced operations, growing property tax, and potential grants and contributions could help to address deferred maintenance over time. If efficient and cost-effective, the County could consider contracting with an experienced individual, company, or non-profit organization to operate and/or “wind down” the obligations and affairs of the former district as the cemeteries transition to more passive community “memorial parks”.

17. “**Consolidation**” of ALCD and BBKUCD could achieve more efficient and cost-effective operations and savings. However, BBKUCD and its community have expressed strong opposition.

The new combined district could create “zones” to isolate ALCD costs, revenues and liabilities from BBKUCD. ALCD funding of BBKUCD staff could eliminate the current ALCD DM and produce net savings. Increased BBKUCD staff could also facilitate succession planning to improve long-term sustainability.

18. **Other options** – Following dissolution, the County as Successor Agency could consider sale, lease or moving of the cemeteries to a private or non-profit operator; however, legal and permit constraints, community objections, costs, and lack of future property tax and limited sales revenues reduce the viability of these non-governance options.

1 ABOUT THE DISTRICTS

ALCD serves a more densely populated area and double the population compared to BBKUCD, in a service area less than half the size.

ALCD’s assessed value is over three times that of BBKUCD, reflecting its higher value development closer to the inner Bay Area. **Table 1** summarizes characteristics of each district depicted geographically on **Figure 4**.

ALAMO-LAFAYETTE CEMETERY DISTRICT

The Lafayette Cemetery's first burial was in 1819, but the first recorded burial was in 1856. Within a few years the Lafayette Cemetery Association was formed.

The Alamo Cemetery was placed on a hill east of San Ramon Creek in the 1850s on land donated by John B. Watson. There might have been earlier burials, but the Alamo Cemetery's first recorded one was that of six-year old Callie Chrisman in 1856.¹⁰

Since the cemeteries’ establishment, “...all of the cities in the district and the County have former mayors, council members, postmasters, constables, supervisors, sheriffs, pioneer settlers and civic leaders buried in the cemeteries.”¹¹

The Alamo-Lafayette Cemetery District formed as an independent special district in 1937. ALCD boundaries were based on “...19th century school districts and in one case, based on an 1834 Mexican land grant.” There is no community wholly within the boundaries of ALCD except the unincorporated communities of Diablo and Blackhawk.¹²

The City of Walnut Creek sought to withdraw from ALCD in 1967 and 1973. LAFCO denied the requests to maintain the cemetery in which pioneering founders of Walnut Creek were buried.¹³

Table 1 District Characteristics

Item	ALCD	BBKUCD
Population	172,484	90,954
Service Area	84 sq. miles	202 sq. miles
Assessed Value	\$68.3 bill.	\$21.0 bill.
Cemetery Area	8 acres	18.5 acres
Expansion	0	10 acres
Total Interred	4,633	7,248
Annual Interments (FY23)		
Burials (full casket)	10	32
Burials (cremation)	28	21
Niches	16	17



Figure 1 View of Lafayette (1869)
Lafayettehistory.org

¹⁰ Beverly Lane. *The Alamo Cemetery, A Gathering Place*. Alamo/Danville Today News Aug 2021.

¹¹ Correspondence from Sharon Burke, 3/12/2024.

¹² Burke, 3/12/2024.

¹³ Contra Costa Times, “Council Seeks to Remove Cemetery Tax”, Sunday, Sept. 9, 1973.

Lafayette Cemetery

The Lafayette Cemetery is located on Mt. Diablo Blvd. in the Town of Lafayette. The cemetery is bordered by a hotel and other commercial uses and backs up to several apartment complexes.



Figure 2 View of Lafayette Cemetery



Figure 3 View of Alamo Cemetery
alamolafayettcemetary.com

Alamo Cemetery

The Alamo Cemetery is located in the Town of Danville near the intersection of El Portal and La Gonda Way. The cemetery is approximately ¼ mile from Hap Magee Ranch Park, which is a 17-acre park operated and maintained by the Town and its private landscape contractors.¹⁴

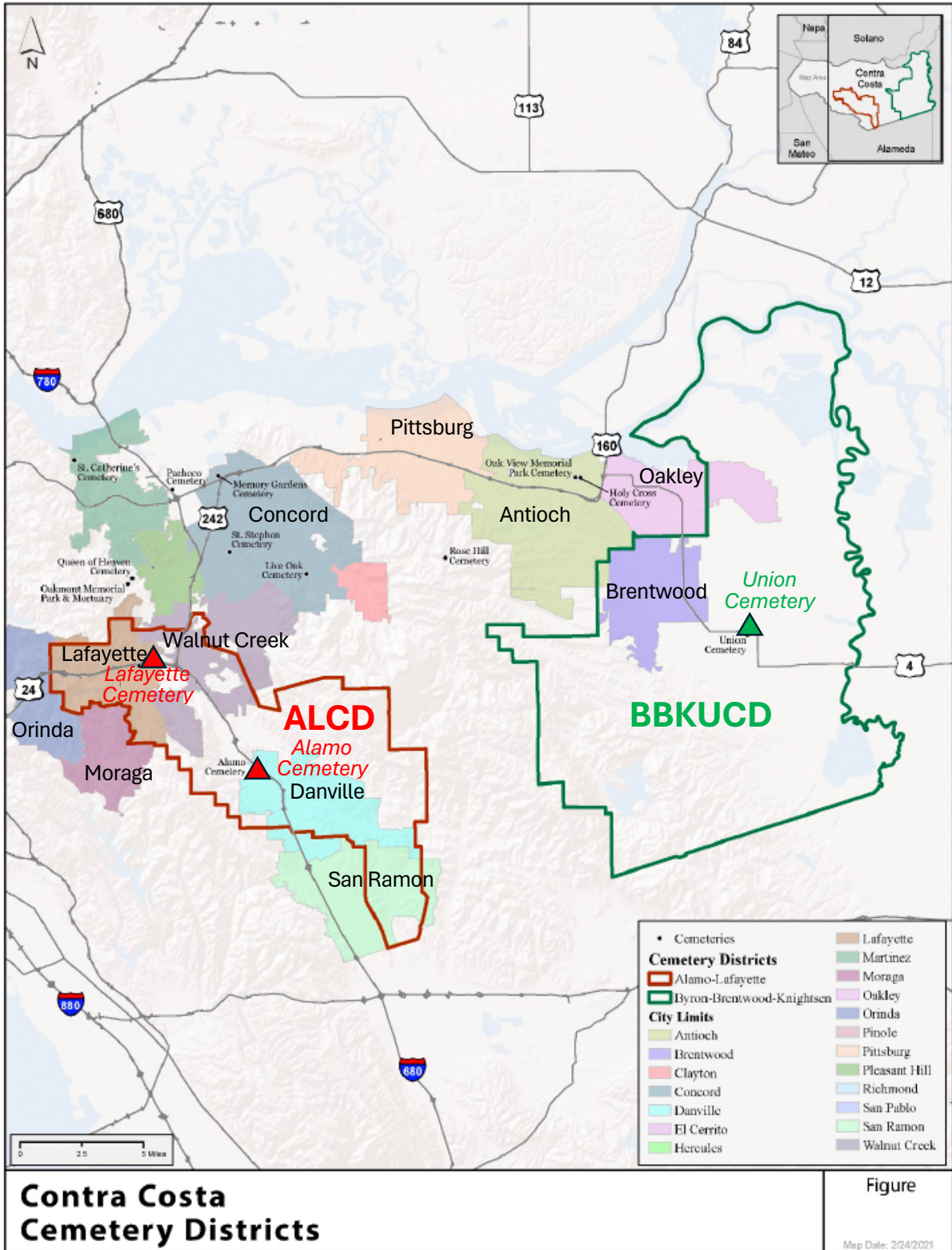
A newspaper article from 1977 reveals the District board once asked the County Supervisors to change their name from Alamo Lafayette Cemetery District to the Las Trampas Cemetery District to “better reflect the area it covers”¹⁵ The request was denied.¹⁶

¹⁴ Correspondence with S. Burke, 3/12/2024.

¹⁵ Contra Costa Times, “Alamo-Lafayette Cemetery Seeks Name Change”, 13 Nov 1977.

¹⁶ Martinez News-Gazette, 24 Nov. 1977.

Figure 4 Regional Location of Districts and Cemeteries



BYRON-BRENTWOOD-KNIGHTSEN UNION CEMETERY DISTRICT (BBKUCD)

As reported by LAFCO's Municipal Services Review, BBKUCD was formed on June 5, 1928, as an independent special district. BBKUCD provides cemetery operations and maintenance services to the unincorporated communities of Byron, Knightsen, Discovery Bay, Bethel Island, the eastern portion of Morgan Territory, the City of Brentwood, the eastern portion of the City of Oakley (east of Sellers Avenue), and various Delta islands.¹⁷

Union Cemetery

The Union Cemetery lies approximately two miles southeast of the City of Brentwood on Brentwood Blvd. near its intersection with the Byron Highway. The property is unincorporated Contra Costa County midway between Brentwood and Discovery Bay. The area is flat and surrounded by open space and agricultural lands. A recent 10-acre acquisition of adjacent property significantly expanded the cemetery's capacity.

¹⁷ Contra Costa LAFCO. *Second Round Cemetery Services MSR and Sphere of Influence Update*. Adopted August 11, 2021. Prepared by PlanWest Partners, Inc.

2 MARKET OVERVIEW

For several years, trends towards cremation and other green alternatives to traditional burials have expanded. Lower costs for cremations and changing social norms contribute to these trends.

ALCD burials could decline as available burial sites decline and cremations continue to increase, although population growth in the district could partially offset the declines. Deferred maintenance will reduce the cemeteries' attractiveness particularly if prices need to increase to fund operations and needed improvements. Despite a growing district population, demographic trends towards a wealthier population could shift burial demand to newer, better maintained private and not-for-profit cemeteries.

ALCD's cemeteries generally offer a rural, historic character amid suburban development. They provide a lower cost alternative to ALCD residents in comparison to other private and not-for-profit cemeteries in the County. Additional columbaria could help ALCD capture growing demand for cremation niches.

DISTRICT DEMOGRAPHICS AND GROWTH

Table 2 projects minimal population growth in the districts through 2030, then growing to 2060 at an average rate of about 0.7% annually. Actual future population will depend on amount, type and rate of new development.

Table 2 Population & Mortality Estimates

Item	District	
	ALCD	BBKUCD
Population (1)		
Population	172,484	90,954
Mortality (2)		
Mortality Rate	0.88%	0.69%
Avg. Deaths/Year	1,518	628
Population Forecast (3)		
2030	173,429	91,453
2035	181,336	95,622
2040	188,637	99,472
2045	195,265	102,967
2050	201,427	106,216
2055	207,470	109,403
2060	213,823	112,753

Source: Contra Costa Dept. of Community Development.

- 1) 2020 census; blocks split by district were estimated and allocated by CDC.
- 2) Mortality rate estimated from zip code population and deaths from HealthData.gov. Note: if Rossmoor Retirement Community is excluded, rate is 0.67%.
- 3) Projections based on the State Dept. of Finance Countywide population projections and include birth, deaths, and net migration estimates. Actual population will depend on amount, type and rate of new development.

3 DISTRICT INTERMENTS AND CAPACITY

ALCD

The Alamo cemetery has no full-body burial capacity remaining as shown in **Table 3**. Burials in the current year include prior sales and commitments. Over 140 available niches represent about 10 to 15 years of supply depending on annual niche placements, which declined in recent years.

The Lafayette cemetery has capacity for over 300 burials or about 25 to 30 years of supply, and about 15 years of niche supply.¹⁸ The addition of columbaria could increase niche capacity.

ALCD's records indicate over 1,000 commitments from pre-need sales for future activities including burials, niche interments, and cremation burials.¹⁹ Pre-need sales and commitments could extend over the next 30 years or more. ALCD records pre-need sales and commitments but does not have a separate fund to reserve pre-need sales revenues for future needs and future liabilities.

ALCD Expansion

ALCD has no ability to expand its property to accommodate additional burial plots. Property adjacent to ALCD was considered for acquisition in 1995 but ALCD could not afford a loan for its purchase; according to the District, the County did not respond positively to requests for financing assistance to purchase the property.²⁰ The formerly vacant property considered for purchase has since been developed and any vacant sites suitable for expansion would not be contiguous to the current cemeteries; in any event it is likely that acquisition costs would be prohibitive.

In the past, ALCD has considered but did not have the funds or financing ability required to fund additional columbaria; ALCD's dissolution submittal stated that it cannot "*build additional above ground cremation vault walls to generate revenue.*"²¹ Both cemeteries could accommodate additional columbaria to meet future demand.

¹⁸ ALCD Annual Reports and ALCD Response to Data Request. Assumes 15 to 20 annual cremation niche placements based on FY19-FY23, and 10-15 full body burials

¹⁹ Interview with ALCD 3/4/2024. Family members are allowed the option of burying up to six cremation remains on top of every full casket site (ALCD, 3/12/2024)

²⁰ Email from P. Howard to Alex Brown, Burr Consulting (2011 MSR consultant).

²¹ State of ALCD, ALCD Proposal for Dissolution, August 18, 2023, "Lack of Funds for Expansion, Limited Space", Prepared by Cemetery Consulting Group, Inc.

Table 3 Summary of ALCD Interments and Capacity

Cemetery	Interments				Available for Sale	
	Full Casket Burials	Cremation Burials	Urns in Niches	Total	Interment Sites	Niches
<u>Alamo Cemetery</u>						
FY2018-19	2	10	13	25	0	194
FY2019-20	3	10	14	27	0	182
FY2020-21	5	5	15	25	0	169
FY2021-22	1	5	18	24	0	156
FY2022-23	3	14	8	25	0	148
FY2023-24 (through 2/2024)	1	4	7	12	0	
<u>Lafayette Cemetery</u>						
FY2018-19	12	11	9	32	330+	130
FY2019-20	18	16	5	39	330+	119
FY2020-21	13	11	3	27	300+	117
FY2021-22	13	19	5	37	300+	114
FY2022-23	7	14	8	29	300+	113
FY2023-24 (through 2/2024)	5	13	1	19	300+	
<u>ALCD TOTAL</u>						
FY2018-19	14	21	22	57	330+	324
FY2019-20	23	21	20	66	330+	300
FY2020-21	18	16	18	52	300+	286
FY2021-22	14	24	23	61	300+	270
FY2022-23	10	28	16	54	300+	261
FY2023-24 (through 2/2024)	6	17	8	31	300+	

Source: ALCD and BBKUCD Annual Reports.
 FY2022-23 and FY24 year to date from P. Howard.

BBKUCD

BBKUCD performed over 30 full-casket burials annually in the last few years and a recent increase in urn interments in FY2022-23 shown in **Table 4**.

Table 4 Summary of BBKUCD Interments and Capacity

Cemetery	Interments				Available for Sale	
	Full Casket Burials	Cremation Burials	Urns in Niches	Total	Interment Sites	Niches
Union Cemetery						
FY2018-19	N/A	N/A	N/A	N/A		
FY2019-20	N/A	N/A	N/A	N/A		
FY2020-21	52	22	10	84		
FY2021-22	33	22	10	65		
FY2022-23	32	21	17	70	1,826	101
FY2023-24 (through 2/2024)	18	13	4	35	8,000+	not est.

Source: ALCD and BBKUCD Annual Reports.
 FY2022-23 and FY24 year to date from P. Howard.
 Recent BBKUCD property acquisition could add 8,000 to 12,000 full casket graves.

BBKUCD Expansion

Depending upon landscaping and layout, 8,000 to 12,000 full casket sites can be plotted on BBKUCD’s recent 10-acre land purchase.²² The additional property also provides capacity for a significant increase in niches.

²² ALCD/BBKUCD Response to 1/23/2024 data request.

4 DISTRICT OPERATIONS

ALCD and BBKUCD are each governed by a three-member Board of Trustees appointed by the County Board of Supervisors. Cemetery districts operate under provisions of California Cemetery District law which regulate aspects of district finances and operations.²³ Other State codes and regulations, for example the Brown Act and codes of ethics, apply and the districts which are expected to follow other “best practices” promoted by Statewide associations.

Trustees provide direction and oversight to their District Manager. The current ALCD District Manager also serves as District Manager for BBKUCD, splitting her time approximately equally between the two districts. ALCD has no other staff and relies on more costly contract services and occasional support from BBKUCD staff, which is reimbursed by ALCD.

The ALCD cemeteries are open daylight hours. Generally, an office employee has been onsite four days/week, and interments occurred seven days per week. However, currently the ALCD website notes reduced hours posting that “...the Cemetery Office will NOW be temporarily open only on Wednesday, Thursday and Friday, by appointment. All burials will be scheduled on Thursday's and Friday's (excluding holidays), for the time being.”²⁴

Financial and staff constraints limit ALCD operations. ALCD has minimal or no ability to address a range of operational issues such as: preparation and update of its Capital Improvement Program CIP; remediation of ongoing deferred maintenance; digitization of historical records and interment data; update of its website and public outreach materials; evaluation of boundary expansion; improvements to budget practices; and improvements to other financial practices and related documentation.

BOARD OF TRUSTEES

Both districts are governed by boards of trustees comprised of three members appointed by the Contra Costa County Board of Supervisors. The Supervisors may appoint themselves to be the board of trustees.

MANAGEMENT AND ADMINISTRATION

ALCD staff currently consists of a single employee, the District Manager, who also serves as the District Manager for BBKUCD, working approximately $\frac{3}{4}$'s of a full-time position for each district.

²³ Cal. Health and Safety Code (HSC) Division 8 Sec. 8100-9703.

²⁴ ALCD website, 4/12/2024.

BBKUCD's staff includes a Cemetery Services Coordinator and a District Assistant. ALCD records show occasional use of BBKUCD staff, the cost of which is reimbursed,²⁵ and the two districts also utilize the same legal counsel and contract financial services firms for financial reporting and cemetery financial consulting. ALCD recently contracted with another law firm that specializes in LAFCO matters.

ALCD District Manager

Patricia Howard is the District Manager and has served since 1994. Ms. Howard was recently awarded "Cemeterian of the Year" by the California Association of Public Cemeteries.²⁶ She currently does not have an employment agreement with ALCD. Ms. Howard confirmed her "for cause" employment, status at the Board of Trustees meeting March 2024,²⁷ and her "retirement plan" is on ALCD's April 2024 agenda. She works approximately ¾'s time for each district, or about 1,500 hours per year (not including vacation time and any overtime).

The DM is responsible for managing "*...District operations and staff in accordance with established policies and procedures... and represents the District and Board of Trustees with industry partners, community, media and other agencies.*"²⁸ Responsibilities are described in greater detail below.

As District Manager, Ms. Howard manages all aspects of district operations under the policy direction, and review and oversight of the Board of Trustees. She maintains a hybrid work schedule and is onsite as needed to oversee interments or to meet with families.

DM Salary and Benefits

In FY2022-23 the ALCD DM position represented approximately 0.8 Full Time Equivalent (FTE) or about 1,700 hours (including vacation and time off).²⁹ ALCD wages and benefits, including retirement contributions, totaled \$152,179.³⁰

²⁵ For example, see 2/20/2024 ALCD reimbursement payment to BBKUCD for Mai Garcia's time previously reported as ALCD payroll.

²⁶ California Association of Public Cemeteries, March 16, 2024.

²⁷ Agenda, ALCD Board of Trustees Meeting, March 11, 2024. "For Cause Employment" is employment that can only be terminated without any further employer obligations under a set of conditions usually specified in an employment agreement ... e.g., wrongdoing, fraudulent conduct, theft, failure to perform duties, or intentional breach of company policies. A for-cause agreement typically specifies severance in the event of termination without cause. (Thomson Reuters Practical Law, Westlaw.com, accessed 3/15/2024).

²⁸ ALCD/BBKUCD Job Responsibilities and Descriptions. Undated. ALCD/BBKUCD Response to 1/23/2024 data request, 2/16/2024.

²⁹ Total pay includes vacation and other leave.

³⁰ FY2022-23 ALCD and BBKUCD Work Position Information, revised version provided by ALCD April 17, 2024. The FY22 State Controller's Report reported \$142,700 in total wages and benefits.

The ALCD District Manager wages are based on \$59 per hour. The District Manager receives medical/dental benefits and retirement benefits (which include “catch up” payments)³¹ in the form of an ALCD contribution to a 401(a) plan that is managed by contract with the Public Agency Retirement System (PARS).³² The District Manager will qualify to claim Medicare and social security upon retirement, when eligible.

Total Wages	\$101,480
Med/Dental	15,523
Retirement	<u>35,176</u>
TOTAL	\$152,179

The total ALCD compensation to its District Manager is \$152,179 including retirement benefits. After adjusting for the relative cost of living in each district, the hourly rate and the combined pay including benefits and retirement are among the lowest of 15 districts reviewed.³³ The District Manager’s pay rate has increased from \$35 per hour in 2015 to the current \$59 per hour in mid-FY2022-23.³⁴ The DM chooses not to charge the District for overtime hours.

Ms. Howard also serves as District Manager for BBKUCD and receives a salary based on \$75 per hour plus retirement in the form of contributions to CCCERA³⁵ (health and medical benefits from ALCD only). In FY2022-23 the BBKUCD District Manager position represented approximately 0.8 Full Time Equivalent (FTE) wages and benefits summarized below.

Total Wages	\$138,638
Med/Dental	0
Retirement	<u>6,561</u>
TOTAL	\$145,199

DM Responsibilities and Hours

The DM has a hybrid work schedule, working from home and at the ALCD site office and cemeteries as needed. The DM’s schedule can vary significantly but may be onsite two to three times per week depending on the need to meet with families, coordinate and oversee interments, manage landscape work, or for other reasons.

³¹ FY2022-23 ALCD and BBKUCD Work Position Information.

³² Agreement with PARS, June 11, 2018.

³³ Cost of living adjustments based on ALCD Responses to Dissolution Concerns.

³⁴ ALCD Comments 4/6/2024.

³⁵ FY2022-23 ALCD and BBKUCD Work Position Information.

The District Manager’s time is spent responding to email and phone inquiries about sales and interment arrangements; burial coordination; preparing reports and board agenda; managing landscape contracts and researching professional services for site improvements; handling accounting, payroll and payables, and producing reports for board meetings. **Table 5** summarizes approximate allocations by task.

Table 5 Summary of District Manager Time Allocation

Task	ALCD		BBKUCD	
	Hours	% of Total	Hours	% of Total
Administration	525	35%	600	40%
Meetings	375	25%	300	20%
Burial Coordination	190	13%	75	5%
Reports	150	10%	150	10%
Other Communications	<u>260</u>	17%	<u>375</u>	25%
Total*	1,500	100%	1,500	100%

* Total excluding vacation and other time off.

Work tasks listed on the DM job description, which is the same description for both ALCD and BBKUCD, include:³⁶

1. **Board of Trustees** – The DM serves as Executive Officer, Secretary and Treasurer to the Board of Trustees; prepares agenda and presents board reports.
2. **Strategic Planning** – Neither district currently has a Strategic Plan.
3. **Accounting and Finance** -- Develops annual budget and tracks monthly progress; tracks revenues and expenditures and prepares warrants for payroll and other payables to be signed and processed by the County; records and deposits fees and charges received for sales and services; inputs data, produces reports and prints warrants utilizing QuickBooks accounting software; obtains County signatures on warrants; prepares reports as needed utilizing County Workday software.
4. **Human Resources and Payroll** – Preparation of biweekly payroll warrants for submittal to County, and payment of related State and Federal taxes; recruitment, hiring, training, and firing of employees as necessary; maintenance of employee records and employee manual.
5. **Safety Compliance** – Assurance that operations comply with all State and Federal safety laws.
6. **Contractors** – Coordinates with service providers including accounting and auditing, landscape/burial services, utilities, and other equipment/facilities improvements (see below).
7. **Sales** – Meet with families about burial site and niche sales, and related fees and charges for services. Frequency of onsite meetings varies; for example, the week of March 4th, 2024, the

³⁶ ALCD/BBKUCD Job Responsibilities and Descriptions.

District Manager had meetings with six families scheduled, each about two hours in-person with some level of follow-up required. Other weeks may require few or no meetings with families or for other purposes.

8. **Burial Coordination** – Coordinate with families and mortuaries in planning and on the day of interment, and subsequent vendor coordination for headstone placement.
9. **Correspondence** – Reply to sales inquiries, questions and directions from families planning interments; and coordinate with mortuaries, vendors and service providers. The District Manager might receive 50 to 100 emails and 20 to 50 calls and 60-80 texts daily for combined ALCD/BBKUCD responsibilities.³⁷
10. **Equipment and Facilities** – Manages landscape work and directs acquisition/repair of equipment; coordinates with consultants regarding preparation of bids, contracts and services required for maintenance, repair and upgrade of facilities and grounds, and provision of utilities.

Other Management and Administrative Staff

ALCD currently has no employees other than the District Manager. In prior years ALCD has had a District Assistant and groundskeepers. For example, in FY2022-23 a part-time assistant was employed.

On occasion BBKUCD staff provide support to ALCD at times when Ms. Howard is on leave or requires support or backup. ALCD reimburses BBKUCD for their staff costs.³⁸

CEMETERY MANAGEMENT AND ADMINISTRATIVE SOFTWARE

Accounting

Both districts use Quickbooks for accounting and production of warrants, which eliminated the need to contract for accounting services. The District Manager provides the County with required paperwork in advance, then drives to the County offices to have warrants signed. The ALCD District Manager is the sole person handling all aspects of accounting, with the exception of those noted that are handled by the County; typically, an organization will segregate financial tasks among multiple individuals to increase transparency.

Accounting reports on the Contra Costa County system are accessed by the District Manager using “Workday” software and indicated that additional training is required.

³⁷ ALCD comments, 4/06/2024; data was not delineated between the two districts.

³⁸ For example, see 2/20/2024 ALCD reimbursement payment to BBKUCD for Mai Garcia’s time previously reported as ALCD payroll.

Cemetery Management

ALCD does not utilize GIS or database software to track graves. Historical records are maintained in the office vault are kept “on paper and index cards”³⁹ and have been partially digitized.

BBKUCD

Cemetery Management – BBKUCD uses a vendor⁴⁰ that provides grave tracking and inventorying systems. The initial setup cost was \$15,000 and annual fees are \$1,500 increasing to \$2,000 annually. The District estimates that data input incurred a staff cost of \$75,000 to date at 90% completion.⁴¹

MANAGEMENT AND ADMINISTRATIVE CONTRACTS

In addition to contracting for landscape maintenance and burial services, ALCD engages outside vendors for the following:

1. **Financial Services** – ALCD pays a CPA \$7,500 every two years for preparation of biennial financial statements. In the past, ALCD utilized outside services for accounting but with improved software, ALCD is now handling those tasks.⁴²
2. **Financial, Capital Planning and Related Services** – ALCD hires Cemetery Consulting Group LLC (CCG) as needed to assist with financial analysis and planning. CCG has also provided pro bono and informal advisory work. The principal of CCG is related to the ALCD District Manager, however this arrangement is allowed by State law.
3. **Landscape Design and Construction Management** – ALCD currently is working with a landscape design firm for design and construction management services in anticipation of significant upgrades to the cemeteries, pending funding availability. Preliminary cost proposals have been prepared and ALCD recently funded \$25,900 to “develop and design retaining walls” and other improvements.⁴³

LANDSCAPE MAINTENANCE

ALCD

ALCD contracts for landscape maintenance from 7 a.m. to 3:30 p.m. two to three days per week with one to two grounds keepers at a time. The schedule increases when burials occur to assure the grounds are clean and free of debris, and that groundskeepers are onsite when needed for interments.

³⁹ ALCD Comments 4/06/2024.

⁴⁰ Cemsites cemetery software.

⁴¹ Response to 1/23/2024 data request.

⁴² P. Howard, 3/12/2024.

⁴³ ALCD Warrant Transmittal March 2024, Fund 360100 Account 0830 to Takaka Design Group.

In past years ALCD has employed two full-time groundskeepers plus a part-time groundskeeper. The groundskeeper wages in FY23 ranged from \$24 to \$33 per hour or approximately \$45 per hour after adding benefits.⁴⁴ This is about \$93,600 for a 1.0 FTE. ALCD states that it requires up to five full-time groundskeepers, including a heavy equipment operator, due to its terrain and multiple cemeteries.⁴⁵ A review of other cemetery districts confirms that the minimum number of required groundskeepers typically is at least three; as cemeteries increase in size and activity, the number of groundskeepers generally appears to follow a pattern of three groundskeepers per ten acres of cemetery area utilized.

ALCD reports that it is using more costly contract workers due to the difficulty of hiring, training and retaining full-time employees at the ALCD's pay rate. ALCD's steep hills can require 3-5 days of manual digging, and ALCD may have five to ten such burials per year.⁴⁶

The 2022 landscape contract⁴⁷ specifies a pay rate of \$50 per contract worker per hour which has since been increased to \$60 per hour,⁴⁸ or about \$124,800 for a 1.0 full-time equivalent (FTE).⁴⁹ Projected FY24 cost for ALCD grounds workers and subsequent contract services totals about \$100,000 which will increase in future years due to reliance entirely on contract landscape workers that cost more per hour. Mileage and other expenses are not paid to the landscape firm which provides its own equipment except for the excavator and specialized burial equipment and some supplies provided by ALCD.⁵⁰

Recent employees were not unionized, although historical records indicate that past ALCD unionized employees periodically went on strike for higher wages. For example, in 1974 three employees went on strike and ALCD trustees responded that the District's workload could not support higher wages.⁵¹

Landscape maintenance work includes sweeping and raking, removal of branches and other debris, identification of any potential hazards, and plant trimming. The number of workers varies from one to two people. On days of burials, landscape work is scheduled for four to eight hours, and the workers also provide burial services utilizing ALCD equipment for digging and lowering of caskets.

⁴⁴ For example, an ALCD grounds worker at \$29 per hour received \$25,900 in pay and benefits for 0.28 full-time equivalent (FTE), or about \$92,500 if extrapolated to 1.0 FTE which is \$45 per hour (2,080 hours).

⁴⁵ Response to 1/23/2024 data request.

⁴⁶ Response to 1/23/2024 data request.

⁴⁷ ALCD contract with Primo Fancchini, Green Trust Demolition, 10/3/2022 (no termination date).

⁴⁸ Correspondence from P. Howard, 3/12/2024.

⁴⁹ Full-time based on 2,080 hours per year.

⁵⁰ ALCD comments 4/6/2024.

⁵¹ Contra Costa Times, 26 Feb 1974.

BBKUCD

BBKUCD currently has two full-time and two less than part-time groundskeepers. According to the District, they need four full-time groundskeepers “...to operate effectively.”⁵²

Lacking hilly terrain that characterizes ALCD cemeteries, BBKUCD does not require hand-digging.

INTERMENTS

Due to its reduced staff, ALCD currently limits burials to Thursdays and Fridays, and office hours are Wednesday through Friday by appointment.⁵³

ALCD currently contracts with its landscape maintenance company for burials and niche placement. Current costs include:⁵⁴

4. Full-casket burial (equipment): \$1,200
5. Full-casket burial (hand dug): \$3,200
6. All non-full casket Burials: \$600

ALCD’s price schedule⁵⁵ lists charges to families for interments that equal or slightly exceed the landscape maintenance company costs listed above. These costs are anticipated to increase.⁵⁶

When ALCD employed groundskeepers who were required to assist with burials, overtime was paid. Overtime applied to work on weekends, holidays, days off and furloughs, when groundskeepers were required to assist with interments on those days.⁵⁷ The district’s charges for weekend interments are higher than weekday interments.

PUBLIC OUTREACH

Website

ALCD and BBKUCD’s websites provide information about the District and its services. Fee schedules are not posted on the websites but can be obtained by submitting a request through the website or via contact at the phone number or physical address on the website. The districts post their agenda but do not post related agenda documents.

⁵² Response to 1/23/2024 data request.

⁵³ Current hours per ALCS website 3/6/2024.

⁵⁴ Response to 1/23/2024 data request.

⁵⁵ ALCD Price Schedule, prices updated 2024.1.16.

⁵⁶ Response to 1/23/2024 data request.

⁵⁷ Memo from Patricia A. Howard to ALCD Groundskeepers (undated).

Both ALCD and BBKUCD have a link on their website to the California Special Districts Association (CSDA) mapping program on its website. The map requires menu selection of district type and navigation to the area of interest. It provides a useful overview of the districts' service areas and offers the ability to zoom to street level to identify specific addresses and whether they are in the district. The map does not show city boundaries and is not searchable by street address, which would improve the map's usefulness.

ALCD'S website has a link to a Conflict of Interest policy statement which in turn links to the current State policy, but the link to the State policy is broken.

FACILITIES

ALCD facilities are deteriorated and suffer from years of deferred maintenance, damage caused by flooding, and lack of updates to modern standards and legal requirements for safety and accessibility. With the exception of concrete retaining walls constructed at the Alamo cemetery, ALCD has not made minor or major improvements in recent years. ALCD recently initiated the first stage of landscape design work for its cemeteries.

Repayment of past indebtedness to the County, limited financial resources, priorities to fund staff compensation, limited staff time and expertise, and absence of an updated CIP are factors contributing to ALCD's dilapidated condition.

Offices

ALCD utilizes an onsite office building that is approximately 473 sq. ft. located at the Lafayette cemetery. The building is about 90 years old and in poor condition. Flooding and related water damage, mold, and asbestos removal in 2019 eliminated the restrooms in the building which may have already been damaged by sewage line settlement. Rodent infestations are a continuing problem. Records that are only partially digitized are stored in a steel walk-in vault. No plumbing is available; a porta-potty serves staff and visitors.

Office Space Options

ALCD has investigated and updated cost estimates for replacement of its current inadequate office space. Replacement costs are likely to be \$250,000 to \$300,000 or more. In lieu of replacement, or as interim space pending funding and construction, ALCD has been offered the use of County office space in Lafayette that is less than a half-mile away, a 2-3 minute drive (or eight to ten minute walk). ALCD has expressed concerns about relying on offsite office space requiring multiple trips by staff and families meeting with staff, availability of space and equipment, and the flexibility to schedule and hold private meetings with grieving families

The County currently leases (for \$1 per year) the District 2 Supervisor's office space at 3338 Mt. Diablo Blvd. in Lafayette from the Contra Costa Fire Protection District; the space is connected to Fire Station 15. The 980 sq. ft. office has a large conference room, Supervisor's office, reception area, two small private offices, and a restroom.

While the Supervisor occasionally uses the conference room, as do community groups for a variety of public meetings, there is only one staff member in the office one morning a week. The entire office is typically unoccupied.

ALCD would be allowed the exclusive use of one of the offices, which they could lock and use to store documents. ALCD could also use the reception area, conference room and Supervisor's office to meet with families. The conference room would need to be scheduled so there is no conflict with other meetings that occasionally take place (typically there are less than three meetings per week occurring in the conference room).

There are three parking spaces in the back of the office and street parking generally is available along Mt. Diablo Blvd. The conference room has a large monitor which could be used for teleconferencing.⁵⁸

Equipment and Tool Storage Shed

ALCD's onsite shed stores equipment and supplies. The shed lacks adequate security measures and has been prone to theft. The tractor and tool sheds total 454 sq.ft.

Maintenance and Burial Equipment

ALCD equipment includes its bobcat excavator, casket lowering device, and other tools necessary for burials and grounds maintenance. ALCD reports that its casket lowering device is in need of replacement and costs have escalated significantly. The District does not maintain an inventory of its equipment, lifespan, maintenance schedule, replacement schedule and cost, and funding sources.

Computers, Telecommunications and Internet

The DM uses a laptop computer that was purchased jointly with BBKUCD. The ALCD office has internet service through Verizon's LTE 5G service. A recent switch in cell service providers now enables ALCD cell phone use at the Lafayette cemetery and other offsite locations.

CAPITAL IMPROVEMENTS

ALCD's request for dissolution estimated a \$4.1 million to \$5.5 million total cost for capital improvements required to remediate deferred maintenance and to address current safety and liability concerns. ALCD has stated in its dissolution application that *"...it cannot afford any capital improvements, repairs, nor upgrades."*⁵⁹

⁵⁸ Correspondence from Supervisor Andersen to LAFCO 3/13/2024.

⁵⁹ Contra Costa LAFCO Questionnaire for Annexations, Detachments and Reorganizations submitted by ALCD to LAFCO, August 18, 2023.

Capital Improvement Plan

ALCD’s Capital Improvement Program (CIP) was last updated in June 2021. The CIP identified \$540,000 of improvements. The improvements were not funded or completed as anticipated, with the exception of concrete work at the Alamo cemetery at a cost of \$45,600.⁶⁰ ALCD has a detailed GIS description, photos, and location of specific improvements and required repairs.⁶¹ Information provided by ALCD included a list of specific required improvements such as drainage and other repairs to prevent further damage and deterioration.⁶²

ALCD is working with consultants and vendors to update the cost of office replacement and landscape design and construction management. **Table 6** summarizes updated costs based on preliminary information received during the course of the Special Study.

Table 6 Updated ALCD Capital Improvement Costs

Item	FY2021-22 ALCD CIP	Update
Project Management Company	\$ 42,000	
Lafayette Cemetery		\$ 199,500 (a)
Alamo Cemetery		\$106,000 (a)
Replace District Irrigation	80,000	
Lafayette Cemetery		170,310 (b)
Alamo Cemetery		100,000 (b)
Other (railings, steps, retention)		
Lafayette Cemetery		1,200,000 (c)
Alamo Cemetery		900,000 (c)
Equipment Building Construction	25,000	34,200 (d)
Equipment Building Foundation	15,000	20,500 (d)
New Plumbing to Central Sanitation	30,000	41,000 (d)
Electricity to Front of Property	30,000	41,000 (d)
Replace Internet/Phone lines	15,000	20,500 (d)
Office Remodel	125,000	300,000 (e)
Road Improvement	<u>60,000</u>	<u>82,000</u> (d)
Total	\$ 422,000	\$ 3,215,010

(a) '9/27/2023 Tanaka Design Group Bid.

(b) 2/01/2024 Tanaka estimate.

(c) '10/11/2024 Tanaka preliminary estimate prior to detailed plans.

(d) DGS California Construction Cost Index (CCI):

Jan. 2021	7,090
Feb. 2024	9,692
Percentage increase	36.7%

Based on SF/LA BCI avg. from Engineering News Record (ENR)

(e) 2/12/2024 P. Howard conversation w/Redman Homes; assumes no new foundation req'd.

⁶⁰ Correspondence from P. Howard, 3/12/2024.

⁶¹ GIS on Google Earth was prepared by ALCD and Cemetery Consulting Group LLC.

⁶² ALCD Responses to Dissolution Concerns, Appendix A: Alamo Cemetery and Lafayette Cemetery Disrepair.

OTHER PLANS AND PROGRAMS

Strategic Plan

Cemetery districts and other public agencies sometimes develop “Strategic Plans” or business plans to help guide planning, operations and decision-making. Neither district has such a plan; ALCD informed LAFCO that it “...cannot afford to pay someone to put together a strategic plan.”⁶³ The costs for a plan vary but could be in the range of \$20,000.⁶⁴

The costs to ALCD and BBKUCD could be reduced if a strategic plan effort is undertaken by both agencies cooperatively. The effort could focus on improving ways the two districts could collaborate and reduce operating costs.

Succession Plan

Succession planning is important under all governance options described in this Special Study. ALCD and BBKUCD do not have a succession plan. Succession planning involves “...identifying and developing talent to replace key employees. It's a continuous process that ensures the organization's leadership, management, and supervisory continuity.” The absence of a succession plan could create service disruptions, additional costs and delays during an employment search for a replacement who may not possess the unique background and experience of the departing District Manager.

The governance options chapter of this Special Study discusses opportunities for ALCD revenues to fund an additional BBKUCD management staff person who would work under the direction of the BBKUCD District Manager (and replace the current ALCD DM); eventually that person would be in a position to take over as District Manager in the future, e.g., upon retirement of the current District Manager.

Employee Handbook

Both districts have employee handbooks. It appears that ALCD policy updates are required to assure consistency with State law and with actual practices such as employment of and contracting with relatives.

For example, the ALCD “Conflict of Interest Policy” links to and incorporates by reference current California codes that define conflicts including those related to relatives as “spouse and dependent children”; the ALCD Employee Handbook defines a relative as “...any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood

⁶³ Correspondence from ALCD to Lou Ann Texeira, Contra Costa LAFCO, Oct. 17, 2023.

⁶⁴ The North County Cemetery District in San Diego County is pursuing a Strategic Plan with an estimated consultant cost of approximately \$19,000 (2022).

*or marriage*⁶⁵ The District Manger's hiring of Cemetery Consulting Group LLC would be contrary to the current language of the Employee Handbook but such hiring is consistent with current California codes. An update would improve transparency, particularly if the handbook were posted on the ALCD website. The ALCD website has a link to the California codes regarding Conflict of Interest but the link is broken.⁶⁶

⁶⁵ ALCD Employee Handbook, Updated October 2019.

⁶⁶ The ALCD website page <https://www.alamolafayettecemetery.com/conflict-of-interest-code> links to a document with a link to Cal. Codes that is broken (as of 3/15/2024).

5 FINANCIAL CONDITIONS

ALCD FINANCIAL OVERVIEW

Throughout much of its history, ALCD has experienced fiscal challenges as a small district with limited revenues. Nearly fifty years ago the District was plagued by Grand Jury allegations of overspending, financial abuse, employee strikes and loss of staff. Proposition 13 cut revenues in 1978 by nearly half. Subsequent revenue reductions by the State and economic recessions took their toll; in 2014 ALCD was in debt by about \$600,000 to the County but has since repaid the debt through cost-cutting measures.

After a slowdown in burial revenues caused by the pandemic, the District appears to be recovering as property tax revenues continue to grow. Current year sales revenues indicate recovery to pre-pandemic levels. However, recent staff reductions, reduced operating hours, and greater deferred maintenance will continue to stress the District's budget and could adversely affect future net revenues.

Property tax growth is likely to slow in the near term, followed by a gradual increase. Assuming no change in current minimum staff levels and operating hours, continued sales at recent rates could improve operating margins. Increased future revenues over time may enable some restoration of staff capacity as well as operating hours and investment in limited priority improvements focused on visitor and employee safety. Additional revenues raised through boundary expansion, expanded niche sales, and/or foundation donations will also improve ALCD's ability over time to fund prioritized CIP improvements.

However, ALCD's fiscal condition could be seriously threatened by a number of factors, including declines in sales revenue due to cemetery conditions; recessionary decreases in property tax and increased maintenance contract costs; disruptions if the current District Manager leaves ALCD; legal costs in the event of injuries to staff or visitor; increasing deferred maintenance; and equipment or infrastructure failure.

Balanced Budget

ALCD adopts balanced budgets that show revenues equal to expenditures. However, the budget's revenues include "unspendable" endowment care fees which overstates fiscal conditions. ALCD's FY2023-24 budget shows total revenues equal to total expenditures, but spendable revenues fall short of projected total expenditures. The District's conservative budgeting and property tax estimates help to offset the apparent shortfalls that would otherwise occur by including unspendable revenue.

Depreciation is not included as an expense in the budget nor does ALCD budget for transfers to a capital improvement fund to address declining asset conditions. Net revenues would be reduced if capital improvements had been funded.

Both districts should establish reserve policies and other financial policies. The BBKUCD financial audit recommended that BBKUCD establish "...*formal accounting policies, procedures manuals and prepare a*

schedule of routine accounting tasks that need to be performed each month, quarter and at the close of the fiscal and calendar years, as applicable.”⁶⁷

Operating Reserves

At the end of FY2021-22 ALCD had \$152,803 of unallocated fund balance, or “reserves”. This level represents about 24 percent of operating expenditures, which exceeds a minimum threshold of 17 percent (about 2 months of expenditures). The reserves provide minimal additional capacity to fund emergencies or capital improvements. ALCD has financial statements prepared by a CPA every two years, thus the FY2022-23 and FY2023-24 reports will not be available until the Fall of 2024.⁶⁸

ALCD contracted for improvements to the Alamo cemetery in FY2022-23 effectively drawing down its reserves. Because ALCD’s biennial financial statements including FY2022-23 won’t be reported until after the end of FY2023-24 the effects of these expenditures on ALCD’s financial position are not currently known. A preliminary balance sheet produced by ALCD at the end of FY2022-23 appears to confirm the drawdown and reduced cash assets at the end of the fiscal year.⁶⁹

ALCD REVENUES

ALCD’s annual average revenue growth of 4.9% from FY2017-18 through FY2021-22 generally exceeded long-term inflation of 2.5% to 3%, although declining revenues from interments slowed overall revenue growth. The revenue growth did not keep pace with expenditure growth; expenditures were pressured by several years of high inflation and increases in employee retirement plans. The current FY2023-24 actual revenues through February show an improvement in property taxes and sales revenue that could improve fund balances.

Property Tax

Property taxes, received twice a year in December and in April, account for nearly two-thirds of ALCD and BBKUCD revenues. ALCD received \$436,000 in property taxes in FY2022-23.⁷⁰ By comparison, larger cemetery districts’ property tax represents only one-third of total revenues, and they generate a greater share of their revenues from sales and service charges than ALCD.⁷¹

Property taxes in California have generally grown faster than inflation, notwithstanding declines following recessions such as several years following the 2008 recession. New development and buildout

⁶⁷ BBKUCD Schedule of Audit Findings and Recommendation, FY22.

⁶⁸ The financial report for the two years ending June 30, 2022, was dated Nov. 16, 2022. It is assumed the next biennial report will be available Nov. of 2024.

⁶⁹ ALCD Balance Sheet as of June 30, 2023, printed 2/25/24.

⁷⁰ ALCD monthly cost and revenue reports for FY2022-23.

⁷¹ e.g., Orange County Cemetery District.

of the Dougherty Valley and Blackhawk areas within ALCD's boundary helped to generate new property tax revenues. ALCD property tax revenues generally track the recent FY2023-24 Countywide assessed value increase of almost six percent, which is forecasted to decline to a 1.5 percent increase in FY2024-25; the growth rate is projected to improve to a 3.9 to 4.4 percent annual increase in subsequent years.⁷²

As with all other public agencies in California, ALCD experienced reduced revenues and constrained growth due to State reductions in local revenues caused by Prop. 13 and the State Education Revenue Augmentation Fund (ERAF). Cemetery districts were hit particularly hard by ERAF because they were grouped with other agencies deemed "enterprises" able to recoup funds through fees and charges for services.

Prop. 13, implemented shortly after voter approval in 1978, imposed a property tax cap of one percent of assessed value on all agencies serving a given area. Therefore, agencies in more urbanized areas served by many districts collecting property taxes were each required to reduce their property taxes and take a smaller share of the one percent by comparison to areas with fewer taxing entities. Even if an agency were conservative in its use of property tax in 1978, its share was reduced further by Prop. 13. Prior to Prop. 13 ALCD had a low property tax rate partly because of the relatively high values within its boundaries and ALCD's lack of indebtedness.⁷³

At its Board of Trustees Meeting August 24, 1978, ALCD reduced staff to half-time and cut back its hours. ALCD "*...was forced to hire contractors to perform work until the early '90s...but did not offer retirement or significant benefits and insurance*" to employees when they were hired after property taxes subsequently improved.⁷⁴

ALCD has been diligent in pursuing property tax adjustments but without success. Over the years, ALCD investigated its concerns that "*...it has been shorted on property tax*" and ALCD reports that it spent "*...over \$35,000 on consultations*".⁷⁵ No specific errors in the calculation of ALCD's share of one percent property taxes were identified or documented by ALCD.

Relatively strong assessed value growth within ALCD's boundaries has helped to offset the initial impacts of Prop. 13 and subsequent reductions by the State. In 1979 following implementation of Prop. 13 ALCD

⁷² Contra Costa County Revenue Forecast, November 2023.

⁷³ Oakland Tribune, Cemetery District 'overspending', 24 July 1978.

⁷⁴ ALCD Fiscal Analysis Prepared by Cemetery Consulting Group, LLC. Attachment 1 to LAFCO Executive Officer's Report, Nov. 8, 2023.

⁷⁵ ALCD Board of Trustees Annual Report July 1, 2021 – June 30, 2022.

received \$15,644 property tax.⁷⁶ In 2022, ALCD’s property tax equaled \$436,049⁷⁷ which is a 7.9 percent compound annual growth rate from 1979 compared to inflation of 3.5 percent compounded annually over that period.⁷⁸

Despite property tax growth in a large, relatively high assessed value district, ALCD receives a relatively small share of total property taxes even by comparison to BBKUCD as illustrated in **Table 7**. The amount paid annually by homeowners is small, especially for older properties that have not sold for many years and consequently have a lower assessed value.

Table 7 Examples of Cemetery District Residents’ Property Taxes

Avg. Home Assessed Value	Avg. 1% Tax Bill	Annual Share of Property Tax	
		ALCD	BBKUCD
\$500,000	\$5,000	\$3.29	\$22.07
\$1,000,000	\$10,000	\$6.57	\$44.13
\$1,500,000	\$15,000	\$9.86	\$66.20
\$2,000,000	\$20,000	\$13.15	\$88.26

Note: In addition to 1% property tax, property owners pay "overrides" for bonds, assessments, etc.

As shown in **Table 8**, ALCD has 3.3 times the amount of assessed value compared to BBKUCD, but BBKUCD’s share of property tax is about 6.7 times that of ALCD. Thus, property taxes to ALCD are less than half of BBKUCD.

⁷⁶ ALCD Fiscal Analysis Prepared by Cemetery Consulting Group, LLC. Attachment 1 to LAFCO Executive Officer’s Report, Nov. 8, 2023.

⁷⁷ ALCD Income and Expenditures, Monthly Cash Basis FY2022-23. ALCD/BBKUCD Response to 1/23/2024 data request, 2/16/2024. file: “2024.2.25.alcd.lafco.study.data_request.3.pdf”.

⁷⁸ See <https://data.bls.gov/cgi-bin/cpicalc.pl>

Table 8 Property Tax FY2023-24 Total, Increment and Allocation

Item	Cemetery District	
	ALCD	BBKUCD
All Agencies in District Tax Rate Areas		
Total Assessed Value	\$68,273,590,834	\$21,004,659,543
TRA Tax Increment (all agencies)	\$37,781,233	\$12,683,577
Total 1% Property Tax FY24 (all agencies)	\$682,735,908	\$210,046,595
ALCD Assessed Value vs. BBKUCD	ALCD a.v. is 3.3 times larger than ALCD	
Cemetery Districts Only		
Avg. District Share of \$1.00 (1%) Tax	\$0.00066	\$0.00440
District Increment FY24	\$24,762	\$55,775
Total District Property Tax FY24	\$448,751	\$926,968
Agency Increment/ Total Agency Tax = Annual Growth		
	5.5%	6.0%
Agency Increment/ Total Agency Tax = Annual Growth		
Avg. District Share of \$1.00 (1%) Tax	\$0.00066	\$0.00441
BBKUCD Tax Share vs. ALCD Share	BBKUCD tax share is 6.7 times larger than ALCD	

Fees and Charges for Services

ALCD “Fees and Charges for Services” include sale of burial sites and niches, open/close fees, liners, urns and vaults, non-resident fees (approximately 11% of interments are non-residents)⁷⁹ and other miscellaneous revenues. These revenues have ranged between \$175,000 and about \$225,000 annually during the five-year period from FY2017-18 through FY2021-22,⁸⁰ averaging about a third of total revenue. A recent decline to \$73,000 in FY2022-23 appears to have improved to an estimated \$184,800 in FY2023-24.⁸¹ Recently, ALCD reported the loss of several potential burials due to the poor conditions of the cemetery.⁸²

Other Revenues

ALCD received a \$67,000 one-time COVID relief grant in FY2021-22.

Prices and Payments

ALCD prices shown in **Table 9** are lower than BBKUCD, and both fall within the upper end of a typical price range for public cemetery districts. The ALCD sites are more limited, hillier and more costly to

⁷⁹ ALCD/BBKUCD Response to 1/23/2024 data request

⁸⁰ ALCD Financial Reports.

⁸¹ ALCD comments, 4/06/2024.

⁸² ALCD comments, 4/06/2024.

maintain and to open/close. Prices for cemetery districts are typically half or less by comparison to private and not-for-profit cemeteries. For example, the average price for burial at the Oakmont Memorial Park and Cemetery in Contra Costa County is approximately \$20,000⁸³ compared to about \$7,000 or less for all burial related charges.

Unlike other cemetery districts, ALCD does not accept credit cards;⁸⁴ According to ALCD, "...the small amount of people who have used credit cards are not worth the time and effort to reconcile the accounts. Additionally, ALCD's constituents tend to pay in cash or check and in full."⁸⁵ BBKUCD does allow credit cards and charges a fee for their use.⁸⁶

Table 9 Summary of Cemetery Prices

Item	Cemetery District			
	ALCD	(1)	BBKUCD	(2)
Burial Rights	(3) \$5,000-\$8,000	(4)	\$3,000-\$5,500	
Columbaria Niche	(5) \$1,400-\$5,000		\$650-\$1,750	
Endowment Care	(6) \$300-\$800		\$200-\$400	
Opening/Closing	(7)			
Single Depth	\$1,200-\$3,000		\$1,200	
Columbaria Niche	\$400		\$300	

- (1) ALCD Price List, 2024-01-16.
- (2) BBKUCD Price List, 2022-04-01.
- (3) Prices vary by location within each cemetery and columbaria tier
Excludes infant, in-ground cremation sites
- (4) Hill sites additional \$3,000 above top price (total \$11,000).
- (5) Prices for single niche.
- (6) Endowment Care fees include niches (lower end of range).
- (7) Varies by location; weekend open/close additional price.

The price schedules, which are not posted on either the ALCD or BBKUCD website, list higher prices for opening/closing in hill areas. The ALCD cemeteries' slopes and difficult access increase the work required, e.g., hand digging rather than the use of excavators, and also create worker safety issues particularly during wet conditions.

⁸³ Bay Area Funeral Consumers Association - Contra Costa County Cemeteries, 9/2/2021. Prices include open/close, liners, fees.

⁸⁴ ALCD Board of Trustees Annual Report, July 1, 2018-June 30, 2019.

⁸⁵ ALCD comments, 4/06/2024.

⁸⁶ BBKUCD meeting minutes, April 15, 2020.

All public cemetery districts are restricted to serving residents of the district only, except under certain limited circumstances, for example, relatives of district residents can be interred.⁸⁷ Non-resident fees range from \$500 (ALCD) to \$750 (BBKUCD). Cemetery districts are restricted by law from providing and charging for certain services that can be obtained at privately-owned cemeteries; for example, cemetery districts are prohibited from selling monuments or markers, and from constructing new mausoleums.⁸⁸

Plot Re-purchase

ALCD periodically re-purchases plots and niches when the buyers' circumstances change for example due to a change of residence of the buyer or their family. As stated in ALCD's Rules and Regulations, "*...if an owner has no further need for interment rights in plot(s) and/or niche(s), he or she may in writing, request to the District to buy back plots and/or niches (subject to availability of District funds) at a price which is equal to the amount that was originally paid, less Endowment Fees paid.*"⁸⁹

The re-purchase at the original purchase price, which may be significantly lower than current prices, may discourage plot owners from seeking a re-purchase which would make the site available to an interested buyer.

Endowment Care Fees

As required by State law, ALCD charges an "Endowment Care Fee" intended to fund ongoing care and maintenance of the cemeteries. These revenues are deposited to a separate Endowment Care "Permanent Fund"; only the interest earnings can be used by the District. In recent years, ALCD chose to leave interest earnings in the Fund to grow for future use. ALCD's Endowment Care Fund was \$658,379 at the end of FY2021-22,⁹⁰ an increase from \$545,624 in FY2017-18 or 4.8% annual growth.

Currently the endowment care fees are \$800 for full casket lots and \$300 for a single urn in a niche, and \$400 for an in-ground cremation lot. ALCD does not refund endowment care fees.

ALCD has not conducted a formal analysis of its endowment care fund and fees as recommended by the 2010 MSR to determine the reasonableness of increasing those fees. ALCD indicated in its LAFCO dissolution application materials that its Endowment Care Fund is underfunded⁹¹ and requires \$8 million to \$11 million. The basis for the required amount of interest revenue is not detailed and it is unclear whether growing property taxes were considered in the estimates.

⁸⁷ Cal. Health and Safety Code 9060 et seq.

⁸⁸ Cal. Health and Safety Code 8137.

⁸⁹ ALCD Rules and Regulations, Approved August 10, 2020, by the ALCD Board of Trustees.

⁹⁰ ALCD Financial Report, FY2021-22.

⁹¹ State of ALCD, "Underfunded", prepared by Cemetery Consulting Group, Inc.

Interest earnings

Interest earnings have been insignificant in recent years due to low returns from funds invested with the County Treasurer and the State's Local Agency Investment Fund (LAIF) and poor (or negative) investment returns in certain years.

Cemetery districts can actively manage their investments (and/or hire financial advisors) and potentially take advantage of better rates, for example from Certificates of Deposit. However, this requires time and expertise by district staff and/or costs for advisory services. ALCD cannot take their money out of the County until ALCD receives \$500,000 or more in annual property taxes, as is required by law.⁹²

OTHER FUNDING

Grants

The County Supervisor for District 2 offered to provide ALCD a \$25,000 grant from the County's Livable Communities Trust Fund as seed money to start a non-profit/501(c)(3) cemetery foundation which could be used to leverage other community grants, community fund raising, and organize volunteers to support ALCD. ALCD has not accepted nor rejected the grant offer and has stated that acceptance of the grant would cost the District more than the \$25,000 it would receive from the grant.⁹³

Each supervisorial district has money in this trust fund which can be used at the Supervisor's discretion for, among other purposes, to "*...help promote economic revitalization and enhance the tax base by improving the property.*"⁹⁴

Grant funding, other than discretionary funds available to County Supervisors, is not readily available to cemetery districts.⁹⁵

However, an example of a historic cemetery project receiving grant funding is the recently completed Aqua Mansa Pioneer Cemetery, whose last burial was in 1963. A rehabilitation project was funded through a combination of San Bernardino County Board of Supervisors allocated capital improvements funds and \$500,000 grant funds through the California Cultural and Historical Endowment to make improvements across the Agua Mansa Cemetery. Site improvements include drive repairs, landscaping and beautification, entrance monument, interpretive signage, gate replacement and select headstone and monument conservation. The project also includes funding for ground penetrating radar mapping of

⁹² ALCD comments, 4/06/2024.

⁹³ ALCD comments, 4/06/2024.

⁹⁴ Correspondence from Supervisor Andersen to LAFCO 3/13/2024.

⁹⁵ Interview with M. Ott, North County Cemetery District, March 1, 2024.

the entire site, which will provide a complete map of all burials.⁹⁶ The total cost of the project was \$1.1 million. Actual costs and available grant funding would vary if ALCD sought similar types of grant funding.

Charitable Foundation

Some cemetery districts have formed a non-profit/501(c)(3) cemetery foundation to support the district, similar to the many library foundations in Contra Costa County that support public library districts. A Foundation could help preserve the cemeteries' historical resources and provide a vehicle for contributions toward cemetery maintenance. As described above, the County has offered ALCD a \$25,000 grant to help pay for the costs of creating a foundation.

Other Parcel Taxes or Assessments

ALCD has considered, but did not pursue, a district-wide tax measure, which would require two-thirds approval by district voters.⁹⁷

EXPENDITURES

From FY2017-18 through FY2021-22 ALCD expenditures grew at a rate significantly greater than inflation and nearly double the rate of revenue growth. Increasing costs for utilities, supplies, landscaping services, and employee retirement costs contributed to expenditure growth. Revenues available after paying off obligations to the County (see **ALCD Liabilities**, below) and growing property taxes enabled the expenditure increases without causing reductions in fund balances and net position.

ASSETS

General Fund Assets

ALCD financial statements reported "Cash" of \$156,729 at the end of FY2021-22. This cash largely translates into similar levels of unassigned fund balances, also referred to in this analysis as "reserves" available for contingencies, capital and other reserve purposes. The assets exceeded minimal liabilities of \$8,278.

Reserves

Neither of the districts have reserve policies.

Neither ALCD nor BBKUCD have a separate or "Pre-Need" Fund to set-aside pre-need sales revenue for the future years in which service costs are incurred. In previous years BBKUCD showed those funds in its

⁹⁶ Historic Agua Mansa Pioneer Cemetery Getting a Much-Needed Facelift, September 7, 2023; see also <https://museum.sbcounty.gov/agua-mansa-pioneer-cemetery/>

⁹⁷ Interview with P. Howard, ALCD, 3/4/2024.

financial reports but subsequently eliminated them at the recommendation of its CPA.⁹⁸ The districts could choose to designate unassigned fund balances to capital improvements, for example, if it had such policies.

Unassigned Fund Balance

ALCD's unassigned fund balance, one measure of reserves available for contingencies and capital improvements, continued to grow following full repayment in FY2019-20 of funds owed to the County. ALCD's FY2021-22 financial statements show \$152,803 unassigned fund balance for the ALCD General Fund. This represents about 28 percent of annual expenditures which exceeds a minimum threshold that requires at least two months (16.7%) of annual operating expenses.

By comparison, BBKUCD had \$972,024 General Fund unassigned fund balance which represents nearly 100 percent of annual expenditures in FY2021-22.⁹⁹

Endowment Care Fund

At the end of FY2021-2022 the ALCD Endowment Care Fund (also designated a "Permanent Fund") totaled \$658,379. Endowment Care Fees paid along with other interment charges are deposited to this fund.

ALCD is restricted by law from spending funds in its Endowment Care Fund and is limited to the use of interest earnings. The Fund's investment earnings, which have been minimal, have been retained in the Fund to accumulate. Unlike BBKUCD, ALCD does not have a separate fund into which the interest earnings could be transferred, continue to earn returns, and be available for annual maintenance if needed.

For comparison, BBKUCD had \$384,787 in its Endowment Care Fund.¹⁰⁰ ALCD's Endowment Care Fees are double those of BBKUCD.

Capital Assets

ALCD's capital assets have continued to decline in value due to deferred maintenance and lack of capital investment. The depreciated value at the end of FY2021-22 represents 36% or almost one-third of total value, indicating a significant deficiency. Capital improvements during FY2022-23 should improve the relative value of net assets when reported by future financial statements, but the levels will still be substandard (e.g., less than 50% of total assets) especially when considering significantly greater replacement costs. The depreciated value would be even smaller if compared to asset replacement cost.

⁹⁸ ALCD comments, 4/06/2024.

⁹⁹ BBKUCD Financial Statements for the Year Ended June 30, 2022. See Balance Sheet and Statement of Activities.

¹⁰⁰ BBKUCD Financial Statements for the Year Ended June 30, 2022. See Balance Sheet.

By comparison, BBKUCD's depreciated asset value represented about 60% of total depreciable value after accounting for \$366,000 of asset additions in FY2021-22¹⁰¹ including irrigation improvements.

LIABILITIES

ALCD financial statements report minimal liabilities. The FY2021-22 Statement of Net Position shows "compensated absences" owed of \$22,479 and accounts payable of \$8,278 totaling \$30,757 or about six percent of the \$152,803 unassigned fund balance.

ALCD makes contributions to a 401(a) defined retirement plan for the benefit of its District Manager and therefore has no unfunded pension liabilities owed to Contra Costa Employees Retirement Association (CCCERA).

For several years ALCD owed the County of Contra Costa due to revenues insufficient to cover expenditures, depleting ALCD funds held by the County on their behalf. The Contra Costa County ledger reported an ALCD account shortfall of (\$632,132)¹⁰² in 2013 due to impacts of the 2008 recession. The shortfall was repaid over several years through cost-cutting¹⁰³ and property tax growth. ALCD's financial statements showed a slightly positive unassigned fund balance in its FY2019-20 financial statement after several years of negative balances. The positive unassigned fund balance continued to grow in the years that followed.

ALCD has commitments for future interments and related services for pre-need sales. ALCD indicates that it has over 1,000 of various types of commitments recorded on paper documents; no tabulations by type and amount are readily available and would require significant research.¹⁰⁴

¹⁰¹ BBKUCD Financial Statements for the Year Ended June 30, 2022. See Note 5 – Capital Assets and Depreciation.

¹⁰² ALCD Response to Data Request, 12/11/2013 CCC General Ledger printout.

¹⁰³ Interview with P. Howard, ALCD, 3/4/2024.

¹⁰⁴ Interview with ALCD 3/4/2024.

6 BOUNDARY OPTIONS

ALCD BOUNDARY OPTIONS

ALCD's boundaries have not changed substantially since ALCD formation in 1937 and originally were based on Lafayette, Walnut Creek and Danville Unified School Districts' boundaries despite significant growth that has occurred. The boundaries bisect city boundaries and include about two-thirds of its constituent cities' assessed value. As described in the 2010 MSR "*...In 1937 the only incorporated city within the District was Walnut Creek. The City of Lafayette was incorporated in 1968, the Town of Danville was incorporated in 1982 and the City of San Ramon was incorporated in 1983.*"¹⁰⁵

LAFCO records show one annexation to ALCD in 1972. The 2011 MSR identified boundary changes to fix boundary/SOI irregularities and included boundary expansions which were supported by ALCD.¹⁰⁶ At that time no boundary adjustments were recommended due to the likely challenges of obtaining tax sharing agreements with other affected local agencies.

ALCD indicated to the County in 2016 that annexation fees contributed to the challenge of expansion and "*...If we are exempt [from] annexation fees, we may be able to expand our boundaries and offer more services to our constituents.*"¹⁰⁷ The ALCD Board considered a survey to assess District service needs compared to potential property tax revenue from boundary expansion.¹⁰⁸ ALCD has not pursued an expansion analysis or a survey citing significant costs.¹⁰⁹

Potential Property Tax from Expanded ALCD Boundaries

As shown in **Table 10**, expanding ALCD boundaries by approximately 50 percent to encompass the entirety of its constituent cities (excluding Orinda) could increase its property tax revenues by about \$191,000 per year. The amount could be more depending on value added from any expansion of unincorporated boundaries.

¹⁰⁵ 2010 MSR, p. 230.

¹⁰⁶ Executive Officer's Report LAFCO 23-12 – Dissolution of ALCD, November 8, 2023 (Agenda), p. 3.

¹⁰⁷ Contra Costa County Board of Supervisors 2016-17 Triennial Sunset Review of Appointed Boards, Committees & Commissions (per Resolution No. 2012/261 on June 26, 2012). ALCD Response to Information Request.

¹⁰⁸ Contra Costa County Board of Supervisors 2016-17 Triennial Sunset Review.

¹⁰⁹ ALCD comments, 4/06/2024.

Table 10 Potential Additional Property Tax if ALCD Boundaries are Expanded

City Uninc. County	FY24 Total Assessed Value	% in ALCD	FY24 Assessed Value in ALCD	% of ALCD Total	Potential ALCD Additional A.V.
Walnut Creek	\$24,541,351,568	62.8%	\$15,411,468,746	22.1%	\$9,129,882,822
Lafayette	\$11,275,619,121	95.6%	\$10,783,366,781	15.5%	\$492,252,340
Danville	\$17,208,248,236	86.0%	\$14,801,164,440	21.2%	\$2,407,083,796
San Ramon	\$27,517,307,204	38.0%	\$10,460,317,195	15.0%	\$17,056,990,009
Orinda	\$9,378,490,455	0.3%	\$31,915,932	0.05%	tbd
Cnty Unincorporated	\$50,027,466,952	36.5%	<u>\$18,263,150,161</u>	<u>26.2%</u>	<u>tbd</u>
TOTAL			\$69,751,383,255	100.0%	\$29,086,208,967 41.7% increase
Avg. Agency Share of \$1.00 (1%) Tax	0.0657%		Potential Additional Property Tax to ALCD		\$191,179

If cities and the County agree to a shift of property tax revenues proportionate to their assessed value within ALCD, the shift would be the \$191,000 shown in **Table 11**. If the County were the sole contributor, it could shift the \$191,000 which represents about a 50 percent increase in ALCD revenues which, in combination with other cost savings and potential revenue augmentation noted in this report, could help to improve ALCD sustainability.

Table 11 Potential Property Tax Shift from Expanded ALCD Boundaries

City Uninc. County	City or County Property Tax (1)	Potential Shift if ALCD Expanded (2)	% of City or County Property Tax
Walnut Creek	\$8,502,073	\$42,200	0.5%
Lafayette (3)	\$6,142,556	\$29,600	0.5%
Danville	\$18,937,827	\$40,600	0.2%
San Ramon (4)	\$23,479,914	\$28,700	0.1%
Orinda	na	\$100	tbd
Total County (5)	\$496,949,627	<u>\$50,100</u>	0.01%
TOTAL		\$191,300	

- (1) General Fund property tax from FY23 Financial Reports/ACFRs unless otherwise noted.
 - (2) Estimated tax shift based on each agency's proportion of assessed value within current ALCD boundary.
Actual shift will be determined by County Auditor.
 - (3) FY2021-22 financial report.
 - (4) FY2021-22 financial report, property tax levied for general purposes.
 - (5) County Financing Sources, FY24 (Schedule 9).
- Total property tax represents County total (incorporated and unincorporated).

Additional Services from Expanded ALCD Boundaries

The additional property tax and growth over time from expanded boundaries would help support additional staff and facility improvements including the addition of niches, to serve additional demand from the expanded service area. Increased sales would add to revenues and increase ALCD's Endowment Care Fund to better provide for future maintenance.

7 GOVERNANCE OPTIONS

In August 2023, ALCD submitted an application to LAFCO to be dissolved, whereby Contra Costa County would be designated the “Successor Agency” by LAFCO. In evaluating ALCD’s request, LAFCO may consider other governance options to determine the best course of action moving forward.

Some of the options and related actions described below are not LAFCO actions. However, LAFCO can encourage other parties to take measures subsequent to LAFCO’s action which would help to support the objective of maintaining and improving public cemetery services in Contra Costa County.

Successful implementation of the options depends on the support of multiple agencies and partners. The County of Contra Costa, BBKUCD, the cities of Lafayette and Danville, a possible newly formed foundation, and residents of ALCD could all play a partnership role in assuring the viability of the Alamo and Lafayette cemeteries. **Table 12** summarizes options listed below.

STATUS QUO -- Under this option, LAFCO would deny the ALCD request for dissolution. Depending on actions by ALCD, it may be possible to stabilize and improve finances and operations over time. Without such actions, ALCD facilities could continue to deteriorate and services decline.

Option: ALCD/LAFCO/County pursue strategic planning – Develop a plan and actions to manage costs and increase revenues.

Option: Board of Supervisors serve as ALCD Trustees -- the Board of Supervisors could appoint itself to serve as the ALCD Board of Trustees. This option could facilitate actions to contain costs, improve revenues and fund infrastructure by access to County expertise via the Supervisors and contracts with County departments and other service providers.

DISSOLUTION OF ALCD -- LAFCO dissolves ALCD and designates the County as successor agency.

Option: Create County Service Area (CSA) – LAFCO dissolves ALCD and designates the County as successor agency and requires creation of a CSA to assure continued collection of ALCD property tax revenues. The County would be responsible for continued maintenance and operation of the Alamo and Lafayette cemeteries using County staff and contract services.

The County is reviewing financial implications of operating the cemeteries; the “Dissolution” section below further describes County maintenance costs. The ability of the County to fund needed capital improvements and operations is unknown at this time.

CONSOLIDATION OF ALCD WITH BBKUCD – LAFCO would consolidate ALCD and BBKUCD into a single cemetery district.¹¹⁰ The assets, liabilities and responsibilities of the two districts would be combined under the direction of a single Board of Trustees.

ALTERNATIVES TO CONSOLIDATION -- Instead of consolidating the two districts, BBKUCD could work with ALCD to help stabilize and improve ALCD’s long-term viability by providing contract services to ALCD. ALCD would help fund additional BBKUCD staff and services as needed, but at a lower cost than for ALCD alone. At the same time BBKUCD operations could benefit by reducing its costs while incurring no consolidation liabilities.

OTHER OPTIONS – The sale and/or relocation of the cemeteries is not considered a viable option as discussed below.

As noted previously, following dissolution the County could contract with a private or non-profit entity to handle certain operations.

¹¹⁰ Health and Safety Code §9027(a).

Table 12 Summary of Governance Options

Option	Description	Advantages	Disadvantages
STATUS QUO			
LAFCO denies ALCD's request to dissolve.	ALCD remains intact with no changes to its board or governance structure.	No LAFCO reorganization proceedings. Property tax revenues levied within the District continue to be dedicated to cemetery services.	Revenues could decline as burial capacity is reached, reducing ability to fund services & facilities. Facilities' condition could continue to decline unless changes to operations, costs and revenues.
Status Quo - ALCD/LAFCO/County undertake strategic planning to manage costs and increase revenues			
	LAFCO facilitates strategy session with County, ALCD, BBKUCD and other key stakeholders.	Could provide long-term improvements to ALCD finances and operations without need for governance change.	Could delay organizational change in the event strategic planning is not effective. May incur additional costs to ALCD.
Status Quo - Board of Supervisors serve as ALCD Board of Trustees			
	Board of Supervisors appoint themselves as ALCD trustees.	No reorganization proceedings or other LAFCO actions required. ALCD Property tax revenues continue. ALCD could benefit from contractual access to County departments, expertise and financing tools.	Increases workload and responsibilities of supervisors serving as trustees. Could dilute local representation depending on appointments.
DISSOLUTION OF ALCD			
LAFCO approves ALCD's proposal. LAFCO designates a "successor agency" (County) to wind up the affairs of ALCD.	The existence of ALCD and its corporate powers are terminated. LAFCO designates County as successor agency (greatest assessed value). Successor agency (County) could continue services.	Shifts cemetery responsibility from ALCD to larger agency. Could benefit from access to County departments & financing tools. Could assure long-term viability as a "memorial park"	ALCD property taxes will be re-distributed to other agencies, which could include the County. County becomes legally & financially responsible for ALCD affairs. Ability to fund capital improvement unknown at this time. Could pause new sales.
Dissolution of ALCD - Creation of a County Service Area (CSA)			
	A CSA is created as part of the dissolution in order to capture current ALCD property taxes.	Property tax from ALCD area continue to be dedicated to cemetery services. Cemetery services, facilities and financing could benefit from access to County departments and financing mechanisms.	Increases responsibilities of Board of Supervisors, County dept's & staff. Could reduce expertise & focus on cemetery operations (depending on whether contract staff are utilized). Impacts depend on level of continuing cemetery services.
CONSOLIDATION OF ALCD WITH BBKUCD			
LAFCO consolidates ALCD and BBKUCD into a single cemetery district.	Creates a single district, Board of Trustees and staff overseeing facilities and operations at former ALCD and BBKUCD cemeteries.	Property tax revenues previously levied within ALCD continue to be dedicated to cemetery services. Cemetery services could benefit from economies of scale (offset by potential disadvantages to former BBKUCD).	Elected representation of each current district would be diluted. The certain costs could increase such as travel. BBKUCD financial and staff resources could be reduced due to need to fund deferred maintenance, facility upgrades, and additional staff or related costs attributable to ALCD.

STATUS QUO

Under this option, LAFCO would deny ALCD's dissolution request.

Current governance by the ALCD Board of Trustees would continue. If ALCD is unable to contain its costs, maintain and improve revenues and begin to address deferred maintenance, the current level of services and condition of its facilities could continue to decline. Service hours were reduced recently, and ongoing deferred maintenance will further increase the risk of the safety of cemetery visitors and workers. The relatively small size of the district contributes to inefficiencies and more costly services.

Status Quo Prospects

Property tax growth could help, over time, to fund needed staff and address deferred maintenance. Property taxes are anticipated to slow in the near-term consistent with forecasts prepared for the County budget but could improve in future years¹¹¹ and help to fund needed staff. Potential cost savings, particularly contracts with BBKUCD, could upgrade ALCD's cemeteries and help stabilize and increase future sales and endowment revenues. Revenues from a potential foundation and possible boundary expansion would help to stabilize and increase revenues and reserves.

ALCD potentially could reduce its costs by contracting for certain services with BBKUCD as described in the "Alternatives to Consolidation" section below. Revenue growth may be possible through a combination of endowment care fee reviews, boundary adjustments and tax sharing. If these actions are successful, ALCD's bottom line could improve and help remediate deferred maintenance. Facility improvements, in turn, could improve sales revenue and endowment care fees.

However, ALCD expenditures are likely to increase; the current budget currently represents a "bare bones" budget that relies on contract services and a single employee, the District Manager, who splits her time between ALCD and BBKUCD with occasional staff support from BBKUCD employees. Sales revenues are assumed to continue at recent levels, but this depends on the condition of the cemetery and the ability of its District Manager to meet with families and coordinate services. Recent reductions in office hours may reduce future revenues. Landscape maintenance and burials are handled by contract at a cost higher than prior ALCD grounds worker costs and could increase in the future.

While ALCD generally maintains fund balance reserves sufficient to cover operating expenses,¹¹² those reserves currently do not provide for major facility improvements and will not buffer against a significant economic decline, reduction in sales revenues, or other adverse events. Potential liability caused by a visitor or worker injury could incur significant costs. A District Manager resignation could create costly disruptions to services.

¹¹¹ Contra Costa County Revenue Forecast, Nov. 2023. Beacon Economics.

¹¹² ALCD's fund balance in recent years provides at least two months of operating expenses.

ALCD Contracts with BBKUCD for Staff and Services

ALCD could cooperate with BBKUCD staff and Trustees to establish contract services to ALCD that could benefit both ALCD and BBKUCD. ALCD would help fund additional BBKUCD staff and services as needed, replacing existing ALCD staff (District Manager), but at a lower cost than a District Manager hired and paid by only ALCD. At the same time BBKUCD operations could benefit by reducing its costs while incurring no consolidation liabilities.

This arrangement could help achieve some of the financial benefits noted for the consolidation option and help to stabilize ALCD’s financial situation. At the same time, these contractual arrangements could avoid incurring many of the potential liabilities and other adverse impacts of consolidation.

BBKUCD could benefit from ALCD contracts for services:

1. ALCD could pay for a share of the DM’s time which could increase the DM to full time.
2. ALCD could fund an additional BBKUCD staff person (e.g., 75% to 80% of an FTE) to help manage ALCD affairs under the direction of the BBKUCD District Manager. This staff person would be at a lower cost than the current ALCD DM, helping to reduce ALCD’s expenditures.
3. The additional BBKUCD staff person, e.g., “Assistant District Manager”, would provide for BBKUCD succession planning by training an eventual DM under mentorship of the current DM.
4. BBKUCD would benefit from economies of scale and cost savings by sharing certain costs with ALCD, e.g., Endowment Care Fee studies, boundary analysis and implications, strategic planning.
5. BBKUCD costs, staff training and implementation of GIS, accounting and website and other shared services could be partially funded by ALCD thereby reducing BBKUCD costs.

Specific services, agreements and contracts, and the potential costs savings would be determined by discussions between the Boards of Trustees and management of the two districts.

Table 13 Potential Savings from ALCD Contracts with BBKUCD

Item	Amount
(1) ALCD pays BBKUCD to increase DM hours	\$35,400
(2) ALCD pays BBKUCD to add Assistant DM (75%)	\$80,000
Add'l Staff & Funding to BBKUCD	\$115,400
(3) ALCD no longer requires its current DM	(\$152,400)
Net (Savings) to ALCD	(\$37,000)

- (1) FY2022-23 BBKUCD DM wages, benefits and retirement (\$141,529) increased 25.0% to full-time.
- (2) Based on FY2022-23 BBKUCD Cemetery Services Coordinator wages, benefits and retirement.
Assumes pay and benefits 25% greater than coordinator.
- (3) FY2022-23 ALCD DM wages, benefits and retirement.
Does not include potential one-time severance costs.

Board of Supervisors Serves as ALCD Trustees

If LAFCO denies the ALCD request for dissolution as described under the Status Quo option, the Board of Supervisors could appoint itself to serve as the ALCD Board of Trustees. ALCD would continue as an independent cemetery district but would be governed by the County Supervisors.

This option could facilitate actions to contain costs, improve revenues, and fund infrastructure by access to County expertise through the Supervisors and contracts with County departments or other service providers. The Supervisors as Board of Trustees could create an “Advisory Committee”, for example to include current ALCD Trustees, to provide input to Board decisions.

The financial and operational prospects for this option are essentially the same as the “Status Quo” option; no significant new sources of capital or operational funding are assumed, with the exception of possible increased property tax revenues from boundary expansion.

Supervisors as Trustees could provide experienced public leadership to facilitate opportunities to improve the ALCD such as:

- Accept the grant offered by Supervisor Andersen to help establish a non-profit foundation.
- Evaluate the use of County office space on an interim basis during re-construction of the ALCD office, or on a longer-term basis if deemed necessary and appropriate to replace the office.
- Consider and support ALCD boundary expansion and property tax sharing to increase ALCD revenues.
- Review and revise the ALCD website, policies and procedures, and other operations to better conform to current “best practices”, including CIP and strategic planning.
- Consider opportunities for financings of ALCD improvements when supportable by ALCD revenues; discuss and negotiate with the cities of Lafayette and Danville for contract maintenance and other services.
- Cooperate with BBKUCD staff and Trustees to establish contract services to ALCD that will benefit both ALCD and BBKUCD.

Depending on progress and stabilization of ALCD’s finances and operations, at a future time the Supervisors can consider appointing residents to fill the Board of Trustees.

DISSOLUTION OF ALCD

Under this option, LAFCO would approve the ALCD request for dissolution and designate the County of Contra Costa as the “Successor Agency” to wind up the affairs of the district.

Because of the existing and ongoing obligations of ALCD, it is likely that “winding up the affairs” of ALCD could require a long and indefinite period while current pre-need purchases for plots and niches are honored. Maintaining the condition of the cemeteries as intended by prior payments of Endowment Care Fees could extend in perpetuity.

The County could consider “winding down” the sale of interment sites and niches. Past “pre-need” sales would be addressed on a case-by-case basis, for example by contracting with an experienced individual, company, or non-profit organization to handle arrangements and oversee the interments. ALCD has not tabulated the total number, by type, of its obligations to fulfill past sales; therefore, future County interment obligations, in the absence of new sales, are not known or predictable. Without new sales, total interments could average one per week or less based on FY2022-23.¹¹³

The cemeteries could become memorial parks, and staff costs and responsibilities to the County could be reduced. Capital improvement needs would remain but at a reduced level, for example, an onsite office would not be as necessary.

Property tax currently accruing to ALCD would be redistributed. LAFCO could recommend that property tax be transferred to the County for the purpose of “winding up the affairs” of ALCD. The disposition of these property tax funds would be at the discretion of the County unless a CSA is created as described below.

The County Board of Supervisors would be responsible for the affairs of the former ALCD and could establish an advisory board to provide input and direction. If necessary, the County could contract with private or non-profit providers with the expertise to provide cemetery services that County staff currently do not provide.

Dissolution of ALCD and Creation of County Service Area (CSA)

As part of the dissolution process, LAFCO could recommend that the County create a County Service Area (CSA) covering the same territory as ALCD for the purpose of receiving ALCD’s property tax for the purpose of continuing cemetery services and maintenance.

County Costs

The Contra Costa County Public Works Department is reviewing potential costs to operate and maintain the Alamo and Lafayette cemeteries. Preliminarily, the County estimates that landscape maintenance costs will cost approximately \$109,100 to \$130,900¹¹⁴ for contract landscape maintenance services. This cost does not include overhead and management, sales and burial coordination, interments, and capital improvement costs.

County grounds maintenance costs are likely to be higher than prior ALCD maintenance employee costs, and similar to or higher than current ALCD private contracts (depending on costs for additional County

¹¹³ 54 total interments in in FY2022-23 (including 10 full casket burials, 28 cremation burials, and 16 urn placements in niches) equal about one interment per week.

¹¹⁴ Correspondence 4/16/2024 with R. Johnson Special Districts Manager, Contra Costa County. Upper end of range includes 20% contingency.

administration and overhead). The County Public Works Department could also provide a range of repair services¹¹⁵ although specialized training would be required to handle burials unless the County contracts for this service.

A preliminary review of County employee costs including benefits for County maintenance workers range from about \$40 to \$65 per hour¹¹⁶ (plus County overhead, administrative and management costs) compared to previous ALCD grounds averaging about \$45 per hour including benefits¹¹⁷ and current private contract landscape maintenance costs of \$60 per hour.

Interments and Sales

The County would also need a staff person to manage operations and sales, and to coordinate burial services. For comparison purposes, a County Public Works “Program/Projects Coordinator” salary is about \$58 per hour, similar to the ALCD DM salary of \$59 per hour (before benefits and retirement). After adding benefits and retirement, the County Public Works position would be about \$135,000 for a ¾’s position¹¹⁸ compared to \$152,000 for the ALCD DM (including taxes, benefits and retirement). This position would require specialized training and experience related to cemetery operations. Additional clerical support may also be required.

To the extent that the County “winds down” new sales, it may be possible to reduce this position and cost to 50 percent or less than a full-time position, or to contract for services as needed with an experienced individual, company, or non-profit organization as also noted in “Other Options” below.

¹¹⁵ Meeting 2/28/2024 with R. Johnson and J. Larocque, Contra Costa County Department of Public Works.

¹¹⁶ California State Controller, Government Compensation in California, FY22, Public Works Maintenance Worker I through IV.

¹¹⁷ Chp. 5. For example, an ALCD grounds worker at \$29 per hour received \$25,900 in pay and benefits for 0.28 full-time equivalent (FTE), or about \$92,500 if extrapolated to 1.0 FTE which is \$45 per hour (2,080 hours). See also “Landscape Maintenance”.

¹¹⁸ A full-time 2,080 hours/year position at \$58/hour equals \$120,640 or \$96,500 for 80 percent of an FTE. A 40% “load factor” for taxes and benefits equals \$135,100 for the 0.80 FTE.

CONSOLIDATION OF ALCD WITH BBKUCD

Under this option, LAFCO would consolidate ALCD and BBKUCD into a single cemetery district.¹¹⁹ The assets, liabilities and responsibilities of the two districts would be combined under the direction of a single Board of Trustees.

The 2021 MSR noted “...there could be benefits and additional cost savings to transition to a single cemetery entity over time...District consolidation can help promote economies of scale, efficiencies, and cost savings, including management and administrative functions.” **Table 14** illustrates potential costs and benefits of consolidation.

Table 14 Summary of Potential Cost Reductions from Consolidation

Item	Amount
(1) One District Manager instead of two	(\$152,400)
(2) Increase BBKUCD DM to full time	\$35,400
(3) Addition of Assistant DM (75%)	<u>\$80,000</u>
Net (Reductions)	(\$37,000)
(4) Reducing the overall number of trustees	
(5) Board Stipends	(\$3,600)
(6) Reduced Conferences and Education costs	(\$6,000)
(7) Reduced number of financial audits	(\$8,000)
(8) Shared costs of cemetery software	(\$1,000)
(9) Reduced office supplies	(\$4,000)
(10) Shared website	<u>(\$4,000)</u>
TOTAL (Reductions)	(\$63,600)
	-13%

Other Potential Cost and/or Staff Time Savings & Efficiencies

- Adopting only one budget
- Shared accounting (reduced training hours and cost)
- Shared Capital Improvement Planning
- Shared strategic planning

-
- (1) FY2022-23 ALCD DM wages, benefits and retirement.
Does not include potential one-time severance costs.
 - (2) FY2022-23 BBKUCD DM wages, benefits and retirement increased 25.0% to full-time.
 - (3) Based on FY2022-23 BBKUCD Cemetery Services Coordinator wages, benefits & retirement.
Assumes pay and benefits 25% greater than coordinator.
 - (4) Assumes no change in current number of trustees (three)
 - (5) ALCD Trustee stipends.
 - (6) ALCD Meetings and Education (FY24 budget).
 - (7) Audit expense inflated from FY22 \$7,200 budget.
 - (8) 50% of BBKUCD annual fees; add'l one-time costs required for setup & data entry.
 - (9) 50% of ALCD annual office supplies (FY24 projected).
 - (10) ALCD internet costs (projected FY24 is \$4,835).
-

¹¹⁹ Health and Safety Code §9027(a).

Representatives of BBKUCD and residents with BBKUCD have expressed strong opposition to the concept of consolidation. Many of the concerns could be addressed, for example, a separate zone could be created to isolate costs, revenues, deferred maintenance and infrastructure liabilities of the Alamo and Lafayette cemeteries, as allowed by State law. Whenever a board of trustees determines that it is in the public interest “...to provide different services, to provide different levels of services, or to raise additional revenues within specific areas of the district, it may form one or more zones pursuant to this chapter.”¹²⁰

LAFCO could require that the combined district track the finances of the cemeteries separately for the purpose of revenue collection and allocation by area, e.g., to segregate the revenues and obligations of the Alamo and Lafayette cemeteries from the Union Cemetery. Similarly, charitable contributions to individual cemeteries could be separately tracked so that donors are assured their contributions go to their intended purpose. However, this separate accounting creates additional administrative and overhead complexity.

BBKUCD representatives also note that its representation on the Board of Trustees would be diluted and influenced by trustees representing former ALCD areas. LAFCO has some ability to determine the number of trustees, but in any case, the consolidated board would include representatives from outside the current BBKUCD boundaries.

Other concerns about consolidation relate to travel time required between the two districts. Currently the District Manager who serves both districts travels those same distances. Maintenance services for Alamo-Lafayette potentially could continue to be contracted as is currently done, without requiring BBKUCD staff to travel (unless it is more cost-effective than the current contract).

The California Association of Public Cemeteries actively opposes “...Legislation that forces consolidation of public cemetery districts or merging into cities or counties.”¹²¹ Successful consolidations typically are the result of mutual agreement between the two agencies rather than a forced consolidation.

¹²⁰ Health and Safety Code §9090 (a).

¹²¹ See Section 3.8 Legislation at <https://www.capc.info/policies.html>

OTHER OPTIONS

Sale/Transfer to a Private or Non-Profit Organization

If LAFCO dissolves the District as requested by ALCD, the County as Successor Agency will be responsible for operational and other decisions per California statutes. A question has been raised about a sale or transfer of the cemeteries to a private or non-profit organization by the County following dissolution.

Legal restrictions, requirements for permits and authorization of relatives, and other issues would present significant barriers to a sale, lease, and/or re-location of the cemeteries. Any such action is likely to raise objections by the community and from relatives about risks to the long-term care and maintenance of those interred at the cemeteries, and preservation of their historic benefits to the community.

This action would result in the loss of the current property tax revenues of over \$400,000 annually, which account for two-thirds of total revenues needed to fund operations with no ongoing replacement revenues. The operator would still need to fund major capital improvements estimated at \$3 million to \$5 million or more. Privately operated cemeteries rely upon ongoing sales to remain profitable and are typically much larger than the ALCD cemeteries which helps them to be more cost-effective. The ALCD cemeteries are small, hilly and costly to operate, and the Alamo cemetery has no more capacity for burials to help generate profit to a private or non-profit operator.

Moving the buried caskets and cremations to another location would be extremely costly, and re-interment would require adequate land which would offset any land value that potentially could be derived from sale of the cemeteries following relocation and re-interment.

Contract with a Private or Non-Profit Organization

Following dissolution, the County will be responsible for the cemeteries. One option to the County is to contract with an experienced individual, company, or non-profit organization to operate and/or help to “wind down” the obligations and affairs of the District, including fulfilling commitments to inter those who have already purchased a site. The cemeteries could then be maintained by the County as “memorial parks” utilizing ongoing property tax revenues and contributions, supplemented by endowment income and any net revenue from future interments from past sales commitments.

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APPENDIX A

SUMMARY OF INTERMENT FEES – SELECTED CONTRA COSTA CEMETERIES

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TABLE A-1
SUMMARY OF FEES AT SELECTED CENTRAL/EAST CONTRA COSTA CEMETERIES

Cemetery	URL	FEES (1)	
		Burials (Full Casket)	Urn Niches
Alamo-Lafayette (2)	Alamo-Lafayette	\$7,050-\$7,550	\$1,800-\$4,400
Byron-Brentwood-Knightsen Union (3)	BBKUCD	\$3,800-\$5,600	\$600-\$1,600
Oakmont Memorial Park and Cemetery 2099 Reliez Valley Rd, Lafayette, CA 94549	Oakmont	\$19,000	\$3,600
Queen of Heaven Cemetery 1965 Reliez Valley Road Lafayette 94549	Queen of Heaven	\$9,000	\$3,000
Memory Gardens Cemetery 2011 Arnold Industrial Way Concord 94520	Memory Gardens	\$6,600	\$2,600
Oak View Memorial Park Cemetery 2500 East 18th Street Antioch 94509	OakView	\$6,400	\$3,300
Holy Cross Cemetery 2200 East 18th St. Antioch 94509	Holy Cross	\$4,400	\$2,000
Home of Eternity Cemetery 3415 Mt. Diablo Blvd. Lafayette 94549	Home of Eternity	\$15,900	\$5,000
Hull's Walnut Creek Chapel 1139 Saranape Ave. Walnut Creek 94595	Hull's Chapel	na	\$2,000

(1) Bay Area Funeral Consumers Association - Contra Costa County Cemeteries, 9/2/2021.
 Prices include open/close, liners, fees, subject to change; fees rounded to nearest hundred.
 (2) ALCD fees based on schedule updated 1/16/2024; fees vary by location, and assume:
 cost of lot (\$5k Bottom), O/C (\$1,200-\$1,700 lawn-Lafayette Hill), full liner (\$850).
 Granite niche \$1,400-\$4,000 depending on tier, plus O/C \$400.
 Endowment fee add'l \$800 for casket, \$300 niche.
 (3) BBKUCD fees from 2021 MSR.

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APPENDIX B

SUMMARY OF COSTS, REVENUES AND DM COMPENSATION – SELECTED PUBLIC CEMETERY DISTRICTS

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TABLE B-1

SUMMARY OF COSTS, REVENUES AND DM COMPENSATION – SELECTED PUBLIC CEMETERY DISTRICTS

Cemetery District	County	URL	Acres	#/Type of Positions (exc. Trustees)	Positions (SCO)	Total Annual Full Burials	Property Tax (1)	Total General Revenues (1)
Alamo-Lafayette	Contra Costa	ALCD	Alamo 3 ac. Lafayette 5 ac.		1-4	10	405,552	654,061
Byron-Brentwood-Knightsen Union	Contra Costa	BBKUCD	18.5 ac. + 10 ac. acquisition; 14.5 ac. dev'd		6-7	32	793,727	1,121,079
Central Valley	Imperial				13		796,303	1,903,162
Chowchilla	Madera				4		347,839	579,776
Elk Grove-Cosumnes	Sacramento				7		1,093,388	1,403,300
Madera	Madera			22	22		2,218,468	3,646,699
Murrieta Valley	Riverside	MVCD	10 ac	1 GM 1 Office Manager 3 Groundskeepers	5	125	373,746	710,464
Newcastle, Rocklin, Gold Hill	Placer				na		1,645,117	2,401,381
North County	San Diego	NCCD	135 ac (52 ac in use)	1 GM 1 Admin Manager 2 Ops Supervisors 2 Admin. Assistants 22 Total Employees	22	305	935,947	2,305,608
Orange County	Orange		69 ac (283 acre expansion planned)	1 GM 3 Cemetery Managers 1 Finance Manager 1 Admin Manager 26 Total Employees	26	1,213	2,458,460	7,960,616
Pajaro Valley Public	Monterey			na	8		972,274	1,632,461
Palm Springs	Riverside			4 (full time; maint. cont	4		188,984	1,232,094
Placer County #1	Placer	PCCD#1			na		na	na
Roseville	Placer				8		3,312,772	3,764,349
Summit	Riverside				11		1,567,261	2,327,185
Vacaville-Elmira	Solano				6		574,546	1,605,942
Valley Center	San Diego		3 ac (vacant cap'y for 500)	4 (pt 1/4 to 1/2?)			39,066	215,756

Sources:

- (1) State Controllers Office, file: SD_EachDataSet_FY2021-22_20231030_V2.xlsx; ALCD & BBKUCD provided by Districts.
 ALCD & BBKUCD range shows SCO FY22 numbers vs. current lower ALCD numbers (1 employee).
 ALCD & BBKUCD "Vacation" included in "Wages"; DM less than full-time. Full time based on 2,080 hours.
- (2) State Controllers Office Govt. Compensation in California, GCC - Alamo-Lafayette Cemetery District (2022) << Special Districts.webloc
- (3) FY2022-2023 ALCD and BBKUCD Work Position Information

TABLE B-1 (CONT'D)

SUMMARY OF COSTS, REVENUES AND DM COMPENSATION – SELECTED PUBLIC CEMETERY DISTRICTS

Cemetery District	County	URL	Acres	District Manager Wages	DM Wages per Hour (2,3)	Overtime, Other, Lump Sum (2)	Retirement (2)	District Manager Health Benefits (2)	Total DM Wages, Retirement, Other	DM Wages, Retirement, Other per Hour (3)	"COLA Reindex" (ALCD=1)	Adjusted for Cost of Living by Area
Alamo-Lafayette	Contra Costa	ALCD	Alamo 3 ac. Lafayette 5 ac.	\$101,480	\$59		\$35,176	\$15,522	\$152,178	\$108	1.00	\$152,178
Byron-Brentwood-Knightsen Union 11545 Brentwood Blvd, Brentwood CA 94513	Contra Costa	BBKUCD	18.5 ac. + 10 ac. acquisition; 14.5 ac. dev'd	\$138,637	\$75		\$6,561	\$0	\$145,198	\$91	0.98	\$148,161
Central Valley	Imperial			\$83,357	\$40		\$3,837	\$7,540	\$94,734	\$46	0.61	\$155,302
Chowchilla	Madera			\$55,078	\$26	\$1,345		\$21,579	\$78,002	\$38		
Elk Grove-Cosumnes	Sacramento			\$104,437	\$50		\$39,347	\$12,352	\$156,136	\$75	0.73	\$213,885
Madera	Madera			\$89,613	\$43		\$15,839	\$1,204	\$106,656	\$51	0.59	\$180,773
Murrieta Valley	Riverside	MVCD	10 ac	\$65,000	\$31							
Newcastle, Rocklin, Gold Hill North County	Placer San Diego	NCCD	135 ac (52 ac in use)	\$106,460 \$96,570	\$51 \$46	\$0 \$0	\$8,015 \$0	\$27,623 \$15,416	\$142,098 \$111,986	\$68 \$54	0.80	\$177,623
Orange County	Orange		69 ac (283 acre expansion planned)	\$173,432	\$83		\$22,446	\$13,071	\$208,949	\$100	0.94	\$222,286
Pajaro Valley Public	Monterey			\$84,031	\$40		\$6,348	\$12,948	\$103,327	\$50	0.87	\$118,767
Palm Springs	Riverside			\$116,029	\$56	\$7,310	\$8,267	\$22,562	\$154,168	\$74	0.75	\$205,557
Placer County #1	Placer	PCCD#1		\$98,000	\$47	\$0	\$10,126	\$31,083	\$139,209	\$67	0.82	\$169,767
Roseville	Placer			\$100,507	\$48		\$9,199	\$24,521	\$134,227	\$65	0.80	\$167,784
Summit	Riverside			\$119,990	\$58		\$25,207	\$22,512	\$167,709	\$81	0.75	\$223,612
Vacaville-Elmira Valley Center	Solano San Diego		3 ac (vacant cap'y for 500)	\$90,852 \$24,393	\$44	\$257	\$6,840	\$22,619	\$120,568	\$58	0.77	\$156,582

Sources:

- State Controllers Office, file: SD_EachDataSet_FY2021-22_20231030_V2.xlsx; ALCD & BBKUCD provided by Districts.
 ALCD & BBKUCD range shows SCO FY22 numbers vs. current lower ALCD numbers (1 employee).
 ALCD & BBKUCD "Vacation" included in "Wages"; DM less than full-time. Full time based on 2,080 hours.
- State Controllers Office Govt. Compensation in California, GCC - Alamo-Lafayette Cemetery District (2022) << Special Districts.webloc
- FY2022-2023 ALCD and BBKUCD Work Position Information



Contra Costa County Public Works Department

Warren Lai, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Carrie Ricci
Joe Yee

May 13, 2024

Lou Ann Texeira
Executive Officer
Contra Costa County Local Agency Formation Commission
40 Muir Road, 1st Floor
Martinez, CA 94553

RE: Application to Dissolve Alamo Lafayette Cemetery District

Dear Ms. Texeira:

On April 10, 2024, LAFCO's consultant, Berkson Associates, presented a broad overview of the financial operations of the Alamo Lafayette Cemetery District (ALCD) and Byron Brentwood Knightsen Union Cemetery District (BBKUCD). We understand this presentation is an update of the special study commissioned by the Commission to evaluate the financial and operations issues and governance options associated with the proposed dissolution of ALCD. One of the governmental structures presented is the dissolution of ALCD where Contra Costa County (County) becomes the "successor agency." Should this occur, the Public Works Department would likely be tasked with the operations of the Alamo and Lafayette Cemeteries. It is of great concern to the County given the ALCD's services, liabilities, and financial situation, and our Department's current resources, staffing level, and lack of expertise with cemeteries. This option is not supported by the Department.

ALCD states that its mission is to provide "affordable burials to the constituents of our property tax district, while preserving local history and maintaining our park like cemeteries." We understand that these services are valued by the families in our community and the cemetery has historical significance; however, our Department is not in a position to provide these services effectively. We are not familiar with cemetery districts and would contract out all services for cemetery operations, which could further exacerbate the financial situation and not benefit the community and customers the cemetery serves.

Berkson Associates noted other governmental construction options to continue ALCD, consolidate ALCD and BBKUCD, or have a "functional consolidation" of ALCD and BBKUCD. It was noted that consolidating and sharing resources provides economies of scale and could stabilize ALCD. We are in full support of these options, specifically where

BBKUCD has an active role in providing services to the families and community. BBKUCD's purpose is to provide "efficient and dignified burial services, year-round maintenance, and preservation of interment plots" and a local cemetery district within Contra Costa County. They would be best to provide services at the Alamo and Lafayette Cemeteries.

The Commission raised some questions and comments that highlighted our concerns with management hours charged to both districts, succession planning, institutional knowledge, burial records, board oversight, and hours of operation. We understand that a report will be produced that will address the questions and comments and look forward to reviewing the report prior to LAFCO's consideration of dissolution.

Should you have any questions, please contact me at (925) 313-2180 or warren.lai@pw.cccounty.us.

Sincerely,



Warren Lai
Public Works Director

WL:JL:xc
\\pw-data\grpdata\spdist\LAFCO\letter to LAFCO-ALCD Dissolution_2024May DRAFT.docx

c: Supervisor Andersen, District II
Supervisor Burgis, District III
M. Nino, CAO
L. Strobel, Deputy CAO
S. Kowalewski, Chief Deputy
C. Ricci, Deputy Director
J. LaRocque, Engineering Services
R. Johnson, Special Districts



Lou Ann Teixeira
 Executive Officer

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<i>Special District Member</i> |
| Gabriel Quinto
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| Patricia Bristow
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<i>County Member</i> |
| Scott Pastor
<i>Special District Member</i> |
| Rob Schroder
<i>Public Member</i> |
| Edi Birsan
<i>City Member</i> |

June 12, 2024 (Agenda)

June 12, 2024
Agenda Item 9

Contra Costa Local Agency Formation Commission (LAFCO)
 40 Muir Road, First Floor
 Martinez, CA 94553

3rd Round “Wastewater Services” Municipal Services Review/Sphere of Influence Updates

Dear Members of the Commission:

BACKGROUND: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) provides that LAFCO shall review and update each sphere of influence (SOI), and that in conjunction with the SOI update, the Commission shall conduct a municipal service review (MSR). The MSR is an important tool for LAFCO in fulfilling its legislative mandate to coordinate the efficient and logical development of local government agencies and services. The MSR serves as a basis for SOI updates and future boundary changes.

MSRs provide an assessment of the range and adequacy of municipal services provided in the County and the basis for making LAFCO determinations relating to *growth & population projections, location and characteristics of disadvantaged communities, capacity of public facilities, services, and infrastructure, financial ability of agencies to provide services, opportunities for share facilities, accountability, governance structure and operational efficiencies*, and other factors relating to efficient and effective service delivery. The MSR culminates in updating the SOIs for the subject agencies.

Contra Costa LAFCO continues its work on MSRs having recently completed 2nd round *Mosquito & Vector Control Services* (2022), *Resource Conservation Services* (2022), *Cemetery Districts* (2021), and *Parks & Recreation Services* (2021). In addition, a County Service Area (CSA) MSR covering 15 CSAs is currently underway. Next in the queue are reclamation districts.

At this time, we are pleased to present the 3rd Round *Wastewater Services MSR/SOI Updates* available for review on the Contra Costa LAFCO website at <https://www.contracostalafco.org/>. This MSR includes a review of seven cities and 13 districts, as detailed below.

OVERVIEW AND PROCESS

In July 2022, Contra Costa LAFCO initiated its 3rd Round “*Wastewater Services*” *Municipal Services Review (MSR)* and *Sphere of Influence (SOI)* updates. Swale, Inc., Baracco and Associates, and Southfork Consulting prepared the 3rd round wastewater MSR.

The 2024 3rd round “*Wastewater Services*” MSR focuses primarily on the following:

- ✚ Agency boundaries and SOIs
- ✚ Wastewater operations/infrastructure
- ✚ Financial overview
- ✚ Population/disadvantaged communities
- ✚ Government structure alternatives
- ✚ MSR determinations

On May 22nd, the MSR report was released, posted, and is available on the Contra Costa LAFCO website homepage at <https://www.contracostalafco.org/> The public comment period will end at the close of the LAFCO *Public Hearing* on June 12th.

On June 12th, the consultants will provide a brief overview of the MSR and SOI updates. The Commission will receive public comment, be asked to accept the MSR report, make the required MSR and SOI determinations, and update the SOIs for 11 of the 13 districts. Alameda LAFCO, having the greatest assessed value, is the “principal LAFCO” for two of the districts covered in this report – Dublin San Ramon Services District (DSRSD) and East Bay Municipal Utility District (EBMUD) and has jurisdiction over the SOIs for these two districts. The city SOIs were last updated in June 2019 in conjunction with the “*City Services Municipal Services Review/Sphere of Influence Updates*”; therefore, the City SOIs will not be updated in conjunction with this MSR. Also, the SOIs for the two community services districts (CSDs) covered in this MSR – Town of Discovery Bay CSD and Crockett CSD were last updated in 2019; therefore, their SOIs will not be updated in conjunction with this MSR.

DISCUSSION

Municipal Service Review Determinations - In accordance with the MSR, LAFCO must prepare written determinations relating to the following factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies, including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any DUCs within or contiguous to the SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

The MSR report includes an analysis of these factors.

Sphere of Influence (SOI) Updates – The requirement for LAFCOs to conduct MSRs was established by the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH) to acknowledge the importance of SOIs and recognize that periodic SOI updates should be conducted.

An SOI is defined as a “*plan for the probable physical boundaries and service area of a local agency, as determined by the commission.*” SOIs define the logical, long-term service boundary for an agency. SOIs can be the same, larger, or smaller than the existing local agency boundary. Contra Costa LAFCO uses various SOI designations, including “zero,” which signals dissolution or consolidation of the local agency; “provisional” SOI, which delineates that a future restructuring or change of organization is needed; and “pending” SOI which indicates there are pending issues to resolve before updating the SOI.

The MSR typically culminates in updating the SOIs of the subject agencies covered in the MSR report. LAFCOs are required to make written determinations in accordance with Gov. Code §56425(e) when establishing, amending, or updating an SOI for any local agency that address the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any DUC with the existing SOI.

When updating the SOI for a district, LAFCO is also required to establish the nature, location, and extent of any functions or classes of services provided [Section 56425(i)].

Cities Covered in the MSR

The seven cities covered in this MSR include Antioch, Brentwood, Concord, Hercules, Pinole, Pittsburg and Richmond. As previously noted, the City SOIs were last updated in 2019 in conjunction with the *City Services MSR* and will not be updated as part of the *3rd Round Wastewater Services MSR*.

A brief summary of city wastewater services is provided below.

Antioch – The City of Antioch was incorporated in 1872 and currently has a population of approximately 115,291. The City’s boundary encompasses 30± square miles. Land uses include commercial, industrial, open space and residential; the predominant land use is single-family residential use. There are several disadvantaged communities within Antioch's incorporated boundary.

The City provides numerous city services including water and wastewater. The City provides wastewater collection and conveyance services to approximately 31,937 sewer connections, including the Fairgrounds area (73± acres) which is outside the City's boundary. The City's wastewater services also include collection and conveyance to the Delta Diablo (DD) Wastewater Treatment Plant for treatment and disposal. The MSR notes that from January 1, 2019, to August 9, 2022 the City experienced 76 Sanitary Sewer Overflows (SSOs) in the City of Antioch, which is a high number.

Infrastructure includes 310± miles of sewer mains, one small lift station; one small force main of 321 linear feet; and 6,153 maintenance holes and access points in the collection system.

During the past year, City staff completed several projects to improve wastewater collection services, including:

- Implemented a rural maintenance hole inspection program and replaced all rural maintenance holes with watertight locking composite maintenance holes.

- Completed State-mandated Sanitary Sewer Management Plan audit.
- Treated approximately 33,000 lineal feet of sewer main line for root infiltration to maximize flow and minimize clogs.
- Rehabilitated 15 maintenance holes to prevent infiltration and exfiltration and restore structural integrity.
- Purchased a new Vactor combination truck to assist with cleaning larger diameter pipes.

The Public Works Department identified several goals for 2024 to 2025 for the wastewater system including:

- Televis 25% of the Sewer System every year
- Increase sewer lateral inspection and cleaned by 10% without compromising quality.
- Decrease SSOs by 10%
- Sewer line rehabilitation, maintenance hole repairs, and collection system improvements

The 2024 wastewater MSR noted the three governance options previously identified in LAFCO's 2014 Wastewater MSR including 1) maintain the status quo, 2) consolidate service with the Delta Diablo, and 3) annex all small county unincorporated islands within the City's SOI. LAFCO encourages the City to annex the small unincorporated islands.

Brentwood – The City of Brentwood was incorporated in 1948 and has a current population of approximately 64,292. The City's boundary encompasses 15± square miles. Land uses include residential, commercial, industrial, and open space. There is one disadvantaged community within Brentwood's incorporated boundary.

The City provides numerous services including water and wastewater services (i.e., wastewater collection, conveyance, treatment, and disposal) to approximately 20,494 sewer connections. Infrastructure includes a wastewater treatment plant, 247 miles of main sewer line, and 3 lift stations. The City's WWTP is currently being expanded to accommodate 6.4 million gallons per day (MGD). During this 5-6 year timeframe, there were 20 SSOs in the City of Brentwood, all of which originated from failure at lower lateral points. The overflows were relatively small. Over the next five years, the City plans to develop rate studies, update the master plan, and develop staffing plans to improve wastewater services.

The City is working on several projects including the following:

- Expanding WWTP to accommodate 6.4 MGD. Expansion will accommodate current and near-term needs. Construction work to be completed in 2024. Funding was through a loan (1.5%).
- WWTP Expansion Phase II (total cost of \$83.3 million) will expand existing treatment facility to accommodate planned/approved development and keep the system compliant with increasingly stringent water discharge requirements. City secured a low-interest rate loan through the State. Project also includes a biosolids dryer component funded by wastewater operations revenue, wastewater replacement funds, and wastewater loan repayments funded from a combination of wastewater development impact fees and operations revenue.
- Downtown Alley Rehabilitation (Midway and Park Way project) will install new water, sewer, and storm drain facilities and remove/replace existing infrastructure to bring the aging infrastructure up to current standards.

The City does not currently anticipate any boundary or SOI changes in conjunction with wastewater services. The MSR supports maintaining the existing SOI for the City of Brentwood.

Concord -The City of Concord was incorporated in 1905 and currently has a population of 125,410. The City's boundary encompasses 30.55 square miles and includes the Concord Naval Weapons Station (CNWS). Land uses include residential, commercial, light industrial, office/business park, open space. There are two disadvantaged communities within Concord's incorporated boundary.

The City provides numerous services including police; parks and recreation including community centers, pools, open spaces, golf courses and pavilion; public works including street maintenance, sweeping, building inspection; comprehensive planning, land use control; health care district; and sewage collection.

Contractual services include sewage treatment, fire protection, library, water quality program, animal control, and disaster preparedness.

The City's collection system includes 345 miles of sewer main, 119.7 miles of sewer laterals, 7,140 maintenance holes, and three siphons. The City's wastewater service includes collection and conveyance to Central Contra Costa Sanitary District's (CCCSD) treatment plant for treatment and disposal. The City provides wastewater collection and conveyance services to 40,370 sewer connections. Concord provides wastewater collection services to areas located outside the City boundary including the City of Clayton by contract. Concord owns and maintains the lines in Clayton. The wastewater is sent to CCCSD's treatment plant for treatment and disposal. The City also has a number of out-of-agency service agreements. City wastewater projects include recent the completion of a Sanitary Sewer Master Plan (SSMP) with assistance from Stantec Consulting Services Inc.

The SSMP provides a detailed assessment of existing and future conditions related to the City's sewer system. The SSMP functions as a CIP and includes a capacity evaluation, a recommended sewer improvement program, and an existing CIP program. Inflow and infiltration were also studied in the SSMP, which recommends that future mitigation efforts focus on several basins. The SSMP also lists long-term projects needed to provide wastewater system capacity under future or long-term development scenarios. These projects are dependent on the development of specific plan areas, including the CNWS and Marsh Creek.

From January 1, 2019 to August 23, 2022, there were 43 SSOs. The largest overflow, which was 18,425 gallons, took place in October 2019, and its failure point was located at the gravity mainline. This spill occurred due to root intrusion and reached the street curb, gutter, and surface water.

Several governance options were identified in the MSR, including 1) maintaining the status quo, 2) annex areas receiving City service including the Ayers Ranch island, and 3) consolidate services with CCCSD.

LAFCO urges the City of Concord to annex the Ayers Ranch island to the City of Concord.

Hercules - The City of Hercules was incorporated in 1900 and currently has a population of 26,300. The City's boundary encompasses 19.26 square miles. Land uses include residential, commercial, industrial, office, open space. There are no disadvantaged communities within Hercules' incorporated boundary.

The City provides a range of municipal services including police, parks and recreation including a community center, public works, community development, child care facilities, teen resource center, senior center, aquatics, streetlighting and landscape, street sweeping, building inspection, and wastewater collection and conveyance. Contractual services include fire protection and ambulance services.

The City provides service to approximately 8,410 connections. The wastewater collection system includes approximately 352,000 linear feet (67 miles) of pipeline, of which 328,000 feet is gravity main, and the remaining 24,000 feet is force main. The system contains approximately 1,729 individual pipes, 1,661 maintenance holes, 13 cleanouts, 9 plugs, and 13 diversions. The Pinole-Hercules Wastewater control plant is jointly shared with the City of Pinole. The WPCP was recently upgraded and meets the standards of the Clean Water Act. The WPCP can accommodate 20 MGD of peak flows. The permitted average dry weather flow is 4.06 MGD. The secondary effluent is conveyed to the Rodeo Sanitary District. The final treated effluent is discharged to San Pablo Bay.

From January 1, 2018, to June 30, 2023, six SSO events occurred in the City of Hercules. For all six SSOs, the volume of spillage totaled 4,500 gallons. Of this, 1,400 gallons reached surface water, calculating to a 26 percent recovery rate. In most cases, the SSOs had failure points at the gravity mainline and the pump station mechanical. Most of the spills were greater than 100 gallons, and almost all the spill material was not recovered. The largest spill in the query occurred on October 26, 2020, consisting of 2,000 gallons. This spill occurred due to grease deposition (FOG), and it managed to reach a drainage channel.

Recent and upcoming projects include maintenance holes will be sealed to reduce the amount of inflow and infiltration coming into the sewer system; update to the Collection System Master Plan, which includes the Capital Improvement Program (CIP) budget and schedule for capacity enhancement projects; and quarterly training on emergency by-pass pumping and generator power at all lift stations.

Three governance options were identified in the MSR including 1) maintain the status quo, 2) consolidate sanitary sewer service with the West County Wastewater District, and 3) consolidate sanitary sewer service with Pinole and Rodeo.

Pinole – The City of Pinole incorporated in 1903 and currently has a population of 19,022. The City boundary encompasses 11.61 square miles. Land uses include residential, commercial, industrial, office, and open space. There is one disadvantaged community in the City of Pinole.

The City provides a range of municipal services, including finance, city clerk, administration, public safety (police and fire), public works (parks, streets, highways, street sweeping), development (planning), building, city engineering, and recreation (senior and youth centers, facility rentals, tiny tots program, cable access TV).

The wastewater treatment plant is jointly shared by the City of Hercules. The collection system includes 50 linear miles of gravity flow sewers, two pump stations, and 807 linear feet of force mains. There are 5,415 sewer connections in the City's collection system.

From January 1, 2018, to June 30, 2023, eight SSO events occurred in the City of Pinole. In most cases, the SSOs originated from the gravity mainline. All the overflows were relatively large, and very little spill material was recovered. The largest spill occurred on February 13, 2019, with a volume of 82,000 gallons. This spill originated at the maintenance hole due to rainfall exceeding design. Only 7,000 gallons were recovered from the spill, resulting in an estimated 75,000 gallons reaching surface water.

The Pinole-Hercules Water Pollution Control Plant (WPCP) was recently upgraded and meets the standards of the Clean Water Act. The WPCP can accommodate 20 MGD of peak flows. The permitted average dry weather flow is 4.06 MGD. Secondary effluent is conveyed to the Rodeo Sanitary District. The final treated effluent is discharged to San Pablo Bay.

Two government structure options were identified for the City of Pinole: 1) maintain the status quo; and 2) consolidate sanitary sewer service with the West County Wastewater District.

Pittsburg – The City of Pittsburg incorporated in 1903 and currently has a population of 76,416. The City boundary encompasses 19.74± square miles. Land uses include residential, commercial, industrial, and open space. There are disadvantaged communities located within the City of Pittsburg.

The City provides a range of municipal services, including police, recreation and parks, community center, senior center, marina, public works including street maintenance and sweeping, building inspection, library, comprehensive planning and land use, golf course, and marina.

The City's wastewater service includes collection and conveyance to the Delta Diablo for treatment and disposal. The City provides sewer collection services through approximately 178 linear miles of sewer lines ranging in diameter from six to 36 inches, two sewer lift stations, and over 18,850 sewer laterals within the City of Pittsburg rights-of-way. Design flow is 19.5 MGD.

The City maintains and owns the local sewage collection system that serves the City's municipal users. The City's collection system operates independently, and there are no physical interties with other agencies.

Pittsburg's SSMP was updated in 2019. The SSMP provides guidelines, plans, and schedules to manage, operate, and maintain all parts of the City's collection system. Providing adequate capacity to convey peak wastewater flows is listed as a goal. Additionally, the SSMP aims to reduce the frequency of SSOs and prevent SSOs from occurring in the future.

From January 1, 2019 to August 9, 2022, there were 94 SSOs for the City of Pittsburg. In most cases, the SSOs originated from sewer maintenance holes. Most of the overflows from the query had failure points at the lower public lateral. Based on the database query, the SSOs were contained, averaging 104.63 gallons overall, preventing any flows from reaching storm drains or channels.

The City's five-year Capital Improvement Program (CIP) from 2022/23 through 2026/27 identifies 11 sewer CIP projects that total \$27 million. Of these, five sewer projects totaling \$14.4 million are already funded/partially funded within the next five years.

Two government structure options were identified for the City of Pittsburg: 1) maintain the status quo, and 2) consolidate sanitary sewer service with Delta Diablo.

Richmond – The City of Richmond incorporated in 1905 and currently has a population of 116,448. The City boundary encompasses 52.65± square miles. Land uses include residential, regional office, commercial, industrial, and port-related uses.

The City provides a range of municipal services, including police, fire, street maintenance and sweeping, recreation and parks (including building community and senior centers), housing authority, planning, zoning and building regulations, sewage collection and disposal.

The wastewater service area is 13.5± square miles. The City provides wastewater services to approximately 14% of the city's acreage. Approximately 68,100 residents are served by the Richmond Municipal Sewer System (21,000 sewer lateral connections). Infrastructure/facilities includes a WWTP, 194 miles of sewer collection system pipelines and 13 pump stations.

Treatment plant capacity is 6.3 MGD (average dry weather flow), and 22 MGD (peak wet weather flow). Treatment is through Richmond WWTP and discharge is through a deep-water outfall in central San Francisco Bay.

Richmond's Water Pollution Control Plant has a wastewater treatment system that includes screening, grit removal, primary sedimentation, conventional activated sludge (biological secondary treatment), secondary clarification, disinfection, and de-chlorination, as well as sludge thickening and anaerobic digestion (Richmond, CIP, 2022). The WWTP includes a new wet weather storage facility with some remaining capacity.

Veolia is a private company with a contract to operate Richmond's Water Pollution Control Plant. In 2018, Veolia prepared an Annual Operations Report for the City of Richmond WWTP. The report assessed WWTP performance, capital projects management, and sewer system status. The report outlined planned maintenance projects for 2019. Some of the high-priority projects planned include the completion of the 23rd Street storm water lift station M & C panel upgrade, wet-well safety hatch replacement for five sewer and storm pump lift stations, the replacement of clarifiers, and various other projects). In addition, there were achievements in 2018, including the rehabilitation project that replaced pipes in the City; completion of the design engineering of a WWTP Biosolids to Energy Plan; and initiation of construction for the Cutting, Carlson, and Hoffman Boulevard wet weather improvement sewer project. During the past several years, the City completed three important milestones related to wastewater operations, including:

- Sewer Rate Increase - passed by City Council 07/01/2020
- Major CIPs upgrades at the WWTP
- Baykeeper Settlement Agreement 2018

The city has a current contract with Veolia Water North America, which will sunset in 2027. Staff informed consultants that the city is looking at other options and opportunities, such as solicitations for other vendors or operators to take over the system after the Veolia contract ends. The city is open to other jurisdictions, such as EBMUD or other operators, to step in and run operations. The city is also looking at running the plant on its own.

From 2019 to 2022, 61 SSO events occurred in the City of Richmond. In most cases, SSOs occurred at failure points in the gravity mainline. Most of these overflows were relatively large, and many spills were not recovered. Query results showed that the 61 SSOs had a total volume of 3,411,771 gallons of sewage that were not recovered. The largest SSO occurred in February 2019 and had a volume of 580,670

gallons. This spill occurred due to a storm surge that caused the flow to exceed capacity. None of the spill was recovered, leading to 580,670 gallons of sewage reaching surface waters.

Three governance structure alternatives were identified: (1) maintain the status quo, (2) contract with [or annex to] EBMUD, and (3) contract with [or annex to] West County Wastewater District.

Districts Covered in the MSR

The 13 special districts covered in this MSR include Byron Sanitary District (BSD), Central Contra Costa Sanitary District (CCCSD), County Sanitation District No. 6 (CSD No. 6), Crockett Community Services District (CCSD), Delta Diablo (DD), Discovery Bay Community Services District (DBCSD), Dublin San Ramon Services District (DSRSD), East Bay Municipal Utility District (EBMUD), Ironhouse Sanitary District (ISD), Mt. View Sanitary District (MVSD), Rodeo Sanitary District (RSD), Stege Sanitary District (SSD), and West County Wastewater District (WCWD).

A brief summary of district wastewater services, along with SOI updates, are provided below.

Byron Sanitary District (BSD) – BSD is an independent district formed in 1948, covers 0.53± square miles, and serves the Byron community with a population of approximately 800 people. Growth within BSD is expected to be limited over the next 10 to 20 years. There are no disadvantaged communities within the District. BSD has a five-member Board of Directors elected at large.

BSD collects, treats, and disposes of municipal wastewater. The district also contracts with Mt. Diablo Resource Recovery Services for solid waste (garbage) disposal and recycling services. BSD services 278 connections representing about 378 Equivalent Dwelling Units (EDUs). The treatment capacity is approximately 96,000 gallons per day (GPD). BSD also serves the Orrin Allen Youth Rehabilitation Facility (OAYRF). The OAYRF (which constituted approximately nine percent of total wastewater volume) was closed by Contra Costa County in early 2023 due to low utilization of the facility. Contra Costa County Fire Protection District is currently using the facility for wildfire operations and logistics. The western third of the OAYRF is in BSD's SOI; and no portion of the facility is within the BSD boundary.

In 2023, BSD completed system-wide upgrades to improve system reliability. Upgrades included hydro-flushing/cleaning sewer mains and preparing video logs for all sewer collection lines. Work was also conducted to remove bio-solids (sludge) from Pond No. 1 in order to bring the pond back on line.

The MSR notes that no SSOs were found for the BSD. This indicates that the wastewater system is well-maintained and can avoid SSOs.

BSD shares administrative operations with the Bethany Byron Irrigation District through the Byron Bethany JPA, which includes administrative offices, a general manager, and field personnel. Staff operations were consolidated, and efficiencies were achieved over the past 10 years, which resulted in cost savings. Grant funding for capital projects will be necessary in order to conserve reserve funds.

Governance/SOI options for BSD include: 1) retain the existing SOI; and 2) expand the SOI to include the former Orrin Allen Youth Rehabilitation Facility property. Additionally, future special studies for BSD should be considered.

Central Contra Costa Sanitary District (CCCSD) – CCCSD is an independent district. The District was formed in 1946, serves a population of 487,329, and covers 145± square miles including the cities of Concord, Clayton, Danville, Lafayette, Moraga, Orinda, Pleasant Hill, Walnut Creek, portions of the cities of Martinez and San Ramon, and other unincorporated areas within central Contra Costa County. CCCSD includes disadvantaged communities including areas within Concord, Pleasant Hill, and Walnut Creek. The MSR notes that future growth is expected to be 0.62 percent annually. CCCSD has a five-member Board of Directors elected by district.

CCCSD provides wastewater collection, treatment, and disposal; recycled water for landscape use, pollution prevention, and permanent household hazardous waste collection facility. CCCSD has 171,340 business and residential connections.

CCCSD collects and treats wastewater from approximately 135,000 households and 3,000 non-residential businesses and institutions. CCCSD also treats wastewater from about 50,000 households by contract from Clayton and Concord. These cities operate and maintain their own collection systems, delivering their sewage to the CCCSD Martinez wastewater treatment facility. CCCSD’s collection system includes 1,500 miles of sewer lines and 18 pumping stations. Treatment capacity includes the following:

- 35 million gallons per day (MGD) average dry weather flow
- 34 MGD average daily flow
- 13 billion gallons of wastewater treated and cleaned annually
- 54 MGD is the design capacity of the treatment plant
- The plant can accommodate 250 MGD of wet weather flow
- Recycled water: approximately 600 million gallons per year (MGY) used for irrigation, industrial processes, and plant operations

From January 1, 2019, to August 19, 2022, CCCSD experienced 84 SSOs. In most cases, the SSOs had point failures at the gravity mainline. Most of the overflows were less than 1,000 gallons of spill material; however, not all material was recovered. The spill with the greatest volume occurred on March 22, 2022, with a volume of 23,800 gallons and reached surface water. However, 19,525 gallons were recovered. The spill was due to the force main being hit by a private drilling contractor.

CCCSD and Mt. View Sanitary District (MVSD) recently embarked on a special study to review and consider governance options. CCCSD recently issued a *Request for Proposals* and will interview selected consultants in early July and award the contract in September 2024.

Governance/SOI options for CCCSD include: 1) retain existing SOI; 2) expand SOI to include MVSD; 3) expand SOI to include County and/or SD No. 6. The MSR also notes that CCCSD and MVSD are currently working together to begin a Consolidation Feasibility Study (“study”). CCCSD recently reported that a Request for Proposals was issued, responses are due in June, and interviews are scheduled for July 9th, with an award expected in September. Following release of the study, LAFCO staff will return to the Commission with an update and SOI recommendations for CCCSD and MVSD.

County Sanitation District No. 6 (SD No. 6) – The District was formed in 1992 to provide wastewater service to the Stonehurst subdivision located within the City of Martinez. Stonehurst is a

gated, single-family subdivision consisting of 47 parcels primarily developed during the 1980s. SD No. 6 includes 0.36 square miles (232 acres). Approximately 134 residents live in the community, and little or no growth is anticipated. The area was annexed to the City of Martinez in September 2012 as part of the larger Alhambra Valley annexation. There are no disadvantaged communities within SD No. 6. The District's SOI is coterminous with the district's boundary. SD No. 6 is a dependent special district governed by the five City of Martinez City Council members elected by district.

Each residential parcel within the Stonehurst development participates in SD No. 6, and each parcel has an individual septic system that provides primary treatment. The effluent receives secondary treatment through an on-site wastewater treatment facility and is discharged through a leach field at the top of an adjacent ridge. The effluent is transferred to a small, on-site wastewater treatment plant (WWTP) with 14,100 GPD capacity. Average Dry Weather Flows (ADWF) are estimated at approximately 8,500 GPD.

No SSOs occurred during the 3.3-year timeframe from January 1, 2020 through March 1, 2024.

As noted in the MSR, CCCSD's boundary is less than one mile to the east of SD No. 6. The MSR provides two governance/SOI options including: 1) maintain the status quo, and 2) connect to a sanitary sewer line (CCCSD) at the earliest possible time.

Crockett Community Services District (Crockett CSD) - The District is an independent special district formed in 2006 and provides sewage collection, treatment, and disposal; landscaping; lighting; and recreation. Crockett CSD comprises 1.08± square miles, with a population of approximately 3,432. The district's SOI is not coterminous with its service boundary, as there is a small area near Port Costa that is within the District's SOI but not within the Crockett CSD's service boundary. There are disadvantaged communities within the CCCSD. The Crockett CSD is governed by an elected five-member Board of Directors.

Crockett CSD provides sewage collection, treatment, and disposal services to 1,175 properties within the Town of Crockett. Crockett CSD relies on private contractors and nearby public agencies for a significant portion of fieldwork and maintenance.

Crockett CSD flows are conveyed to the C&H Sugar WWTP. C&H Sugar provides treatment services under a 1976 Joint Use Agreement. Under this agreement, C&H Sugar Company and Crockett CSD jointly own the WWTP, and C&H Sugar Company is the operator.

Wastewater infrastructure includes sewer lines, a pump station, and a storage tank as follows:

- sewer lines (approx. 88,100 linear feet)
- pump station (4.0 MGD)
- storage tank (1.0 MG)
- Crockett Sewer pipe (approx. 15.4 miles)
- Port Costa sewer pipe (approx. 1.3 miles)

The Port Costa area has a small WWTP able to accommodate up to 0.033 MGD average dry weather effluent flow.

From January 1, 2019 to August 9, 2022, there were 13 SSOs in CCSD. In most cases, the SSOs had failure points at the gravity mainline. The overflows were relatively small, but most spill material was not recovered. The largest spill within the query results occurred in January 2022, with a volume of 1,120 gallons. None of the sewage spill was recovered, but none of the material reached surface water. The spill reached an unpaved surface and was caused due to root intrusion. A second spill occurred in January 2020 and had a volume of 940 gallons. The spill was caused by debris-rags and did not reach surface water. However, none of the spilled material was recovered. CCSD has successfully reduced the number of spills occurring over time, improving its record.

The Crockett SOI was last updated in 2019 in conjunction with the *City Services MSR*. At that time, the Commission retained the existing SOI. As noted in the 2024 Wastewater MSR, the governance/SOI options for Crockett CSD include: 1) retain the existing SOI; and 2) expand the SOI to include one parcel receiving out-of-agency service to allow for a future annexation to Crockett CSD.

Delta Diablo (DD) – DD was formed in 1955 (originally County Sanitation No. 7A) to provide wastewater services. DD currently provides wastewater collection, conveyance, and treatment; recycled water production and distribution; renewable energy production; beneficial biosolids reuse; pretreatment and pollution prevention; street sweeping; and household hazardous waste collection. The District currently serves the cities of Antioch and Pittsburg and the unincorporated Bay Point community; and encompasses 53.1± square miles serving a population of approximately 201,000 people. DD includes disadvantaged communities including census blocks within the cities of Antioch and Pittsburg and the Bay Point community. DD is governed by a three-member Board consisting of elected appointees from the City of Antioch, City of Pittsburg, and Contra Costa County.

Wastewater infrastructure includes:

- wastewater treatment plant
- recycled water facility
- 75.5 miles of sewer main
- five wastewater pump stations
- 16 miles of recycled pipeline
- Treatment plant capacity [19.5 MGD (average dry weather flow)]
- Recycled Water (12.8 MGD)

From January 1, 2019 to August 9, 2022, there were two SSO events in DD. The overflows were relatively small, and the spill material was fully recovered for the larger spill event. The larger spill in November 2019 was 60 gallons. This sewage spill was fully recovered, and none of the material reached surface water. The spill reached a paved surface and was caused due to valve issues. The other spill took place in December 2021, with a volume of 15 gallons. The spill was caused by corrosion at the flange that supports the ARV, but it did not reach surface water. None of the spill material was recovered.

The MSR includes two SOI options: 1) maintain the status quo, and 2) consolidate sewer collection services with the cities of Antioch and Pittsburg.

Discovery Bay Community Services District (DSRSD) - DSRSD is an independent special district formed in 1998 and serves the unincorporated Discovery Bay community. The District provides water supply; sewage collection, treatment and disposal; levee maintenance; parks and recreation; lighting and landscaping maintenance; and advisory council services.

DSRSD encompasses 4.76± square miles and is predominantly residential with some commercial and irrigation uses. DBCSD serves a population of approximately 15,284 people. There are no disadvantaged communities within the Discovery Bay community. DSRSD is governed by a five-member elected Board of Directors.

Wastewater infrastructure includes two wastewater treatment plants and 15 lift stations. The average annual flow is 1.2 MGD; permitted flow is 2.35 MGD; and peak daily flow is MGD.

The MSR notes that from January 1, 2019, to August 9, 2022 there were three SSO events within DBCSD. All three SSOs were relatively small and had a volume of less than 1,000 gallons. The June 2022 spill had the greatest volume of 975 gallons.

The DSRSD SOI was last updated in 2019 in conjunction with the *City Services MSR*. At that time, the Commission retained the existing SOI. The 2024 MSR includes one governance/SOI option for DBCSD: retain the existing SOI which is consistent with the 2019 MSR/SOI update.

Ironhouse Sanitary District (ISD) - ISD is an independent special district formed in 1945 and serves the unincorporated areas of Bethel Island, Holland Tract, and Jersey Island, and the City of Oakley. The District provides collection, treatment and disposal of wastewater.

ISD encompasses 36± square miles and includes residential, commercial, industrial, and open space lands. The District serves a population of approximately 46,391 people. There are disadvantaged communities within ISD including Bethel Island and the City of Oakley. ISD is governed by a five-member elected Board of Directors.

Wastewater infrastructure includes 125 miles of gravity sewer main; 15.9 miles of force main (pressure pipe); and 32 lift stations. The facility design capacity is 4.3 MGD average daily flow (ADF). The Water Recycling Facility (WRF) has 8.6 MGD maximum wet weather flow. Current ADF is 2.52 MGD.

The MSR notes there were four SSOs in ISD from January 1, 2019 to August 9, 2022. Most of the sewer overflows had failure points at the gravity mainline. The largest spill occurred in June 2022, with a spill volume of 3,900 gallons. The spill was caused by a contractor that damaged the force main while installing a storm culvert for Contra Costa County. None of the spill material was recovered, nor did it reach surface water.

ISD has an SSMP that requires ISD to track SSOs and to record volume, location, frequency, and cause. Adjustments are made to prevent further SSOs.

The ISD SOI was last updated in 2014 in conjunction with the 2014 2nd Round Wastewater MSR. The 2024 MSR includes two governance options: 1) retain the existing SOI; and 2) future

partnership with neighboring agencies (i.e., City of Brentwood, Delta Diablo). The MSR also noted that in the future, ISD and LAFCO may wish to study the feasibility of expanding ISD's SOI to encompass the entire Knightsen community.

Mt. View Sanitary District (MVSD) - MVSD is an independent special district formed in 1923 and serves incorporated areas in the City of Martinez and unincorporated areas in the Mt. View, Pacheco, Reliez Valley, and Vine Hill areas. MVSD provides wastewater collection, treatment, and disposal. MVSD is an independent special district.

MVSD encompasses 4.71± square miles and includes commercial, industrial, public use, and residential land uses. The District provides wastewater services to approximately 9,489 connections including 280 commercial customers and one industrial customer. The District has a population of approximately 22,795. MVSD is governed by a five-member elected Board of Directors.

Wastewater infrastructure includes a wastewater treatment plant, 73 miles of sewer pipelines, approximately two miles of force main, and four pump stations. Treatment plant capacity is 3.2 MGD (design capacity) and 1.04 ADWF. Primary disposal is tertiary treatment and discharge into a series of wetlands and marshlands.

The MSR notes that from January 1, 2019, to August 9, 2022, there were 17 SSO events. In most cases, the SSOs had failure points at the gravity mainline. Most of the SSOs were greater than 1,000 gallons, thus making them relatively large. The largest spill occurred in August 2021, with a volume of 9,209 gallons. The spill was caused by pipe structural failure, and the wastewater moved from the mainline void into the drainage canal. Of the 9,209 gallons of sewage, 8,218 gallons were recovered from the drainage channel. To help improve its ability to collect, treat, and dispose of wastewater, MVSD is working on a Master Plan Study. The Master Plan Study is designed to ensure all infrastructure and equipment assessments are completed, and that planned rehabilitation and replacements are scheduled.

The MVSD SOI was last updated in 2014 in conjunction with the 2014 2nd Round Wastewater MSR. The 2024 MSR includes two governance options: 1) maintain the status quo and 2) consolidate with the CCCSD. The MSR also notes that MVSD and CCCSD are currently working together to begin a Consolidation Feasibility Study (Study). CCCSD recently reported that a Request for Proposals was issued, responses are due in June, and interviews are scheduled for July 9th with an award expected in September. Following release of the study, LAFCO staff will return to the Commission with an update and SOI recommendations for CCCSD and MVSD.

Rodeo Sanitary District (RSD) – RSD is an independent special district formed in 1914 and serves the unincorporated communities of Rodeo and Tormey. RSD provides collection, treatment, and disposal of wastewater as well as contracts for solid waste services with *Republic Services* in Richmond.

RSD encompasses 1.65± square miles and includes residential, light commercial, and public use. The District provides wastewater services to approximately 2,450 connections. RSD has a population of approximately 9,453. RSD is governed by a five-member elected Board of Directors.

Wastewater infrastructure includes a water pollution control plant, 25 miles of gravity sewers, two pump stations, and two force mains. Treatment plant capacity is 0.60 million GPD (ADWF) with 1.14 MGD

capacity. Regarding primary disposal, RSD, the City of Pinole, and the City of Hercules share discharge facilities into San Pablo Bay.

The MSR notes that from January 1, 2019, to August 9, 2022, there were two SSO events. Both SSOs were relatively small; however, the most recent spill was not fully recovered. The first spill occurred in March 2020, with a volume of 25 gallons. This spill was caused by an Air Relief Valve /Blow-Off Valve failure. The spill did not reach surface water, and the total spill volume was recovered. The second spill occurred in May 2022, with a volume of 51 gallons. The cause of the spill was a small rubber ball found in the downstream maintenance hole. This spill did not reach surface water, and only two gallons were recovered.

The RSD SOI was last updated in 2014 in conjunction with the 2014 2nd Round Wastewater MSR. The 2024 MSR includes three governance options for RSD: 1) maintain the status quo; 2) expand the SOI to include the unincorporated community of Tormey and an area to the north [19 wastewater connections including residential and commercial]; and 3) potential consolidation with another service provider (i.e., City of Hercules, City of Pinole, CCCSD).

Stege Sanitary District (SSD) - SSD is an independent special district formed in 1913 and serves the City of El Cerrito, the unincorporated community of Kensington, and a portion of the Richmond Annex community. SSD provides wastewater collection services and EBMUD provides treatment and disposal services via a treatment plant in Oakland. SSD is governed by a five-member elected Board of Directors.

SSD has a population of approximately 38,000 and encompasses 5.3± square miles which includes commercial, industrial, open space, and residential. SSD provides wastewater services to approximately 13,123 connections.

Wastewater infrastructure includes 148 miles of collection lines and two pump stations. EBMUD disposes of treated effluent through an outfall into the San Francisco Bay.

The MSR notes that from January 1, 2019, to August 9, 2022, there were 31 SSO events within the SSD. All the SSOs had failure points at the gravity mainline. The majority of the overflows were relatively small. The largest spill had a volume of 14,000 gallons and took place in October 2021. This spill occurred due to a rainfall event exceeding design capacity, and none of the spill material was recovered. All the spill material reached the surface water. Another significant spill occurred in January 2019, with a volume of 4,250 gallons. This spill occurred due to heavy rains and grease blockage. None of the spill material was recovered, and all the material reached surface water.

SSD currently provides conveyance service to 101 homes outside its current boundaries by contract with the City of Richmond. Annexation of this area is an option; however, this area is subject to landslide activity which makes underground sewer lines costly to maintain.

The SSD was last updated in 2014 in conjunction with the 2014 2nd Round Wastewater MSR. The 2024 MSR includes three governance options for SSD: 1) maintain the status quo; 2) annex the 101 homes that are currently receiving SSD wastewater services; and 3) merge or consolidate with EBMUD or West County Wastewater District.

West County Wastewater District (WCWD) - WCWD is an independent special district formed in 1921 and serves the city of San Pablo, most of the City of Richmond, and a small portion of the City of Pinole. WCWD provides wastewater collection, treatment and disposal. WCWD is governed by a five-member elected Board of Directors.

WCWD has a population of approximately 102,000 and encompasses approximately 16.9± square miles which includes residential, commercial, industrial, and public uses. WCWD provides wastewater services to approximately 26,000 residential and business sewer connections

Wastewater infrastructure includes a water pollution control plant, 249 linear miles of sewer pipeline, and 17 pump stations. The MSR notes that from January 1, 2019 to August 9, 2022 there were 31 SSO events within the WCWD. In most cases, the SSOs had failure points at the gravity mainline. Some of the overflows had significant spill volumes. The spill that took place on March 30, 2020, had the greatest spill volume of 193,380 gallons. None of the spilled material was recovered and the entire spill volume reached surface water. A structural failure of the pipe caused the spill. Another significant spill occurred on October 24, 2021, with a volume of 111,376 gallons. None of the spilled material was recovered. Instead, the entire spill volume reached surface water. The spill was caused by root intrusion. Overall, many of the SSOs within the query were not recovered.

WCWD is reducing the risk of future SSOs through its Sewer Ordinance update, which requires testing of building sewers and sewer laterals under specific circumstances. Sewers and laterals that do not pass the prescribed tests must be repaired or replaced per WCWD's policies.

The WCWD was last updated in 2014 in conjunction with the 2014 2nd Round Wastewater MSR. The 2024 MSR includes three governance options for WCWD: 1) retain the existing SOI; 2) reduce the SOI; or 3) expand the SOI to encompass existing out-of-agency service areas

Multi-County Districts - Regarding *DSRSD* and *EBMUD*, Alameda LAFCO is the "principal" LAFCO and determines the SOIs for these two districts. Regarding SOI updates for Crockett CSD and Discovery Bay CSD, no SOI updates are needed as LAFCO updated these SOIs within the past five years. Regarding SOI updates for CCCSD and MVSD, LAFCO staff recommends deferring these SOI updates following a special study by CCCSD covering both CCCSD and MVSD. The SOI options and recommendations are presented in the table below.

Agency	SOI Options	Recommendation
Byron Sanitary District	<ul style="list-style-type: none"> • Retain existing SOI • Expand the SOI to include the entire Orrin Allen Youth Rehabilitation Facility 	Expand the SOI to include the entire Orrin Allen Youth Rehabilitation Facility and urge BSD to annex the subject area
Central Contra Costa Sanitary District (CCCSD)	<ul style="list-style-type: none"> • Retain existing SOI • Expand SOI to include Mt. View Sanitary District • Expand SOI to include County Sanitation District No. 6 	Defer SOI update pending CCCSD/MVSD special study
County San No. 6	Retain existing zero SOI	Retain existing zero SOI signaling dissolution
Crockett CSD	<ul style="list-style-type: none"> • Retain existing SOI • Expand SOI to include one parcel receiving out-of-agency service 	Retain existing SOI; no SOI update needed
Delta Diablo	<ul style="list-style-type: none"> • Retain existing SOI • Consolidate sewer collection service with the cities of Antioch and Pittsburg 	Retain existing SOI
Discovery Bay CSD	Retain existing SOI	Retain existing SOI; no SOI update needed
Ironhouse San	Retain existing SOI	Retain existing SOI
Mt. View San	<ul style="list-style-type: none"> • Retain existing SOI • Consolidate with CCCSD 	Defer SOI update pending CCCSD/MVSD special study
Rodeo San	<ul style="list-style-type: none"> • Retain existing SOI • Expand SOI to include Tormey • Consolidate sanitary sewer service with nearby service provider(s) 	Retain existing SOI
Stege San	<ul style="list-style-type: none"> • Retain existing coterminous SOI • Expand SOI to include 101 homes • Merge or consolidate with EBMUD or West County WW District 	Retain existing SOI
West County WW District	<ul style="list-style-type: none"> • Retain existing SOI • Annex islands • Annex areas receiving WCWD services that are currently outside the District's boundary • Merge or consolidate with nearby wastewater service provider 	Retain existing SOI

ENVIRONMENTAL ANALYSIS

The MSR is a study intended to serve as an informational tool to assist LAFCO, local agencies, and the public better understand the public service structure in Contra Costa County. The MSR study and determinations are Categorical Exempt under §15306, Class 6 of the California Environmental Quality Act (CEQA) Guidelines. The proposed LAFCO SOI updates are exempt under the General Rule exemption §15061(b)(3) of the CEQA Guidelines.

RECOMMENDATIONS

1. Receive the staff report and the consultants' presentation and open the public hearing to receive public comments;
2. After receiving public comments, close the hearing;
3. Provide comments as desired;
4. Accept the 3rd round *Wastewater MSR*;
5. Adopt the MSR/SOI determinations by resolutions attached hereto;
6. Determine that the MSR project is Categorical Exempt pursuant to §15306, Class 6 of the CEQA Guidelines; and
7. Determine that the SOI updates are Categorical Exempt pursuant to §15061(b)(3) of the CEQA Guidelines; and

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachments:

- 1 – Resolution and Map Updating SOI – Byron Sanitary District
- 2 - Resolution and Map Updating SOI – County San No. 6
- 3 – Resolution and Map Updating SOI - Delta Diablo
- 4 - Resolution and Map Updating SOI - Ironhouse San
- 5 – Resolution and Map Updating SOI - Rodeo San
- 6 – Resolution and Map Updating SOI - Stege San
- 7 – Resolution and Map Updating SOI - West County WWD

c: Distribution

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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, or as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes the Byron Sanitary District (BSD), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, BSD was originally formed in 1948 and operational in 1958 and provides sewage collection, treatment and disposal services and solid waste by contact to the Byron community; and

WHEREAS, BSD serves a population of approximately 700 with approximately 278 connections in a service area of approximately 0.53± square miles; and

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Expand the SOI to include the Orrin Allen Youth Rehabilitation Facility to allow for future annexation of this area. BSD currently provides service to this area.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* – The major portion of BSD's service area is comprised of the Byron community and an area along Camino Diablo. BSD lies within the San Francisco Bay/Sacramento Delta Estuary watershed. The Byron community contains single-family residential development, commercial and industrial development, schools, churches, and wineries. No land use changes will result from this SOI update.
 - b. *Present and probable need for public facilities and services in the area* – There are approximately 234 dwelling units within BSD. Current population is 676. Growth within BSD is expected to be limited over the next 10 to 20 years. Some limited residential development may occur. Growth within BSD is expected to reach a population of 712 by the year 2045.
 - c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – BSD's average daily dry weather limit is 96,000 gallons per day

(GPD) (April through October) and average daily flow (ADF) limit is 100,800 (November through March). Facilities include a wastewater treatment plant; 12,174 linear feet of sewer collection pipeline; and 278 connections.

- d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – BSD provides services within the Byron community and an adjacent area along Camino Diablo. Primary revenue sources include sewer charges; property taxes; and interest income. Property owners and ratepayers within the area have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to BSD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs located within or adjacent to BSD's SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – BSD provides sewage collection, treatment, disposal and solid waste by contract to the Byron community and an area along Camino Diablo.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

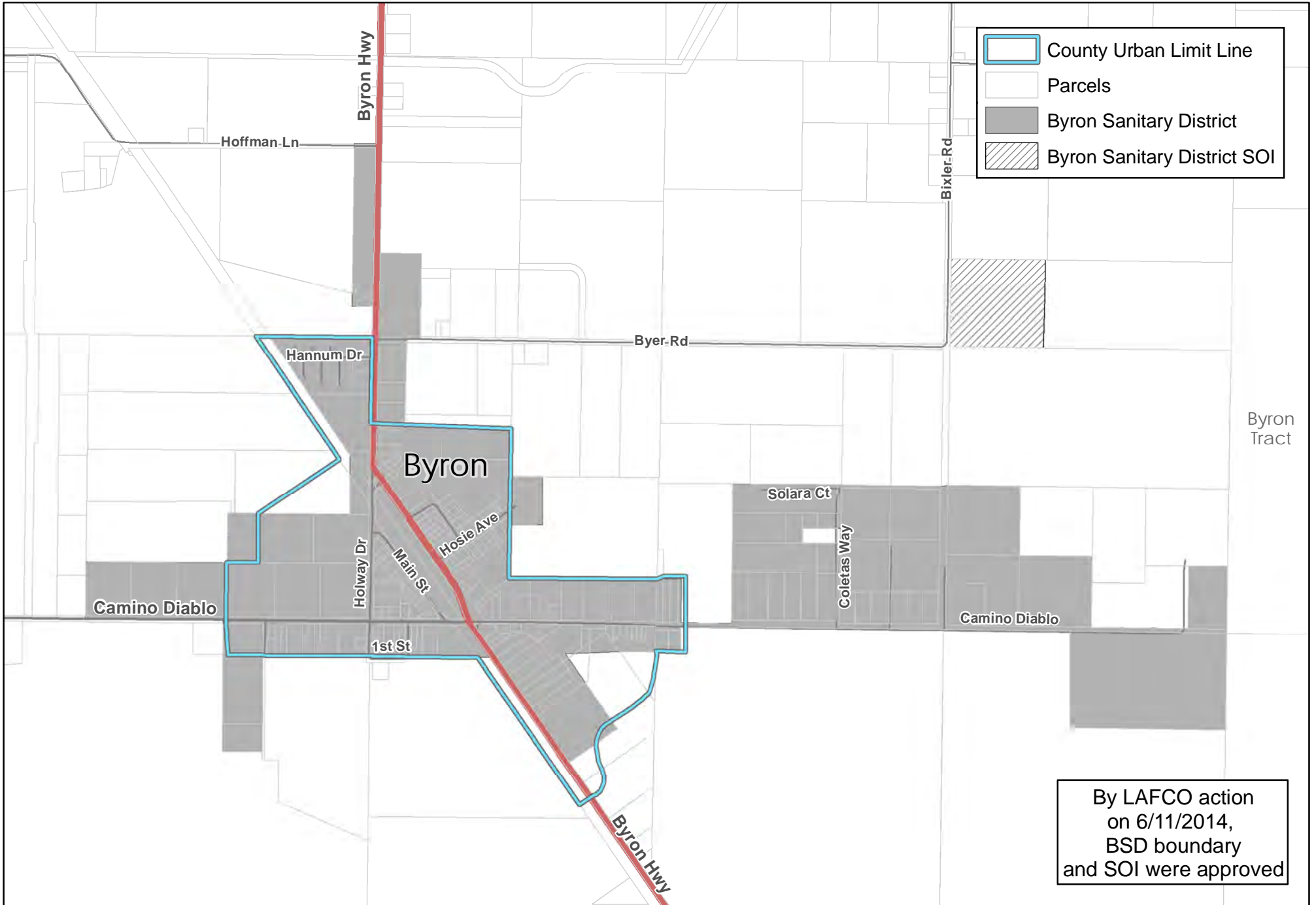
CHAIR, CONTRA COSTA LAFCO

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

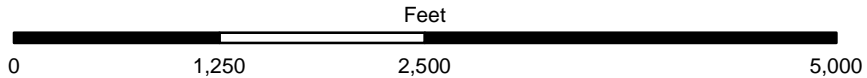
Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

Byron Sanitary District Boundary and SOI



By LAFCO action
on 6/11/2014,
BSD boundary
and SOI were approved



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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes County Sanitation District No. 6 (SD No. 6), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, SD No. 6 was 1992 to provide wastewater service to the Stonehurst Subdivision (Alhambra Valley), located in the City of Martinez; and

WHEREAS, the District serves 0.36 square miles, 47 developed parcels, and approximately 134 residents, and uses septic tank systems; community disposal system with sand filter; UV disinfection; and leach field disposal; and

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

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

WHEREAS, the City of Martinez City Council District is the governing body of SD No. 6; and

WHEREAS, the 2024 MSR identified two SOI option for SD No. 6 including 1) retain the zero SOI, and 2) consolidate with Central Contra Costa Sanitary District (CCCSD); and

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

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Update and retain a zero SOI for SD No. 6 as described above and generally depicted on Exhibit A attached hereto.

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

a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority for the area within its boundary. SD No. 6’s boundary encompasses the 47-parcel Stonehurst subdivision plus one non-contiguous parcel, all of which will continue to need wastewater services. The area is mostly developed. The SOI update will not adversely affect present or planned land uses.

b. *The present and probable need for public facilities and services in the area* – Approximately 100 residents live within the District; little or no growth is anticipated. There will be a continued need for wastewater services. No changes in public facilities or services will result from the SOI update.

c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The current collection and treatment system provides minimum service per the approved operating permit from the State. The State’s order mandates connection of the subdivision to a municipal sewer service, and closure of the SD No. 6 onsite wastewater treatment and disposal system as soon as feasible. The County will continue to provide service until such time as services are available from CCCSD. No changes in public facilities or services provided by SD No. 6 will result from this SOI update.

d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – SD No. 6 was formed in 1992, and the property owners funded the construction of the treatment and disposal facilities. The property owners pay an annual service charge for the system to be operated and maintained; and therefore, have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to SD No. 6.

e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are no DUCs within or contiguous to the SD No. 6 SOI.

f. *Nature, location, extent, functions & classes of services to be provided* – SD No. 6 provides wastewater service to the Stonehurst subdivision within the City of Martinez. The SD No. 6 boundary is 237+ acres with 48 parcels, most of which are developed. Each parcel within the District has an individual septic system; the effluent receives secondary treatment at a community wastewater treatment plant owned by SD No. 6 and is discharged through a leach field at the top of an adjacent ridge. The system is managed by the County through an outside contractor.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CHAIR, CONTRA COSTA LAFCO

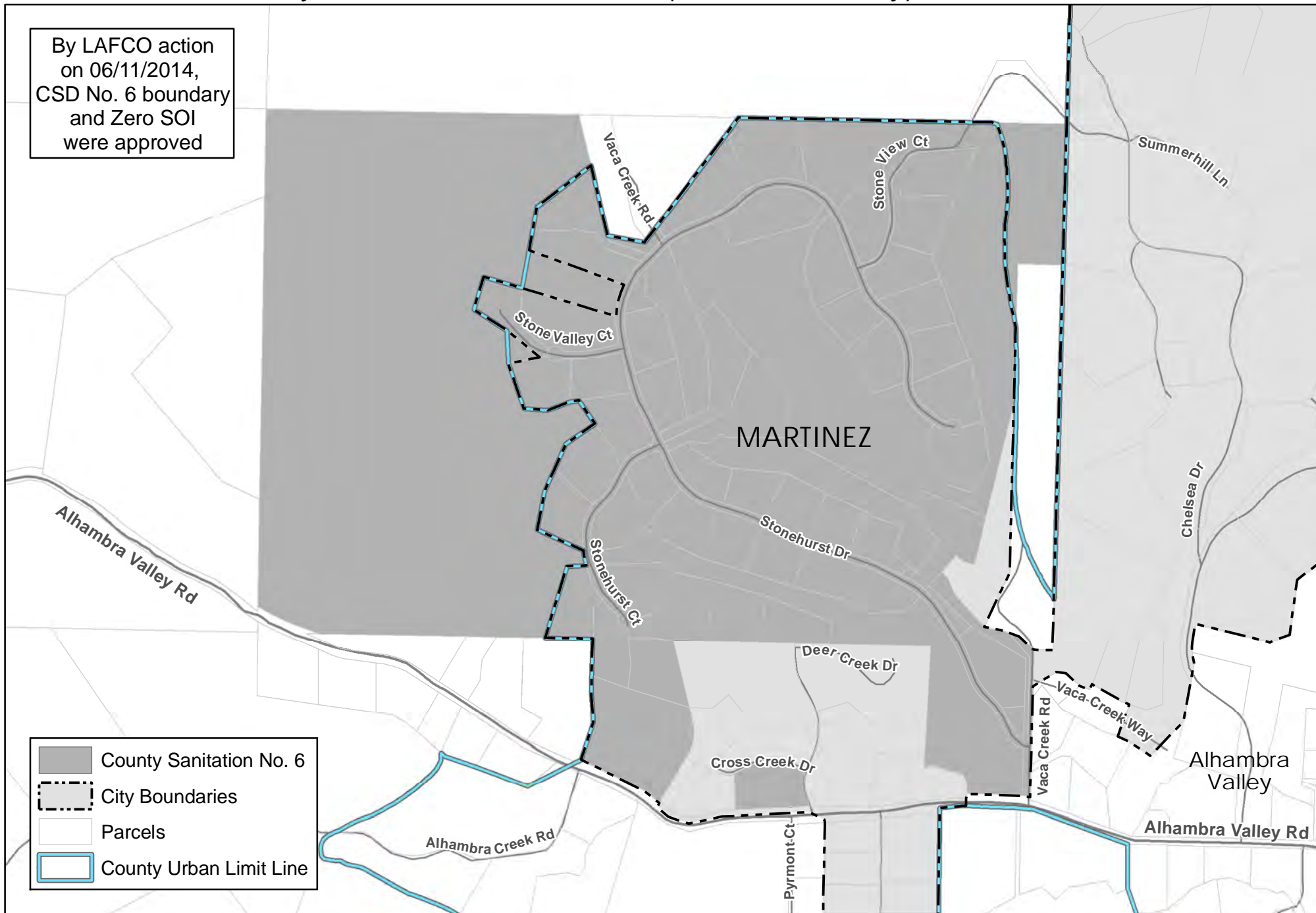
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: June 12, 2024

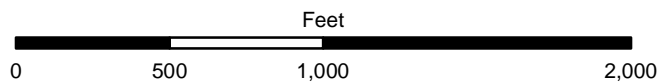
Lou Ann Texeira, Executive Officer

County Sanitation District No. 6 (Alhambra Valley) and Zero SOI

By LAFCO action
on 06/11/2014,
CSD No. 6 boundary
and Zero SOI
were approved



- County Sanitation No. 6
- City Boundaries
- Parcels
- County Urban Limit Line



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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, or as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes Delta Diablo (DD), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, DD was formed in 1955 (originally County Sanitation District No. 75) and provides wastewater collection and conveyance, treatment and disposal, recycled treatment ,household hazardous waste collection and reuse/disposal, street sweeping; and

WHEREAS, DD serves a population of approximately 201,000 with approximately 12,778 connections in a service area of approximately 54± square miles; and

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Retain the existing SOI for DD.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* – DD serves the cities of Antioch and Pittsburg and the unincorporated Bay Point community comprising 54± square miles. Land uses include residential, commercial, industrial, and open space. No land use changes will result from this SOI update.
 - b. *Present and probable need for public facilities and services in the area* - DD's service area is expected to experience steady growth over the next 20 to 25 years. The Association of Bay Area Governments (ABAG) projects the cities of Antioch and Pittsburg to grow from a total of 176,650 (2020) to a total of 222,340 (2040). The Bay Point community has a population of 23,436 (2024).
 - c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – DD has 72,066 connections; and recycled water is sent to 29 sites. DD's facilities include a wastewater treatment plant and recycled water facility; 75.5 linear miles of sanitary sewer pipeline; five wastewater pump stations; and 16.2 miles of recycled pipeline. DD treats 19.5 million gallons of wastewater per day (average dry weather flow); and generates 12.8 million gallons of recycled water. On an average annual basis, 50% of the

influent flow is further treated for reuse; the remaining 50% is discharged through a deep-water outfall.

- d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – DD provides services to the cities of Antioch and Pittsburg and the unincorporated Bay Point community cities of Antioch and Pittsburg and the unincorporated Bay Point community. Primary revenue sources include service charges and permits. The District also receives a portion of the 1% property tax. Property owners and ratepayers within the area have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to DD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are DUCs located within DD’s SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – DD provides wastewater collection and conveyance, treatment and disposal, recycled treatment, household hazardous waste collection and reuse/disposal, and street sweeping services to the cities of Antioch and Pittsburg and to the Bay Point community.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

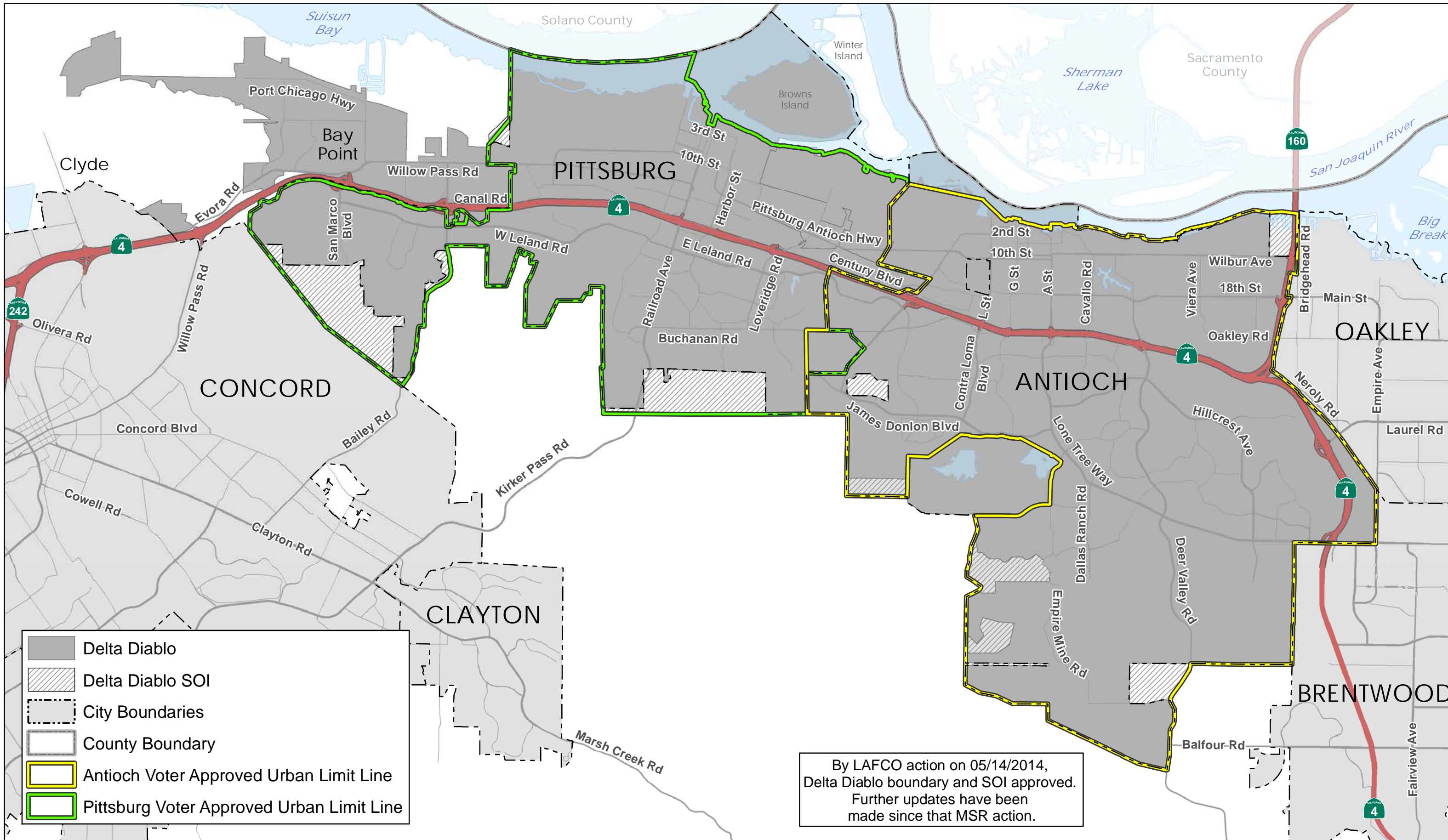
CHAIR, CONTRA COSTA LAFCO

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

Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

Delta Diablo Boundary and SOI



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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, or as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes the Ironhouse Sanitary District (ISD), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, ISD was originally formed in 1945 under the Oakley Sanitary District and provides sewage collection, treatment and disposal services to the City of Oakley, Bethel Island, Jersey Island and Holland Tract; and

WHEREAS, ISD serves a population of approximately 46,391 with approximately 12,778 connections in a service area of approximately 37± square miles; and

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Retain the existing SOI for ISD.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* – The major portion of ISD's service area is comprised of the City of Oakley and the unincorporated community of Bethel Island. The City of Oakley's General Plan includes a broad mix of land uses, including residential, commercial, industrial, recreational and public land uses. The vast majority of Oakley is, as it will be in the future, developed as residential communities of varying densities. Bethel Island, a residential/vacation area, is expected to remain largely residential in nature. No land use changes will result from this SOI update.
 - b. *Present and probable need for public facilities and services in the area* - ISD's service area is expected to experience steady growth over the next 20 to 25 years. The Association of Bay Area Governments (ABAG) projects the City of Oakley to grow from 31,950 in 2010 to a population of 42,950 in 2035. Bethel Island, with a 2010 Census population of 2,137, is also expected to grow with a projected population of 9,706 by 2025.

- c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – ISD’s facility design capacity is 4.3 million gallons per day (MGD) average daily flow (ADF). The water recycling facility has 8.6 MGD maximum wet weather flow. The current ADF is 2.52 MGD. The water recycling has 125 miles of gravity sewer main; 15.9 miles of force main (pressure pipe) and 32 lift stations. ISD has approximately 12,778 wastewater service connections (equivalent service units) and provides service to approximately 46,391 community residents.
- d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – ISD provides services within the City of Oakley, Bethel Island, Jersey Island and Holland Tract. ISD collects service charges from existing users and fees for new development; the District also receives a portion of the 1% property tax. Property owners and ratepayers within the area have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to ISD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are DUCs located within ISD’s SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – ISD provides sewage collection, treatment and disposal services to the City of Oakley, the unincorporated community of Bethel Island, and other unincorporated areas in east Contra Costa County.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

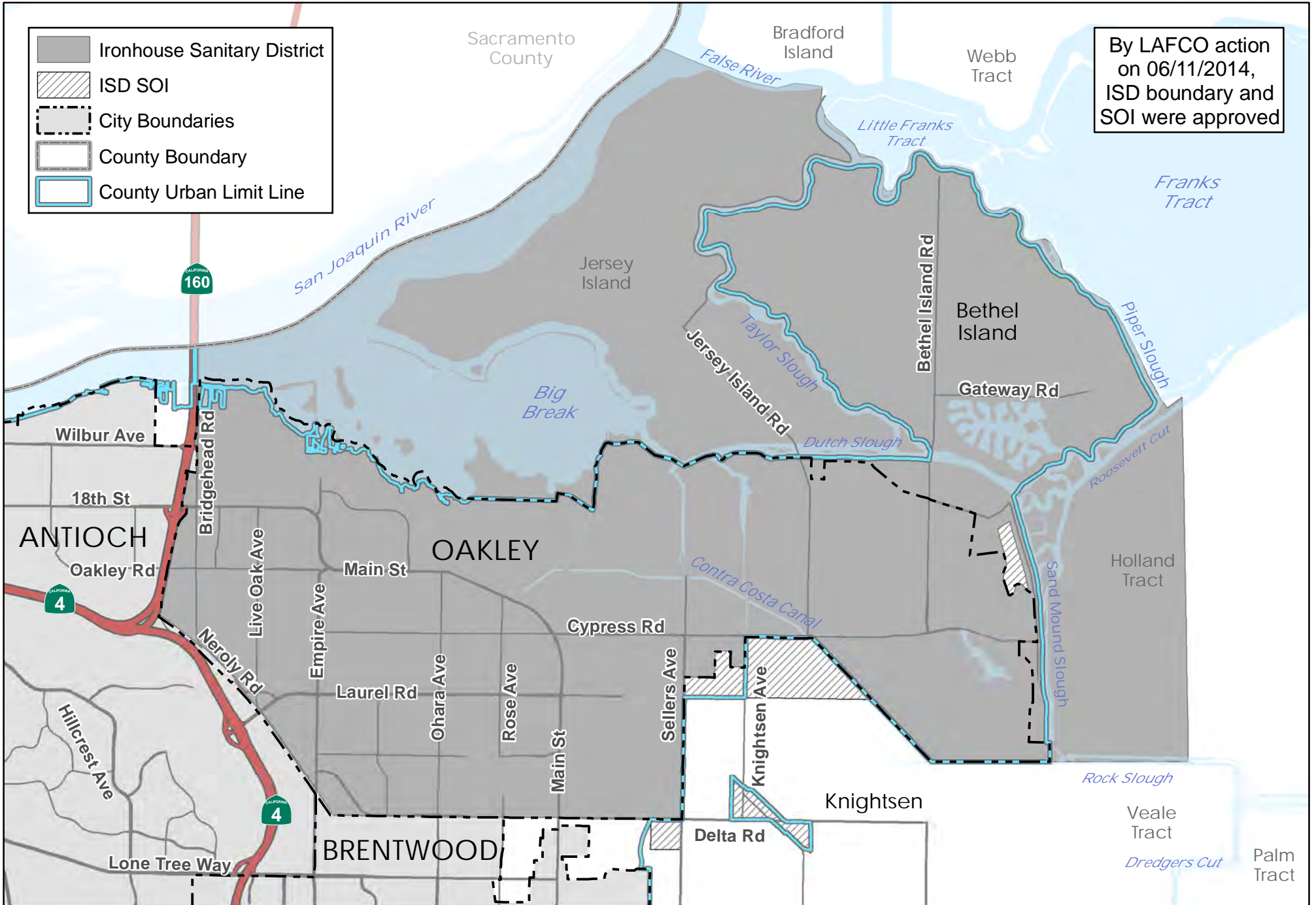
CHAIR, CONTRA COSTA LAFCO

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

Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

Ironhouse Sanitary District Boundary and SOI



By LAFCO action on 06/11/2014, ISD boundary and SOI were approved



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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, or as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes Rodeo Sanitary District (RSD), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, RSD was formed in 1914 and provides wastewater collection, treatment and disposal; and contracts with Republic Services in Richmond for solid waste services; and

WHEREAS, RSD serves a population of approximately 9,453 residents with approximately 2,514 connections in a service area of approximately 1.6± square miles; and

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Retain the existing SOI for DD.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* – RSD serves the unincorporated areas of Rodeo and Tormey comprising 1.6± square miles. Land uses include residential, light commercial, and public uses. No land use changes will result from this SOI update.
 - b. *Present and probable need for public facilities and services in the area* - RSD's service area is expected to increase by 15.1 percent within the 23-year period.
 - c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – RSD facilities include a water pollution control plant, 25 miles of gravity sewers, two pump stations, and two force mains. RSD treats 0.60 million gallons per day (MGD) average daily dry weather flow. Plant capacity is 1.14 MGD. RSD and the cities of Hercules and Pinole share discharge facilities into San Pablo Bay.
 - d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – RSD provides services to the unincorporated communities of Rodeo and Tormey. Primary revenue sources include service charges and permits. The District also receives a portion of the 1% property tax. Property owners and

ratepayers within the area have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RSD.

- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are DUCs located within RSD's SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – RSD provides wastewater collection, treatment and disposal; and contracts for solid waste services with Republic Services in Richmond..

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CHAIR, CONTRA COSTA LAFCO

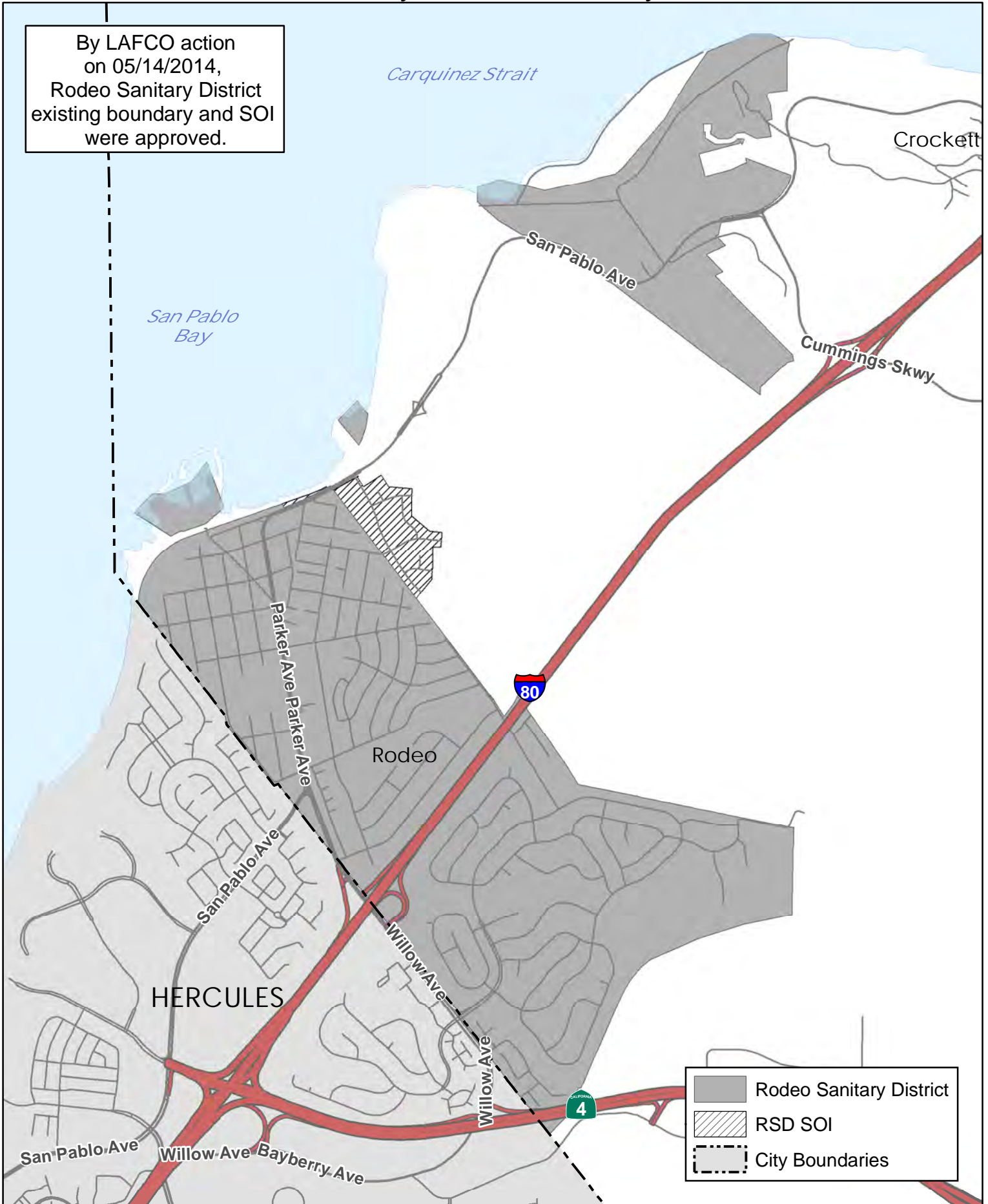
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

Rodeo Sanitary District Boundary and SOI

By LAFCO action on 05/14/2014, Rodeo Sanitary District existing boundary and SOI were approved.



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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, or as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes Stege Sanitary District (SSD), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, SSD was formed in 1913 and provides wastewater collection services to the City of El Cerrito, the unincorporated Kensington community, and of portion of the Richmond Annex area; and

WHEREAS, SSD serves a population of approximately 35,000 residents with approximately 13,123 connections in a service area of approximately 5.3± square miles; and

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Retain the existing SOI for SSD.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* – SSD serves the City of El Cerrito, the unincorporated community of Kensington, and of portion of the Richmond Annex area comprising 5.3± square miles. Land uses include residential, commercial, industrial, and open space. No land use changes will result from this SOI update.
 - b. *Present and probable need for public facilities and services in the area* - SSD's service area is expected to increase by 15.1 percent within the 23-year period.
 - c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – SSD facilities include 148 miles of collection lines and two pump stations. The collection system has an Average Dry Weather Flow of 3.0 million gallons per day (MGD) and an Average Wet Weather Flow between 5-6 MGD. SSD treats 0.60 million MGD average daily dry weather flow. The East Bay Municipal Utility District (EBMUD) treatment plant disposes of treated effluent through an outfall into San Francisco Bay. SSD currently provides wastewater conveyance service to 101 homes outside its current boundaries by contract with the City of Richmond. Annexation of this area is an option; however, this area is subject to landslide activity which makes underground sewer lines costly to maintain.

- d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – SSD provides services to the City of El Cerrito, unincorporated communities of Kensington, and a portion of the Richmond Annex area. Primary revenue sources include sewer service charges and a portion of the 1% property tax. Property owners and ratepayers within the area have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to SSD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There is a DUC located within SSD's SOI.
- f. *Nature, location, extent, functions & classes of services to be provided* – SSD provides wastewater services to the City of El Cerrito, unincorporated community of Kensington, and a portion of the Richmond Annex area in Richmond.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

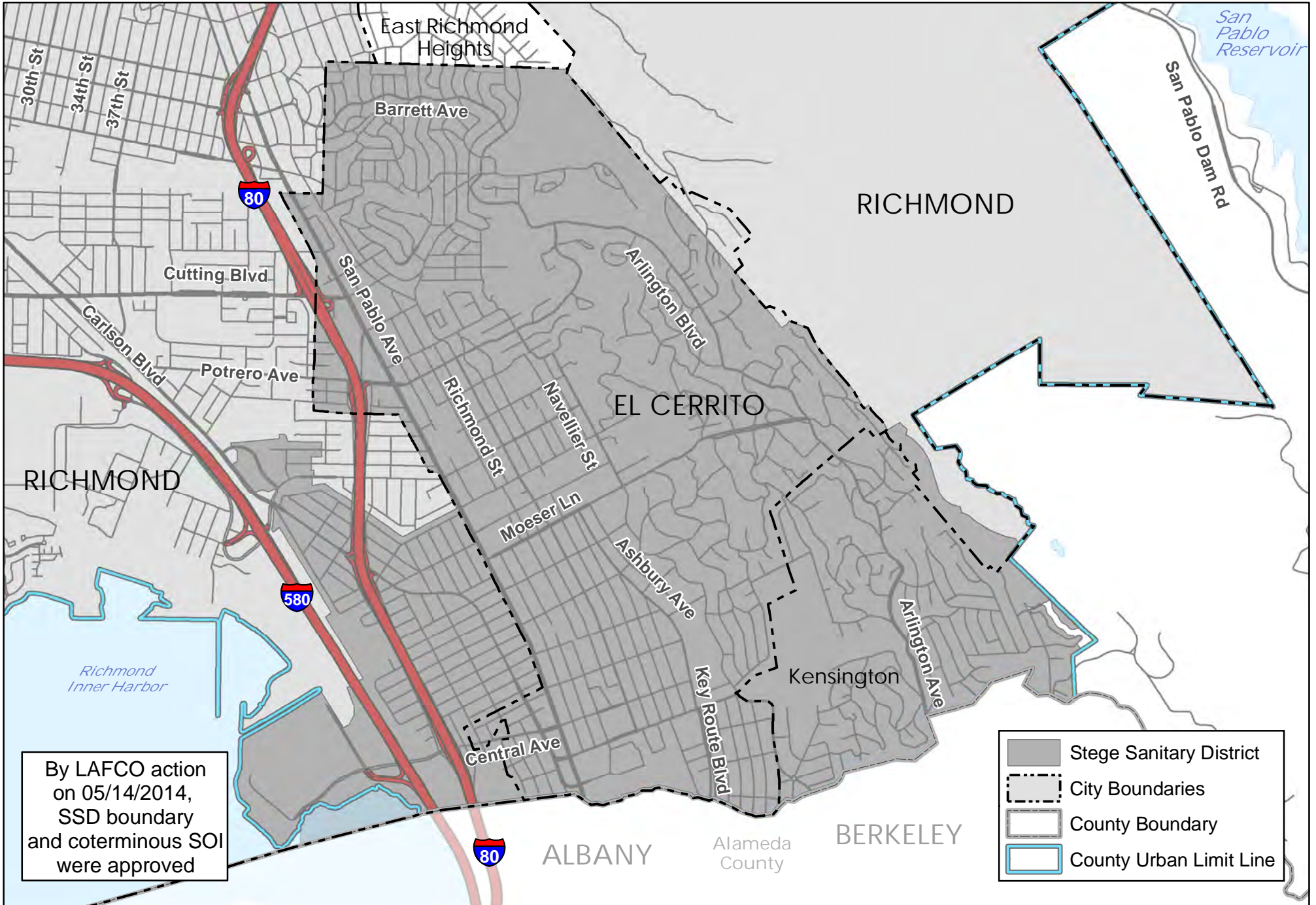
CHAIR, CONTRA COSTA LAFCO

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





Dated: June 12, 2024

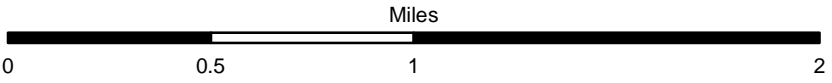
Lou Ann Texeira, Executive Officer

Stege Sanitary District Boundary and Coterminous SOI



By LAFCO action on 05/14/2014, SSD boundary and coterminous SOI were approved

-  Stege Sanitary District
-  City Boundaries
-  County Boundary
-  County Urban Limit Line



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

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries every five years, or as necessary; and

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

WHEREAS, LAFCO conducted a 3rd round, countywide review of wastewater service providers, which includes West County Wastewater District (WCWD), and adopted written determinations as required by Government Code §56430 on June 12, 2024; and

WHEREAS, WCWD was formed in 1921 and provides wastewater collection, treatment and disposal services to the City of San Pablo, City of Richmond (portion), City of Pinole (portion), and unincorporated areas in West County including East Richmond Heights, El Sobrante, Montalvin Manor, North Richmond, and Tara Hills; and

WHEREAS, WCWD serves a population of approximately 102,000 residents with approximately 25,838 residential and business sewer connections in a service area of approximately 16.9± square miles; and

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

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

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2024; and

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

1. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
2. Retain the existing SOI for WCWD.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* – WCWD comprises 16.9± square miles, and serves the City of San Pablo, a portion of the City of Richmond, and unincorporated areas including East Richmond Heights, El Sobrante, Montalvin Manor, North Richmond, and Rollingwood. Land uses include residential, commercial, industrial, and public use. No land use changes will result from this SOI update.
 - b. *Present and probable need for public facilities and services in the area* - WCWD's service area is expected to increase by approximately 17% by 2045.
 - c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – WCWD facilities include 249 linear miles of sewer pipeline, a water pollution control plant, and 17 pump stations. The treatment plant capacity processes 12.5 million gallons per day (MGD) (dry weather), and 21 MGD (wet weather).

- d. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency* – WCWD provides services to the City of San Pablo, portions of the cities on Pinole and Richmond, and other unincorporated areas within Contra Costa County. Primary revenue sources include sewer service charges and a portion of the 1% property tax. Property owners and ratepayers within the area have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to WCWD.
- e. *Present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI* - There are disadvantaged communities with WCWD including the City of San Pablo, portions of the cities of El Cerrito and Richmond, and unincorporated North Richmond.
- f. *Nature, location, extent, functions & classes of services to be provided* – WCWD provides wastewater services to the City of San Pablo, portions of the cities of Pinole and Richmond, and unincorporated communities of Bayview, El Sobrante, Rollingwood, and Tara Hills.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:
 NOES:
 ABSTENTIONS:
 ABSENT:

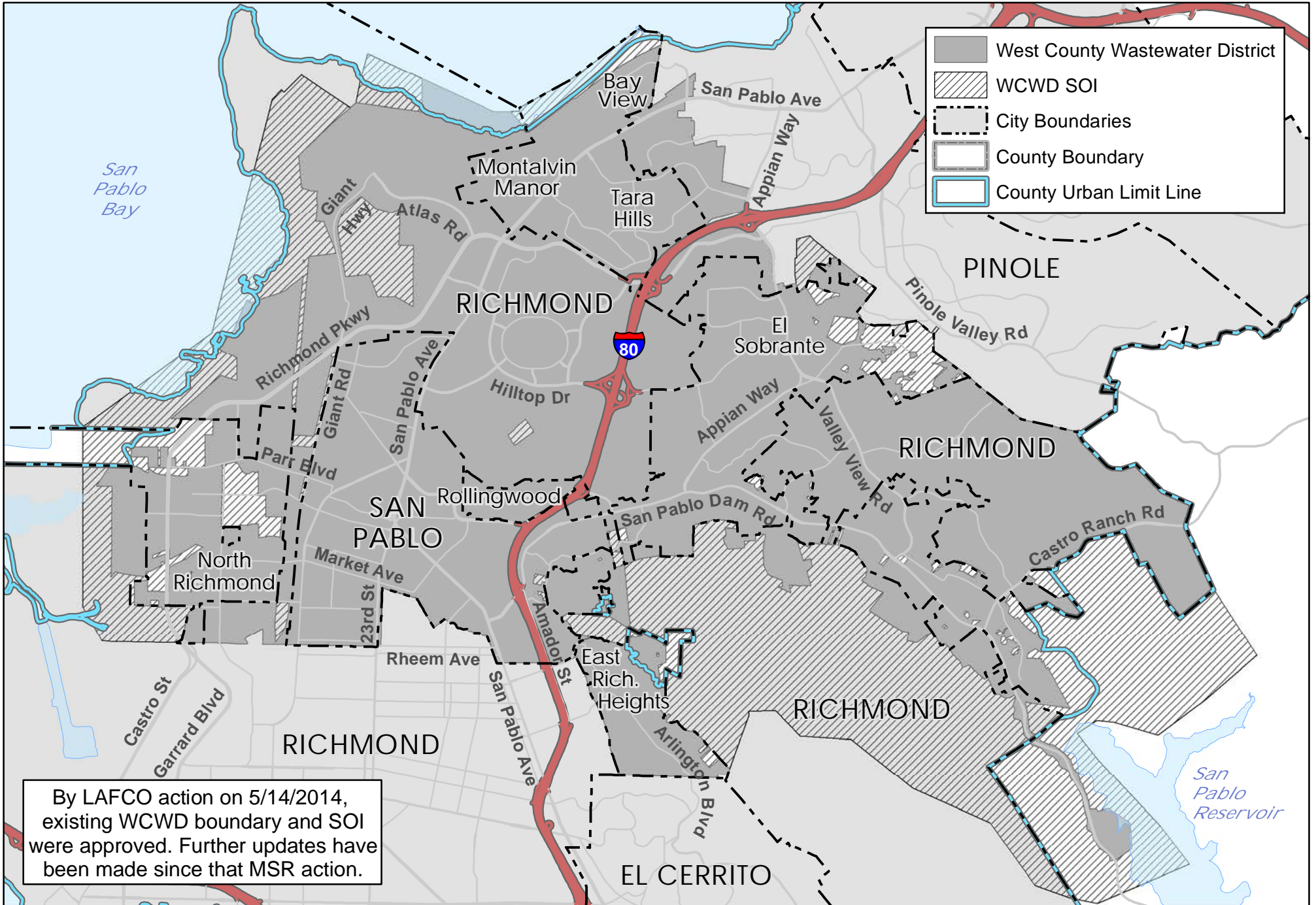
CHAIR, CONTRA COSTA LAFCO






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

Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

West County Wastewater District Boundary and SOI



-  West County Wastewater District
-  WCWD SOI
-  City Boundaries
-  County Boundary
-  County Urban Limit Line

By LAFCO action on 5/14/2014, existing WCWD boundary and SOI were approved. Further updates have been made since that MSR action.

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Lou Ann Teixeira
Executive Officer

MEMBERS

- Candace Andersen**
County Member
- Charles R. Lewis, IV**
Public Member
- Gabriel Quinto**
City Member
- Federal Glover**
County Member
- Michael R. McGill**
Special District Member
- Scott Perkins**
City Member
- Patricia Bristow**
Special District Member

ALTERNATE MEMBERS

- Diane Burgis**
County Member
- Scott Pastor**
Special District Member
- Rob Schroder**
Public Member
- Edi Birsan**
City Member

June 12, 2024

June 12, 2024
Agenda Item 10

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

Legislative Report – CALAFCO Update and Position Letters

Dear Members of the Commission:

On May 23, 2024, LAFCOs were notified by the CALAFCO Executive Director (ED) that both of the CALAFCO sponsored bills - **AB 3277** (*Ad valorem property tax analysis*) and **SB 1209** (*Indemnification agreement*) - moved out of their houses of origination.

AB 3277 (*Assembly Local Government Committee*) - Existing law requires a commission to determine the amount of property tax revenue to be exchanged by an affected local agency, as specified, if the proposal includes the formation of a district, as defined.

AB 3277 would, instead, require a commission to determine the amount of property tax revenue to be exchanged by an affected local agency if the proposal includes the formation of a district and the applicant seeks a share of the 1% ad valorem property taxes. By adding to the duties of LAFCO, AB 3277 would impose a state-mandated local program. On April 29, 2024, AB 3277 passed out of the Assembly. On May 29th, AB 3277 was heard in the Senate Local Government Committee and was unanimously approved by the Senate Local Government Committee. Because the bill references property taxes, it has now been referred to the Senate Appropriations.

SB 1209 (*Cortese*) - This bill would authorize LAFCO to require an applicant to defend, indemnify, and hold harmless the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, arising from or relating to the action or determination by the LAFCO. On March 20, 2024, this bill passed through the Senate Local Government Committee. Negotiations are currently ongoing, and the bill awaits its Third Reading. May 24th was the deadline to move out of the house of origination.

On May 23rd, CALAFCO called for letters of support for AB 3277 and SB 1209. In accordance with our local policies, LAFCO staff worked with LAFCO Vice Chair McGill and submitted letters of support for AB 3277 and SB 1209.

Other LAFCO Legislative Updates: The CALAFCO Legislative Committee last met on May 10th. Commissioner McGill is a member of the CALAFCO Legislative Committee.

Currently, CALAFCO is tracking no “Priority 2” bills. However, CALAFCO is tracking the following “Priority 3 Bills”:

- a. **AB 805 (Arambula) Sewer service: disadvantaged communities**
- b. **AB 817 (Pacheco) Open meetings: teleconferencing: subsidiary body – BROWN ACT**
- c. **AB 2302 (Addis) Open meetings: local agencies: teleconferences**
- d. **AB 2715 (Boerner) Ralph M Brown Act: closed sessions**
- e. **SB 537 (Becker) Open Meetings: multijurisdictional, cross-country: teleconferences – BROWN ACT**

The next CALAFCO Legislative Committee meeting is scheduled for June 14, 2024.

RECOMMENDATION – Informational item – no action needed

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachments

Letter of Support - AB 3277
Letter of Support - SB 1209



Lou Ann Teixeira
 Executive Officer

MEMBERS

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 Special District Member

Rob Schroder
 Public Member

Edi Birsan
 City Member

May 24, 2024

Honorable Maria Elena Durazo, Chair
 Senate Local Government Committee
 State Capitol, Room 407
 Sacramento, CA 95814

RE: SUPPORT of AB 3277 - Local agency formation commission: districts: property tax

Dear Chair Durazo and Committee Members,

The Contra Costa Local Agency Formation Commission (LAFCO) is pleased to **Support Assembly Bill 3277**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes a clarifying change to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act").

Under existing statute, a commission must perform a financial analysis of ad valorem property taxes when a proposal is received that includes the incorporation of a city and the formation of a district. The only purpose of the analysis is to determine how best to apportion the property taxes between the agencies. However, occasionally, an application is received in which the district waives any portion of the ad valorem taxes. In those situations, no analysis is needed for the process, yet it remains required by statute.

This bill will add language that clarifies that the performance of the financial analysis in that situation needs only to be performed in those instances where a portion of the ad valorem property taxes is being sought. By making this minor change, **AB 3277** will apply this time-consuming process only to those applications that require it.

For the reasons noted above, Contra Costa LAFCO **Supports AB 3277**.

Please do not hesitate to contact us with any questions or concerns about our position.

Sincerely,

Michael R. McGill

Vice Chair, Contra Costa LAFCO

cc: Members and All Consultants, Senate Local Government Committee
 Juan Carrillo, Assembly Local Government Committee Chair
 René LaRoche, Executive Director, CALAFCO

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Lou Ann Teixeira
 Executive Officer

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 Special District Member

Rob Schroder
 Public Member

Edi Birsan
 City Member

May 24, 2024

Honorable Juan Carrillo, Chair
 Assembly Local Government Committee
 1020 N St., Rm. 157
 Sacramento, CA 95814

RE: **SUPPORT - SB 1209 (Cortese): Local agency formation commission: indemnification**

Dear Chair Carrillo and Committee Members:

The Contra Costa Local Agency Formation Commission (LAFCO) is pleased to **Support Senate Bill 1209**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO). **SB 1209** would add a new section to the Government Code authorizing LAFCOs to enter into an indemnification agreement with an applicant. Counties and cities are empowered to require indemnification, and routinely do so with respect to discretionary land-use approvals. **SB 1209** would provide LAFCOs with the same authority.

This bill addresses a 2022 decision of the Second District Court of Appeals, which found that existing State law does not provide explicit authority to LAFCOs to require indemnification. Absent indemnification authority - and because LAFCO funding is statutorily required in a specified ratio from the county, cities, and special districts within a county - the costs to defend litigation must be absorbed by all of LAFCO's funding agencies.

Thus, **SB 1209** will provide LAFCOs with the ability to use a tool already in use by counties and cities and prevent costs to defend litigation from being shifted to a county, its cities, and its special districts.

For the above reasons, Contra Costa LAFCO is in strong **Support of SB 1209** and respectfully requests your AYE vote.

Sincerely,

Michael R. McGill

Vice Chair, Contra Costa LAFCO

cc: Members and All Consultants, Assembly Local Government Committee
 The Honorable Dave Cortese, California State Senate
 René LaRoche, Executive Director, CALAFCO

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Lou Ann Teixeira
Executive Officer

June 12, 2024

June 12, 2024
Agenda Item 11

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

Final FY 2024-25 LAFCO Budget

Dear Commissioners:

BUDGET SUMMARY:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes a process for preparing and adopting LAFCO's budget. Government Code ("GC") §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 Final FY 2024-25 budget and work plan.

On April 10, 2024, the Commission provided comments and approved the *Proposed FY 2024-25 Budget and Work Plan*. In accordance with GC §56381, the *Proposed FY 2024-25 Budget and Work Plan* was circulated to all affected local agencies and interested parties. No comments were received.

The *FY 2024-25 Final Budget* is comparable to the proposed budget presented on April 10, 2024. The FY 2024-25 appropriations total \$1,034,702 and reflect an overall increase of approximately 6.7% as compared to the FY 2023-24 budget. The increase is primarily attributable to increases in some employee benefits and contributions to Other Post Employment (OPEB) and Contra Costa County Employee's Retirement Association (CCCERA). The final FY 2024-25 includes a contingency reserve of \$87,000. Details regarding expenditures and revenues are presented below.

EXPENDITURES: Expenditures are divided into three main categories: *Salaries & Employee Benefits*, *Services & Supplies*, a *Contingency Reserve*, along with future liability funds. A summary of expenditures is provided below.

Salaries & Benefits

The FY 2024-25 staffing level includes one full-time Executive Officer (EO) and one full-time Clerk Analyst (CA) and retains the current staffing level. LAFCO staff is supplemented with consultants and County services.

The Final FY 2024-25 *Salaries & Benefits* account totals \$480,492, reflecting a 6.5% increase as compared to the FY 2023-24 budget. This is primarily due to increases in group insurance, workers compensation insurance, and employee salaries.

LAFCO is also supported by private and public service providers on an as-needed basis. The County provides fiscal, drafting, mapping/GIS, and legal services. LAFCO also contracts with private firms for financial auditing, environmental planning, and to assist with Municipal Service Reviews (MSRs) and

special studies. The FY 2024-25 Final Budget provides for continuation of these 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 (e.g., assessor, GIS, legal, environmental planning, website, financial audits/GASB reports), and programs/projects (i.e., MSRs, special studies).

The Final FY 2024-25 *Services & Supplies* account totals \$412,210 and reflects a 2% decrease from the FY 2023-24 budget. LAFCO staff anticipates slight increases in several accounts including membership fees, rents & leases, building occupancy, life cycle, and special studies/workshops/actuarial valuation.

Regarding the FY 2023-24 adopted budget compared to year-end estimates, we anticipate savings in several accounts including Postage, Tele Exchange, Copier Lease, Computer Equipment, and Special Studies. We anticipate increases in several accounts including Publications & Legal Notices, Memberships, Computer Software, Financial Audit, GIS/Mapping, and Website Management.

Based on mid-year estimates, we will exceed budgeted line-item amounts in *Public & Legal Notices* and *Special Studies* (Cemetery District study).

Contingency Reserve Fund

Each year, the Commission appropriates funds for unanticipated expenses (i.e., special studies, potential litigation, personnel changes, etc.). The Commission's policy provides that "*the annual budget shall include a contingency reserve (i.e., 10% of budget) as determined by the Commission. Funds budgeted in the contingency reserve shall not be used or transferred to any other expense account without prior approval of the Commission.*" Per the Commission's policy, we budget a contingency fund each year. The FY 2024-25 proposed budget includes an \$87,000 contingency.

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 most recent GASB report (*Measurement Period July 1, 2021 to June 30, 2022*) shows that LAFCO was under funded by approximately \$27,000. The proposed FY 2024-25 budget includes OPEB funding in the amount of \$30,000.

Pre-funding Retirement Liability (CCCERA)

In FY 2017-18, LAFCO began pre-paying a portion of its unfunded retirement liability to have a better contribution rate. The FY 2024-25 budget includes \$25,000 to fund the OPEB liability and \$30,000 to fund the CCCERA liability.

REVENUES

Revenues consist primarily of apportionments received from the County, cities, and independent special districts 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. Other revenues include application fees, available year-end fund balance, and miscellaneous revenue (e.g., interest earnings). The apportionments are discussed further below.

Application Charges and Other Revenues

The FY 2024-25 budget includes \$25,000 in application fees. It is projected that LAFCO will receive approximately \$22,000 in application fees in the current fiscal year, which is less than the budgeted

amount. The proposed FY 2024-25 budget includes an anticipated \$25,000 in application fees based on a multi-year historical average.

Fund Balance

GC §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 2024-25 fund balance will be calculated at year end. Based on the beginning year fund balance, and projected FY 2024-25 revenues and expenses, it is estimated that the available fund balance will be in excess of \$800,000.

The LAFCO fund balance, or any portion thereof, can be used to offset the FY 2024-25 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 2024-25 budget includes \$250,000 in fund balance to offset FY 2024-25 revenues thereby reducing contributions from the local agencies.

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 CKH Act 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 Act describes how the County Auditor is to make the apportionment and collect the revenues once LAFCO adopts a Final Budget (GC §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 increase by approximately 6.8%. The proposed use of the available fund balance will offset agency contributions for FY 2024-25. The total amount of revenue from funding agencies required to fund the FY 2024-25 budget is \$759,702, reflecting a 10% increase.

LAFCO RESPONSIBILITIES, ACCOMPLISHMENTS & GOALS

The FY 2024-25 budget schedule provides for public hearings and consideration of a Proposed Budget (April 10, 2024) and a Final Budget (June 12, 2024). The time between these Commission actions is to allow for review and comment by local agencies, the public, and other interested parties, as well as to gather updated budget information.

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

Major LAFCO Responsibilities

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

- Act on proposals for changes of organization/reorganizations (i.e., annexations/ detachments, out of agency service, incorporations, 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 responsible or lead agency for compliance with CEQA
- Serve as the conducting authority to conduct protest hearings for changes of organization/reorganizations
- Provide public information about LAFCO and public noticing of pending LAFCO actions
- Maintain/update a LAFCO website
- Adopt and update written policies and procedures
- Adopt an annual budget

Highlights of FY 2023-24

The following is a list of LAFCO's goals and accomplishments for FY 2023-24:

Boundary Change and Related Applications

- a. Received and processed five new applications
- b. Completed proceedings for activation of latent powers for CSA R-7, two annexations, one detachment, and conducted corresponding public hearings
- c. Pending dissolution of CSA R-9

MSRs/SOI Updates

- a. 3rd round *Wastewater Services* MSR/SOI updates – June 30, 2024 completion date
- b. 2nd Round Misc County Service Areas (currently underway)

Special Projects/Activities

- a. Initiated special study covering finances and operations (cemetery districts)
- b. Completed recruitment for Public Member Alternate seat
- c. Ongoing discussions regarding fire and emergency medical services and other potential boundary reorganizations
- d. Plan a Strategic Planning session with Commissioners

Administrative and Other Activities

- a. Appointed 2024 LAFCO Chair (Blubaugh) and Vice Chair (McGill)
- b. Welcomed Commissioner Scott Pastor – Special District Alternate and Commissioner Rob Schroder – Public Member Alternate
- c. Bid Farewell to Commissioner Blubaugh
- d. Updated LAFCO Salary Plan
- e. Updated LAFCO Policies & Procedures
- f. Completed 2022-23 GASB 75 Supplemental Schedules
- g. Initiated major update to LAFCO Directory of Local Agencies (ongoing)
- h. Ongoing website updates
- i. Provided quarterly budget reports
- j. Conducted employee performance reviews
- k. Provide comments on local agency environmental documents
- l. Submitted position letters on various bills affecting LAFCOs
- m. Participated in and supported CALAFCO
- n. Approved 2024 LAFCO Meeting Schedule
- o. Approved list of pre-qualified MSR and CEQA consultants

FY 2024-25 Work Plan

The recommended work plan for FY 2024-25 includes the following activities:

- ❖ Complete 2nd round Misc. County Service Areas MSR/SOI Updates
- ❖ Initiate 3rd round Reclamation Services MSR/SOI Updates (proposed)
- ❖ Complete annual financial audit
- ❖ Complete annual actuarial valuation
- ❖ Policy and procedures updates as needed

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

RECOMMENDATIONS

1. Receive the staff report and open the public hearing to accept testimony on the Final FY 2024-25 LAFCO Budget,
2. After receiving public comments close the hearing, and
3. After Commission discussion, adopt the Final FY 2025-24 Budget, with any desired changes, and authorize staff to distribute the Final Budget to the County, cities and independent special districts as required by GC §56381.

Respectfully submitted,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Final FY 2024-25 LAFCO Budget

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FINALFY 2024-25 BUDGET

12-Jun-24

FY 2023-24

Year-end

FY 2024-25

Proposed

Attachment

Salaries and Employee Benefits

	FY 2023-24	FY 2023-24	FY 2024-25
	Approved	(Estimated)	Budget
Permanent Salaries- 1011	\$ 265,000	\$ 278,316	\$ 292,232
Deferred Comp Cty Contribution - 1015	\$ 1,020	\$ 1,020	\$ 1,020
FICA- 1042	\$ 19,000	\$ 16,000	\$ 17,000
Retirement expense- 1044	\$ 106,200	\$ 95,000	\$ 104,000
Employee Group Insurance- 1060	\$ 45,000	\$ 45,600	\$ 49,900
Retiree Health Insurance- 1061	\$ 13,000	\$ 12,300	\$ 14,000
Unemployment Insurance- 1063	\$ 610	\$ 570	\$ 640
Workers Comp Insurance- 1070	\$ 1,307	\$ 1,500	\$ 1,700
Total Salaries and Benefits	\$ 451,137	\$ 450,306	\$ 480,492

Services and Supplies

Office Expense- 2100	\$ 3,000	\$ 2,300	\$ 3,000
Publications -2102	\$ 330	\$ 120	\$ 330
Postage -2103	\$ 1,100	\$ 800	\$ 1,100
Communications - 2110	\$ 2,200	\$ 1,800	\$ 2,200
Tele Exchange Services 2111	\$ 1,200	\$ 624	\$ 1,000
Minor Furniture/Equipment - 2131	\$ 1,200	\$ 400	\$ 1,200
Minor Comp Equipment - 2132	\$ 1,100	\$ 300	\$ 1,100
Pubs & Legal Notices 2190	\$ 2,700	\$ 3,233	\$ 2,500
Memberships - 2200	\$ 14,025	\$ 14,095	\$ 15,400
Rents & Leases - 2250 (copier)	\$ 4,000	\$ 4,000	\$ 4,500
Computer Software - 2251	\$ 4,000	\$ 300	\$ 1,000
Bldg Occupancy Costs - 2260 & 2262	\$ 21,000	\$ 21,000	\$ 23,000
Bldg Life Cycle Costs - 2265	\$ 1,200	\$ 1,254	\$ 1,400
Bldg Maintennace - 2284	\$ 500	-	\$ 500
Auto Mileage Emp. - 2301	\$ 200	\$ 230	\$ 200
Other Travel Employees - 2303	\$ 15,000	\$ 15,000	\$ 15,000
Prof & Spec Services - 2310	\$ 292,440	\$ 251,438	\$ 285,240
Assessor	\$ 11,000	\$ 11,000	\$ 13,000
Financial Audit	\$ 10,000	\$ 8,938	\$ 10,000
GIS/Mapping	\$ 13,000	\$ 13,000	\$ 13,000
Legal	\$ 40,000	\$ 38,000	\$ 42,000
MSRs	\$ 190,000	\$ 120,000	\$ 180,000
Planning	\$ 10,000	\$ 8,300	\$ 10,000
Special Projects (document imaging)	\$ 2,000	-	\$ 2,000
Misc Investment Services/CCCERA Fees	\$ 240	\$ 100	\$ 240
Special Studies/Workshop/Actuarial Valuation	\$ 10,000	\$ 49,100	\$ 12,000
Website Management	\$ 6,200	\$ 3,000	\$ 3,000
Data Processing Services - 2110 & 2315	\$ 13,000	\$ 7,000	\$ 13,000
Data Processing Security - 2326	\$ 1,000	\$ 1,000	\$ 1,000
Courier - 2331	\$ 1,000	\$ 1,031	\$ 1,200
Telcomm Rents, Leases, Labor - 2335	\$ 120	\$ 120	\$ 120
Other Inter-Dept Costs - 2340	\$ 700	-	\$ 700
Liability/E&O Insurance - 2360	\$ 6,823	\$ 6,590	\$ 6,920
Commission Training/Registration/Stipends - 2467	\$ 30,000	\$ 24,000	\$ 30,000
NOD/NOE Filings - 2490	\$ 800	\$ 300	\$ 600
Total Services & Supplies	\$ 418,638	\$ 356,935	\$ 412,210

Total Expenditures \$ 869,775 \$ 807,241 \$ 892,702

Contingency Reserve \$ 87,000 \$ 87,000

OPEB Trust - \$ 30,000

CCCERA Pre-Fund \$ 12,000 - \$ 25,000

TOTAL APPROPRIATIONS \$ 968,775 \$ 1,034,702

TOTAL REVENUES \$ 968,775 \$ 1,034,702

Agency contributions - 9500 & 9800 \$ 688,775 \$ 759,702

Application & other revenues \$ 30,000 \$ 25,000

Fund Balance Contribution \$ 250,000 \$ 250,000

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Lou Ann Teixeira
Executive Officer

June 12, 2024

June 12, 2024
Agenda Item 12

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 is an informational item which includes active and potential LAFCO applications.

DISCUSSION: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 gives LAFCOs 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 (OAS). 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 one approved proposal awaiting completion, four current applications that are either incomplete and/or awaiting a hearing date, one proposal that was recently withdrawn, and several potential applications.

Current Applications – Under Review/Pending

- Annexations to East Bay Municipal Utility District (EBMUD) and West County Wastewater District (WCWD) (LAFCO 24-02)
On March 28, 2024, the landowners filed an application to annex 97.62± acres to EBMUD and WCWD. Review and processing are underway. A request to transfer jurisdiction from Alameda LAFCO to Contra Costa LAFCO was approved by Alameda LAFCO on May 9, 2024.
- Dissolution of Alamo Lafayette Cemetery District (ALCD) (LAFCO 23-12)
On August 22, 2023, the District filed an application to dissolve the ALCD. The Commission deferred action subject to a financial/operations study which will be presented to the Commission on June 12, 2024.
- Tassajara Parks Project – Boundary Reorganization (LAFCO 16-06)
The landowner filed an application 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 was litigated and on June 29, 2023, the Contra Costa County Superior Court ruled the final EIR prepared for the project provided insufficient information and analysis about the project's water supply. The court proceedings are complete. The applicant continues to work with EBMUD on water service.

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

The landowner filed an application to amend the SOIs for CCCSD and EBMUD by 30± acres in anticipation of corresponding annexations. The application is currently on hold as noted above.

Potential and Other Applications

There are several potential applications that may be submitted to LAFCO in the near future, including annexations to Diablo Water District and East Contra Costa Irrigation District. Also, since completion of the 2021 *Park & Recreation Municipal Services Review*, the Commission discussed dissolving CSA R-9. The matter was continued to March 2025 to allow additional time for community input and potential funding.

RECOMMENDATION – Informational item – no actions required.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Current Applications Table

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
CURRENT APPLICATIONS – June 12, 2024**

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 updated application, and other information.
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 updated application, and other information.
21-17	Dissolution of County Service Area R-9	In November 2021, LAFCO considered dissolving CSA R-9 and deferred action.	Pending update in March 2025.
23-12	Dissolution of Alamo Lafayette Cemetery District	Application submitted in August 2023	Cemetery Study presented to the Commission on June 12, 2024
24-02	Annexations to EBMUD & West County Wastewater District – Castro Ranch Rd	Application submitted in March 2024	Application is currently under review.

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AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING
April 24, 2024
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. Public Comment (3 minutes/speaker).

CONSENT ITEMS

3.A

- I. Approve minutes from the March 27, 2024 meeting.
- II. Authorize Vice-Chair MacDonald to attend the scheduled SACRS Board of Directors and Program Committee Meetings, July 18, 2024, Berkeley, CA, and August 12-13, 2024, Sacramento, CA.

3.B Consider and take possible action on Consent Items previously removed, if any.
(Action Item)

OPEN SESSION

4. Asset class education. (Presentation Item)
5. Consider and take possible action to adopt Board of Retirement Resolution No. 2024-3, Investment Asset Allocation Targets and Ranges. (Action Item)
6. Notice of planned termination of Acadian Multi-Asset Absolute Return strategy. (Presentation Item)

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.

7. Pension administration system project update: (Presentation Item)
 - a. Update from staff
 - b. Presentation from Segal
 - c. Presentation from Sagitec
8. Consider and take possible action to authorize the CEO to execute an amendment to the pension administration consulting agreement for Segal Consulting. (Action Item)
9. Consider and take possible action on SACRS Board of Directors Election. (Action Item)
10. Consider and take possible action on SACRS voting proxy form. (Action Item)
11. Consider authorizing the attendance of Board: (Action Item)
 - a. Southern California Institutional Forum, Markets Group, June 4, 2024, Beverly Hills, CA.
 - b. Advanced Investments Management, IFEBP/Wharton, July 22-24, 2024, San Francisco, CA. (Note: Conflict with Board Meeting)
12. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING
May 22, 2024
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. Public Comment (3 minutes/speaker).
3. Approve minutes from the April 24, 2024 meeting.

CLOSED SESSION

4. The Board will go in to closed session pursuant to Govt. Code Section 54956.9(d)(4) to confer with legal counsel regarding potential litigation (one case).
5. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:

Nowicki v. CCCERA, et al., Contra Costa County Superior Court, Case No. C17-01266

OPEN SESSION

6. Consider and take possible action to authorize the CEO to renew a maintenance and support agreement with CPAS Systems, Inc. (Action Item)
7. Review of total portfolio performance for period ending March 31, 2024. (Presentation Item)
 - a. Presentation from Verus
 - b. Presentation from staff
8. Review of Portfolio Rebalancing Report. (Presentation Item)

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: (Action Item)
 - a. NCPERS Public Pension Funding Forum, August 18-20, 2024, Boston, MA.
 - b. CALAPRS Principles of Pension Governance for Trustees, August 26-29, 2024, Tiburon, CA. (Note: Conflict with Board Meeting)
 - c. Value Edge Advisors Public Funds Forum, September 3-5, 2024, Laguna Beach, CA.

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.



RETIREMENT BOARD MEETING MINUTES

REGULAR MEETING
April 24, 2024
9:00 a.m.

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

Present: Candace Andersen, Dennis Chebotarev, Donald Finley, Scott Gordon, Louis Kroll, Jay Kwon, David MacDonald, Dan Mierzwa, Mike Sloan, and Samson Wong

Absent: Jerry Holcombe and John Phillips

Staff: Christina Dunn, Chief Executive Officer; Karen Levy, General Counsel; and Tim Price, Chief Investment Officer

Outside Professional Support:

Susan Kunz
Aaron Mucha
Jesse Rivera
Scott Whalen

Representing:

Sagitec
Sagitec
Segal
Verus

1. Pledge of Allegiance

The Board, staff and audience joined in the *Pledge of Allegiance*.

2. Accept comments from the public

No member of the public offered comment.

3. Consent Items:

It was **M/S/C** to approve all consent items. (Yes: Andersen, Chebotarev, Finley, Gordon, Kroll, Kwon, MacDonald and Mierzwa).

3B. Consider and take possible action on Consent Items if previously removed, if any

No consent Items were removed.

Wong was present for subsequent discussion and voting.

4. Asset class education

Whalen provided an educational presentation on Asset classes.

6. Notice of planned termination of Acadian Multi-Asset Absolute Return strategy

Price discussed the termination of Acadian Multi-Asset Absolute Return strategy.

5. Consider and take possible action to adopt Board of Retirement Resolution No. 2024-3, Investment Asset Allocation Targets and Ranges

It was **M/S/C** to adopt Board of Retirement Resolution No 2024-3, Investment Asset Allocation Targets and Ranges. (Yes: Andersen, Chebotarev, Gordon, Kroll, Kwon, MacDonald, Mierzwa, and Wong).

7. Pension administration project update:

- a. Update from staff – Dunn gave an update on the pension administration system project.
- b. Presentation from Segal – Rivera presented an update on the project.
- c. Presentation from Sagitec – Kunz and Mucha provided an update on the project.

8. Consider and take possible action to authorize the CEO to execute an amendment to the pension administration consulting agreement for Segal Consulting

It was **M/S/C** to authorize the CEO to execute an amendment to the pension administration consulting agreement for Segal Consulting. (Yes: Andersen, Chebotarev, Gordon, Kroll, Kwon, MacDonald, Mierzwa, and Wong).

Andersen was not present for subsequent discussion and voting.

9. Consider and take possible action on SACRS Board of Directors Election

It was **M/S/C** to support the SACRS Nominating Committee recommended ballot. (Yes: Chebotarev, Gordon, Kroll, Kwon, MacDonald, Mierzwa, and Wong).

Andersen was present for subsequent discussion and voting.

10. Consider and take possible action on SACRS voting proxy form

It was **M/S/C** to appoint Sloan as the Voting Delegate and MacDonald as the alternate, at the upcoming SACRS Conference. (Yes: Andersen, Chebotarev, Gordon, Kroll, Kwon, MacDonald, Mierzwa, and Wong).

11. Consider authorizing the attendance of Board:

- a. It was **M/S/C** to authorize the attendance of 2 Board members at the Southern California Institutional Forum, Markets Group, June 4, 2024, Beverly Hills, CA.
(Yes: Andersen, Chebotarev, Gordon, Kroll, Kwon, MacDonald, Mierzwa, and Wong).
- b. There was no action taken on this item. IFEBP/Wharton, July 22-24, 2024, San Francisco, CA.

12. Miscellaneous:

- a. Staff Report –Dunn gave a reminder that the next board meeting will take place on May 1, 2024, and all agendas have been distributed. The Actuaries will be presenting on tail volatility and the effect on employer contribution rates.

Price – Introduced the new Investment Analyst, Juan del Rio Navarro.

- b. Outside Professionals’ Report – None
- c. Trustees’ Comments – None

It was **M/S/C** to adjourn the meeting. (Yes: Andersen, Chebotarev, Gordon, Kroll, Kwon, MacDonald, Mierzwa, and Wong)

Scott W. Gordon, Chairperson

Jerry R. Holcombe, Secretary



MEMORANDUM

Date: May 22, 2024
To: CCCERA Board of Retirement
From: Christina Dunn, Chief Executive Officer
Subject: Consider and take possible action to authorize the CEO to renew a maintenance and support agreement with CPAS Systems, Inc.

Summary

Since 2009, CCCERA has had a maintenance and system software support services agreement with CPAS Systems, Inc. for its pension administration system. It is renewed on an annual basis. These services include legislative compliance updates, maintenance updates, and overall system support services. The maintenance and support is necessary for continued operation of the system and data preparation for the new pension administration system. The annual renewal amounts are \$39,787.25 for maintenance and \$26,082.00 for system support services. This is a 3% increase compared to the prior year.

Recommendation

Consider and take possible action to authorize the CEO to renew a maintenance and support agreement with CPAS Systems, Inc.

Verus⁷⁷⁷

Meeting Date

05/22/2024

Agenda Item

#7a.



**PERSPECTIVES
THAT DRIVE
ENTERPRISE
SUCCESS**



PERIOD ENDING: MARCH 31, 2024

Investment Performance Review for

Contra Costa County Employees' Retirement Association

Table of Contents



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Investment Landscape

TAB I

Investment Performance
Review

TAB II

An aerial photograph of a coastal town and beach, viewed from a high vantage point. The town is nestled between a large, forested hill and the ocean. A sandy beach runs along the coast, with waves breaking onto the shore. The sky is blue with some clouds. A geometric pattern of overlapping triangles is overlaid on the left side of the image, with a white triangle pointing upwards and a blue triangle pointing downwards in the center-left area.

**PERSPECTIVES
THAT DRIVE
ENTERPRISE
SUCCESS**

2ND QUARTER 2024
Investment Landscape

Verus business update

Since our last Investment Landscape webinar:

- Verus hired Joe Ratliffe as a Performance Analyst in our Los Angeles office
- Brent Nelson, Managing Director | Senior Consultant, received the 2023 Verus North Star Award for championing client success
- Verus will be partnering with Rainier Scholars for a 2024 Summer internship in our Seattle office
- Recent research, found at verusinvestments.com/research:
 - *Market concentration & equal weighted indexing*
 - *Ten thoughts for 2024*
 - *What are continuation funds?*

Table of contents



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Economic environment 9

Fixed income rates & credit 22

Equity 28

Other assets 37

Appendix 40

Recent Verus research

Visit: verusinvestments.com/research

Topics of interest

TEN THOUGHTS FOR 2024

Every January we write a list of 10 things we expect to be important in the coming year. Many firms do this—we do something unusual, which is mark ourselves on the success or failure of the previous year’s predictions. Some years we do well in our predictions, some years less well, but we find the self-enforced humility worthwhile when taking on the task of forecasting. This year is no different. We can look back with some pleasure: in a year where many forecasts went awry, five of our ten forecasts can be counted as a success, with two more a partial success, and three misses.

Other thought leadership

WHAT ARE CONTINUATION FUNDS?

Continuation funds are an innovative financial tool that have been transforming the landscape of private equity. But this new opportunity leaves many investors wondering: What are they? Who can invest in them? What are the risks? Our video explores this concept and how Verus recommends to assess them.

MARKET CONCENTRATION & EQUAL-WEIGHTED INDEXING

Equal-weighted indexing presents an intriguing proposition to the issue of market concentration often seen in market cap-weighted indexes, such as the S&P 500. However, a closer look shows that this approach has failed to deliver on many of the qualities that investors may be seeking. This video provides a look into the equal-weighted index strategy and examines its track record from a few vital angles.

1st quarter summary

THE ECONOMIC CLIMATE

- Real GDP growth unexpectedly slowed in Q1 to 1.6% quarter-over-quarter (3.0% year-over-year), falling short of economist forecasts for 2.5% growth. The GDP release reflected positive but decelerating spending by households, slowing exports, and less government expenditures. Residential fixed investment accelerated partly driven by new single-family home construction, while private inventory investment fell.
- The U.S. job market has been incredibly resilient, with unemployment rising slightly from 3.7% to 3.8% but labor participation improving from 62.5% to 62.7%. Some economists and investors have begun to partially attribute surprisingly strong labor conditions to substantial immigration (both legal and illegal) in recent years.

PORTFOLIO IMPACTS

- The 10-year U.S. Treasury yield rose 32 basis points to 4.20% during Q1 on broad acknowledgment that disinflation trends have stalled and that the Federal Reserve may not cut rates in 2024 as significantly as markets had hoped for.
- Market-priced volatility (Cboe VIX Index) remained incredibly low during the quarter, ending at 13.0 in March. Historically, market volatility of this level has coincided with strong upward trending risk markets and investor enthusiasm.

THE INVESTMENT CLIMATE

- Equity markets delivered another quarter of large gains—much of the performance fueled by richer valuations rather than fundamentals. Credit spreads declined further to very low levels, leading to moderate returns for higher risk credit. Many markets appear to be priced to perfection as recession fears subside.
- U.S. inflation increased in Q1, following a handful of hotter-than-expected inflation and jobs reports. Headline inflation increased from 3.3% to 3.5% year-over-year in March, while core CPI (ex-food & energy) declined slightly from 3.9% to 3.8%. It now seems more likely that inflation ends this year closer to, or above, 3% rather than 2%.

ASSET ALLOCATION ISSUES

- U.S. equities (S&P 500 +10.6%) once again outpaced international developed equities (MSCI EAFE +5.8%) and emerging market equities (MSCI EM +2.4%) during the quarter. The domestic market has also delivered outperformance over the past year, fueled by the artificial intelligence boom. Telecom (+49.8%) and Technology (+46.0%) saw the biggest gains across the S&P 500.
- Style factor investing underperformed during Q1. Small cap lagged large cap by -5.1% (Russell 2000 +5.2% vs. Russell 1000 +10.3%). Value underperformed Growth by -2.4% (Russell 1000 Value +9.0% vs. Russell 1000 Growth +11.4%). Mega cap companies continue to dominate large cap index performance and affect style behavior.

Equity markets delivered another large rally in Q1, while credit showed mildly positive returns

Stubborn inflation and fewer Fed interest rate cuts seem likely for 2024

What drove the market in Q1?

“U.S. Consumer Prices Heat Up in March; Seen Delaying Fed Rate Cut”

FED FUNDS FUTURES IMPLIED RATES: END OF 2024

Jan 15th	Jan 31st	Feb 15th	Feb 29th	Mar 15th	Mar 31st
3.76%	3.86%	4.37%	4.48%	4.61%	4.66%

Article Source: Reuters, April 10th, 2024

“Resilient U.S. Boosts IMF Forecast for Global Economic Growth”

IMF WORLD ECONOMIC OUTLOOK 2024 GLOBAL GDP FORECAST

Jan 23	April 23	July 23	Oct 23	Jan 24	April 24
3.1%	3.0%	3.0%	2.9%	3.1%	3.2%

Article Source: U.S. News & World Report, January 30th, 2024

“A Persistently Strong Labor Market Delivers Economic Stability”

NONFARM PAYROLL GROWTH

Oct	Nov	Dec	Jan	Feb	Mar
165k	182k	290k	256k	270k	303k

Article Source: Forbes, January 27th, 2024

“Earnings, Big Tech Gave Investors Reasons to Buy U.S. Stocks”

S&P 500 YEAR-OVER-YEAR EARNINGS GROWTH (DECLINE)

Q3 2022	Q4 2022	Q1 2023	Q2 2023	Q3 2023	Q4 2023
2.3%	-4.7%	-1.7%	-4.2%	4.9%	4.2%

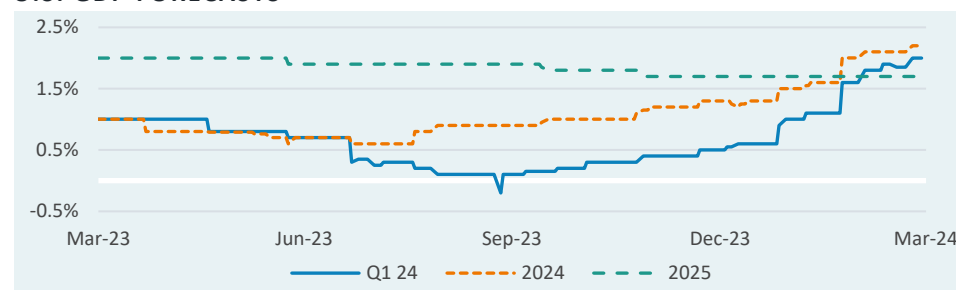
Article Source: Bloomberg, March 2nd, 2024

CPI COMPONENT: SHELTER (YEAR-OVER-YEAR)



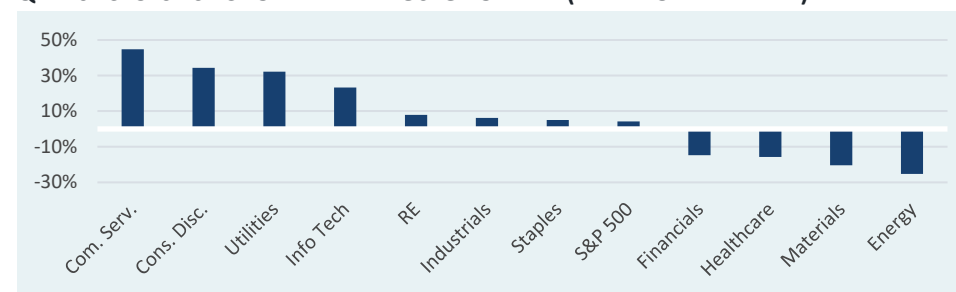
Source: BLS, as of 3/31/24

U.S. GDP FORECASTS



Source: Bloomberg, as of 3/31/24

Q4 2023 U.S. SECTOR EARNINGS GROWTH (YEAR-OVER-YEAR)



Source: FactSet, as of 3/31/24

Economic environment

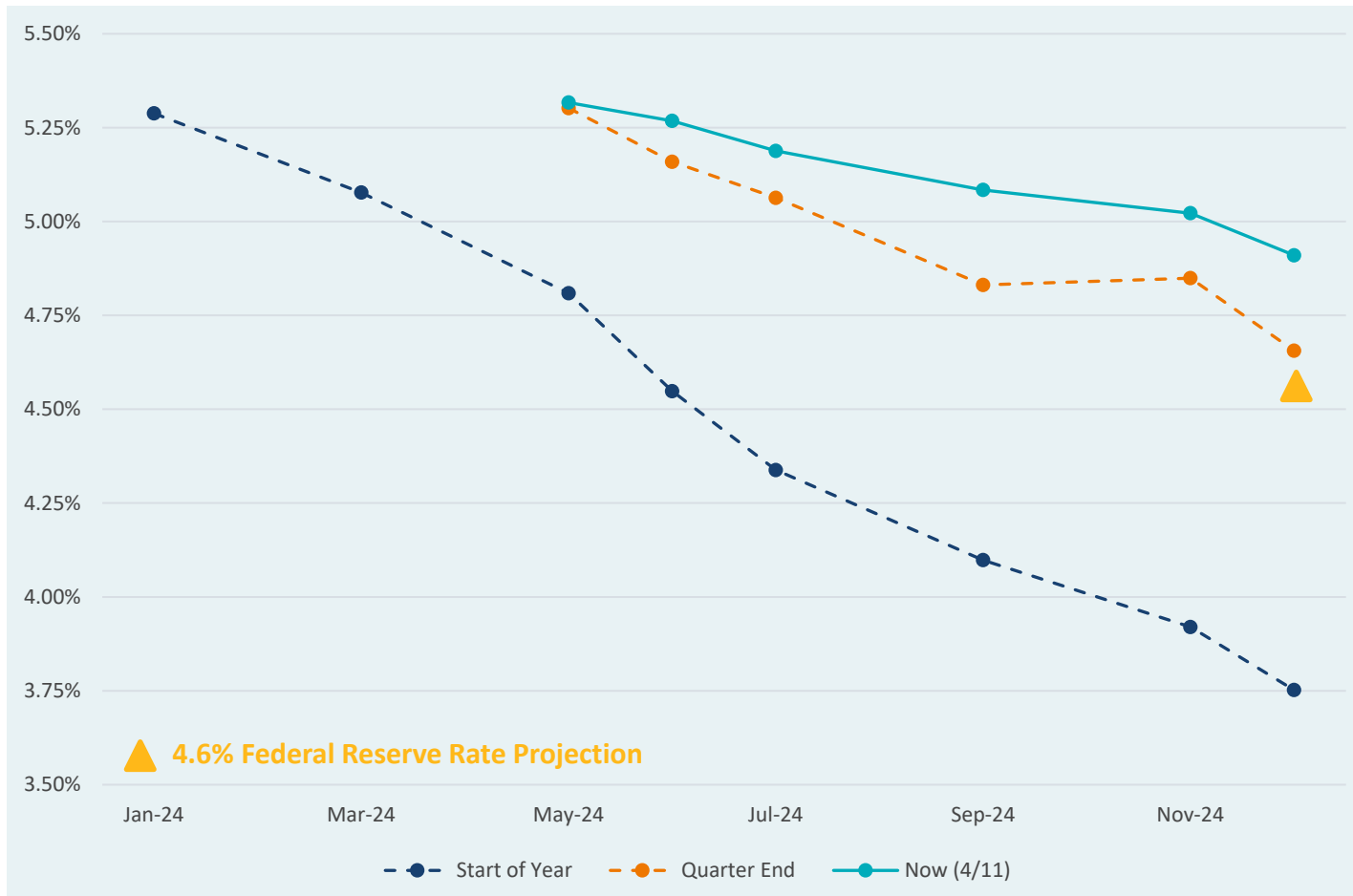
U.S. economics summary

- Real GDP growth unexpectedly slowed in Q1 to 1.6% quarter-over-quarter (3.0% year-over-year), falling short of economist forecasts for 2.5% growth. The GDP release reflected positive but decelerating spending by households, slowing exports, and less government expenditures. Residential fixed investment accelerated partly driven by new single-family home construction, while private inventory investment fell.
- U.S. inflation increased in Q1, following a handful of hotter-than-expected inflation and jobs reports. Headline inflation increased from 3.3% to 3.5% year-over-year in March, while core CPI (ex-food & energy) declined slightly from 3.9% to 3.8%. It seems more likely that inflation ends this year closer to, or above, 3% rather than 2%.
- Inflation adjusted consumer spending has remained moderate, at 2.4% YoY in February. Purchases of services have materially outpaced purchases of goods in recent years, a reversal of the historically unprecedented boom in goods purchases that occurred during the pandemic.
- Employment has been incredibly resilient. Unemployment was stable during Q1, while labor participation increased. Some economists and investors have partially attributed labor market gains to substantial immigration (both legal and illegal) in recent years—with millions of immigrants being of working age and seeking work. Given the level of immigration, we expect official labor data has been, and will continue to be, meaningfully impacted.
- Consumer sentiment has jumped significantly on better financial situations of households, expectations that inflation will further ease, and a steadying economy. At the same time, The NFIB Small Business Optimism index deteriorated to the weakest level since 2012. Inflation remains a top concern, and business owners indicated they could not find qualified candidates to fill job openings.

	Most Recent	12 Months Prior
Real GDP (YoY)	3.0% 3/31/24	1.7% 3/31/23
Inflation (CPI YoY, Core)	3.8% 3/31/24	5.6% 3/31/23
Expected Inflation (5yr-5yr forward)	2.3% 3/31/24	2.2% 3/31/23
Fed Funds Target Range	5.25–5.50% 3/31/24	4.75–5.00% 3/31/23
10-Year Rate	4.20% 3/31/24	3.47% 3/31/23
U-3 Unemployment	3.8% 3/31/24	3.5% 3/31/23
U-6 Unemployment	7.3% 3/31/24	6.7% 3/31/23

Federal Reserve policy

FED FUNDS FUTURES IMPLIED 2024 RATE PATH



Markets started the year pricing in six rate cuts by the end of 2024

Implied pricing now indicates expectations for just two rate cuts, a tighter path relative to the three forecasted rate cuts projected in the Federal Reserve's Summary of Economic Projections

Source: Bloomberg, as of 4/11/24

Inflation

U.S. inflation increased in Q1, following a handful of hotter-than-expected inflation and jobs reports. Headline inflation increased from 3.3% to 3.5% year-over-year in March, while core CPI (ex-food & energy) declined slightly from 3.9% to 3.8%. It seems more likely that inflation ends this year closer to, or above, 3% rather than 2%. Certain goods and services have further moderated in price growth, such as Used Vehicles and Food, while other price trends remain hot such as Housing and Auto Insurance.

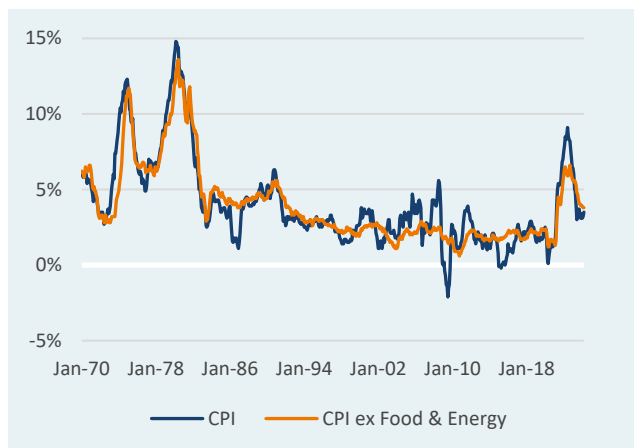
The outsized impact of Shelter—which makes up more than a third of the entire CPI basket—remains a major force keeping inflation elevated. While shelter prices reported by the Bureau

of Labor Statistics have moved closer to real-time price gauges, March’s 0.4% month-over-month increase still reflected an annualized rate of nearly 5%.

Inflation appears to be flattening out rather than continuing lower towards the Federal Reserve 2% target, which has been a catalyst for changing monetary policy expectations. Stubborn inflation combined with strong labor and other economic activity provides little incentive for the Federal Reserve to ease rates. At the beginning of the year the market expected six rate cuts in 2024. That has since fallen to two cuts.

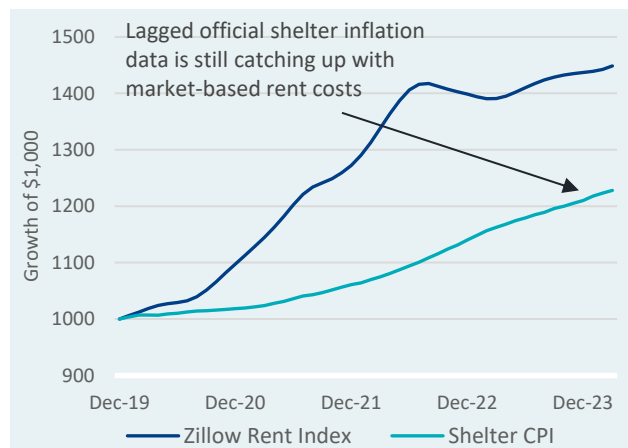
Q1 inflation remains above the Fed’s target, affecting market expectations for a “higher for longer” rate environment

U.S. CPI (YOY)



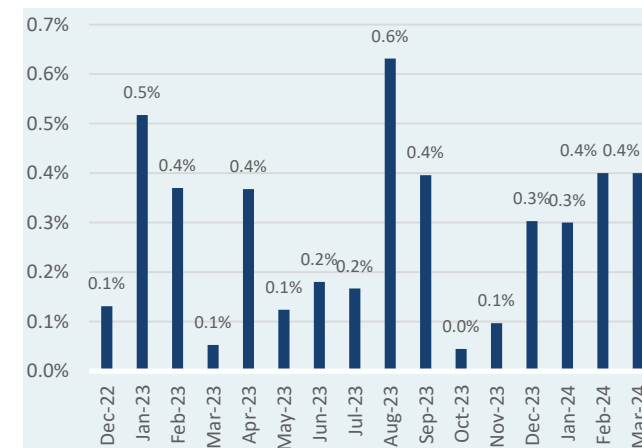
Source: BLS, as of 3/31/24

ZILLOW OBSERVED RENT VS. SHELTER CPI



Source: Zillow Observed Rent Index, FRED, of 3/31/24

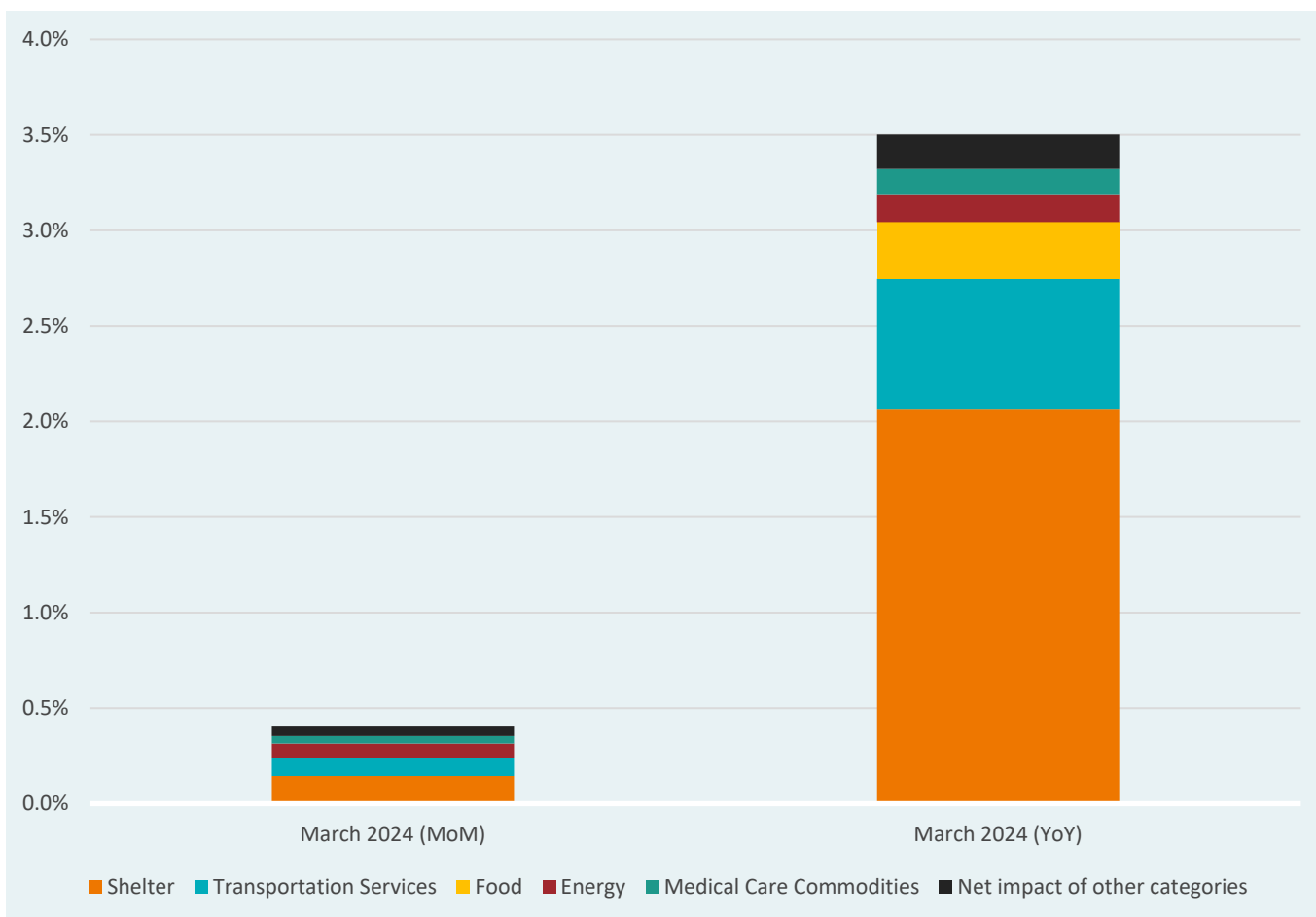
MONTHLY PRICE MOVEMENT (CPI)



Source: BLS, as of 3/31/24

Inflation: shelter's outsized impact

CONTRIBUTION TO MARCH 2024 CPI



Shelter's contribution to inflation remains outsized, making up more than two-percent of the 3.5% year-over-year headline print

Amongst services, transportation costs have materially increased from the past year, notably amongst motor vehicle insurance (+22.2%) and maintenance and repair (+8.2%)

Source: BLS, as of 3/31/24.

GDP growth

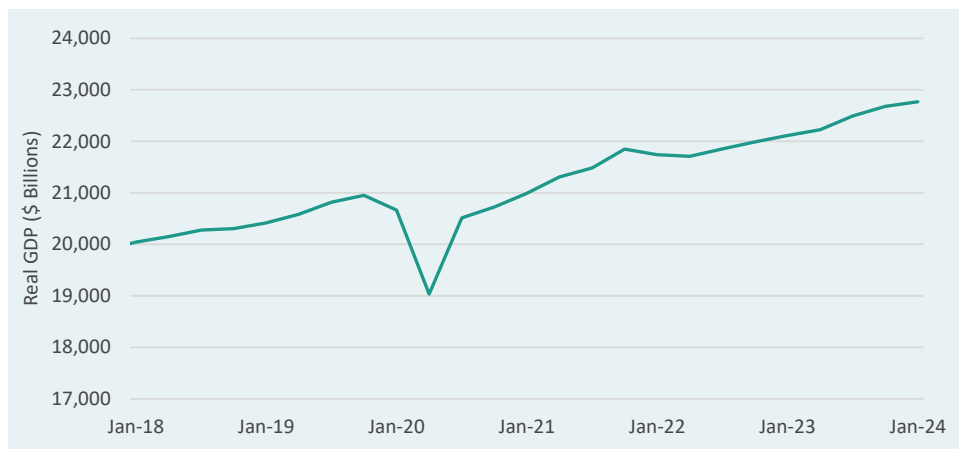
Real GDP growth unexpectedly slowed in Q1 to 1.6% quarter-over-quarter (3.0% year-over-year), falling short of economist forecasts for 2.5% growth. The GDP release reflected positive but decelerating spending by households, slowing exports, and less government expenditures. Residential fixed investment accelerated partly driven by new single-family home construction, while private inventory investment fell.

Slower economic growth in the first quarter appears to have been mostly driven by weakness in exports and imports, as well as a moderation in government spending. Other aspects of the economy such as consumer spending and investment

have slowed in recent quarters but growth remains moderately positive, as high inflation and weaker wage gains have not yet obviously resulted in a decline in spending. The first quarter GDP print marked the first instance of weak economic data after a seemingly months-long series of strong releases, from employment, to consumer sentiment, to spending. This was an abrupt change in direction of the data, and it will be important for investors to monitor whether it marks a true change in trend or is simply a bump in the road with further U.S. strength ahead.

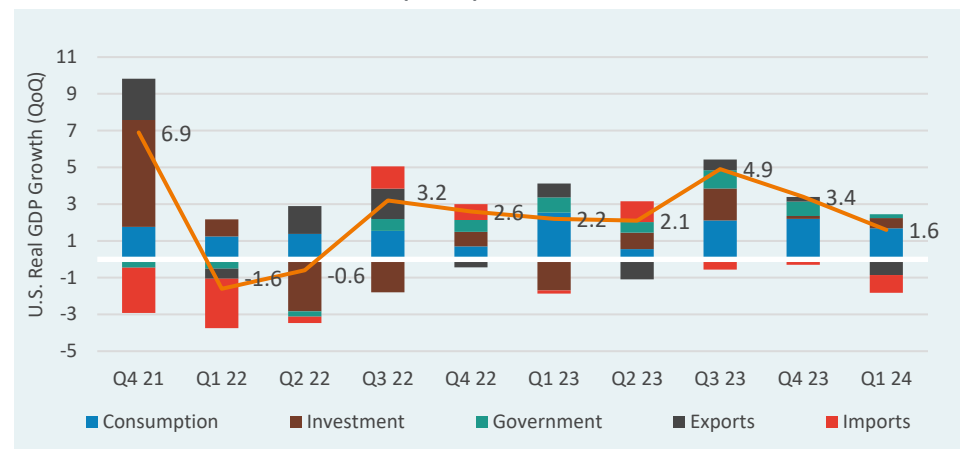
U.S. growth slowed a bit in Q1 but continues to show resilience despite aggressive monetary tightening

U.S. REAL GROSS DOMESTIC PRODUCT



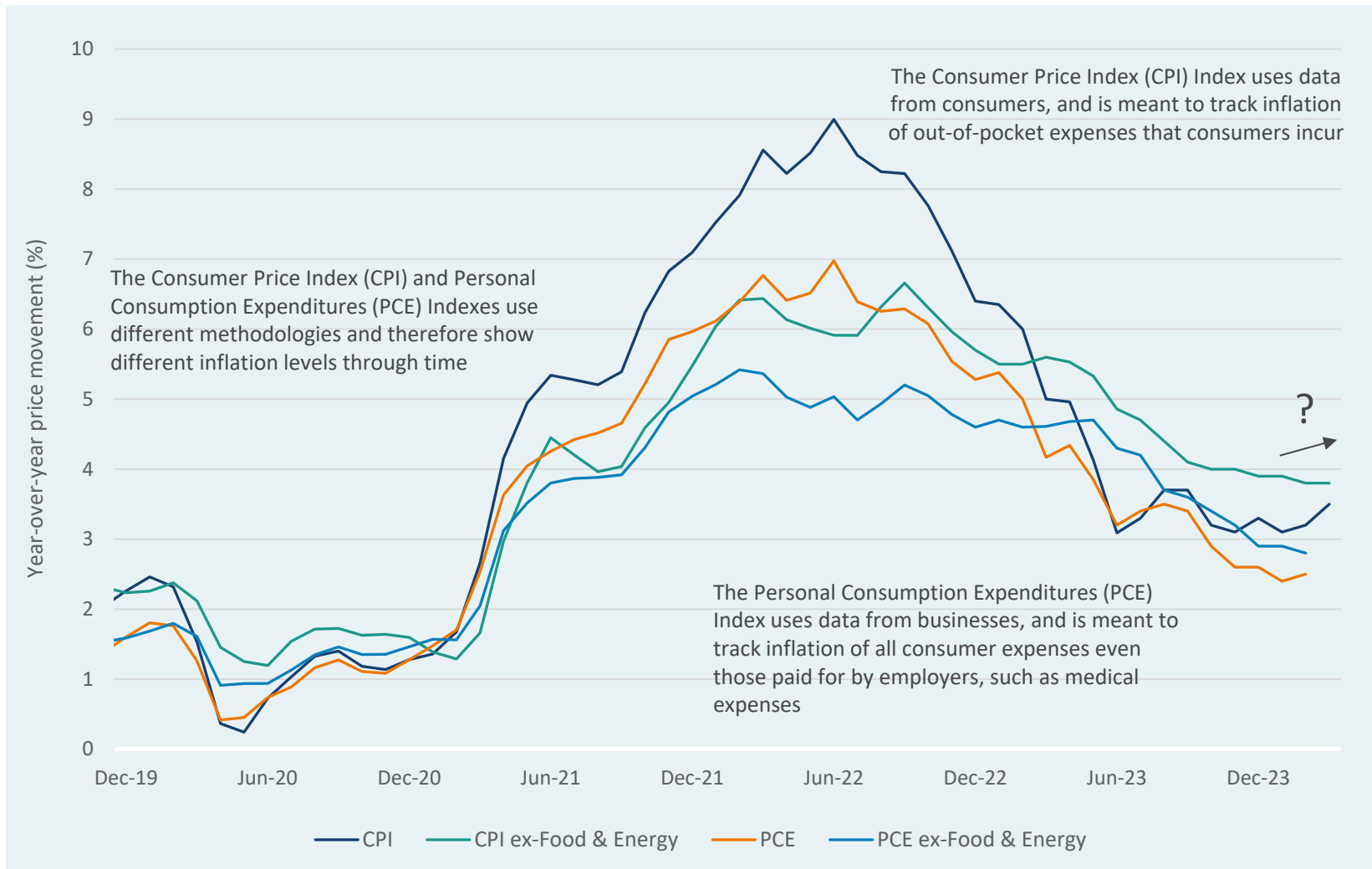
Source: FRED, as of 3/31/24

U.S. REAL GDP COMPONENTS (QOQ)



Source: FRED, as of 3/31/24

How are inflation conditions evolving?



Recent hot inflation numbers have created concerns that inflation may be stabilizing at a higher level than what is required for interest rate cuts to occur

Source: FRED, Verus, PCE data as of 3/31/24, CPI data as of 2/29/24

Labor market

The unemployment rate was fairly stable during the quarter, rising slightly from 3.7% to 3.8%. Meanwhile, labor participation improved from 62.5% to 62.7%.

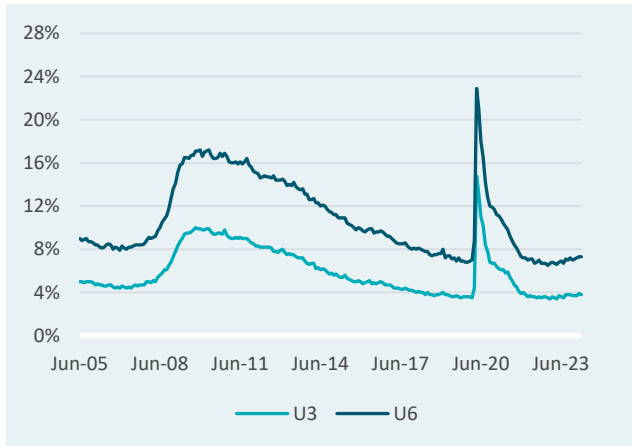
The U.S. job market has been incredibly resilient in the face of higher interest rates, and ongoing employment data releases continue to show outsized labor market gains. Some economists and investors have begun to partially attribute the record labor market gains to substantial immigration (both legal and illegal) into the country in recent years—with millions of immigrants being of working age and seeking employment. Given total immigration estimates, we would

expect that official jobs data, which is based on both phone surveys and also on employer payroll figures, to be meaningfully impacted.

Rebalancing within the labor market continued. The mismatch between the number of *workers available* and the number of *available jobs* was greater than 6 million in early 2022. Nearly two-thirds of that gap has now closed, with steady improvement over the past year.

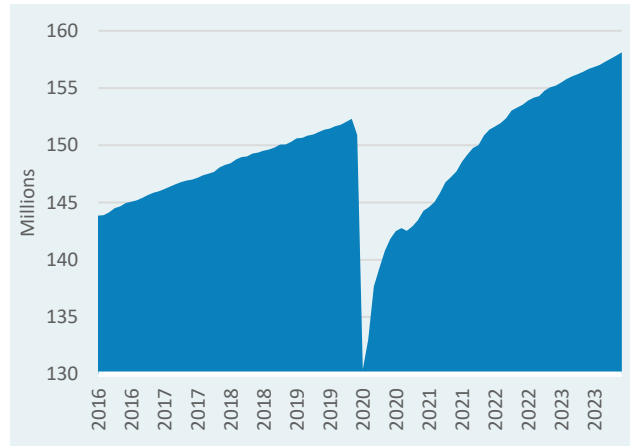
A substantial rise in different types of immigration over recent years may partially describe strong labor data

U.S. UNEMPLOYMENT



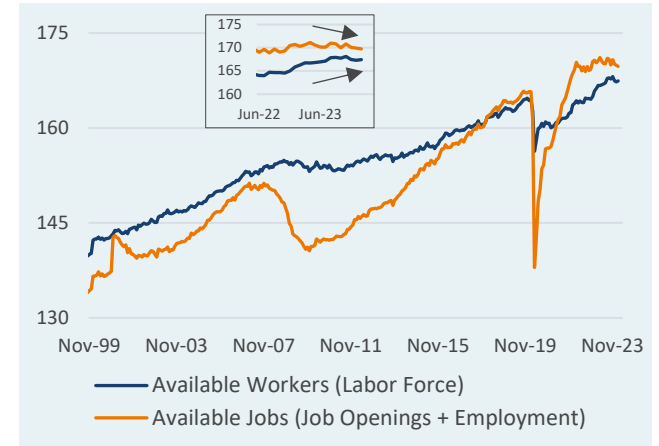
Source: FRED, as of 3/31/24

TOTAL U.S. EMPLOYMENT



Source: FRED, as of 3/31/24

WORKERS AVAILABLE VS. AVAILABLE JOBS



Source: BLS, Verus, as of 2/29/24

The consumer

Inflation adjusted spending has remained moderate, at 2.4% year-over-year in February. Purchases of services have materially outpaced purchases of goods in recent years in terms of growth, since the historically unprecedented boom in goods purchases that occurred during the pandemic. We believe that extreme surge in goods purchases effectively *pulled forward* these purchases from future years, such as in home sales activity, home improvement projects, and recreational vehicle sales, which has led to the recent lull.

but have since fallen back to extremely low levels. The reason for this trend is unclear, though it coincides with a notable improvement in consumer sentiment, which suggests lower savings rates for some households might reflect an improved outlook for the economy and personal finances. However, high prices and cost of living is likely a greater contributing factor. Overall, Americans continue to spend rather freely despite higher costs of goods and services taking up a greater portion of take-home income. This includes nonessential spending such as for travel.

Personal savings rates had been improving through mid-2023

REAL PERSONAL SPENDING



Source: FRED, as of 2/29/24

GOODS VS. SERVICES SPENDING (REAL)



Source: FRED, as of 2/29/24

PERSONAL SAVINGS RATE



Source: FRED, as of 2/29/24

Sentiment

Consumer sentiment has seen significant improvement over the past year. The University of Michigan Consumer Sentiment survey bounced from 69.7 to 79.4 in Q1 on better financial positions of U.S. households, expectations that inflation will continue to ease, and impressions that the economy has achieved a “steady state”.

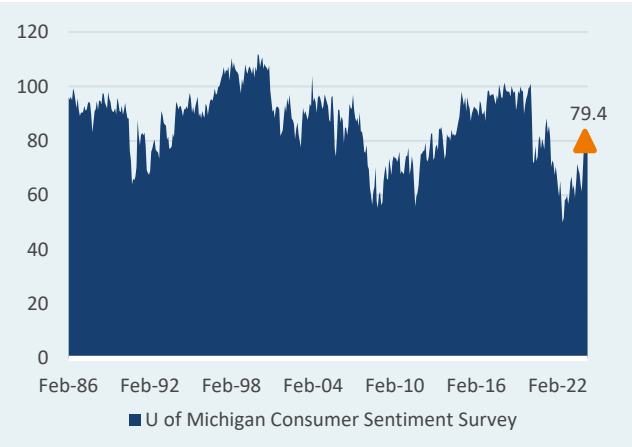
Although the domestic annual inflation rate is now closer to the longer-term average, sentiment surveys continue to reflect discontent with high costs of living. As we have discussed in recent quarters, this effect might be termed the “lower inflation conundrum”. As prices of many goods and services jumped significantly higher during and after the pandemic, the wages of

the average worker did not keep up in many respects. Although price *movement* (official inflation numbers) has come down recently, high prices persist and remain a thorn in household budgets, savings levels, and the overall financial security of Americans. This is reflected in sentiment survey responses.

The NFIB Small Business Optimism index has deteriorated to the weakest level since 2012. Inflation has been reported as a top business concern, and 37% of business owners indicated they could not find qualified candidates to fill job openings, overall reflecting a poor business climate.

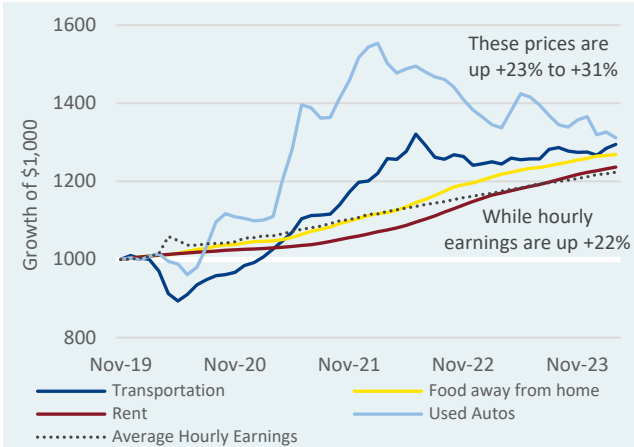
Consumer sentiment improved during Q1, while small business optimism dropped to the weakest level since 2012

CONSUMER SENTIMENT



Source: University of Michigan, as of 3/31/24

HOUSEHOLDS STILL FEELING THE SQUEEZE



Source: FRED, Verus, as of 3/31/24

NFIB SMALL BUSINESS SENTIMENT



Source: NFIB, as of 3/31/24

Housing

Domestic housing market activity picked up in Q1. Existing home sales increased 10% quarter-over-quarter, and the number of homes listed for sale rose by a similar magnitude. According to Redfin, the median home sales price was up +5.3% in March from the prior year. After an extended period of high mortgage rates and difficult affordability, it is possible that many sellers and buyers are accepting market conditions and choosing to no longer wait on the sidelines.

Housing affordability improved slightly but remains extremely poor, with the 30-year average fixed mortgage rate jumping slightly from 6.6% to 6.8%. Prospects for lower interest rates and therefore better affordability have diminished as investors expect fewer upcoming rate cuts from the Federal Reserve, though a rebound in home sales activity may suggest that the

market has stabilized. Real estate markets can stay out of balance in terms of affordability for very long periods of time. A path to affordability in the current environment is not yet clear, as interest rates will most likely stay high, and homeowners are not willing to, and seemingly do not need to, adjust their selling prices downwards.

Mortgage delinquency levels of single-family homeowners remain muted, at 1.69% as of Q4. This compares to 2.34% in Q4 of 2019 prior to the onset of the pandemic. Conditions have been supported by steadily increasing home prices that have led to robust home equity balances, as well as ultra-low interest rates following COVID-19 which allowed for attractive refinancing opportunities and lower monthly payments.

30-YEAR MORTGAGE RATE (%)



Source: Freddie Mac, as of 3/31/24

EXISTING HOME SALES



Source: FRED, as of 2/28/24

HOUSING AFFORDABILITY



Source: FRED, as of 12/31/23 – Housing affordability is calculated as the cost of a median priced single-family home at the current mortgage rate, as a percentage of the median family income

International economics summary

— The broad global narrative remains similar to last quarter, as global metrics paint a picture of slowing yet resilient economic growth. While a hotter March inflation print in the U.S. changed expectations around the policy path of the Federal Reserve, inflation in international developed economies has shown greater signs of moderation, putting central banks such as the European Central Bank and Bank of England on a path to policy easing.

— Developed economies continue to juggle economic growth and inflation. Price pressures have shown signs of easing across the Eurozone and U.K., with inflation sitting at 2.4% and 3.2%, respectively. Despite inflation moderation, conditions remain weak across the Eurozone, with GDP nearly flat on a year-over-year basis and unemployment elevated at 6.5%.

— In Japan, growth conditions also remain shaky, as the country nearly avoided a technical recession

following an upward revised GDP release. While the BOJ formally ended its zero-interest rate policy, the Japanese Yen weakened further against the U.S. dollar after unclear guidance from the BOJ and expectations for higher U.S. interest rates. The Japanese economic story remains challenged despite positive performance of the equity market.

— Growth in emerging markets continues to offset slowing activity in developed economies, as year-over-year GDP growth of 8.4% and 5.3% in India and China outpace most of the globe. China remains in the headlines given that economic and technological rivalry with the U.S. persists. Despite sentiment challenges, growth has remained above the target of 5%, even in the face of a lagging property market and financial stress seen amongst local-government financing vehicles and regional banks.

Area	GDP (Real, YoY)	Inflation (CPI, YoY)	Unemployment
United States	3.0% 3/31/24	3.5% 3/31/24	3.8% 3/31/24
Eurozone	0.1% 12/31/23	2.4% 3/31/24	6.5% 2/29/24
Japan	1.2% 12/31/23	2.6% 3/31/24	2.6% 2/29/24
BRICS Nations	5.3% 12/31/23	1.7% 3/31/24	4.8% 12/31/22
Brazil	2.1% 12/31/23	3.9% 3/31/24	7.8% 2/29/24
Russia	4.9% 12/31/23	7.7% 3/31/24	2.8% 2/29/24
India	8.4% 12/31/23	4.9% 3/31/24	7.6% 3/31/24
China	5.3% 3/31/24	0.1% 3/31/24	5.2% 3/31/24

NOTE: India lacks reliable government unemployment data. Unemployment rate shown above is estimated from the Centre for Monitoring Indian Economy. The Chinese unemployment rate represents the monthly surveyed urban unemployment rate in China.

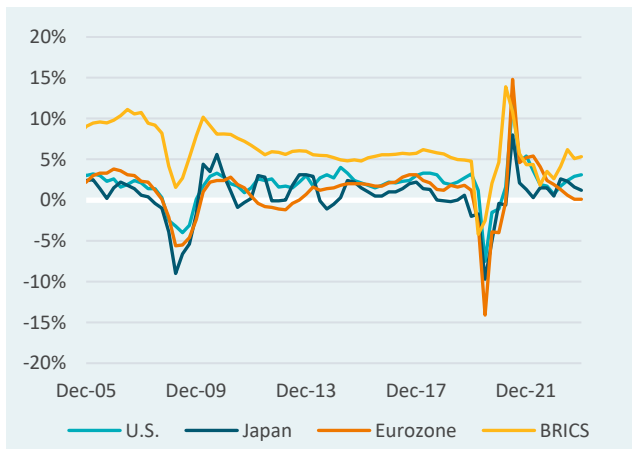
International economics

We believe the global narrative remains intact, and that many economies are set to slow in 2024 but will likely avoid recession. While hotter inflation data in the U.S. has led to changed policy expectations, inflation in international developed economies showed signs of moderation, putting central banks like the European Central Bank (ECB) and Bank of England (BOE) on a path to policy easing. The market is pricing three 25 bps interest rate cuts from the ECB and the BOE by end-of-year.

The IMF’s April World Economic Outlook (WEO) communicated a much more balanced economic environment, as steady growth and disinflation has resulted in a lower likelihood of a “hard landing”. The IMF sees global growth at 3.2% for 2024 and 2025, with the 2024 growth estimate revised up +0.1% from the January WEO update.

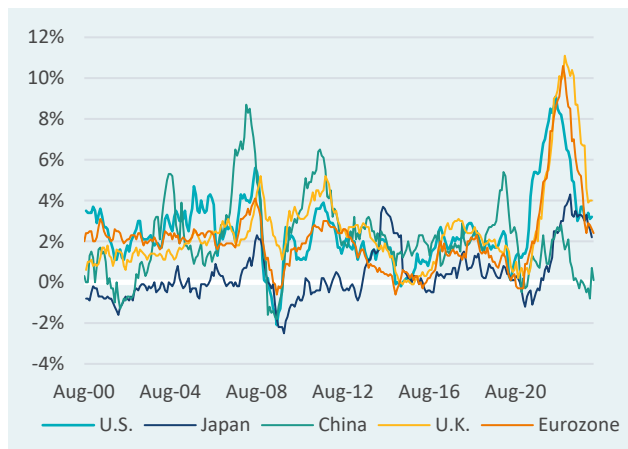
Going forward, we see material downside risks but also potential growth catalysts to the upside. Continuing and escalating conflicts in the Middle East and Eastern Europe have raised fears around energy market disruption, especially when considering that rising oil and natural gas prices were a major contributor to the recent four-decade-high bout of inflation. On the other hand, growth catalysts such as accelerated computing and artificial intelligence offer a broad range of applicability and impact that, although difficult to quantify, could act as a substantial driver of productivity and growth in the future. Additionally, if inflation pressures were to ease more quickly than expected, allowing for easier monetary policies, this may fuel growth and markets forward.

REAL GDP GROWTH (YEAR-OVER-YEAR)



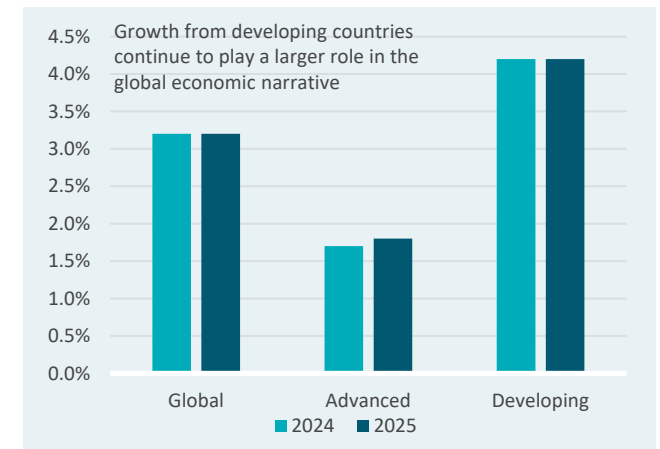
Source: Bloomberg, as of 12/31/23

INFLATION (CPI YEAR-OVER-YEAR)



Source: Bloomberg, as of 3/31/24 – or most recent release

IMF APRIL 2024 GDP FORECASTS



Source: IMF April World Economic Outlook, as of 4/16/24

Fixed income rates & credit

Fixed income environment

- The 10-year U.S. Treasury yield rose 32 basis points from 3.88% to 4.20% during Q1 on broad acknowledgment that disinflation trends have stalled and that the Federal Reserve may not cut rates in 2024 as significantly as markets had hoped for. Yields across the Treasury curve increased, with shorter-term rates rising more than longer-term.
- Domestic high-quality, duration-sensitive bonds experienced slight losses during the quarter, while most credit indices saw positive returns. High yield gained +1.5% (Bbg U.S. Corporate High Yield), while bank loans rose +2.5% (S&P/LSTA Leveraged Loan). Longer duration investment grade corporate bonds (Bloomberg U.S. Long Corporate Credit) declined by -1.7% during the quarter as both rising interest rates and concerns about inflation detracted from performance.
- The U.S. yield curve has remained inverted since June 6th, 2022, marking the longest yield curve inversion on

record. This is indicated by the 10-year minus 2-year Treasury yield—ending the quarter at -39bps, down slightly from -35bps in Q4. While the yield curve has historically been a reliable predictor of recession, economic growth remains robust.

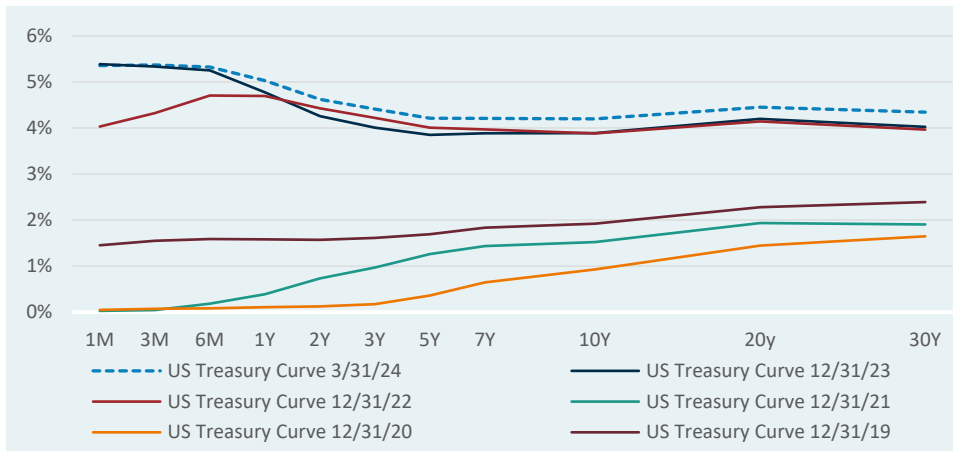
- Although default activity remains low, volumes increased as slowing economic growth and rising borrowing costs acted as headwinds. During the period, \$20.6 billion of bank loan and high yield bonds were affected by default or distressed exchanges, up from \$15.8 billion in the prior quarter. Notable company defaults included Jo-Ann’s (Retail), Hornblower (Travel & Leisure), and RobertShaw (Technology).
- Structured credit hedge funds, which focus on credit sectors such as CLOs, ABS (auto, credit card, etc), MBS, and CMBS, continue to deliver strong returns relative to traditional high yield and remain competitive versus leveraged loan indices.

	QTD Total Return	1 Year Total Return
Core Fixed Income (Bloomberg U.S. Aggregate)	(0.8%)	1.7%
Core Plus Fixed Income (Bloomberg U.S. Universal)	(0.5%)	2.7%
U.S. Treasuries (Bloomberg U.S. Treasury)	(1.0%)	0.1%
U.S. Treasuries: Long (Bloomberg U.S. Treasury 20+)	(3.8%)	(7.3%)
U.S. High Yield (Bloomberg U.S. Corporate HY)	1.5%	11.2%
Bank Loans (S&P/LSTA Leveraged Loan)	2.5%	12.4%
Emerging Market Debt Local (JPM GBI-EM Global Diversified)	(2.1%)	4.9%
Emerging Market Debt Hard (JPM EMBI Global Diversified)	2.0%	11.3%
Mortgage-Backed Securities (Bloomberg MBS)	(1.0%)	1.4%

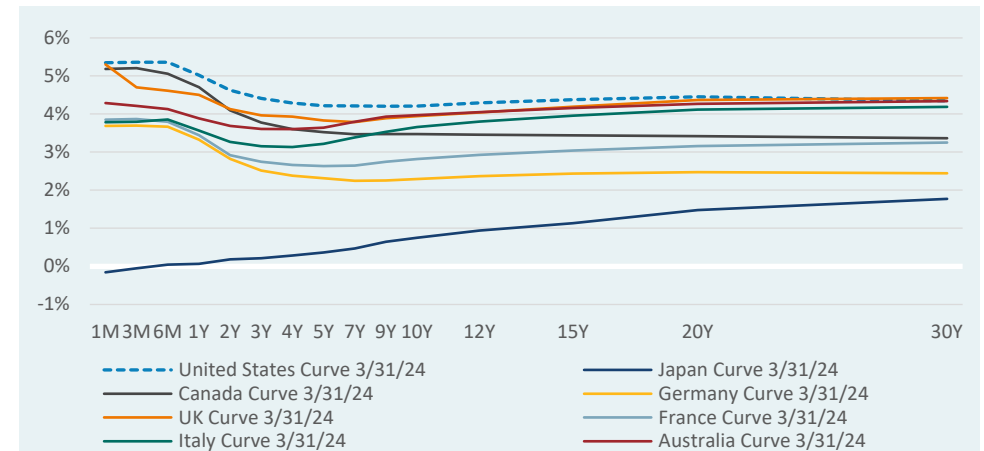
Source: Bloomberg, as of 3/31/24

Yield environment

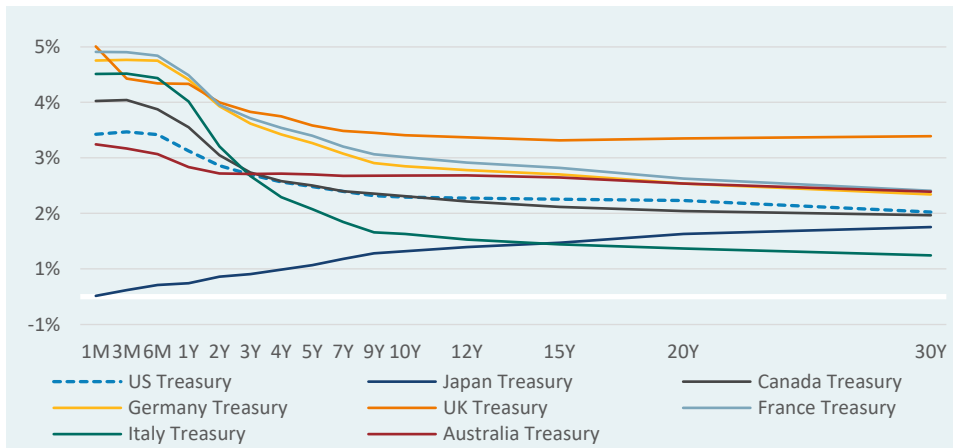
U.S. YIELD CURVE



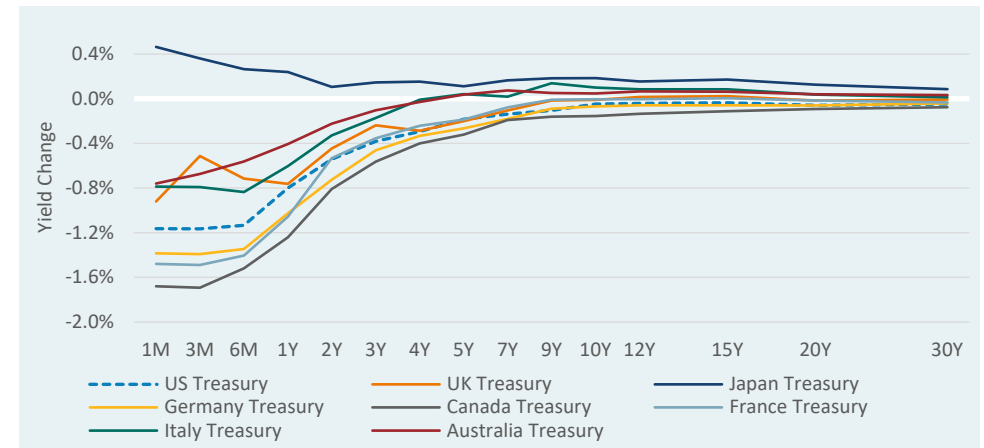
GLOBAL GOVERNMENT YIELD CURVES



YIELD CURVE CHANGES OVER LAST FIVE YEARS



IMPLIED CHANGES OVER NEXT YEAR



Source: Bloomberg, as of 3/31/24

Credit environment

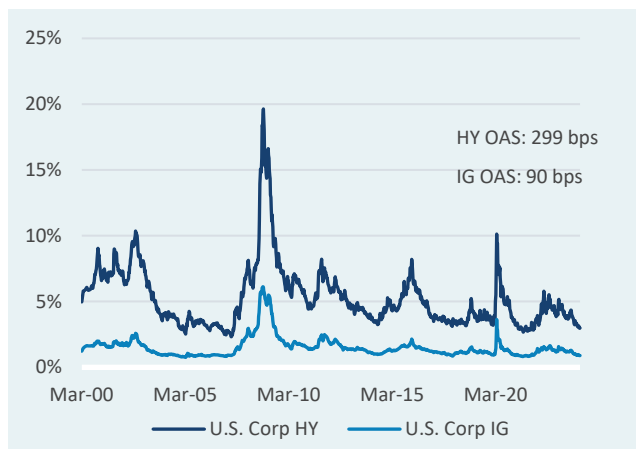
During the first quarter, credit markets delivered mixed returns with lower-quality credits such as high yield bonds and bank loans leading. Bank loans rose +2.5% (CS Leveraged Loans), while high yield bonds increased by +1.5% (Bbg U.S. Corporate High Yield). Longer duration investment grade corporate bonds (Bloomberg U.S. Long Corporate Credit) fell by -1.7% as pressure from both rising interest rates and higher expected inflation acted as a headwind to performance.

Returns across credit ratings were mixed during Q1. Higher-quality BB-rated bonds returned +1.3% compared to +1.0% for B-rated and +1.3% for and CCC-rated bonds, respectively. Lower-quality bank loans experienced strong returns with CCC-rated loans rising by +6.0%,

compared to +2.5% and +1.9% for BB- and B-rated loans, respectfully,

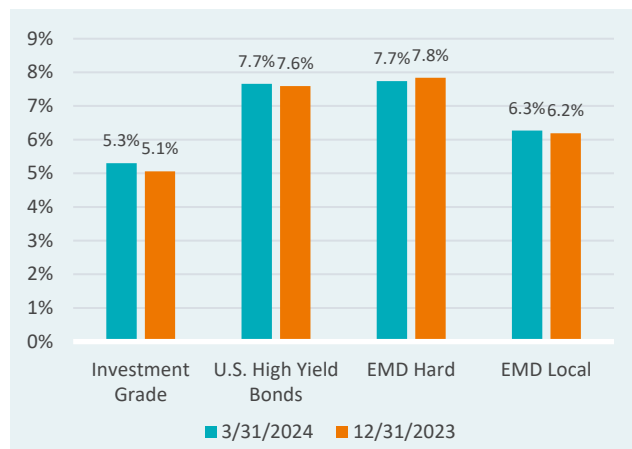
Credit spreads were slightly narrower during the quarter as stronger-than-expected economic growth eased concerns related to potential recession. Lower-quality high yield bond spreads fell by 0.2% to roughly 3.2%, while investment grade spreads decreased by roughly 0.1% to 1.2%. Broadly, spreads remain below their long-term historical averages, which suggests that investors are staying confident about the ability of those businesses to service debt. That said, slower U.S. economic growth could lead to wider credit spreads as investors might seek safety in higher quality assets.

SPREADS



Source: Barclays, Bloomberg, as of 3/31/24

YIELD TO WORST



Source: Bloomberg, J.P. Morgan as of 3/31/24

CREDIT SPREAD (OAS)

Market	3/31/24	3/31/23
Long U.S. Corp	1.1%	1.6%
U.S. Inv Grade Corp	0.9%	1.4%
U.S. High Yield	3.1%	4.6%
U.S. Bank Loans*	3.9%	3.7%

Source: Barclays, Credit Suisse, Bloomberg, as of 3/31/24
*Discount margin (4-year life)

Default & issuance

Default activity increased during the quarter as slowing economic growth and rising borrowing costs acted as headwinds. During the period, \$20.6 billion of bank loan and high yield bonds were affected by default or distressed exchanges, up from \$15.8 billion in the prior quarter. Notable company defaults included Jo-Ann's (Retail), Hornblower (Travel & Leisure), and RobertShaw (Technology).

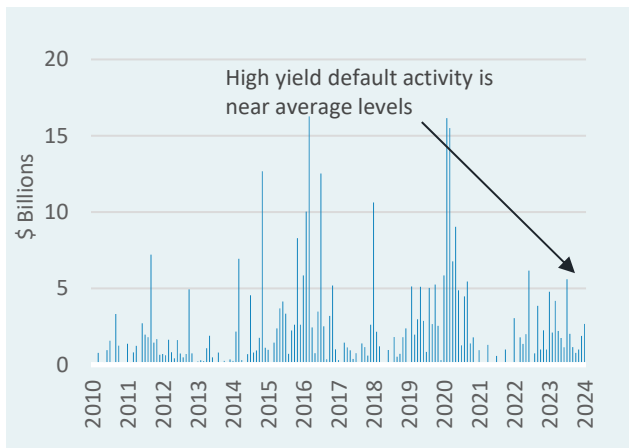
Year-to-date, the combined total of defaults and exchanges tracked slightly behind last year's pace by roughly -3.0%.

High yield bond default rates increased to 2.6%, up from 1.9% a year earlier, but were still below the long-term annual average of roughly 3.4%. High-yield default recovery rates ended the quarter at 33.1%, up slightly from

32.8% at the end of 2023, but below the long-term average of roughly 40%.

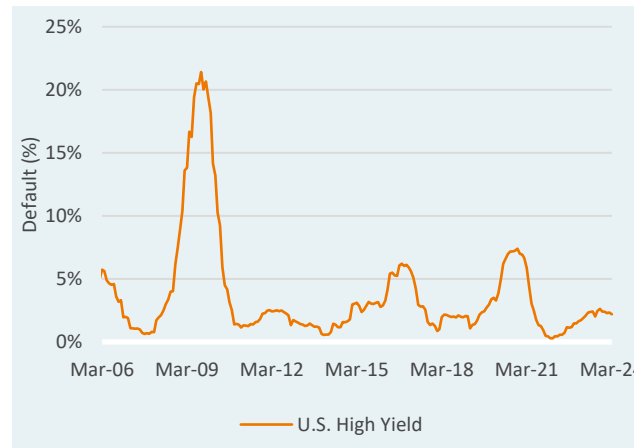
The issuance of investment grade credit increased significantly from the prior quarter, by \$328.0 billion (\$531.0 billion from \$208.0 billion). Despite higher borrowing costs, high-yield bond issuance climbed slightly to \$86.6 billion during the quarter (up from \$42.0 billion in Q4). On a year-over-year basis, the volume of both investment-grade and high yield issuance increased by roughly \$181.0 billion, (\$636.0 billion from \$436.0 billion). Low credit spreads improve the relative attractiveness of borrowing, which was likely a factor driving recent strong issuance.

U.S. HY MONTHLY DEFAULTS (PAR WEIGHTED)



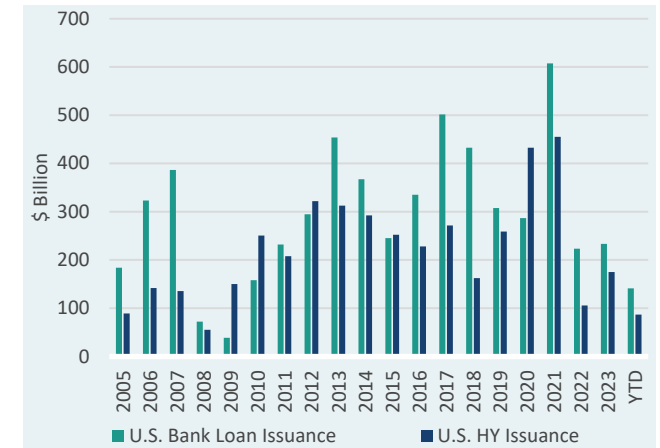
Source: BofA Merrill Lynch, as of 3/31/24

U.S. HY SECTOR DEFAULTS (LAST 12 MONTHS)



Source: BofA Merrill Lynch, as of 3/31/24 – par weighted

DEVELOPED MARKET ISSUANCE (\$ BILLIONS)

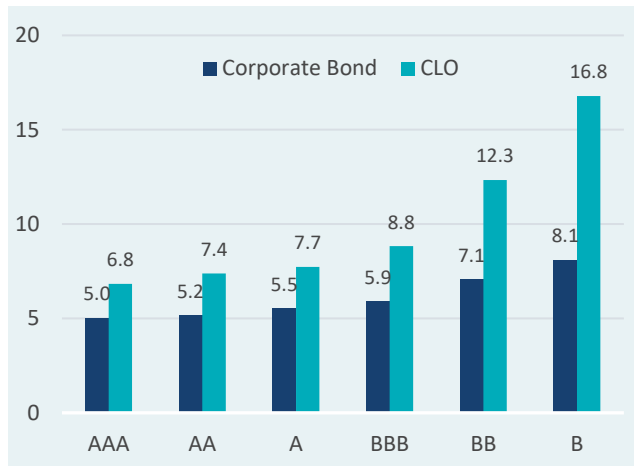


Source: BofA Merrill Lynch, all developed markets, as of 3/31/24

Credit hedge funds

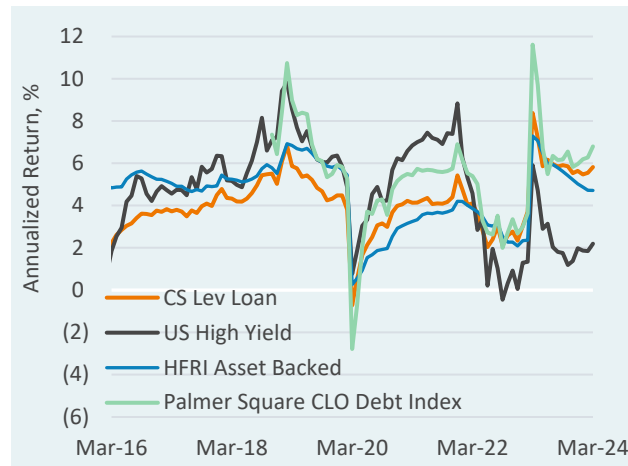
- Structured credit hedge funds, which focus on credit sectors such as CLOs, ABS (auto, credit card, etc), MBS, and CMBS, continue to deliver strong returns relative to traditional high yield and remain competitive relative to leveraged loan performance.
- Yields in those securitized markets remain wide in contrast to equivalent rating-risk corporate yields, with CLOs offering 150-300bps of spread in the IG tranches and up to 800bps in sub-investment grade tranches. Other sectors, such as CMBS, offer significantly wider spreads, evidence of the uncertainty and stress unfolding in the commercial property market.
- Distressed credit hedge funds performed well after the pandemic due to the amount of dry powder these strategies typically keep on hand and the abundance of opportunities created by market stress during that period. Strategies have kept up with high yield in the last 12-18 months and have seen their opportunity set gradually improve as interest rates remain elevated.

CLO VS CORPORATE BOND YIELDS (%)



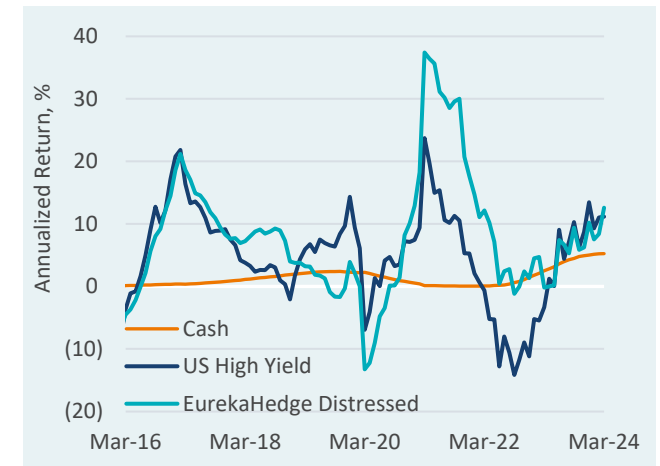
Source: Bloomberg, BofA, Federal Reserve, MPI. As of 3/31/24

3 YEAR ROLLING RETURN



Source: CS, HFR, Bloomberg, Palmer Square, MPI

1 YEAR ROLLING RETURN



Source: Bloomberg, EurekaHedge, MPI

Equity

Equity environment

- U.S. equities (S&P 500 +10.6%) continued an impressive rally during the first quarter, once again outpacing international developed equities (MSCI EAFE +5.8%) and emerging markets (MSCI EM +2.4%). The domestic market has also delivered outperformance over the past year, fueled by the artificial intelligence boom. Telecom (+49.8%) and Technology (+46.0%) saw the biggest gains during the period.
- The U.S. dollar gained in value during Q1, likely buoyed by the higher for longer interest rate narrative. A reassessment of the Federal Reserve policy path for 2024 has improved the outlook for the dollar, as currencies which offer higher interest rates, and relatively attractive prospects for continued higher interest rates, tend to better hold their value. Losses from unhedged Japanese currency exposure has been extreme (-9.3% over the quarter, -25.2% over the past year, as indicated by the TOPIX Index).
- Style investing underperformed during Q1. Small cap lagged large cap by -5.1% (Russell 2000 +5.2% vs. Russell 1000 +10.3%). Value underperformed Growth by -2.4% (Russell 1000 Value +9.0% vs. Russell 1000 Growth +11.4%). Style premia has also suffered over the past full year. Small cap underperformed large cap by -10.2% while value stocks underperformed growth by -18.7%.
- Market-priced volatility (Cboe VIX Index) remained incredibly low during the quarter, ending at 13.0 in March. Historically, market volatility of this level has coincided with strong upward trending risk asset prices and investor enthusiasm.

	QTD TOTAL RETURN		1 YEAR TOTAL RETURN	
	(unhedged)	(hedged)	(unhedged)	(hedged)
U.S. Large Cap (S&P 500)	10.6%		29.9%	
U.S. Small Cap (Russell 2000)	5.2%		19.7%	
U.S. Equity (Russell 3000)	10.0%		29.3%	
U.S. Large Value (Russell 1000 Value)	9.0%		20.3%	
US Large Growth (Russell 1000 Growth)	11.4%		39.0%	
Global Equity (MSCI ACWI)	8.2%	9.6%	23.2%	25.4%
International Large (MSCI EAFE)	5.8%	10.5%	15.3%	22.4%
Eurozone (EURO STOXX 50)	10.3%	13.1%	20.1%	23.6%
U.K. (FTSE 100)	3.0%	4.0%	10.7%	9.1%
Japan (TOPIX)	10.0%	19.3%	24.0%	49.2%
Emerging Markets (MSCI Emerging Markets)	2.4%	4.4%	8.2%	10.7%

Source: Russell Investments, MSCI, STOXX, FTSE, JPX, as of 3/31/24

Domestic equity

U.S. equities notched another quarter of outperformance over international developed and emerging market shares, with the S&P 500 finishing up +10.6%. Market momentum carried forward from the end of 2023, as large cap equities advanced off a boost to corporate earnings from developments in accelerated computing and artificial intelligence. At the same time, economic indicators reflected resilience across labor and economic activity, alleviating some fears around potential recession.

Large technology company performance has helped push the broader index higher, as the Magnificent Seven contributed around 37% of the S&P 500's total return in the first quarter, per Morningstar. A combination of Nvidia, Microsoft, Meta, and Amazon drove 47% of total returns. The Magnificent 7

stocks fueled nearly two-thirds of index performance in 2023. These figures exemplify the outsized impact large companies have had on broader domestic equity returns, both to the downside and upside.

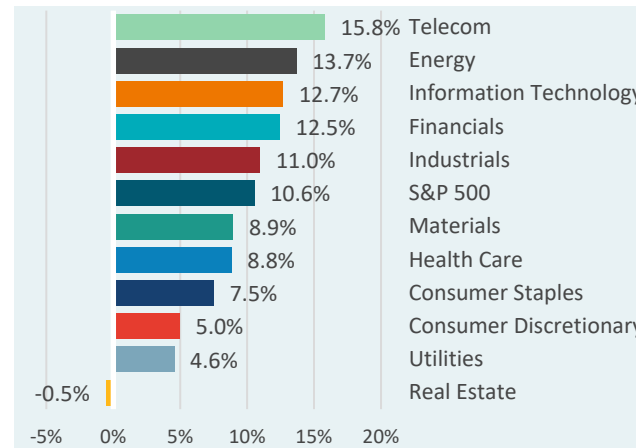
On the other hand, these strong price gains have moved valuations towards the richer side of the historical range, and the term “priced for perfection” has become more popular amongst the news lexicon. U.S. shares have also been relatively unbothered by changing expectations for the Federal Reserve rate hiking path. The higher for longer narrative has had a large negative impact on bond markets, but apparently little impact on risk assets, so far.

S&P 500 PRICE INDEX



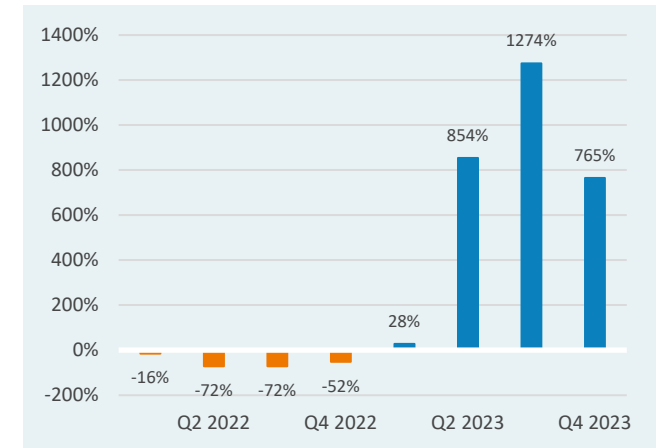
Source: Bloomberg, as of 3/31/24

Q1 2024 SECTOR PERFORMANCE



Source: Morningstar, as of 3/31/24

NVIDIA EPS GROWTH (YEAR-OVER-YEAR)



Source: Nvidia, as of 3/31/24. GAAP Diluted EPS

Domestic equity size & style

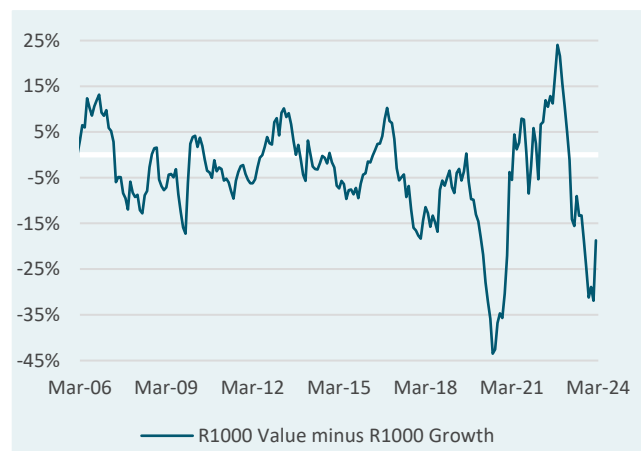
Small cap and value style investing underperformed during Q1. Small cap lagged large cap by -5.1% (Russell 2000 +5.2% vs. Russell 1000 +10.3%). Value underperformed Growth by -2.4% (Russell 1000 Value +9.0% vs. Russell 1000 Growth +11.4%). These style premia also suffered over the past full year. Small cap underperformed large cap by -10.2% while value stocks underperformed growth by -18.7%.

Mega cap companies continue to dominate large cap index performance. The “Magnificent 7” securities, including Amazon, Netflix, Google, Meta, Nvidia, Apple, and Tesla, drove the index into drawdown territory during 2022, contributed to a strong bounce back rally in 2023, then have pushed the index higher still in 2024. However, performance of this group

has been a bit mixed year-to-date, with Apple and Tesla lagging the overall index materially. Index concentration has created headwinds for the performance of active managers, on average, and dominant growth stocks have pushed the overall index towards a higher multiple while depressing dividend yields.

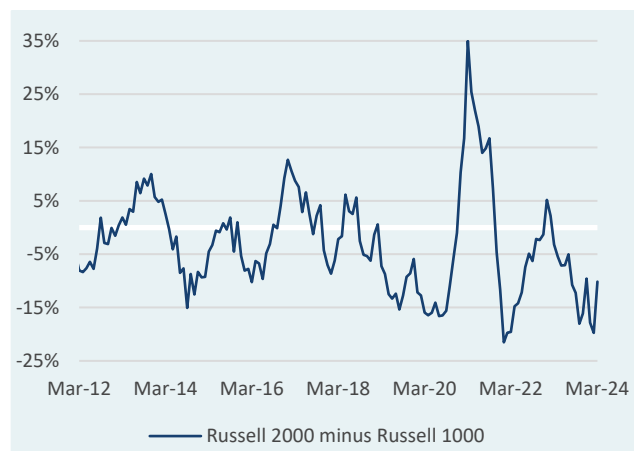
Variability in the behavior of style factors, often driven by idiosyncratic sector moves and broader macro themes, continues to provide evidence that style investing should typically be a longer-term endeavor. Short-term factor timing decisions should in most circumstances be pursued only in the rare occasion of obvious market mispricing and a foreseen catalyst for price correction.

VALUE VS. GROWTH 1-YR ROLLING



Source: FTSE, as of 3/31/24

SMALL CAP VS LARGE CAP 1-YR ROLLING



Source: FTSE, as of 3/31/24

1-YEAR SIZE & STYLE PERFORMANCE

	Value	Core	Growth
Large Cap	20.3%	29.9%	39.0%
Mid Cap	20.4%	22.3%	26.3%
Small Cap	18.8%	19.7%	20.3%

Source: FTSE, as of 3/31/24

International developed equity

International developed shares notched a strong first quarter, although returns trailed domestic equities. The MSCI EAFE index returned +5.8% in unhedged U.S. dollar terms, materially lower than the hedged return of +10.5%. The dollar's advance was likely fueled by higher rate expectations for the Federal Reserve, along with expected policy easing decisions from the European Central Bank and Bank of Japan, both of which are positive for the U.S. dollar (i.e. led to losses for unhedged investors).

Resilient global economic growth has been a tailwind to performance amongst international developed shares. All major regional equities (Eurozone, Japan, and United Kingdom)

saw positive returns over the period.

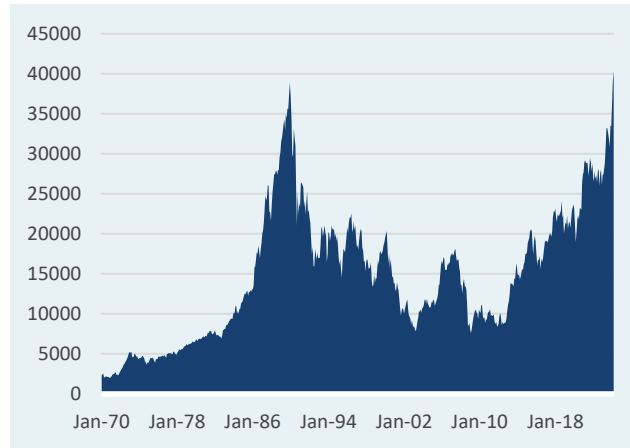
While performance has been better than expected, future growth catalysts remain uncertain. Falling Eurozone inflation boosted regional risk assets, as inflation fell from 3.1% to 2.4% in March. Easing inflation has taken some pressure off the ECB, resulting in rising expectations for rate cuts in June. In Japan, equities have carried forward positive momentum from 2023, evident by the Nikkei achieving a 34-year high in February. Easy monetary policy from the BOJ continues to provide a boost to local earnings, while poor inflation and wage growth metrics have provided little evidence for the BOJ to quickly move away from their low interest rate policy.

INTERNATIONAL DEVELOPED EQUITY



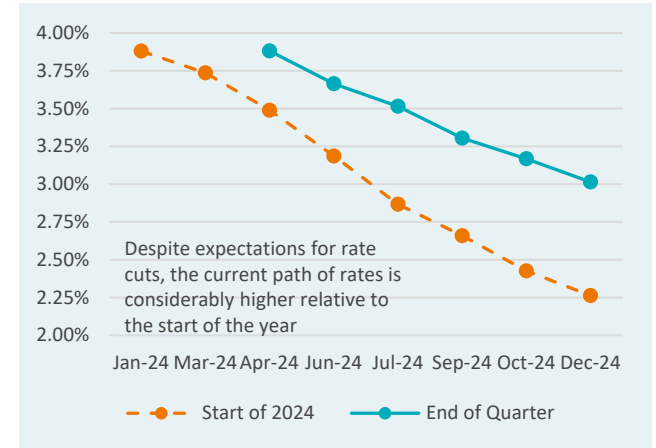
Source: MSCI, as of 3/31/24

NIKKEI 225 INDEX



Source: Bloomberg, Nikkei, as of 3/31/24

ECB RATE EXPECTATIONS



Source: Bloomberg, as of 3/31/24

Emerging market equity

Emerging markets have delivered mild gains year-to-date, rising +2.4%, and are up +8.2% over the past year. Chinese equities have continued to act as a drag the index, down -2.2% in 2024, and -17.1% over the past year.

From a sector perspective, the momentum behind accelerated computing carried into emerging markets, as the information technology sector outperformed (+9.5%), driven by gains from South Korea & Taiwan. Peru, Turkey, and Columbia were the best performing countries in the first quarter, seeing gains of +15.5%, +14.1%, and +12.5% - broadly gaining off strength in oil and copper.

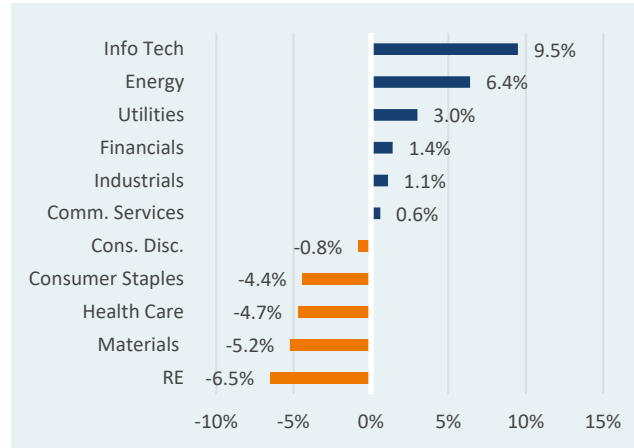
China remains a large question mark among emerging market country exposures, facing significant structural headwinds in the form of a declining population, imbalances in the real estate market, and a reversal in sentiment from the international community which contributed to a broad withdrawal of foreign direct investment, for example. Additionally, many U.S.-based institutional investors have centered on the possibility of top-down government restrictions on China investment that, if imposed, could result in losses to existing exposure as this could cause a way of selling activity. An invasion of Taiwan remains another risk, though we believe the chances of this are remote.

EMERGING MARKET EQUITY



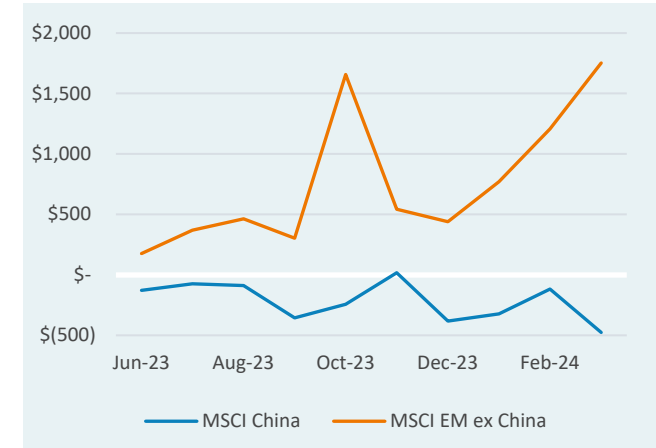
Source: MSCI, as of 3/31/24

MSCI EM Q1 2024 SECTOR RETURNS (USD)



Source: MSCI, J.P. Morgan, as of 3/31/24

ISHARES ETF MONTHLY FUND FLOWS (\$M USD)



Source: BlackRock, Bloomberg, as of 3/31/24

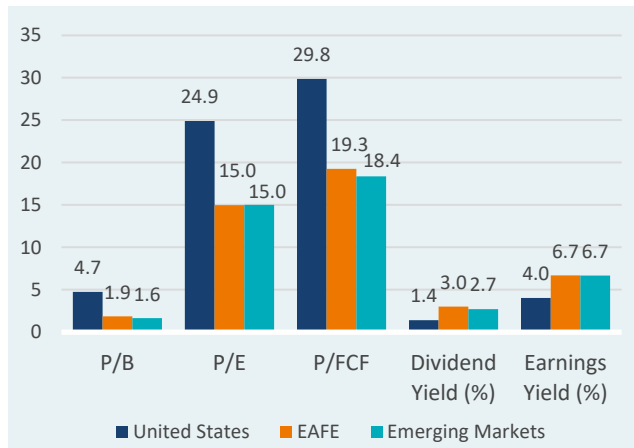
Equity valuations

Valuations drifted upward during the quarter, as the equity rally has been driven partially by higher price multiples. Larger multiples and a greater concentration of growth stocks in the index, which tend to have lower dividend payout ratios, have led the S&P 500 to offer a nearly all-time low dividend yield of 1.4%. In an environment where investors can receive more than a 5% yield from risk-free cash, this is testament to the rising attractiveness of fixed income relative to equities.

Domestic equities are priced at a 40% premium over international developed markets, and have shown little sensitivity so far to investors'

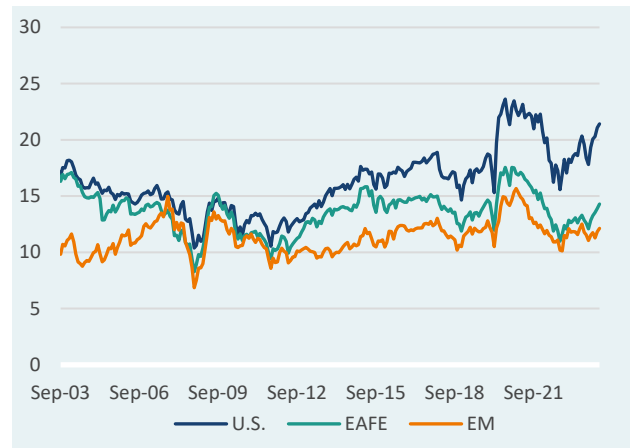
repricing of the interest rate path in 2024. Future stock market returns must come from either: corporate earnings growth, expansion of stock multiples (meaning stocks become more expensive), higher dividend yields (an increase in dividend payments), or higher inflation (assuming businesses pass this on by raising prices in line with inflation). In the current environment of already high stock multiples, a very low dividend yield, and high corporate profit margins, the likelihood of seeing another decade of performance like investors have received over the past ten years seems low.

MSCI VALUATION METRICS (3-MONTH AVG)



Source: Bloomberg, as of 3/31/24

FORWARD PRICE/EARNINGS RATIO



Source: MSCI, Bloomberg, as of 3/31/24

S&P 500 HISTORICAL DIVIDEND YIELD



Source: S&P, Bloomberg, as of 3/31/24

Market volatility

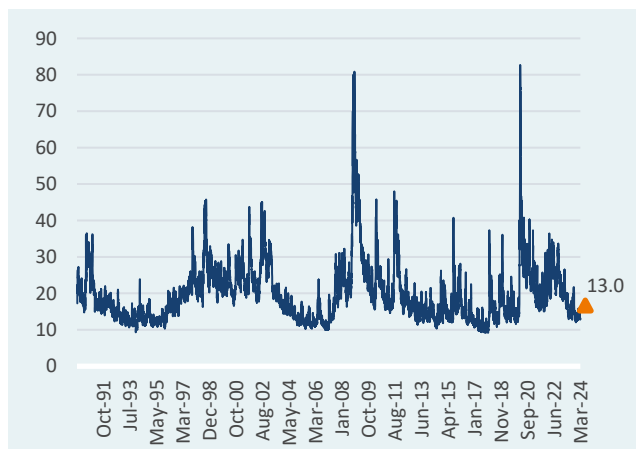
Market-priced volatility (Cboe VIX Index) remained incredibly low during the quarter, ending at 13.0 in March. Historically, market volatility of this level has coincided with strong upward trending risk markets and investor enthusiasm.

The realized past one-year volatility of global equity markets has moderated, with U.S. equity volatility at 13.6%—very close to current VIX implied volatility. The relative volatility of markets has moved back in line with historical behavior—U.S. equities showing the lowest volatility, followed closely by international developed equities, and with emerging market equities delivering greater risk.

However, many investors might be surprised to know that international developed equities have shown similar risk to U.S. equities over the long term, if currency movements are excluded. It is unhedged currency exposure that has historically caused the difference in risk.

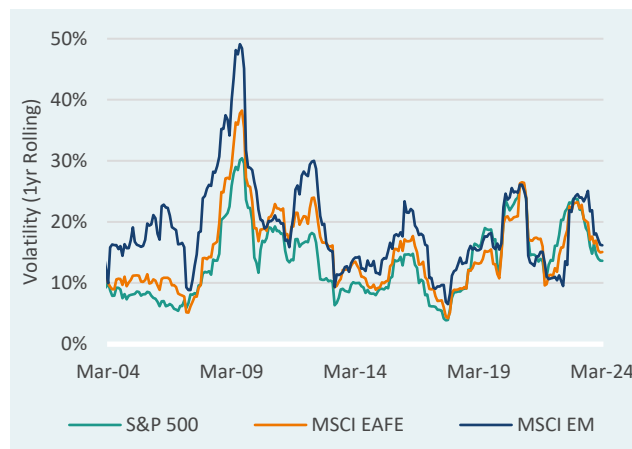
Bond market implied volatility has moderated considerably from extreme levels of 2023. This is indicated by the “MOVE” Index—which calculates the implied volatility of U.S. Treasury securities. However, notable uncertainty remains around inflation, the Federal Reserve’s interest rate path and the extent of rate cuts (if any) in 2024, and economic growth.

U.S. IMPLIED VOLATILITY (VIX)



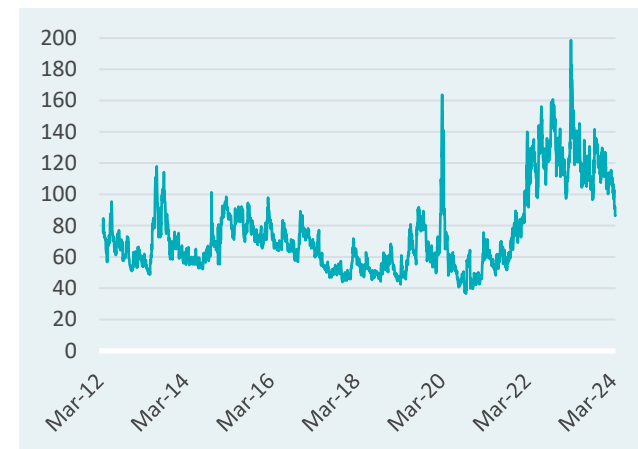
Source: Cboe, as of 3/31/24

REALIZED VOLATILITY



Source: S&P, MSCI, as of 3/31/24

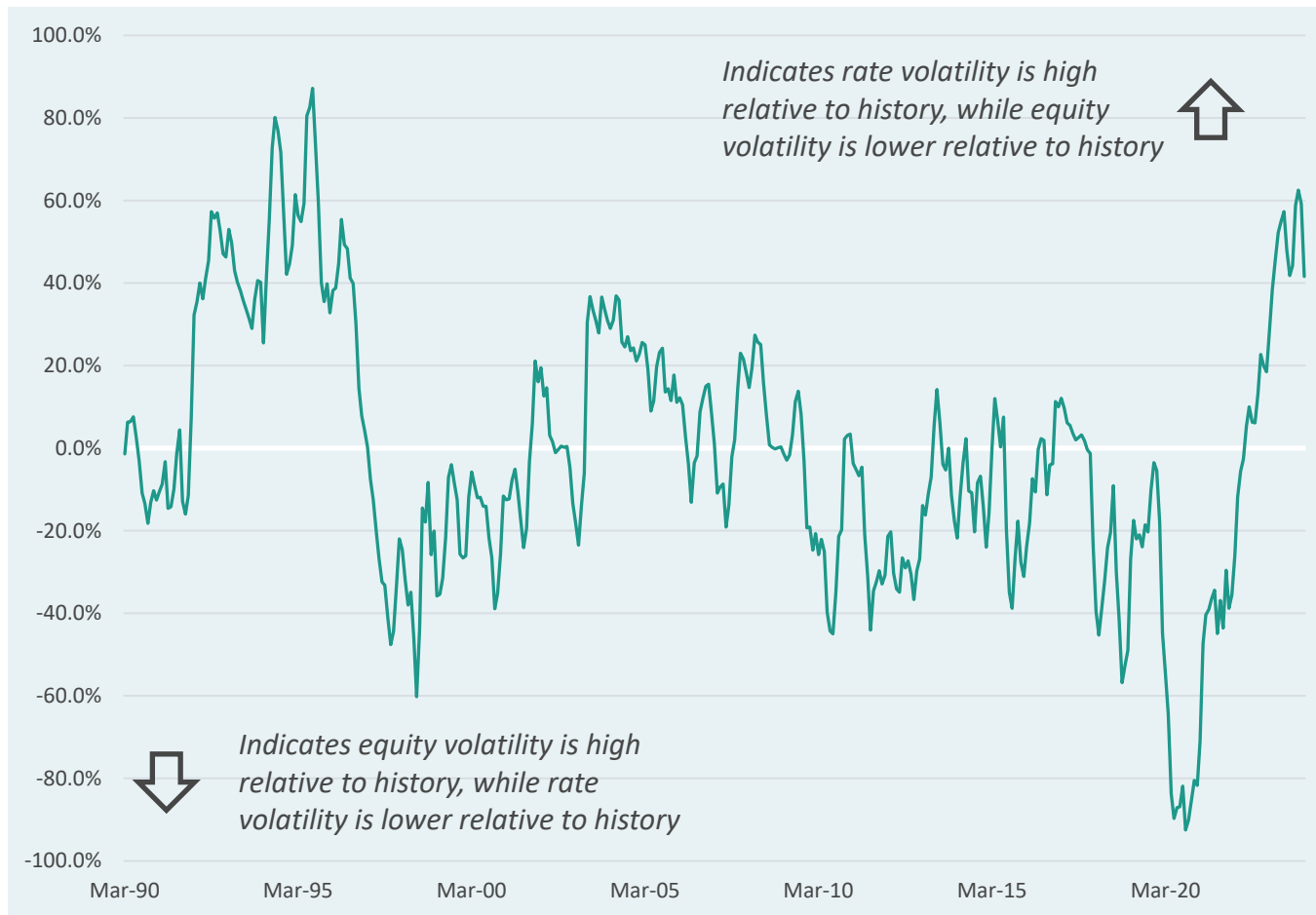
U.S. TREASURY IMPLIED VOL (“MOVE” INDEX)



Source: Bloomberg, as of 3/31/24

Implied volatility: domestic rates vs. equity

RATES VS. EQUITIES VOLATILITY: HISTORICAL PERCENTILE SPREAD

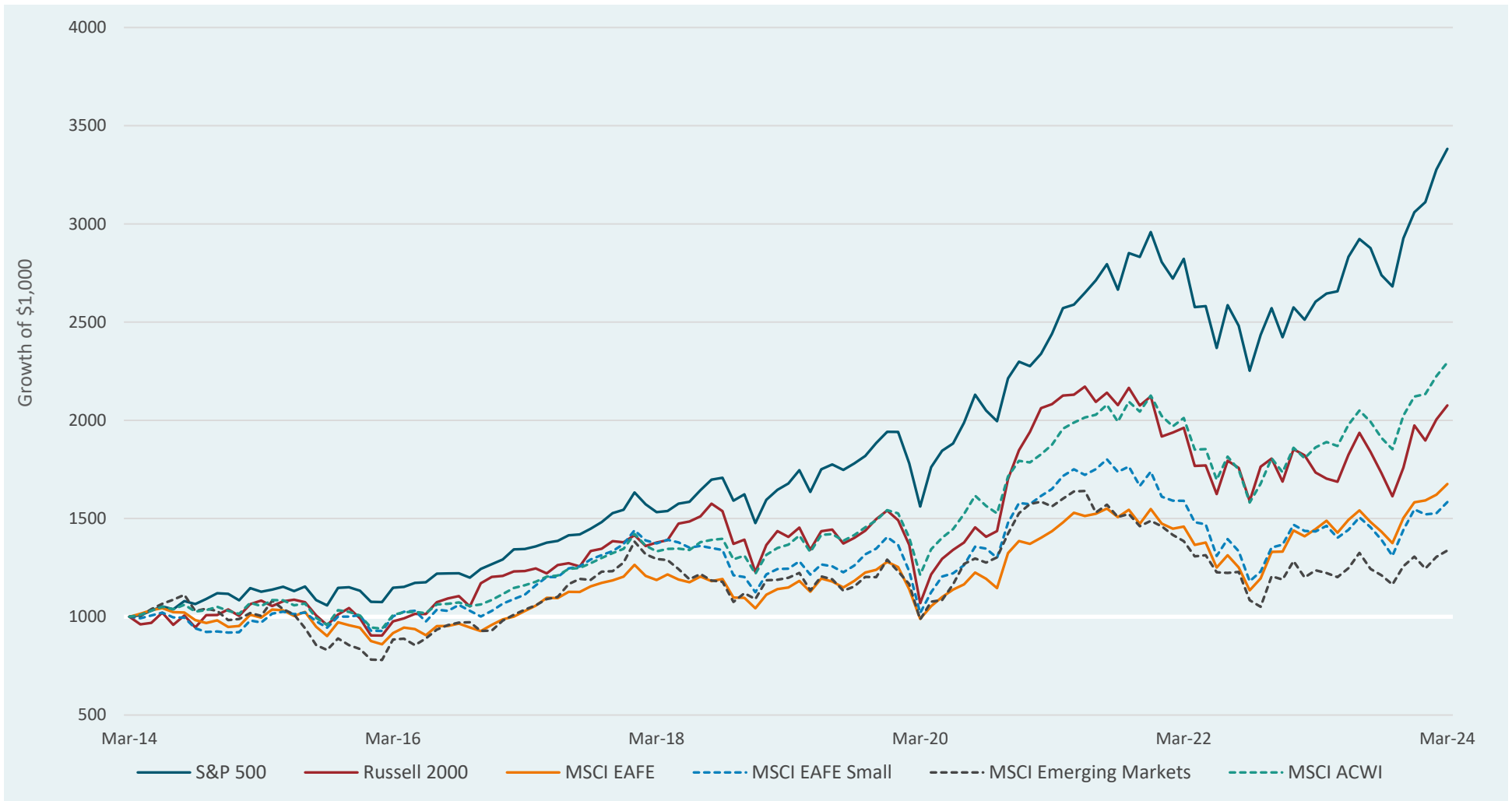


This chart looks at the relationship between rate and equity volatility by comparing historical percentiles dating back to 1990. By taking a spread between the rate and equity percentile, we get a clear picture of environments when implied volatility is relatively higher for one asset class compared to the other.

Our chart shows that we have not seen an environment like this since 1995 (which is also viewed as the Fed's only "soft landing").

Source: ICE BofA, CBOE, as of 3/31/24

Long-term equity performance



Source: MPI, as of 3/31/24

Other assets

Currency

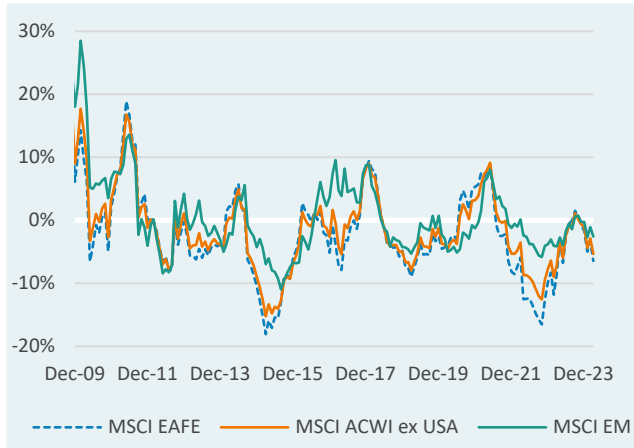
The U.S. dollar gained in value during the quarter, likely buoyed by the *higher for longer* interest rate narrative. A reassessment of the Federal Reserve policy path for 2024 has improved the outlook for the dollar, as currencies which offer higher interest rates, and relatively attractive prospects for continued higher interest rates, tend to better hold their value.

Investors without a currency hedging program in place lost -4.7% from their international developed equity exposure (MSCI EAFE) during the quarter and -7.1% over the past year. Losses from unhedged Japanese currency exposure have been extreme (-9.3% over the quarter, -25.2% over the past year, based on the TOPIX Index), while unhedged European equity exposure losses due to currency have been milder (-2.8% over the quarter, -2.5% over

the past year, based on the EURO Stoxx 50 Index).

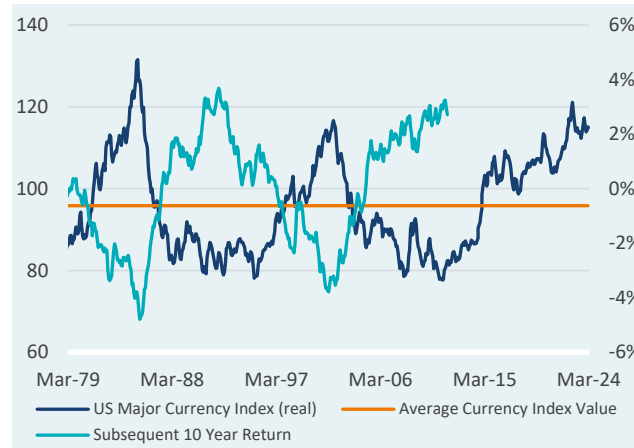
This past year marks another period of uncompensated volatility and losses caused by unhedged currency market exposure. The benefits which a more thoughtful currency approach might deliver have been on display for a number of years. This approach involves reducing the uncompensated risk of unhedged foreign currency exposure, and instead of unhedged exposure to currency markets, making a passive investment in the currency market by investing in currencies with higher interest rates, currencies that are undervalued, and currencies that are showing positive price momentum. This approach, represented by the MSCI Currency Factor Mix Index—has offered a positive one-year rolling return over most periods with far lower volatility than the unhedged currency exposure that many investors hold.

EFFECT OF CURRENCY (1-YEAR ROLLING)



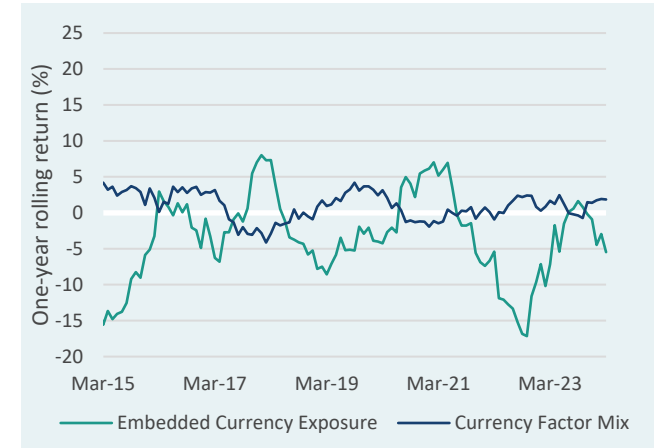
Source: MSCI, as of 3/31/24

U.S. DOLLAR MAJOR CURRENCY INDEX



Source: Bloomberg, as of 3/31/24

EMBEDDED CURRENCY VS CURRENCY FACTORS



Source: Bloomberg, MSCI, as of 3/31/24

Appendix

Periodic table of returns

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	YTD	5-Year	10-Year
Large Cap Growth	26.0	34.5	32.6	39.8	5.2	79.0	29.1	14.3	18.6	43.3	13.5	13.3	31.7	37.3	6.7	36.4	38.5	28.3	16.1	42.7	11.4	18.5	16.0
Large Cap Equity	22.2	21.4	26.9	16.2	1.4	37.2	26.9	7.8	18.1	38.8	13.2	5.7	21.3	30.2	1.9	31.4	34.6	27.6	9.4	26.5	10.3	14.8	12.7
Large Cap Value	20.7	20.1	23.5	15.8	-6.5	34.5	24.5	2.6	17.9	34.5	13.0	0.9	17.3	25.0	0.0	28.5	21.0	27.1	1.5	18.7	9.0	10.3	9.0
Small Cap Growth	18.3	14.0	22.2	11.8	-21.4	32.5	19.2	1.5	17.5	33.5	11.8	0.6	12.1	22.2	-1.5	26.5	20.0	26.5	-4.7	18.2	7.6	8.2	7.9
International Equity	16.5	7.5	18.4	11.6	-25.9	28.4	16.8	0.4	16.4	33.1	6.0	0.0	11.8	21.7	-3.5	25.5	18.3	25.2	-7.5	16.9	5.8	8.1	7.6
Small Cap Equity	14.5	7.1	16.6	10.9	-28.9	27.2	16.7	0.1	16.3	32.5	5.6	-0.4	11.3	17.1	-4.8	22.4	14.0	17.7	-13.0	15.4	5.2	7.4	6.9
60/40 Global Portfolio	14.3	6.3	15.5	10.3	-33.8	23.3	16.1	-2.1	15.3	23.3	4.9	-0.8	11.2	14.6	-6.0	22.0	10.3	14.8	-14.5	14.6	4.0	7.3	6.8
Hedge Funds of Funds	12.9	5.3	15.1	7.0	-35.6	20.6	15.5	-2.9	14.6	12.1	4.2	-1.4	8.0	13.7	-8.3	18.6	7.8	11.3	-14.5	11.5	3.9	6.4	5.3
Small Cap Value	11.4	4.7	13.3	7.0	-36.8	19.7	13.1	-4.2	11.5	11.0	3.4	-2.5	7.1	7.8	-9.3	18.4	7.5	8.9	-17.3	9.8	2.9	6.2	4.8
Emerging Markets Equity	9.1	4.6	10.4	5.8	-37.6	18.9	10.2	-5.5	10.5	9.0	2.8	-3.8	5.7	7.7	-11.0	8.7	4.6	6.5	-19.1	6.3	2.4	5.0	3.6
Commodities	6.9	4.6	9.1	4.4	-38.4	11.5	8.2	-5.7	4.8	0.1	0.0	-4.4	2.6	7.0	-11.2	7.8	2.8	2.8	-20.1	5.5	2.2	4.3	2.9
Cash	6.3	4.2	4.8	-0.2	-38.5	5.9	6.5	-11.7	4.2	-2.0	-1.8	-7.5	1.0	3.5	-12.9	7.7	0.5	0.0	-20.4	5.0	1.3	2.2	1.5
Real Estate	4.3	3.2	4.3	-1.6	-43.1	0.2	5.7	-13.3	0.1	-2.3	-4.5	-14.9	0.5	1.7	-13.8	6.4	0.5	-1.5	-26.4	-7.9	0.0	1.9	1.3
US Bonds	1.4	2.4	2.1	-9.8	-53.2	-16.9	0.1	-18.2	-1.1	-9.5	-17.0	-24.7	0.3	0.9	-14.6	2.1	-3.1	-2.5	-29.1	-7.9	-0.8	0.4	-1.6

Large Cap Equity

Large Cap Value

Large Cap Growth

Small Cap Equity

Small Cap Value

Small Cap Growth

International Equity

Emerging Markets Equity

US Bonds

Cash

Commodities

Real Estate

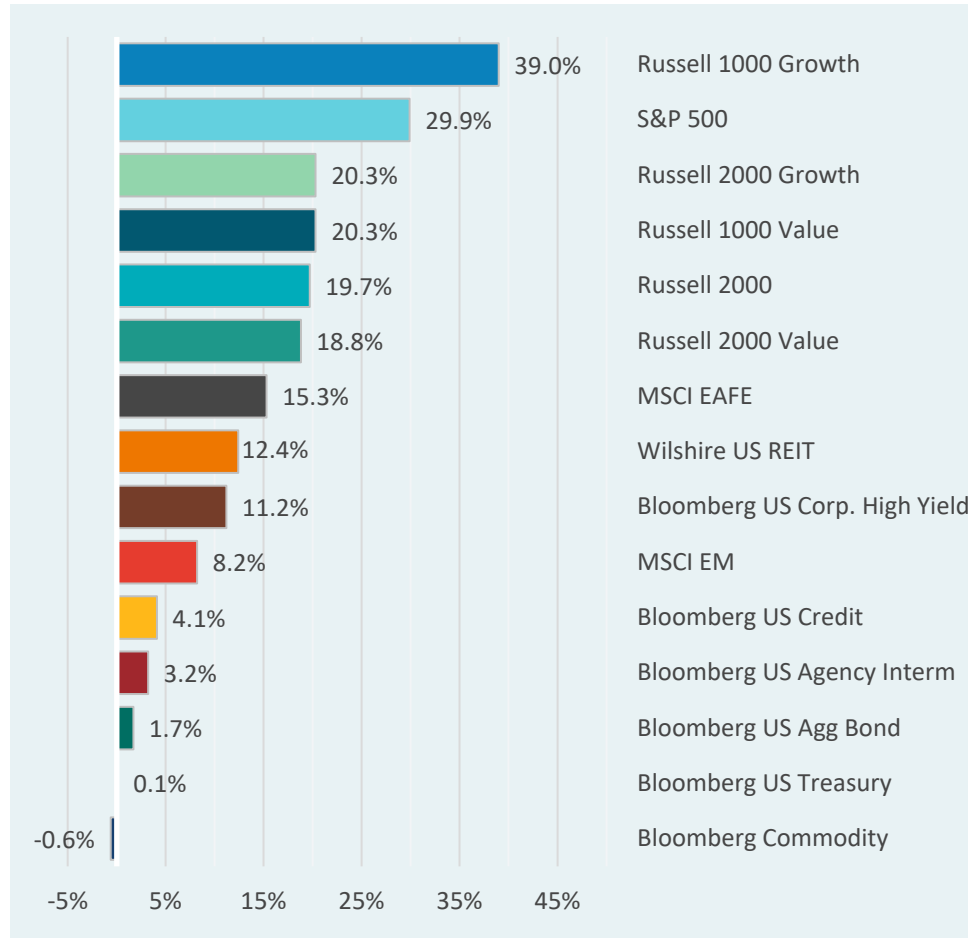
Hedge Funds of Funds

60% MSCI ACWI/40% Bloomberg Global Bond

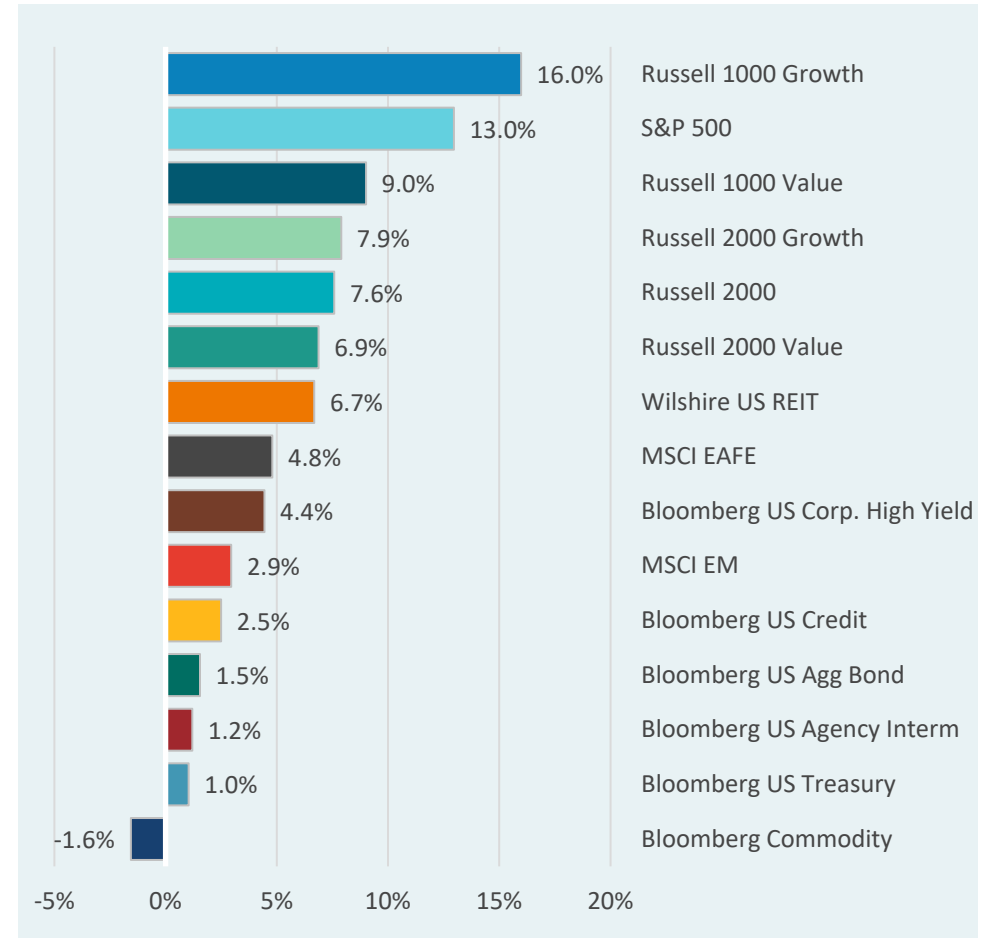
Source Data: Morningstar, Inc., Hedge Fund Research, Inc. (HFR), National Council of Real Estate Investment Fiduciaries (NCREIF). Indices used: Russell 1000, Russell 1000 Value, Russell 1000 Growth, Russell 2000, Russell 2000 Value, Russell 2000 Growth, MSCI EAFE, MSCI EM, Bloomberg US Aggregate, T-Bill 90 Day, Bloomberg Commodity, NCREIF Property, HFRI FOF, MSCI ACWI, Bloomberg Global Bond. NCREIF Property Index performance data as of 12/31/23.

Major asset class returns

ONE YEAR ENDING MARCH



TEN YEARS ENDING MARCH



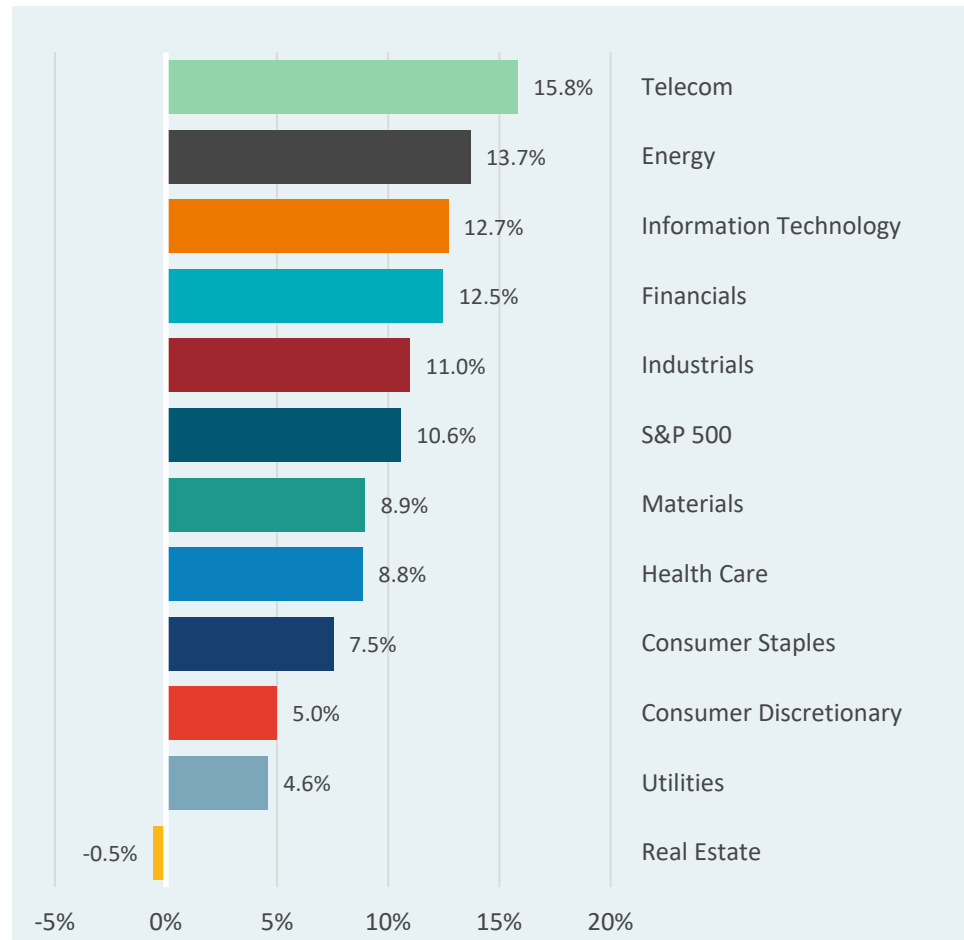
*Only publicly traded asset performance is shown here. Performance of private assets is typically released with a 3- to 6-month delay.

Source: Morningstar, as of 3/31/24

Source: Morningstar, as of 3/31/24

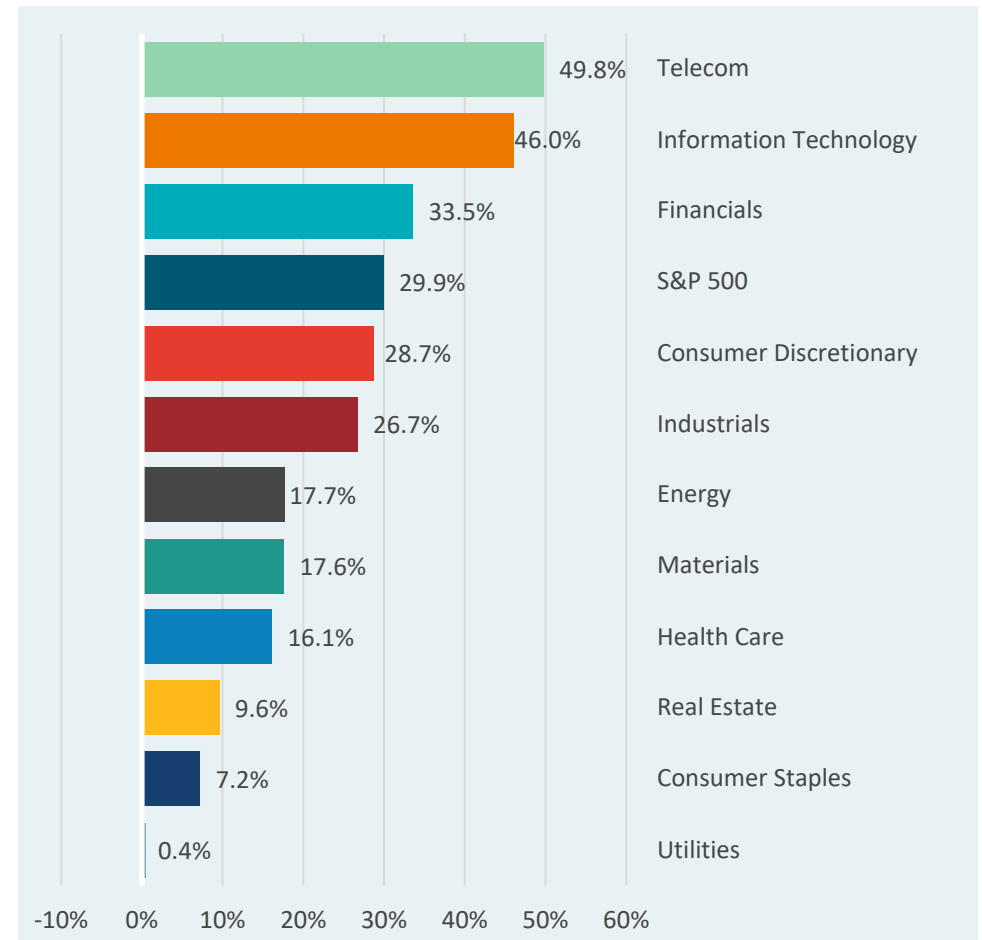
S&P 500 sector returns

QTD



Source: Morningstar, as of 3/31/24

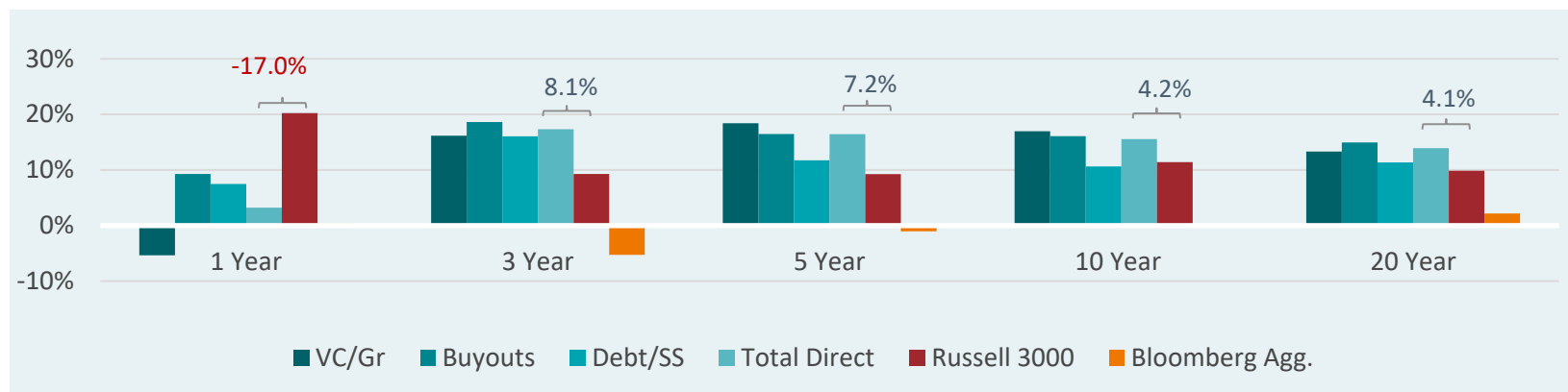
ONE YEAR ENDING MARCH



Source: Morningstar, as of 3/31/24

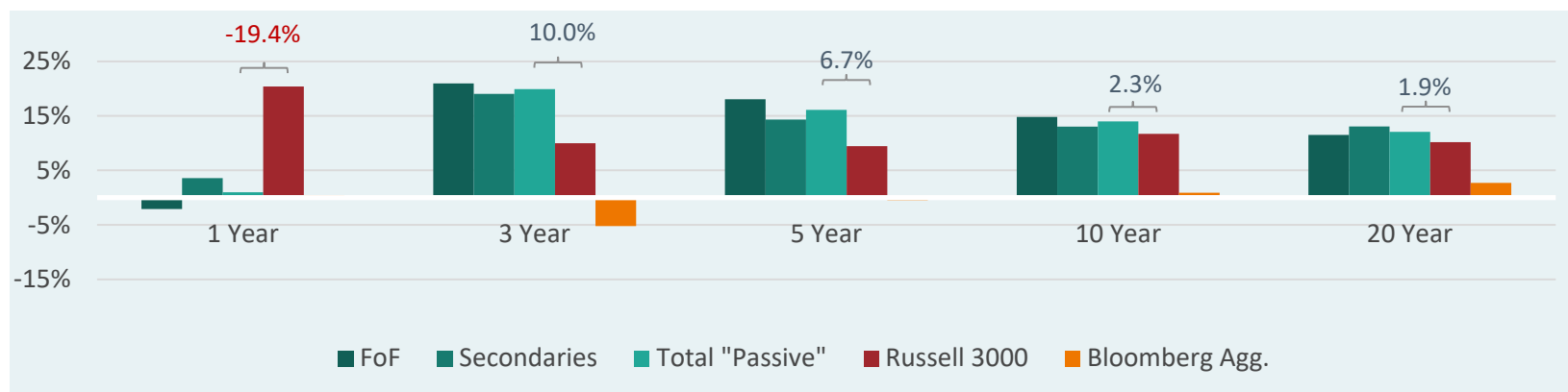
Private equity vs. traditional assets performance

DIRECT PRIVATE EQUITY FUND INVESTMENTS



Direct P.E Fund investments outperformed comparable public equities across all time periods, aside from the 1-year

"PASSIVE" STRATEGIES

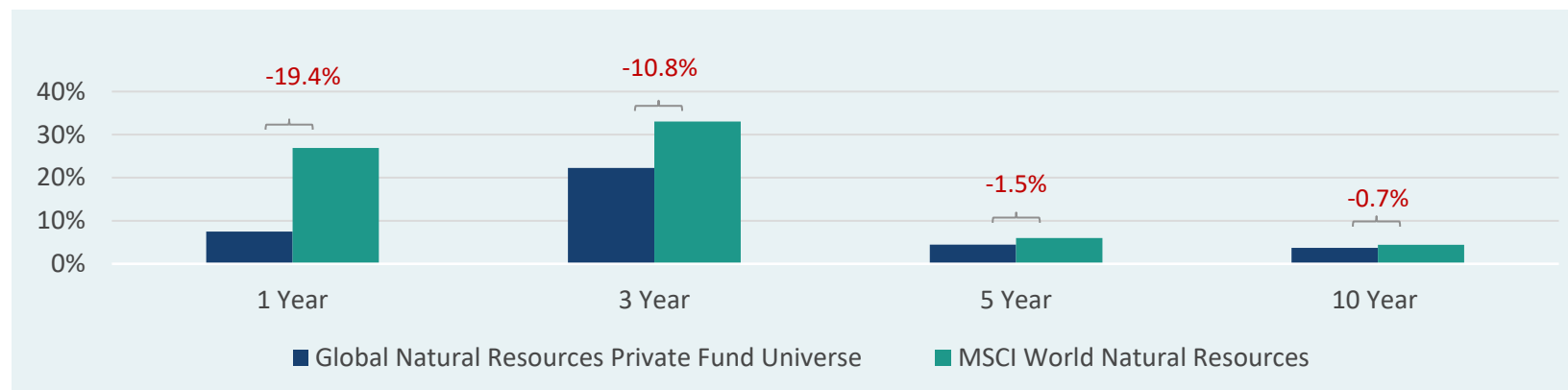


"Passive" strategies outperformed comparable public equities across all time periods, aside from the 1-year

Sources: Refinitiv PME: U.S. Private Equity Funds sub asset classes as of September 30, 2023. Public Market Equivalent returns resulted from "Total Passive" and Total Direct's identical cash flows invested into and distributed from respective traditional asset comparable.

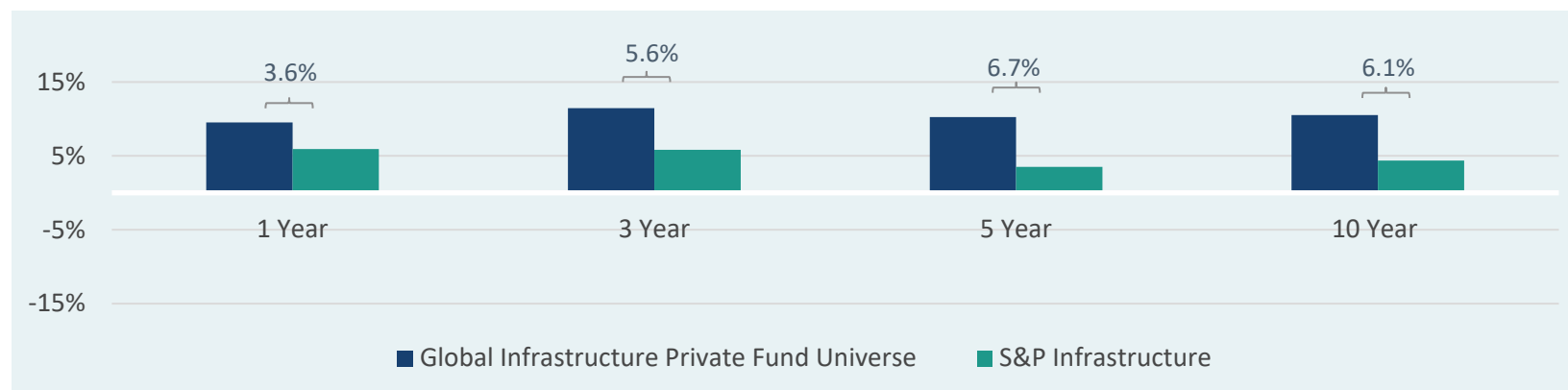
Private vs. liquid real assets performance

GLOBAL NATURAL RESOURCES FUNDS



N.R. funds underperformed the MSCI World Natural Resources benchmark across all periods

GLOBAL INFRASTRUCTURE FUNDS

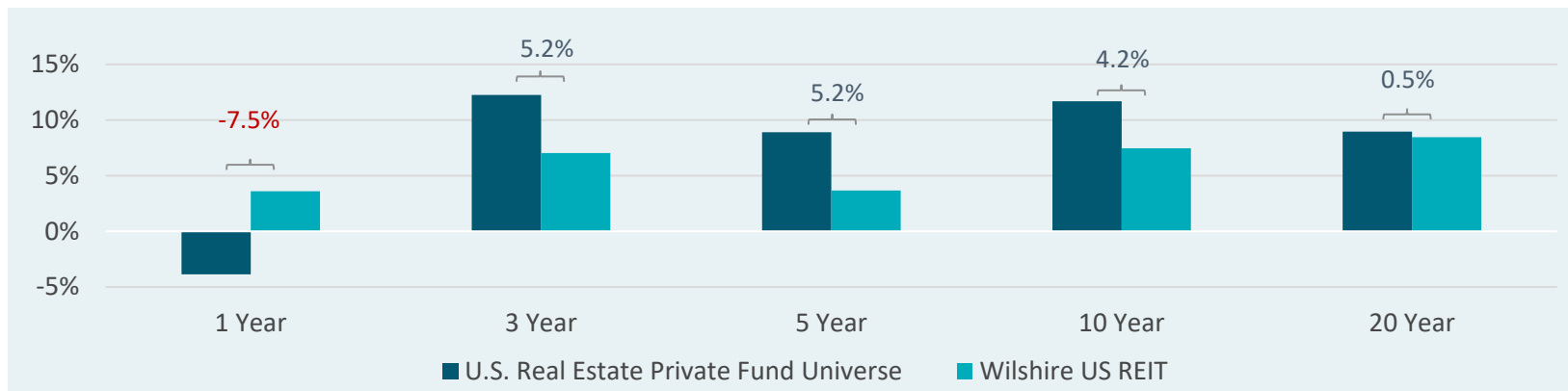


Infra. funds outperformed the S&P Infra. across all periods

Sources: Refinitiv PME: Global Natural Resources (vintage 1999 and later, inception of MSCI World Natural Resources benchmark) and Global Infrastructure (vintage 2002 and later, inception of S&P Infrastructure benchmark) universes as of September 30, 2023. Public Market Equivalent returns resulted from identical cash flows invested into and distributed from respective liquid real assets universes.

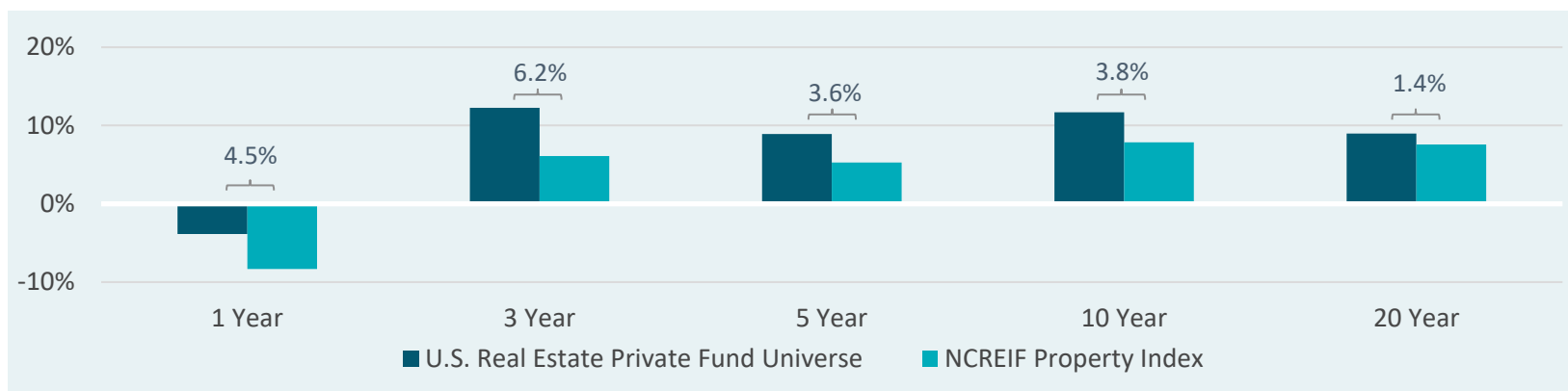
Private vs. liquid and core real estate performance

U.S. PRIVATE REAL ESTATE FUNDS VS. LIQUID UNIVERSE



U.S. Private R.E. funds outperformed the Wilshire U.S. REIT Index across most time periods, aside from the 1-year

U.S. PRIVATE REAL ESTATE FUNDS VS. CORE FUNDS



U.S. Private R.E. Funds outperformed the NCREIF Property Index across all time periods

Sources: Refinitiv PME: U.S. Real Estate universes as of September 30, 2023. Public Market Equivalent returns resulted from identical cash flows invested into and distributed from respective liquid real estate universes.

Detailed index returns

DOMESTIC EQUITY

	Month	QTD	YTD	1 Year	3 Year	5 Year	10 Year
Core Index							
S&P 500	3.2	10.6	10.6	29.9	11.5	15.1	13.0
S&P 500 Equal Weighted	4.5	7.9	7.9	19.4	8.2	12.4	10.9
DJ Industrial Average	2.2	6.1	6.1	22.2	8.7	11.3	11.8
Russell Top 200	2.9	10.8	10.8	32.4	12.0	16.1	13.7
Russell 1000	3.2	10.3	10.3	29.9	10.5	14.8	12.7
Russell 2000	3.6	5.2	5.2	19.7	(0.1)	8.1	7.6
Russell 3000	3.2	10.0	10.0	29.3	9.8	14.3	12.3
Russell Mid Cap	4.3	8.6	8.6	22.3	6.1	11.1	9.9
Style Index							
Russell 1000 Growth	1.8	11.4	11.4	39.0	12.5	18.5	16.0
Russell 1000 Value	5.0	9.0	9.0	20.3	8.1	10.3	9.0
Russell 2000 Growth	2.8	7.6	7.6	20.3	(2.7)	7.4	7.9
Russell 2000 Value	4.4	2.9	2.9	18.8	2.2	8.2	6.9

INTERNATIONAL EQUITY

	Month	QTD	YTD	1 Year	3 Year	5 Year	10 Year
Broad Index							
MSCI ACWI	3.1	8.2	8.2	23.2	7.0	10.9	8.7
MSCI ACWI ex US	3.1	4.7	4.7	13.3	1.9	6.0	4.3
MSCI EAFE	3.3	5.8	5.8	15.3	4.8	7.3	4.8
MSCI EM	2.5	2.4	2.4	8.2	(5.1)	2.2	2.9
MSCI EAFE Small Cap	3.7	2.4	2.4	10.4	(1.4)	4.9	4.7
Style Index							
MSCI EAFE Growth	2.3	7.0	7.0	13.3	2.8	7.8	5.9
MSCI EAFE Value	4.4	4.5	4.5	17.3	6.6	6.4	3.5
Regional Index							
MSCI UK	4.5	3.1	3.1	10.9	7.7	5.1	2.9
MSCI Japan	3.0	11.0	11.0	25.8	3.7	7.8	6.7
MSCI Euro	4.1	8.4	8.4	17.4	6.9	9.0	4.7
MSCI EM Asia	3.0	3.4	3.4	6.3	(6.5)	2.8	4.5
MSCI EM Latin American	1.0	(4.0)	(4.0)	22.6	10.5	3.7	1.7

FIXED INCOME

	Month	QTD	YTD	1 Year	3 Year	5 Year	10 Year
Broad Index							
Bloomberg US TIPS	0.8	(0.1)	(0.1)	0.5	(0.5)	2.5	2.2
Bloomberg US Treasury Bills	0.5	1.3	1.3	5.3	2.6	2.0	1.4
Bloomberg US Agg Bond	0.9	(0.8)	(0.8)	1.7	(2.5)	0.4	1.5
Bloomberg US Universal	1.0	(0.5)	(0.5)	2.7	(2.1)	0.7	1.8
Duration							
Bloomberg US Treasury 1-3 Yr	0.4	0.3	0.3	2.9	0.0	1.1	1.1
Bloomberg US Treasury Long	1.2	(3.3)	(3.3)	(6.1)	(8.0)	(2.8)	1.2
Bloomberg US Treasury	0.6	(1.0)	(1.0)	0.1	(2.7)	(0.1)	1.0
Issuer							
Bloomberg US MBS	1.1	(1.0)	(1.0)	1.4	(2.8)	(0.4)	1.1
Bloomberg US Corp. High Yield	1.2	1.5	1.5	11.2	2.2	4.2	4.4
Bloomberg US Agency Interm	0.4	0.2	0.2	3.2	(0.6)	0.8	1.2
Bloomberg US Credit	1.2	(0.4)	(0.4)	4.1	(1.9)	1.4	2.5

OTHER

	Month	QTD	YTD	1 Year	3 Year	5 Year	10 Year
Index							
Bloomberg Commodity	3.3	2.2	2.2	(0.6)	9.1	6.4	(1.6)
Wilshire US REIT	1.5	(0.0)	(0.0)	12.4	4.5	4.4	6.7
CS Leveraged Loans	0.8	2.5	2.5	12.4	5.8	5.3	4.6
S&P Global Infrastructure	4.6	1.3	1.3	4.1	5.5	4.9	5.2
Alerian MLP	4.9	14.7	14.7	37.3	29.2	10.4	2.9
Regional Index							
JPM EMBI Global Div	2.1	2.0	2.0	11.3	(1.4)	0.7	3.0
JPM GBI-EM Global Div	(0.0)	(2.1)	(2.1)	4.9	(1.6)	0.1	(0.3)
Hedge Funds							
HFRI Composite	2.5	4.9	4.9	12.1	4.3	7.0	5.0
HFRI FOF Composite	1.3	3.9	3.9	9.4	2.8	5.0	3.6
Currency (Spot)							
Euro	(0.2)	(2.2)	(2.2)	(0.6)	(2.8)	(0.8)	(2.4)
Pound Sterling	(0.1)	(0.9)	(0.9)	2.2	(2.9)	(0.6)	(2.7)
Yen	(1.1)	(6.9)	(6.9)	(12.1)	(10.0)	(6.1)	(3.8)

Source: Morningstar, HFRI, as of 3/31/24

Definitions

Bloomberg US Weekly Consumer Comfort Index - tracks the public's economic attitudes each week, providing a high-frequency read on consumer sentiment. The index, based on cell and landline telephone interviews with a random, representative national sample of U.S. adults, tracks Americans' ratings of the national economy, their personal finances and the buying climate on a weekly basis, with views of the economy's direction measured separately each month. (www.lanqerresearch.com)

University of Michigan Consumer Sentiment Index - A survey of consumer attitudes concerning both the present situation as well as expectations regarding economic conditions conducted by the University of Michigan. For the preliminary release approximately three hundred consumers are surveyed while five hundred are interviewed for the final figure. The level of consumer sentiment is related to the strength of consumer spending. (www.Bloomberg.com)

NFIB Small Business Outlook - Small Business Economic Trends (SBET) is a monthly assessment of the U.S. small-business economy and its near-term prospects. Its data are collected through mail surveys to random samples of the National Federal of Independent Business (NFIB) membership. The survey contains three broad question types: recent performance, near-term forecasts, and demographics. The topics addressed include: outlook, sales, earnings, employment, employee compensation, investment, inventories, credit conditions, and single most important problem. (<http://www.nfib-sbet.org/about/>)

NAHB Housing Market Index - the housing market index is a weighted average of separate diffusion indices for three key single-family indices: market conditions for the sale of new homes at the present time, market conditions for the sale of new homes in the next six months, and the traffic of prospective buyers of new homes. The first two series are rated on a scale of Good, Fair, and Poor and the last is rated on a scale of High/Very High, Average, and Low/Very Low. A diffusion index is calculated for each series by applying the formula $(\text{Good-Poor} + 100)/2$ to the present and future sales series and $(\text{High/Very High-Low/Very Low} + 100)/2$ to the traffic series. Each resulting index is then seasonally adjusted and weighted to produce the HMI. Based on this calculation, the HMI can range between 0 and 100.

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Contra Costa County Employees Retirement Association

Investment Performance Review

Period Ending: March 31, 2024



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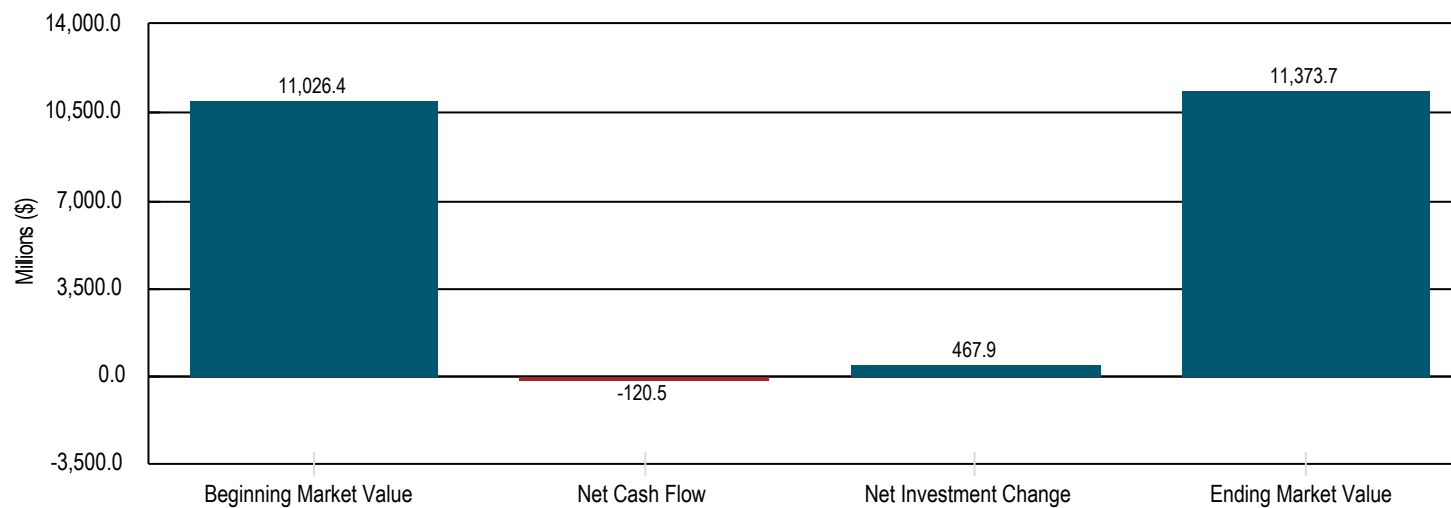
LOS ANGELES 310.297.1777

SAN FRANCISCO 415.362.3484

Portfolio Reconciliation

	Last Three Months	YTD
Beginning Market Value	\$11,026,356,498	\$11,026,356,498
Net Cash Flow	-\$120,466,360	-\$120,466,360
Net Investment Change	\$467,856,833	\$467,856,833
Ending Market Value	\$11,373,746,970	\$11,373,746,970

Change in Market Value
Last Three Months

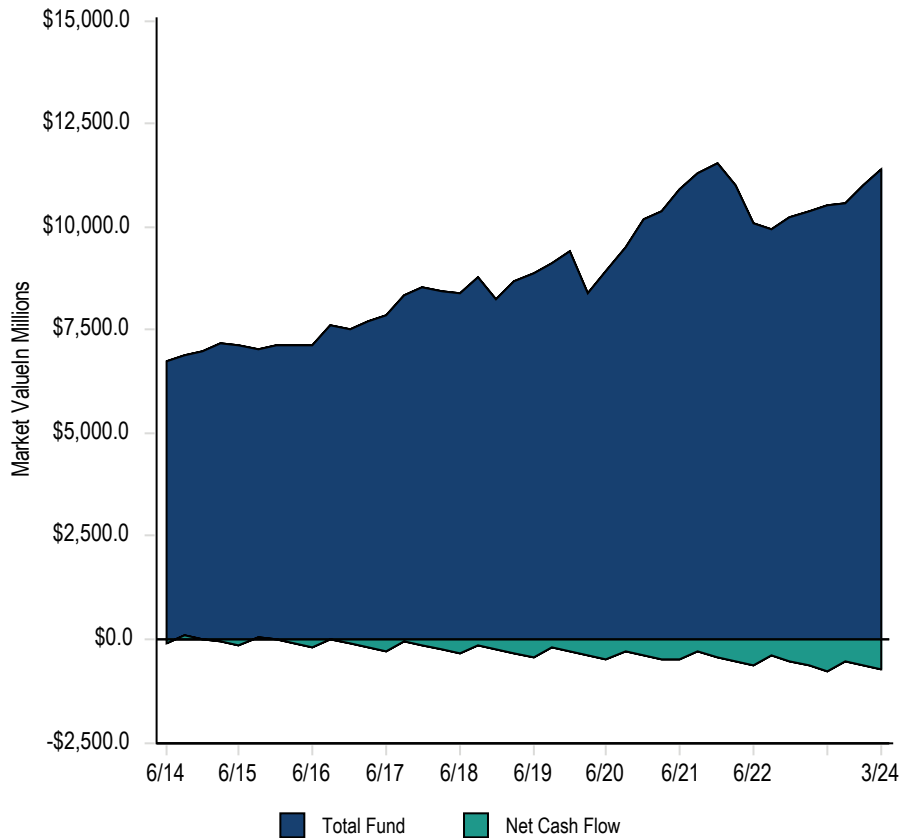


Contributions and withdrawals may include intra-account transfers between managers/funds.

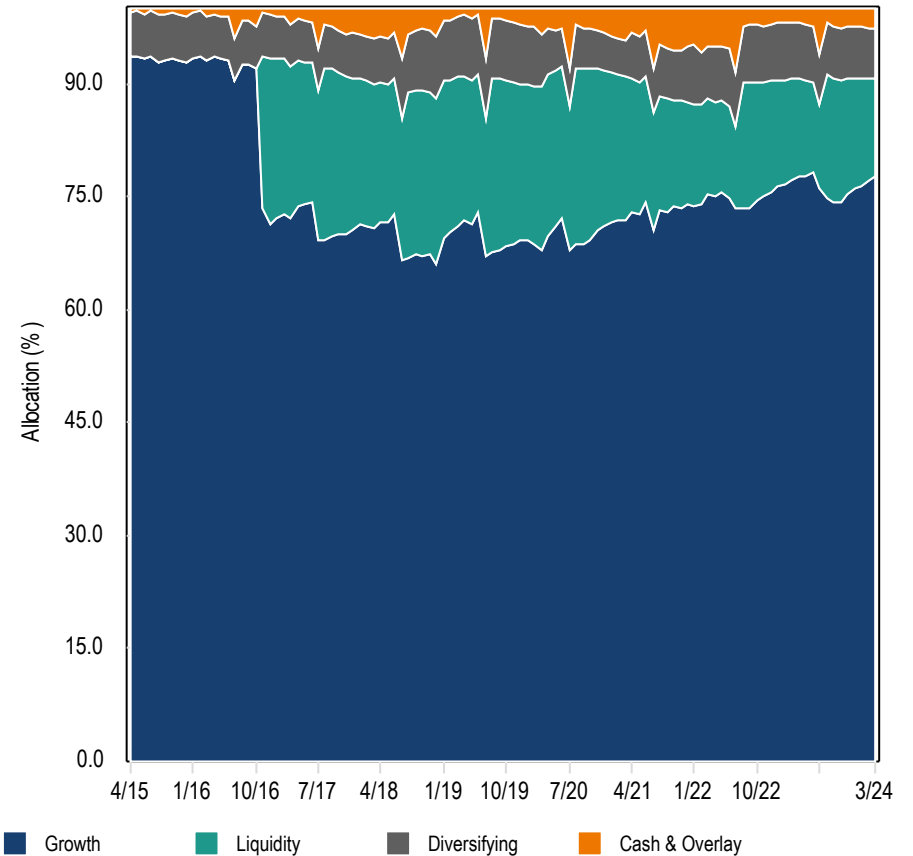
Total Fund
Asset Allocation History

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Market Value History
Cumulative Cash Flows

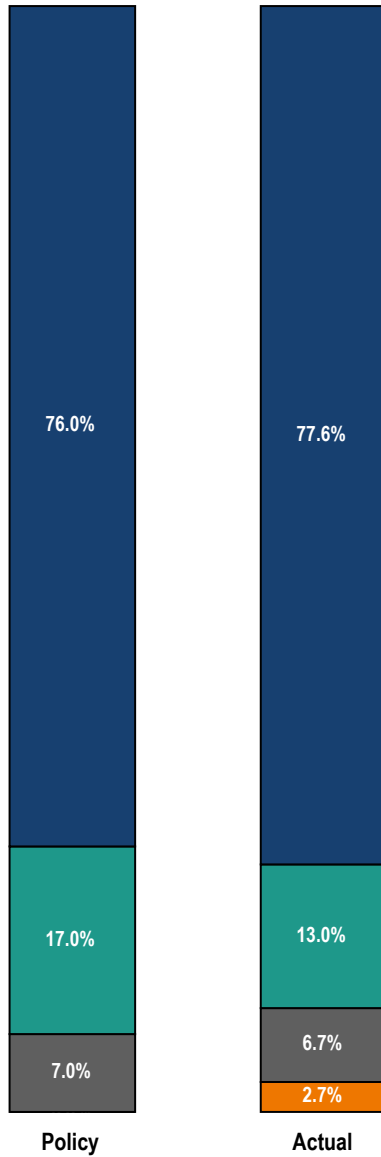


Asset Allocation History



Total Fund
Asset Allocation vs. Policy Target

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024



	Current Balance	Current Allocation	Policy Target	Difference
Growth	\$8,828,582,250	77.6	76.0	\$184,534,552
Liquidity	\$1,482,972,885	13.0	17.0	-\$450,564,099
Diversifying	\$756,529,288	6.7	7.0	-\$39,633,000
Cash & Overlay	\$305,662,547	2.7	0.0	\$305,662,547
Total	\$11,373,746,970	100.0	100.0	

Policy Targets approved July 2023.

Total Fund
Executive Summary (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

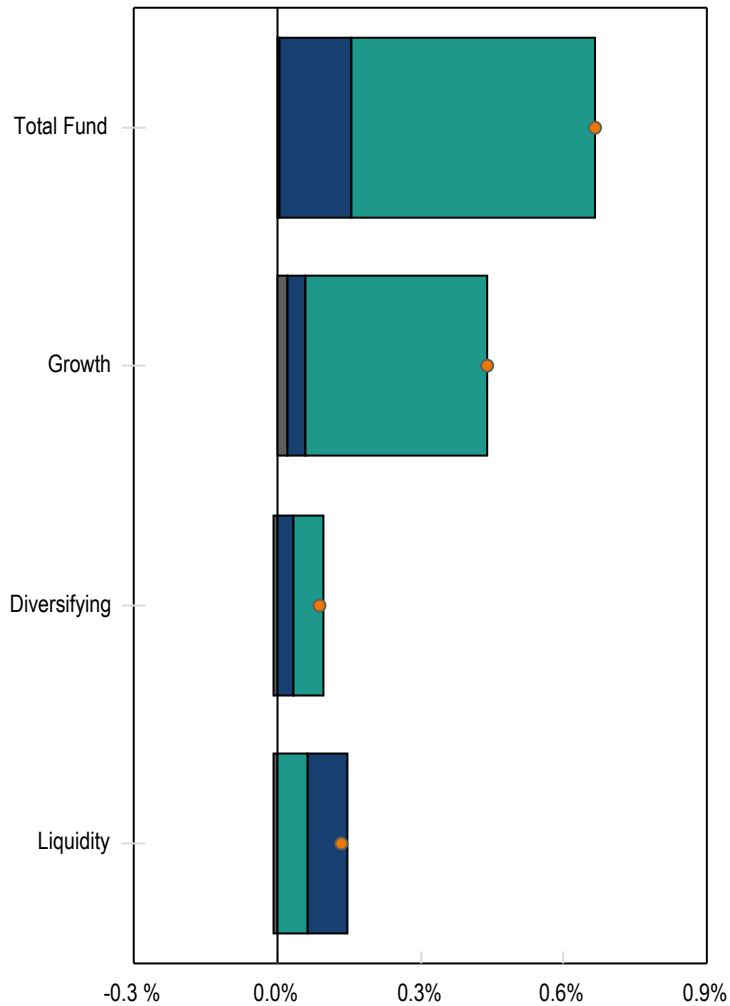
	% of Portfolio	QTD	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019
Total Fund	100.0	4.3	10.7	4.0	6.4	6.3	9.0	-10.6	13.9	9.2	14.6
Policy Index		3.6	10.3	5.2	7.8	7.2	9.9	-8.4	15.3	10.8	14.6
Implementation Benchmark		3.4	9.7	4.4	6.4	6.5	9.0	-8.7	14.2	8.7	13.6
Growth	77.6	5.2	12.5	5.5	8.4	7.9	10.1	-11.7	19.2	12.0	18.3
Custom Growth Benchmark		4.7	12.4	6.7	10.2	8.9	11.3	-10.3	21.6	13.8	19.3
Diversifying	6.7	1.0	1.9	-0.2	0.3	0.3	2.2	-5.7	1.7	-1.7	6.8
Custom Diversifying Benchmark		0.3	4.7	1.4	2.3	3.0	7.4	-5.7	1.6	4.7	6.1
Liquidity	13.0	0.8	4.6	0.8	1.7	-	5.4	-3.5	-0.3	3.4	4.8
Bloomberg U.S. Gov/Credit 1-3 Year Index		0.4	3.5	0.2	1.4	-	4.6	-3.7	-0.5	3.3	4.0

*Correlation between the Growth and Diversifying composites is .82, .58, and .63 over the previous 1, 3, and 5 year periods respectively.

Total Fund
 Attribution Analysis - Asset Class Level (Net of Fees)

Contra Costa County Employees' Retirement Association
 Period Ending: March 31, 2024

Attribution Effects
 3 Months Ending March 31, 2024



Performance Attribution

	3 Mo
Wtd. Actual Return	4.26
Wtd. Index Return	3.59
Excess Return	0.67
Selection Effect	0.51
Allocation Effect	0.15
Interaction Effect	0.00

Attribution Summary
 Last 3 Months

	Wtd. Actual Return	Wtd. Index Return	Excess Return	Selection Effect	Allocation Effect	Interaction Effects	Total Effects
Growth	5.2	4.7	0.5	0.4	0.0	0.0	0.4
Diversifying	1.0	0.3	0.8	0.1	0.0	0.0	0.1
Liquidity	0.8	0.4	0.4	0.1	0.1	0.0	0.1
Total Fund	4.3	3.6	0.7	0.5	0.2	0.0	0.7

Selection Effect Allocation Effect
 Interaction Effect Total Effects

Performance attribution calculated from benchmark returns and weightings of each component.



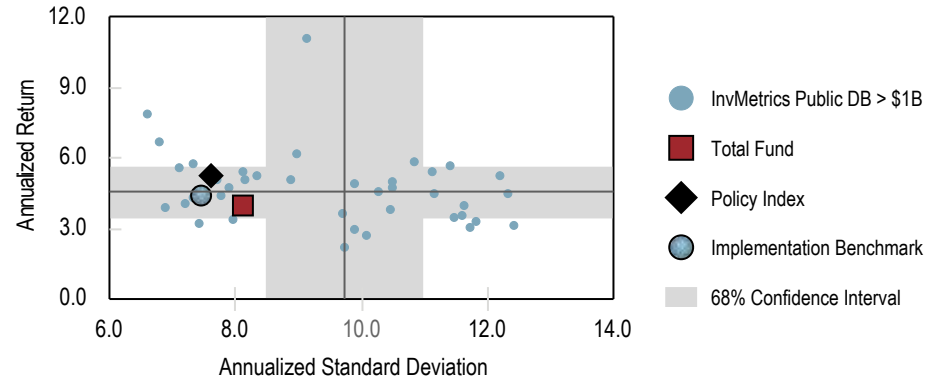
Total Fund
Executive Summary (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

3 Years

	Anlzd Return	Ann Excess Performance	Anlzd Standard Deviation	Anlzd Alpha	Beta	Tracking Error	R-Squared	Sharpe Ratio	Information Ratio	Up Capture	Down Capture
Total Fund	4.01	-1.24	8.27	-1.33	1.03	0.91	0.99	0.21	-1.27	98.56	110.07

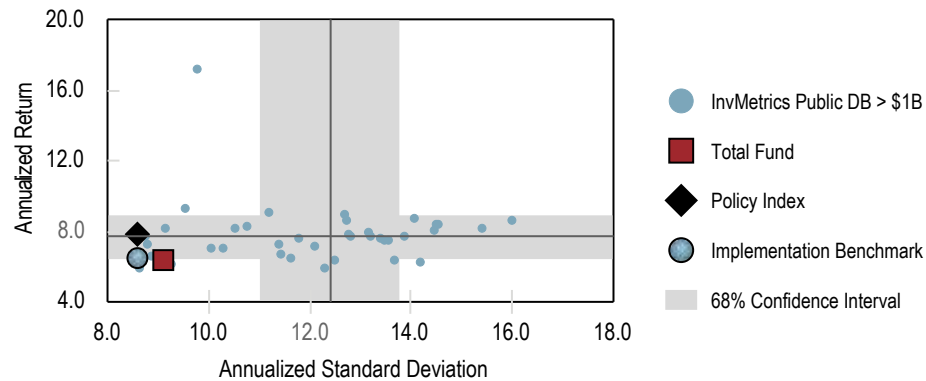
Risk vs. Return



5 Years

	Anlzd Return	Ann Excess Performance	Standard Deviation	Anlzd Alpha	Beta	Tracking Error	R-Squared	Sharpe Ratio	Information Ratio	Up Capture	Down Capture
Total Fund	6.35	-1.48	8.20	-1.16	0.97	1.75	0.96	0.55	-0.80	94.72	106.59

Risk vs. Return



Total Fund
Performance Summary (Gross of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Total Fund	11,373,746,970	100.0	4.3	10.9	4.3	6.6	6.7	9.2	-10.4	14.2	9.5	14.9		
<i>Policy Index</i>			3.6	10.3	5.2	7.8	7.2	9.9	-8.4	15.3	10.8	14.6		
<i>Implementation Benchmark</i>			3.4	9.7	4.4	6.4	6.5	9.0	-8.7	14.2	8.7	13.6		
<i>InvMetrics Public DB > \$1B Rank</i>			30	54	52	81	56	82	46	66	81	90		
Total Fund ex Overlay & Cash	11,068,084,423	97.3	4.3	10.9	4.6	6.8	6.8	9.2	-9.9	14.6	9.7	14.7		
<i>Policy Index</i>			3.6	10.3	5.2	7.8	7.2	9.9	-8.4	15.3	10.8	14.6		
<i>Implementation Benchmark</i>			3.4	9.7	4.4	6.4	6.5	9.0	-8.7	14.2	8.7	13.6		
<i>InvMetrics Public DB > \$1B Rank</i>			30	54	48	76	51	82	41	61	76	92		
Growth	8,828,582,250	77.6	5.3	12.8	5.7	8.7	8.3	10.4	-11.4	19.6	12.4	18.7		
<i>Custom Growth Benchmark</i>			4.7	12.4	6.7	10.2	8.9	11.3	-10.3	21.6	13.8	19.3		
Total Domestic Equity	2,266,119,060	19.9	9.5	27.0	7.1	12.4	11.1	21.6	-18.3	20.6	22.2	26.7		
<i>Russell 3000 Index</i>			10.0	29.3	9.8	14.3	12.3	26.0	-19.2	25.7	20.9	31.0		
<i>InvMetrics Public DB US Equity Rank</i>			51	76	100	96	83	83	61	100	19	100		
BlackRock Russell 1000 Index	1,333,773,686	11.7	10.3	29.9	10.5	14.8	-	26.6	-19.1	26.5	21.0	31.4	13.9	May-17
<i>Russell 1000 Index</i>			10.3	29.9	10.5	14.8	-	26.5	-19.1	26.5	21.0	31.4	13.8	
<i>eV US Large Cap Equity Rank</i>			50	41	49	41	-	34	69	55	35	40		
Boston Partners	452,725,674	4.0	12.0	28.8	12.1	13.6	10.6	14.7	-3.8	31.3	3.0	24.3	11.1	Jun-95
<i>Russell 1000 Value Index</i>			9.0	20.3	8.1	10.3	9.0	11.5	-7.5	25.2	2.8	26.5	9.4	
<i>eV US Large Cap Value Equity Rank</i>			15	16	15	28	38	39	36	19	64	79		
Emerald Advisers	246,393,154	2.2	5.8	21.0	-0.4	8.6	9.7	19.2	-23.8	5.5	39.0	30.3	12.6	Apr-03
<i>Russell 2000 Growth Index</i>			7.6	20.3	-2.7	7.4	7.9	18.7	-26.4	2.8	34.6	28.5	10.5	
<i>eV US Small Cap Growth Equity Rank</i>			69	39	50	71	65	41	27	77	57	48		
Ceredex	233,226,547	2.1	4.1	16.2	7.4	9.1	8.0	16.0	-8.5	28.4	2.3	18.4	10.6	Nov-11
<i>Russell 2000 Value Index</i>			2.9	18.8	2.2	8.2	6.9	14.6	-14.5	28.3	4.6	22.4	9.8	
<i>eV US Small Cap Value Equity Rank</i>			69	77	37	82	73	61	28	60	70	88		

Individual closed end funds are not shown in performance summary table.

Total Fund
Performance Summary (Gross of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Total International Equity	1,522,616,110	13.4	4.6	13.8	0.9	6.7	5.2	15.4	-18.2	8.3	15.8	23.7		
MSCI AC World ex USA Index			4.8	13.8	2.4	6.5	4.7	16.2	-15.6	8.3	11.1	22.1		
MSCI EAFE Index			5.9	15.9	5.3	7.9	5.3	18.9	-14.0	11.8	8.3	22.7		
InvMetrics Public DB Global ex-US Equity Rank			62	57	81	46	47	91	53	57	32	45		
International Equity	1,015,609,403	8.9	4.1	11.6	2.3	7.8	5.9	15.6	-18.1	9.0	19.0	27.0	6.4	Oct-10
MSCI AC World ex USA Index			4.8	13.8	2.4	6.5	4.7	16.2	-15.6	8.3	11.1	22.1	5.1	
InvMetrics Public DB Global ex-US Equity Rank			80	86	65	31	11	89	46	47	7	17		
Pyrford	511,137,914	4.5	1.7	9.1	4.6	6.5	-	15.2	-7.0	7.6	4.7	22.1	4.7	May-14
MSCI AC World ex USA Value			3.4	15.3	4.6	5.4	-	17.3	-8.6	10.5	-0.8	15.7	3.0	
eV ACWI ex-US Value Equity Rank			84	91	57	72	-	83	21	84	47	38		
William Blair	504,471,490	4.4	6.7	14.2	0.0	8.8	6.4	16.2	-27.7	10.5	33.3	32.0	7.1	Nov-10
MSCI AC World ex USA Growth			5.9	11.2	-0.8	6.2	5.1	14.0	-23.1	5.1	22.2	27.3	5.3	
eV ACWI ex-US Growth Equity Rank			38	36	52	35	55	59	56	41	36	38		
Emerging Markets Equity	507,006,707	4.5	5.6	16.4	-0.9	5.1	-	14.4	-18.4	7.6	11.4	19.4	5.0	Feb-17
MSCI Emerging Markets			2.4	8.2	-5.1	2.2	-	9.8	-20.1	-2.5	18.3	18.4	4.0	
InvMetrics Public DB Emerging Markets Equity Rank			16	-	-	-	-	-	-	-	-	-		
PIMCO RAE Emerging Markets	259,484,680	2.3	4.5	23.3	6.8	8.4	-	23.1	-9.7	17.1	2.1	14.6	7.2	Mar-17
MSCI Emerging Markets Value			1.3	11.4	-0.9	2.1	-	14.2	-15.8	4.0	5.5	12.0	3.3	
eV Emg Mkts All Cap Value Equity Rank			22	5	8	9	-	11	34	8	85	78		
TT Emerging Markets	247,522,027	2.2	6.9	9.4	-8.0	1.9	-	5.8	-26.4	-0.2	20.8	24.8	2.1	Aug-17
MSCI Emerging Markets			2.4	8.2	-5.1	2.2	-	9.8	-20.1	-2.5	18.3	18.4	2.1	
eV Emg Mkts Equity Rank			7	55	90	88	-	91	90	58	39	24		
Total Global Equity	1,264,011,448	11.1	8.9	20.6	5.9	11.3	9.7	19.0	-18.8	14.1	25.3	28.9	-	Dec-03
MSCI AC World Index			8.2	23.2	7.0	10.9	8.7	22.2	-18.4	18.5	16.3	26.6	7.9	
InvMetrics Public DB Global Equity Rank			11	-	-	-	-	50	-	-	-	-		
Artisan Partners	665,966,950	5.9	11.1	26.7	4.4	13.3	12.3	24.5	-29.6	15.0	41.7	37.0	12.9	Oct-12
MSCI ACWI Growth NR USD			9.5	28.2	6.7	13.6	11.0	33.2	-28.6	17.1	33.6	32.7	11.8	
eV Global Growth Equity Rank			27	28	43	19	19	37	62	57	32	12		
First Eagle	597,922,680	5.3	6.6	14.6	7.4	9.1	7.4	13.7	-5.6	13.0	8.5	21.0	8.3	Jan-11
MSCI ACWI Value NR USD			6.9	18.0	6.7	7.6	6.0	11.8	-7.5	19.6	-0.3	20.6	6.8	
eV Global Value Equity Rank			40	69	35	49	31	67	21	86	33	64		

Individual closed end funds are not shown in performance summary table.

Total Fund
Performance Summary (Gross of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Private Credit	1,108,381,180	9.7	0.3	9.5	10.0	8.4	9.3	9.1	10.5	10.0	4.0	7.7		
Total High Yield	159,409,366	1.4	1.4	9.6	2.0	3.8	3.8	12.4	-10.6	5.3	5.2	15.3		
ICE BofA U.S. High Yield Index			1.5	11.0	2.2	4.0	4.4	13.5	-11.2	5.4	6.2	14.4		
eV US High Yield Fixed Inc Rank			76	82	86	86	91	63	74	55	73	36		
Voya Global Investors	159,409,366	1.4	1.4	9.6	2.0	3.8	3.8	12.4	-10.6	5.3	5.2	15.3	6.3	May-00
ICE BofA U.S. High Yield Index			1.5	11.0	2.2	4.0	4.4	13.5	-11.2	5.4	6.2	14.4	6.5	
eV US High Yield Fixed Inc Rank			76	82	86	86	91	63	74	55	73	36		
Total Real Estate	738,277,537	6.5	-6.0	-13.8	-2.9	-1.4	4.5	-10.1	-5.2	19.2	-5.9	8.1		
Real Estate Benchmark			-6.6	-15.1	-3.1	-0.1	4.3	-11.0	-4.5	19.3	0.6	7.5		
NCREIF-ODCE			-2.4	-11.3	3.4	3.5	6.8	-12.0	7.5	22.2	1.2	5.3		
NCREIF Property Index			-1.0	-7.2	3.6	3.8	6.4	-7.9	5.5	17.7	1.6	6.4		
Total Core Real Estate	213,084,094	1.9	-0.4	9.7	4.7	5.4	7.5	12.8	-24.8	48.3	-4.6	28.2		
Adelante	98,152,536	0.9	0.8	13.6	5.6	5.9	7.8	17.2	-26.7	48.3	-4.6	28.2	9.6	Oct-01
Wilshire U.S. REIT Index			0.0	12.4	4.6	4.4	6.7	16.2	-26.8	46.2	-7.9	25.8	9.0	
Invesco US Fundamental Beta	114,931,558	1.0	-1.5	6.6	-	-	-	9.4	-	-	-	-	-4.1	Mar-22
Wilshire U.S. REIT Index			0.0	12.4	-	-	-	16.2	-	-	-	-	-2.6	
Total Private Real Estate	525,193,442	4.6	-8.2	-21.3	-5.0	-3.0	3.7	-17.2	1.3	15.3	-6.1	6.2		
Private Equity	1,419,763,076	12.5	8.0	8.0	15.6	14.7	13.0	-1.0	-0.5	60.4	8.7	8.4		
Risk Parity	350,004,472	3.1	3.0	3.5	-1.9	2.5	-	4.9	-21.5	9.7	10.0	18.1		
60% MSCI ACWI Net/40% Blmbg. Global Aggregate			4.0	13.7	2.3	6.2	-	15.4	-17.3	8.8	14.0	18.6		
AQR Global Risk Premium-EL	182,826,494	1.6	3.4	6.4	1.1	3.9	-	7.0	-16.3	10.7	6.2	18.7	5.0	Jan-19
HFR Risk Parity Vol 10 Index			4.2	10.2	0.7	2.5	-	10.5	-18.3	6.8	3.6	18.4	4.1	
PanAgora Risk Parity Multi Asset	167,177,978	1.5	2.6	0.5	-4.7	1.2	-	2.8	-26.1	8.7	14.0	-	1.8	Mar-19
HFR Risk Parity Vol 10 Index			4.2	10.2	0.7	2.5	-	10.5	-18.3	6.8	3.6	-	3.0	

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Total Fund
Performance Summary (Gross of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Diversifying	756,529,288	6.7	1.1	2.3	0.2	0.7	0.7	2.6	-5.4	2.0	-1.3	7.1		
Custom Diversifying Benchmark			0.3	4.7	1.4	2.3	3.0	7.4	-5.7	1.6	4.7	6.1		
Diversifying Fixed Income	220,693,360	1.9	-0.2	2.3	-2.5	-0.6	1.0	5.5	-13.3	-0.7	1.6	8.6		
Blmbg. U.S. Aggregate Index			-0.8	1.7	-2.5	0.4	1.5	5.5	-13.0	-1.5	7.5	8.7		
eV US Core Fixed Inc Rank			27	68	91	100	100	85	75	32	100	79		
AFL-CIO	220,632,514	1.9	-0.2	2.3	-2.5	0.4	1.7	5.5	-13.3	-0.7	6.6	8.2	5.2	Jul-91
Blmbg. U.S. Aggregate Index			-0.8	1.7	-2.5	0.4	1.5	5.5	-13.0	-1.5	7.5	8.7	4.9	
eV US Core Fixed Inc Rank			27	67	92	95	89	86	75	32	95	86		
Diversifying Multi-Asset	535,835,929	4.7	1.7	2.3	1.3	-	-	1.4	-1.9	2.8	-	-		
Custom Diversifying Multi-Asset Benchmark			1.1	6.8	3.1	-	-	8.7	-3.1	4.1	-	-		
Acadian Multi-Asset Absolute Return Fund	163,606,323	1.4	1.4	-3.1	-0.9	-	-	-5.4	-0.1	1.7	-	-	-0.2	Aug-20
FTSE 3-Month T-bill +5%			2.6	10.8	7.8	-	-	10.5	6.6	5.0	-	-	7.3	
Sit LLCAR	372,229,605	3.3	1.8	6.4	3.2	-	-	6.9	-3.3	-	-	-	3.2	Apr-21
Blmbg. U.S. Aggregate Index +1%			-0.5	2.7	-1.5	-	-	6.6	-12.1	-	-	-	-1.5	
Liquidity	1,482,972,885	13.0	0.8	4.8	0.9	1.8	-	5.5	-3.4	-0.2	3.5	4.9		
Blmbg. 1-3 Year Gov/Credit Index			0.4	3.5	0.2	1.4	-	4.6	-3.7	-0.5	3.3	4.0		
eV US Short Duration Fixed Inc Rank			37	38	48	53	-	43	49	47	75	39		
DFA Short Credit	336,917,694	3.0	1.4	5.5	0.3	1.4	-	5.4	-5.3	-0.4	2.9	5.2	1.6	Dec-16
ICE BofA 1-5 Year U.S. Corp/Govt Index			0.2	3.3	-0.4	1.3	-	4.9	-5.5	-0.9	4.6	5.1	1.5	
eV US Short Duration Fixed Inc Rank			10	21	77	86	-	47	90	68	89	27		
Insight Short Duration	549,439,086	4.8	0.9	5.4	1.9	2.4	-	5.7	-1.1	0.1	3.2	4.7	2.3	Dec-16
Bloomberg U.S. Gov/Credit 1-3 Year Index			0.4	3.5	0.2	1.4	-	4.6	-3.7	-0.5	3.3	4.0	1.4	
eV US Short Duration Fixed Inc Rank			29	23	13	19	-	32	6	32	85	48		
Sit Short Duration	596,616,105	5.2	0.4	3.8	0.1	1.5	-	5.4	-4.8	-0.3	4.6	4.9	1.8	Dec-16
Blmbg. 1-3 Year Govt Index			0.3	3.0	0.0	1.1	-	4.3	-3.8	-0.6	3.1	3.6	1.2	
eV US Short Duration Fixed Inc Rank			82	79	86	77	-	50	79	58	30	40		
Total Cash	174,034,250	1.5	1.3	5.7	2.1	2.1	1.1	2.5	2.4	0.4	1.3	3.3		
90 Day U.S. Treasury Bill			1.3	5.2	2.6	2.0	1.4	5.0	1.5	0.0	0.7	2.3		
Cash	174,029,827	1.5	1.3	5.7	3.3	2.8	1.9	6.1	2.2	0.4	1.3	3.4	17.4	Apr-98
Northern Trust Transition	4,423	0.0	1.3	5.5	-80.7	-57.2	-	-99.2	-4.8	-6.1	104.1	-		

Individual closed end funds are not shown in performance summary table. Effective 3/1/2019 the custodian of record switched from State Street to Northern Trust. Wellington Real Total Return was liquidated 4/30/2020. \$60,845.58 in residual value is reflected in the Diversifying Fixed Income composite.

Total Fund
Performance Summary (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Total Fund	11,373,746,970	100.0	4.3	10.7	4.0	6.4	6.3	9.0	-10.6	13.9	9.2	14.6		
Policy Index			3.6	10.3	5.2	7.8	7.2	9.9	-8.4	15.3	10.8	14.6		
Implementation Benchmark			3.4	9.7	4.4	6.4	6.5	9.0	-8.7	14.2	8.7	13.6		
Total Fund ex Overlay & Cash	11,068,084,423	97.3	4.3	10.7	4.3	6.6	6.4	9.0	-10.1	14.3	9.4	14.3		
Policy Index			3.6	10.3	5.2	7.8	7.2	9.9	-8.4	15.3	10.8	14.6		
Implementation Benchmark			3.4	9.7	4.4	6.4	6.5	9.0	-8.7	14.2	8.7	13.6		
Growth	8,828,582,250	77.6	5.2	12.5	5.5	8.4	7.9	10.1	-11.7	19.2	12.0	18.3		
Custom Growth Benchmark			4.7	12.4	6.7	10.2	8.9	11.3	-10.3	21.6	13.8	19.3		
Total Domestic Equity	2,266,119,060	19.9	9.4	26.7	6.9	12.1	10.8	21.4	-18.5	20.2	21.8	26.1		
Russell 3000 Index			10.0	29.3	9.8	14.3	12.3	26.0	-19.2	25.7	20.9	31.0		
BlackRock Russell 1000 Index	1,333,773,686	11.7	10.3	29.9	10.5	14.7	-	26.6	-19.1	26.5	20.9	31.4	13.8	May-17
Russell 1000 Index			10.3	29.9	10.5	14.8	-	26.5	-19.1	26.5	21.0	31.4	13.8	
Boston Partners	452,725,674	4.0	11.9	28.3	11.8	13.3	10.3	14.3	-4.1	31.0	2.6	23.8	10.9	Jun-95
Russell 1000 Value Index			9.0	20.3	8.1	10.3	9.0	11.5	-7.5	25.2	2.8	26.5	9.4	
Emerald Advisers	246,393,154	2.2	5.6	20.4	-0.9	8.0	9.1	18.6	-24.2	4.9	38.2	29.4	12.2	Apr-03
Russell 2000 Growth Index			7.6	20.3	-2.7	7.4	7.9	18.7	-26.4	2.8	34.6	28.5	10.4	
Ceredex	233,226,547	2.1	4.0	15.7	6.9	8.5	7.4	15.5	-9.0	27.7	1.7	17.7	10.0	Nov-11
Russell 2000 Value Index			2.9	18.8	2.2	8.2	6.9	14.6	-14.5	28.3	4.6	22.4	9.8	
Total International Equity	1,522,616,110	13.4	4.6	13.5	0.5	6.2	4.7	15.1	-18.6	7.8	15.2	23.2		
MSCI AC World ex USA Index			4.8	13.8	2.4	6.5	4.7	16.2	-15.6	8.3	11.1	22.1		
MSCI EAFE Index			5.9	15.9	5.3	7.9	5.3	18.9	-14.0	11.8	8.3	22.7		
International Equity	1,015,609,403	8.9	4.1	11.3	1.9	7.4	5.4	15.2	-18.4	8.6	18.5	26.5		
MSCI AC World ex USA Index			4.8	13.8	2.4	6.5	4.7	16.2	-15.6	8.3	11.1	22.1		
Pyrford	511,137,914	4.5	1.6	8.7	4.2	6.0	-	14.7	-7.4	7.1	4.2	21.6	4.2	May-14
MSCI AC World ex USA Value			3.4	15.3	4.6	5.4	-	17.3	-8.6	10.5	-0.8	15.7	3.0	
William Blair	504,471,490	4.4	6.7	14.0	-0.4	8.5	6.0	15.8	-28.0	10.1	32.8	31.5	6.7	Nov-10
MSCI AC World ex USA Growth			5.9	11.2	-0.8	6.2	5.1	14.0	-23.1	5.1	22.2	27.3	5.3	
Emerging Markets Equity	507,006,707	4.5	5.6	16.4	-1.2	4.6	-	14.4	-18.9	7.0	10.7	18.7		
MSCI Emerging Markets			2.4	8.2	-5.1	2.2	-	9.8	-20.1	-2.5	18.3	18.4		
PIMCO RAE Emerging Markets	259,484,680	2.3	4.5	23.3	6.5	8.0	-	23.0	-10.1	16.5	1.6	14.0	6.7	Mar-17
MSCI Emerging Markets Value			1.3	11.4	-0.9	2.1	-	14.2	-15.8	4.0	5.5	12.0	3.3	
TT Emerging Markets	247,522,027	2.2	6.9	9.4	-8.3	1.4	-	5.8	-26.8	-0.9	20.0	24.0	1.5	Aug-17
MSCI Emerging Markets			2.4	8.2	-5.1	2.2	-	9.8	-20.1	-2.5	18.3	18.4	2.1	

Individual closed end funds are not shown in performance summary table.

Total Fund
Performance Summary (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Total Global Equity	1,264,011,448	11.1	8.7	19.7	5.1	10.5	9.0	18.2	-19.4	13.2	24.4	27.9		
MSCI AC World Index			8.2	23.2	7.0	10.9	8.7	22.2	-18.4	18.5	16.3	26.6		
Artisan Partners	665,966,950	5.9	10.9	25.7	3.6	12.4	11.4	23.6	-30.1	14.1	40.6	36.0	12.1	Oct-12
MSCI ACWI Growth NR USD			9.5	28.2	6.7	13.6	11.0	33.2	-28.6	17.1	33.6	32.7	11.8	
First Eagle	597,922,680	5.3	6.4	13.7	6.6	8.3	6.6	12.9	-6.3	12.1	7.7	20.1	7.6	Jan-11
MSCI ACWI Value NR USD			6.9	18.0	6.7	7.6	6.0	11.8	-7.5	19.6	-0.3	20.6	6.8	
Private Credit	1,108,381,180	9.7	0.3	9.5	10.0	8.4	8.9	9.1	10.5	10.0	4.0	7.7		
Total High Yield	159,409,366	1.4	1.3	9.4	1.7	3.4	3.4	12.0	-10.9	4.9	4.7	14.7		
ICE BofA US High Yield Master II			1.5	11.1	2.2	4.0	4.4	13.5	-11.2	5.3	6.1	14.4		
Voya Global Investors	159,409,366	1.4	1.3	9.1	1.6	3.4	3.4	11.8	-10.9	4.9	4.7	14.7	6.1	May-00
ICE BofA US High Yield Master II			1.5	11.1	2.2	4.0	4.4	13.5	-11.2	5.3	6.1	14.4	6.5	
Total Real Estate	738,277,537	6.5	-6.3	-14.1	-3.0	-1.5	4.2	-10.2	-5.3	19.2	-6.0	8.1		
Real Estate Benchmark			-6.6	-15.1	-3.1	-0.1	4.3	-11.0	-4.5	19.3	0.6	7.5		
NCREIF-ODCE			-2.4	-11.3	3.4	3.5	6.8	-12.0	7.5	22.2	1.2	5.3		
NCREIF Property Index			-1.0	-7.2	3.6	3.8	6.4	-7.9	5.5	17.7	1.6	6.4		
Total Core Real Estate	213,084,094	1.9	-0.5	9.3	4.3	4.9	7.0	12.4	-25.1	47.5	-5.2	27.5		
Adelante	98,152,536	0.9	0.6	12.9	5.0	5.4	7.3	16.5	-27.2	47.5	-5.2	27.5	9.3	Oct-01
Wilshire U.S. REIT Index			0.0	12.4	4.6	4.4	6.7	16.2	-26.8	46.2	-7.9	25.8	9.0	
Invesco US Fundamental Beta	114,931,558	1.0	-1.5	6.4	-	-	-	9.2	-	-	-	-	-4.2	Mar-22
Wilshire U.S. REIT Index			0.0	12.4	-	-	-	16.2	-	-	-	-	-2.6	
Total Private Real Estate	525,193,442	4.6	-8.4	-21.5	-5.1	-3.0	3.4	-17.2	1.3	15.3	-6.1	6.2		
Private Equity	1,419,763,076	12.5	8.0	8.0	15.6	14.7	12.6	-1.0	-0.5	60.4	8.7	8.4		
Risk Parity	350,004,472	3.1	3.0	3.3	-2.2	2.2	-	4.7	-21.8	9.3	9.6	17.7		
60% MSCI ACWI Net/40% Blmbg. Global Aggregate			4.0	13.7	2.3	6.2	-	15.4	-17.3	8.8	14.0	18.6		
AQR Global Risk Premium-EL	182,826,494	1.6	3.4	6.3	0.9	3.6	-	6.8	-16.6	10.3	5.8	18.3	4.7	Jan-19
HFR Risk Parity Vol 10 Index			4.2	10.2	0.7	2.5	-	10.5	-18.3	6.8	3.6	18.4	4.1	
PanAgora Risk Parity Multi Asset	167,177,978	1.5	2.5	0.2	-5.0	0.8	-	2.4	-26.3	8.3	13.6	-	1.5	Mar-19
HFR Risk Parity Vol 10 Index			4.2	10.2	0.7	2.5	-	10.5	-18.3	6.8	3.6	-	3.0	

Individual closed end funds are not shown in performance summary table.

Total Fund
Performance Summary (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

	Market Value	% of Portfolio	3 Mo	1 Yr	3 Yrs	5 Yrs	10 Yrs	2023	2022	2021	2020	2019	Inception	Inception Date
Diversifying	756,529,288	6.7	1.0	1.9	-0.2	0.3	0.3	2.2	-5.7	1.7	-1.7	6.8		
Custom Diversifying Benchmark			0.3	4.7	1.4	2.3	3.0	7.4	-5.7	1.6	4.7	6.1		
Diversifying Fixed Income	220,693,360	1.9	-0.3	1.9	-2.8	-0.9	0.7	5.2	-13.5	-1.0	1.2	8.3		
Blmbg. U.S. Aggregate Index			-0.8	1.7	-2.5	0.4	1.5	5.5	-13.0	-1.5	7.5	8.7		
AFL-CIO	220,632,514	1.9	-0.3	1.9	-2.8	0.0	1.3	5.2	-13.6	-1.0	6.2	7.8	4.8	Jul-91
Blmbg. U.S. Aggregate Index			-0.8	1.7	-2.5	0.4	1.5	5.5	-13.0	-1.5	7.5	8.7	4.9	
Diversifying Multi-Asset	535,835,929	4.7	1.6	1.8	0.9	-	-	0.9	-2.3	2.4	-	-		
Custom Diversifying Multi-Asset Benchmark			1.1	6.8	3.1	-	-	8.7	-3.1	4.1	-	-		
Acadian Multi-Asset Absolute Return Fund	163,606,323	1.4	1.3	-3.6	-1.4	-	-	-5.9	-0.6	1.1	-	-	-0.7	Aug-20
FTSE 3-Month T-bill +5%			2.6	10.8	7.8	-	-	10.5	6.6	5.0	-	-	7.3	
Sit LLCAR	372,229,605	3.3	1.7	6.0	2.9	-	-	6.5	-3.7	-	-	-	2.9	Apr-21
Blmbg. U.S. Aggregate +1%			-0.5	2.7	-1.5	-	-	6.6	-12.1	-	-	-	-1.5	
Liquidity	1,482,972,885	13.0	0.8	4.6	0.8	1.7	-	5.4	-3.5	-0.3	3.4	4.8		
Blmbg. 1-3 Year Gov/Credit Index			0.4	3.5	0.2	1.4	-	4.6	-3.7	-0.5	3.3	4.0		
DFA Short Credit	336,917,694	3.0	1.4	5.4	0.2	1.3	-	5.3	-5.4	-0.5	2.8	5.2	1.5	Dec-16
ICE BofA 1-5 Year U.S. Corp/Govt			0.2	3.3	-0.4	1.3	-	4.9	-5.5	-0.9	4.6	5.1	1.5	
Insight Short Duration	549,439,086	4.8	0.9	5.4	1.8	2.3	-	5.7	-1.2	0.0	3.1	4.6	2.2	Dec-16
Bloomberg U.S. Gov/Credit 1-3 Year Index			0.4	3.5	0.2	1.4	-	4.6	-3.7	-0.5	3.3	4.0	1.4	
Sit Short Duration	596,616,105	5.2	0.4	3.6	-0.1	1.4	-	5.2	-5.0	-0.5	4.4	4.7	1.7	Dec-16
Blmbg. 1-3 Year Govt Index			0.3	3.0	0.0	1.1	-	4.3	-3.8	-0.6	3.1	3.6	1.2	
Total Cash	174,034,250	1.5	1.3	5.7	2.1	2.1	1.1	2.5	2.4	0.4	1.3	3.3		
90 Day U.S. Treasury Bill			1.3	5.2	2.6	2.0	1.4	5.0	1.5	0.0	0.7	2.3		
Cash	174,029,827	1.5	1.3	5.7	3.3	2.8	1.9	6.1	2.2	0.4	1.3	3.4		
Northern Trust Transition	4,423	0.0	1.3	5.5	-80.7	-57.2	-	-99.2	-4.8	-6.1	104.1	-		

Individual closed end funds are not shown in performance summary table. Effective 3/1/2019 the custodian of record switched from State Street to Northern Trust. Wellington Real Total Return was liquidated 4/30/2020. \$60,845.58 in residual value is reflected in the Diversified Fixed Income composite.

Total Fund
Closed End Funds - Investment Summary

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

StepStone Group Analysis (*)												
Closing Date	Manager Name/Fund Name	Estimated Market Value as of 3/31/2024 ¹	Total Commitment	Total % Called	Contributed Capital	Current Qtr. Change in Contributed Capital	Current Qtr. Change in Distributed Capital	Total Distributions	Remaining Commitment	Distrib./Paid-In (DPI) ²	Tot. Value/Paid-In (TVPI) ³	Latest Valuation
Private Equity & Venture Capital												
2/11/2004	Adams Street Partners	\$113,123,885	\$210,000,000	93%	\$195,823,407	\$0	\$4,306,886	\$284,046,340	\$14,176,593	1.45	2.03	12/31/2023
1/15/2009	Adams Street Partners II	\$3,282,372	\$30,000,000	95%	\$28,365,000	\$0	\$0	\$45,661,555	\$1,635,000	1.61	1.73	12/31/2023
9/21/2012	Adams Street Partners - Fund 5	\$10,213,142	\$40,000,000	77%	\$30,845,875	\$0	\$0	\$32,286,795	\$9,154,125	1.05	1.38	12/31/2023
1/18/1996	Adams Street Partners - BPF	\$103,896,144	\$59,565,614	97%	\$57,517,409	\$0	\$57,517,409	\$59,565,614	\$0	1.04	2.84	12/31/2023
3/31/2016	Adams Street Venture Innovation	\$158,085,571	\$75,000,000	92%	\$69,280,251	\$0	\$3,725,925	\$39,623,191	\$5,719,749	0.57	2.85	12/31/2023
5/18/2018	AE Industrial Partners Fund II, LP	\$35,700,818	\$35,000,000	105%	\$36,649,120	\$581,403	\$5,052,014	\$20,723,966	\$7,831,761	0.57	1.54	12/31/2023
11/27/2013	Aether Real Assets III	\$16,582,656	\$25,000,000	107%	\$26,652,932	\$248,083	\$84,305	\$7,869,733	\$781,176	0.30	0.92	9/30/2023
11/30/2013	Aether Real Assets III Surplus	\$39,371,841	\$50,000,000	107%	\$53,461,322	\$454,357	\$57,543	\$15,173,205	\$341,629	0.28	1.02	9/30/2023
1/30/2016	Aether Real Assets IV	\$51,326,271	\$50,000,000	102%	\$51,119,027	\$226,254	\$3,439,886	\$11,746,689	\$5,412,880	0.23	1.23	9/30/2023
4/30/2004	Bay Area Equity Fund I ⁴	\$0	\$10,000,000	100%	\$10,000,000	\$0	\$0	\$37,018,019	\$0	3.70	3.70	12/31/2023
6/29/2009	Bay Area Equity Fund II ⁴	\$13,081,700	\$10,000,000	100%	\$10,000,000	\$0	\$0	\$3,684,910	\$0	0.37	1.68	12/31/2023
6/30/2013	Commonfund	\$36,436,174	\$50,000,000	95%	\$47,749,993	\$100,000	\$1,519,343	\$35,403,142	\$2,250,007	0.74	1.50	12/31/2023
7/15/2005	EIF US Power Fund I ⁴	\$10,602	\$50,000,000	130%	\$65,029,556	\$0	\$0	\$76,092,655	\$0	1.17	1.17	9/30/2023
5/31/2007	EIF US Power Fund II ⁴	\$2,206,910	\$65,000,000	110%	\$71,409,097	\$0	\$0	\$93,077,887	\$0	1.30	1.33	12/31/2023
11/28/2011	EIF US Power Fund IV	\$18,909,056	\$50,000,000	130%	\$64,917,547	\$0	\$0	\$50,464,797	\$4	0.78	1.07	9/30/2023
11/28/2016	EIF US Power Fund V	\$31,247,444	\$50,000,000	143%	\$71,633,870	\$0	\$0	\$65,340,271	\$3,888,697	0.91	1.35	12/31/2023
3/31/2023	EQT X, L.P.	\$13,721,976	\$100,000,000	19%	\$18,562,823	\$1,112,071	\$15,769	\$2,685,612	\$84,044,628	0.14	0.88	12/31/2023
12/31/2023	EQT Infrastructure VI	-\$345,151	\$125,000,000	6%	\$7,026,756	\$7,026,756	\$898,459	\$118,774,614	\$0	0.13	0.08	12/31/2023
2/21/2019	Genstar Capital Partners IX, L.P.	\$70,455,686	\$50,000,000	98%	\$48,956,858	\$873,309	\$0	\$27,299,645	\$6,983,671	0.56	2.00	12/31/2023
4/1/2021	Genstar Capital Partners X, L.P.	\$40,605,958	\$42,500,000	94%	\$40,094,572	\$688,524	\$0	\$181,283	\$2,586,711	0.00	1.02	12/31/2023
6/30/2023	Genstar Capital Partners XI, L.P.	\$106,530	\$75,000,000	0%	\$298,210	\$0	\$0	\$0	\$74,701,790	0.00	0.36	12/31/2023
6/30/2023	Green Equity Investors IX	\$14,173,414	\$60,000,000	19%	\$11,589,568	\$11,012,592	\$640,219	\$640,219	\$49,050,651	0.06	1.28	3/31/2024
10/27/2020	GTCR Fund XIII, L.P.	\$27,406,158	\$50,000,000	53%	\$26,577,753	\$185,000	\$0	\$5,556,257	\$23,422,247	0.21	1.24	12/31/2023
6/30/2023	GTCR Fund XIV	\$0	\$100,000,000	0%	\$0	\$0	\$0	\$0	\$100,000,000	N/A	N/A	N/A
5/10/2021	Hellman & Friedman Capital Partners X, L.P.	\$57,503,532	\$75,000,000	72%	\$54,291,281	\$47,396	\$5,193,311	\$5,333,316	\$24,705,082	0.10	1.16	12/31/2023
3/31/2023	Jade Equity Investors II, LP	-\$43,719	\$15,000,000	0%	\$0	\$0	\$0	\$0	\$15,000,000	N/A	N/A	12/31/2023
11/18/2009	Oaktree PIF 2009	\$326,303	\$40,000,000	87%	\$34,812,560	\$0	\$0	\$47,032,470	\$6,308,961	1.35	1.36	12/31/2023
5/2/2013	Ocean Avenue Fund II	\$20,139,066	\$30,000,000	90%	\$27,000,000	\$0	\$4,719,005	\$49,013,249	\$3,000,000	1.82	2.56	12/31/2023
4/15/2016	Ocean Avenue Fund III	\$50,182,111	\$50,000,000	93%	\$46,500,000	\$0	\$0	\$57,709,752	\$3,500,000	1.24	2.32	12/31/2023
11/30/2007	Paladin III	\$8,478,402	\$25,000,000	140%	\$35,078,514	\$124,252	\$721,711	\$72,045,990	\$263,230	2.05	2.30	12/31/2023
8/22/2011	Pathway 6	\$24,580,260	\$40,000,000	99%	\$39,665,012	\$45,000	\$2,420,923	\$57,026,307	\$3,626,887	1.44	2.06	9/30/2023
7/10/2013	Pathway 7	\$58,581,040	\$70,000,000	100%	\$69,826,036	\$100,975	\$1,791,423	\$90,950,487	\$5,127,103	1.30	2.14	9/30/2023
11/23/2015	Pathway 8	\$62,295,500	\$50,000,000	99%	\$49,395,415	\$140,295	\$1,411,497	\$44,666,138	\$2,949,208	0.90	2.17	9/30/2023
1/19/1999	Pathway	\$1,527,909	\$125,000,000	101%	\$126,605,914	\$88,864	\$367,253	\$190,811,769	\$10,513,800	1.51	1.52	9/30/2023
7/31/2009	Pathway 2008	\$9,860,893	\$30,000,000	101%	\$30,330,813	\$67,606	\$956,772	\$53,699,608	\$2,588,505	1.77	2.10	9/30/2023
6/3/2014	Siguler Guff CCCERA Opportunities	\$99,199,947	\$200,000,000	88%	\$175,083,208	\$0	\$17,518,870	\$241,209,810	\$28,597,500	1.38	1.94	12/31/2023
5/18/2018	Sinis Partners IV, L.P.	\$44,553,253	\$35,000,000	110%	\$38,356,543	\$5,392,603	\$555,156	\$6,375,168	\$943,230	0.17	1.33	12/31/2023
6/30/2023	Symphony Technology Group VII	\$4,153,818	\$50,000,000	12%	\$6,068,399	\$6,068,399	\$0	\$0	\$43,931,601	0.00	0.68	12/31/2023
5/27/2021	TA XIV-A, L.P.	\$39,337,859	\$50,000,000	84%	\$41,750,000	\$3,750,000	\$0	\$1,500,000	\$9,750,000	0.04	0.98	12/31/2023
6/30/2023	TA XV-A, L.P.	\$0	\$90,000,000	0%	\$0	\$0	\$0	\$0	\$90,000,000	N/A	N/A	N/A
6/28/2019	TPG Healthcare Partners, L.P.	\$24,963,424	\$24,000,000	99%	\$23,653,717	\$118,756	\$48,405	\$6,311,536	\$3,098,020	0.27	1.32	12/31/2023
3/31/2023	TPG Healthcare Partners II	\$12,042,201	\$60,000,000	23%	\$13,790,105	\$6,288,905	\$0	\$0	\$46,233,847	0.00	0.87	12/31/2023
3/31/2023	TPG Partners IX	\$16,766,691	\$65,000,000	27%	\$17,253,812	\$928,823	\$22,473	\$26,805	\$47,746,188	0.00	0.97	12/31/2023
9/17/2021	Trident IX, L.P.	\$27,266,520	\$50,000,000	51%	\$25,500,385	\$2,298,894	\$115,762	\$115,762	\$24,615,378	0.00	1.07	12/31/2023
5/24/2019	Trident VIII, L.P.	\$50,073,726	\$40,000,000	96%	\$38,314,293	\$0	\$0	\$3,792,372	\$4,992,136	0.10	1.41	12/31/2023
12/8/2015	Wastewater Opportunity Fund	\$8,375,182	\$25,000,000	126%	\$31,512,759	\$0	\$0	\$27,076,172	\$521,541	0.86	1.12	9/30/2023
Total Private Equity and Venture Capital		\$1,419,763,076	\$2,701,065,614	73%	\$1,968,349,711	\$47,969,117	\$113,100,317	\$1,869,736,955	\$888,768,150	0.95	1.67	
% of Portfolio (Market Value)		12.5%										

* II Data provided by StepStone Group
¹Latest valuation + capital calls - distributions
²(DPI) is equal to (capital returned / capital called)
³(TVPI) is equal to (market value + capital returned) / capital called
⁴Capital has been fully called and fund is in redemption.

Total Fund
Closed End Funds - IRR Summary

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Private Equity & Venture Capital	Closing Date	Fund Level (G) ²	CCCERA (G)	Fund Level (N) ^{2,3}	CCCERA (N) ³	IRR Date
Adams Street Partners	2/11/2004	14.7%	14.7%	-	12.6%	12/31/2023
Adams Street Partners II	12/31/2008	16.3%	13.2%	-	10.5%	12/31/2023
Adams Street Partners - Fund 5	12/31/2008	9.1%	8.1%	-	6.7%	12/31/2023
Adams Street Partners Venture	1/18/1996	31.5%	31.4%	-	29.5%	12/31/2023
Adams Street Partners - BPF	3/31/2016	14.2%	14.2%	-	11.6%	12/31/2023
AE Industrial Partners Fund II, LP	5/18/2018	29.9%	-	27.6%	-	12/31/2023
Aether Real Assets III ¹	11/27/2013	0.1%	-	-1.4%	-	9/30/2023
Aether Real Assets III Surplus ¹	11/30/2013	1.5%	-	0.4%	-	9/30/2023
Aether Real Assets IV ¹	1/30/2016	6.5%	-	4.9%	-	9/30/2023
Bay Area Equity Fund I ⁹	11/26/2003	31.3%	31.3%	22.9%	22.9%	12/31/2023
Bay Area Equity Fund II ⁹	11/26/2003	9.1%	9.1%	5.4%	5.4%	12/31/2023
CommonFund ¹	6/30/2013	-	-	-	6.7%	12/31/2023
Energy Investor Fund II ⁹	7/15/2005	5.6%	5.3%	2.9%	2.6%	12/31/2023
Energy Investor Fund V	11/28/2016	17.7%	15.4%	14.5%	12.1%	12/31/2023
Genstar Capital Partners IX, L.P.	2/21/2019	43.1%	-	33.9%	-	12/31/2023
Oaktree PIF 2009	2/28/2010	6.8%	-	6.5%	-	12/31/2023
Ocean Avenue II	8/15/2013	-	-	18.6%	-	12/31/2023
Ocean Avenue III	4/15/2016	-	-	23.4%	-	12/31/2023
Paladin III	11/30/2007	-	-	13.4%	-	12/31/2023
Pathway 6	8/22/2011	16.8%	16.8%	13.9%	13.9%	12/31/2023
Benchmark ⁴		14.4%	-	-	-	12/31/2023
Pathway 7	7/10/2013	18.7%	18.7%	16.0%	16.0%	12/31/2023
Benchmark ⁵		15.1%	-	-	-	12/31/2023
Pathway 8	11/23/2015	18.5%	18.5%	15.8%	15.8%	12/31/2023
Benchmark ⁶		14.9%	-	-	-	12/31/2023
Pathway Private Equity Fund	1/19/1999	10.8%	10.8%	8.3%	8.3%	12/31/2023
Benchmark ⁷		10.4%	-	-	-	12/31/2023
Pathway Private Equity Fund 2008	7/31/2009	20.4%	19.0%	18.4%	18.4%	12/31/2023
Benchmark ⁸		16.1%	-	-	-	12/31/2023
Siguler Guff CCCERA Opportunities	6/3/2014	17.7%	18.4%	17.1%	16.0%	12/31/2023
Siguler Guff Secondary Opportunities ⁹	8/31/2013	55.3%	118.4%	49.5%	69.0%	9/30/2020
Siris Partners IV, L.P. ¹	5/18/2018	19.9%	-	19.0%	-	3/31/2023
TPG Healthcare Partners, L.P.	6/28/2019	-	-	-	19.0%	12/31/2023
Trident VIII, L.P.	5/24/2019	14.0%	-	-	-	12/31/2023
Wastewater Opportunity Fund ¹	12/8/2015	8.5%	-	4.5%	-	3/31/2023

Total Fund
Closed End Funds - Investment Summary

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

StepStone Group Analysis (*)

Closing Date	Manager Name/Fund Name	Estimated Market Value as of 3/31/2024 ¹	Total Commitment	% Called	Contributed Capital	Current Qtr. Change in Contributed Capital	Current Qtr. Change in Distributed Capital	Total Distributions	Remaining Commitment	Distrib./Paid-In (DPI) ²	Tot. Value/Paid-In (TVPI) ³	Latest Valuation
Private Credit												
8/31/2015	Angelo Gordon Energy Credit Opp. ⁴	\$2,323,574	\$16,500,000	114%	\$18,750,000	\$0	\$0	\$20,410,032	\$2,319,783	1.09	1.21	12/31/2023
12/18/2017	Stepstone CC Opportunities Fund	\$1,095,229,074	\$1,170,000,000	88%	\$1,024,707,278	\$7,831,691	\$7,220,917	\$252,622,836	\$254,868,860	0.25	1.32	9/30/2023
8/1/2012	Torchlight IV	\$3,392,189	\$60,000,000	141%	\$84,866,971	\$0	\$0	\$109,589,365	\$0	1.29	1.33	3/31/2024
3/12/2015	Torchlight V	\$7,436,343	\$75,000,000	80%	\$60,000,000	\$0	\$0	\$71,460,214	\$15,000,000	1.19	1.31	12/31/2023
	Total Private Credit	\$1,108,381,180										
	% of Portfolio (Market Value)	9.7%										

*All Data provided by StepStone Group

¹Latest valuation + capital calls - distributions

²(DPI) is equal to (capital returned / capital called)

³(TVPI) is equal to (market value + capital returned) / capital called

⁴Capital has been fully called and fund is in redemption.

Total Fund
Closed End Funds - Investment Summary

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Verus Internal Analysis												
Inception Date	Manager Name/Fund Name	Estimated Market Value as of 3/31/2024 ¹	Total Commitment	Total % Called	Capital Called	Current Qtr. Capital Called	Current Qtr. Distributions	Total Distributions ⁸	Remaining Commitment	Distrib./Paid-In (DPI) ²	Tot. Value/Paid-In (TVPI) ³	Latest Valuation
Real Estate												
1/23/2012	Angelo Gordon Realty Fund VIII ⁴	\$10,216,357	\$80,000,000	94%	\$75,401,855	\$0	\$0	\$101,711,550	\$12,334,302	1.35	1.48	12/31/2023
12/8/2014	Angelo Gordon Realty Fund IX	\$17,585,156	\$65,000,000	93%	\$60,125,000	\$0	\$0	\$58,012,501	\$7,572,500	0.96	1.26	12/31/2023
3/24/2023	BlackStone Strategic Partners Real Estate VIII	\$8,756,632	\$80,000,000	10%	\$7,720,746	\$3,584,914	\$0	\$0	\$72,279,254	0.00	1.13	12/31/2023
3/24/2023	Blackstone Real Estate Partners X	\$5,535,067	\$100,000,000	6%	\$6,473,629	\$1,004,980	\$0	\$0	\$93,526,371	0.00	0.86	12/31/2023
12/14/2023	Cross Lake RE IV	\$2,138,173	\$60,000,000	6%	\$3,376,220	\$1,495,894	\$0	\$0	\$56,623,780	0.00	0.63	12/31/2023
6/23/2005	DLJ RECP III	\$11,434,409	\$75,000,000	95%	\$70,968,662	\$0	\$0	\$77,985,055	\$4,031,338	1.10	1.26	12/31/2023
2/11/2008	DLJ RECP IV	\$37,967,574	\$100,000,000	119%	\$118,794,333	\$0	\$0	\$99,841,735	\$1,876,084	0.84	1.16	12/31/2023
7/1/2014	DLJ RECP V	\$12,435,721	\$75,000,000	146%	\$109,393,496	\$0	\$1,548,706	\$102,482,154	\$1,766,747	0.94	1.05	12/31/2023
3/19/2019	DLJ RECP VI	\$12,109,351	\$50,000,000	77%	\$38,496,759	\$0	\$0	\$11,369,099	\$15,396,028	0.30	0.61	12/31/2023
12/14/2023	EQT Exeter Industrial Value Fund VI	\$4,962,651	\$60,000,000	10%	\$6,000,000	\$0	\$0	\$0	\$54,000,000	N/A	N/A	N/A
N/A	EQT Multifamily Value II	\$0	\$40,000,000	0%	\$0	\$0	\$0	\$0	\$40,000,000	N/A	N/A	N/A
6/30/2014	Invesco Real Estate IV ⁴	\$356,326	\$35,000,000	87%	\$30,546,401	\$0	\$0	\$39,777,325	\$4,453,599	1.30	1.31	12/31/2023
2/20/2019	Invesco Real Estate V	\$58,043,244	\$75,000,000	87%	\$65,318,898	\$0	\$0	\$9,319,462	\$9,681,102	0.14	1.03	3/31/2024
9/27/2022	Invesco Real Estate VI	\$45,377,700	\$100,000,000	56%	\$55,892,926	\$2,114,017	\$0	\$2,230,131	\$66,873,408	0.04	0.85	12/31/2023
11/10/2023	KSL Capital Partners VI, L.P.	\$8,926,995	\$50,000,000	24%	\$11,766,813	\$0	\$0	\$0	\$38,233,187	N/A	N/A	N/A
7/16/2013	LaSalle Income & Growth VI ⁴	\$12,520,362	\$75,000,000	95%	\$71,428,571	\$0	\$0	\$84,541,423	\$0	1.18	1.36	3/31/2024
2/28/2017	LaSalle Income & Growth VII	\$23,461,488	\$75,000,000	114%	\$85,708,742	\$0	\$0	\$61,623,058	\$2,845,685	0.72	0.99	3/31/2024
7/3/2013	Long Wharf Fund IV ⁴	\$292,567	\$25,000,000	100%	\$25,000,000	\$0	\$0	\$34,948,087	\$0	1.40	1.41	3/31/2024
9/30/2016	Long Wharf Fund V ⁴	\$26,625,270	\$50,000,000	100%	\$50,000,000	\$0	\$0	\$37,244,373	\$0	0.74	1.28	3/31/2024
6/27/2019	Long Wharf Fund VI	\$34,458,333	\$50,000,000	100%	\$49,999,998	\$0	\$0	\$27,056,490	\$2	0.54	1.23	3/31/2024
5/30/2023	Long Wharf Fund VII	\$8,475,163	\$50,000,000	22%	\$10,999,056	\$1,890,556	\$0	\$0	\$39,000,944	0.00	0.77	3/31/2024
12/31/2011	Oaktree REOF VI ⁴	\$404,755	\$50,000,000	101%	\$50,315,673	\$0	\$0	\$78,780,733	\$5,000,000	1.57	1.57	3/31/2024
9/30/2013	Oaktree REOF VI ⁴	\$17,641,640	\$80,000,000	100%	\$80,000,000	\$0	\$0	\$84,810,175	\$18,400,000	1.06	1.28	3/31/2024
4/1/2015	Oaktree REOF VII	\$37,903,512	\$65,000,000	139%	\$90,378,928	\$28,928	\$0	\$26,277,174	\$18,915,000	0.29	0.71	3/31/2024
11/10/2013	Paulson Real Estate Fund II ⁴	\$12,539,072	\$20,000,000	97%	\$19,345,623	\$0	\$0	\$25,449,660	\$654,377	1.32	1.96	12/31/2023
4/28/2022	PCCP IX	\$64,923,960	\$75,000,000	80%	\$60,176,564	\$3,375,000	\$0	\$0	\$14,823,436	0.00	1.08	12/31/2023
1/25/2012	Siguler Guff DREOF	\$11,896,219	\$75,000,000	93%	\$69,375,000	\$0	\$7,759	\$103,778,870	\$5,625,000	1.50	1.67	12/31/2023
8/31/2013	Siguler Guff DREOF II	\$25,937,302	\$70,000,000	89%	\$61,985,000	\$0	\$13,107	\$55,704,893	\$8,015,000	0.90	1.32	12/31/2023
1/27/2016	Siguler Guff DREOF II Co-Inv	\$12,268,444	\$25,000,000	85%	\$21,277,862	\$0	\$0	\$13,871,261	\$3,722,138	0.65	1.23	12/31/2023
Total Closed End Real Estate		\$525,193,442	\$1,730,000,000	81%	\$1,400,266,756	\$13,494,289	\$1,569,573	\$1,136,815,209	\$501,649,282	0.81	1.19	
% of Portfolio (Market Value)		4.6%										

¹Latest valuation + capital calls - distributions

²(DPI) is equal to (capital returned / capital called)

³(TVPI) is equal to (market value + capital returned) / capital called

⁴Capital has been fully called and fund is in redemption.

⁵Total distributions may include recallable distributions

⁶Remianing commitment includes recallable distributions

Total Fund
Closed End Funds - IRR Summary

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Private Credit	Inception	Fund Level (G) ²	CCCERA (G)	Fund Level (N) ^{2,3}	CCCERA (N) ³	IRR Date
Angelo Gordon Energy Cred Opp. ⁴	9/24/2015	-	-	-	7.6%	3/31/2024
Stepstone CC Opportunities Fund ¹	2/2/2018	-	9.9%	-	9.2%	12/31/2023
Torchlight IV	8/1/2012	11.0%	11.6%	8.9%	9.8%	12/31/2023
Torchlight V	3/12/2015	14.1%	11.6%	8.9%	9.8%	12/31/2023
Real Estate	Inception	Fund Level (G) ²	CCCERA (G)	Fund Level (N) ^{2,3}	CCCERA (N) ³	IRR Date
Angelo Gordon VIII ⁴	1/23/2012	-	-	-	12.0%	12/31/2023
Angelo Gordon IX	12/8/2014	-	-	-	5.2%	12/31/2023
Blackstone Real Estate Partners X ¹	3/24/2023	-	-	-	-	N/A
BlackStone Strategic Partners Real Estate VIII ¹	3/25/2022	-	-	-	-	N/A
Cross Lake RE IV ¹	12/14/2023	-	-	-	-	N/A
DLJ RECP III	6/23/2005	-1.0%	-1.0%	-3.0%	-3.0%	9/30/2023
DLJ RECP IV	2/11/2008	4.0%	4.0%	1.0%	2.0%	9/30/2023
DLJ RECP V	7/1/2014	11.0%	11.0%	5.0%	5.0%	9/30/2023
DLJ RECP VI	3/19/2019	11.0%	11.0%	2.0%	3.0%	9/30/2023
EQT Exeter Industrial Value Fund VI ¹	12/14/2023	-	-	-	-	N/A
EQT Industrial Value VI ¹	12/31/2023	-	-	-	-	N/A
EQT Multifamily Value II ¹	N/A	-	-	-	-	N/A
Invesco Fund IV ⁴	6/30/2014	12.8%	-	10.2%	-	12/31/2023
Invesco Fund V	2/20/2019	0.6%	-	-2.3%	-	12/31/2023
Invesco Fund VI	9/27/2022	-	-	-	-	N/A
KSL Capital Partners VI ¹	11/10/2023	-	-	-	-	N/A
LaSalle Income & Growth VI ⁴	7/16/2013	10.3%	10.3%	8.3%	8.3%	3/31/2024
LaSalle Income & Growth VII	2/28/2017	2.1%	2.0%	0.1%	0.0%	3/31/2024
Long Wharf IV ⁴	7/3/2013	14.7%	14.5%	11.1%	11.0%	3/31/2024
Long Wharf V ⁴	9/30/2016	8.8%	9.1%	6.2%	6.4%	3/31/2024
Long Wharf VI	6/27/2019	24.6%	26.0%	15.1%	15.8%	3/31/2024
Long Wharf VII	5/1/2023	-2.6%	-2.6%	-24.9%	-24.1%	3/31/2024
Oaktree REOF V ⁴	12/31/2011	16.6%	-	12.2%	-	3/31/2024
Oaktree REOF VI ⁴	9/30/2013	10.3%	-	6.5%	-	3/31/2024
Oaktree REOF VII	4/1/2015	15.7%	-	9.9%	-	3/31/2024
Paulson ⁴	11/10/2013	-	-	12.0%	-	12/31/2023
PCCP IX	5/27/2021	9.9%	-	6.6%	-	12/31/2023
Siguler Guff I	1/25/2012	12.2%	14.9%	10.6%	11.8%	12/31/2023
Siguler Guff II	8/31/2013	8.5%	8.7%	7.3%	7.1%	12/31/2023
Siguler Guff DREOF II Co-Inv	1/27/2016	5.5%	5.7%	4.6%	4.3%	12/31/2023

¹Manager has yet to report IRR figure.

²Fund level data includes CCCERA and all other fund investors.

³Net IRR calculated after deductions of management fees and carried interest to the General Partner.

⁴Capital has been fully called and fund is in redemption.

Total Fund
Risk Analysis - 3 Years (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

3 Years

	Anlzd Return	Anlzd Excess Performance	Anlzd Standard Deviation	Anlzd Alpha	Beta	Tracking Error	R-Squared	Sharpe Ratio	Information Ratio	Up Capture	Down Capture
BlackRock Russell 1000 Index	10.45	0.00	17.52	0.00	1.00	0.02	1.00	0.51	0.00	99.99	99.99
Boston Partners	11.80	3.69	15.87	3.74	0.96	3.14	0.96	0.63	1.06	102.21	86.52
Emerald Advisers	-0.91	1.77	21.83	1.75	0.97	4.44	0.96	-0.05	0.39	103.78	98.11
Ceredex	6.86	4.65	18.99	4.79	0.85	6.77	0.90	0.31	0.59	94.09	79.39
Pyrford	4.20	-0.38	13.55	0.32	0.83	5.02	0.90	0.18	-0.13	85.87	85.08
William Blair	-0.36	0.40	19.20	0.65	1.03	5.81	0.91	-0.06	0.12	107.15	104.70
PIMCO RAE Emerging Markets	6.46	7.37	16.86	7.61	0.98	6.40	0.86	0.31	1.15	116.39	82.23
TT Emerging Markets	-8.31	-3.26	19.52	-2.79	1.07	5.42	0.93	-0.48	-0.57	109.53	120.22
Artisan Partners	3.64	-3.10	19.64	-2.65	0.97	4.91	0.94	0.15	-0.60	90.49	99.19
First Eagle	6.57	-0.10	12.95	0.89	0.83	4.16	0.93	0.36	-0.09	83.42	78.71
Voya Global Investors	1.60	-0.60	8.41	-0.58	1.00	1.10	0.98	-0.07	-0.53	96.06	101.28
Adelante	4.97	0.41	20.40	0.51	0.96	1.60	1.00	0.21	0.13	96.84	95.36
AQR Global Risk Premium-EL	0.86	0.20	10.54	0.23	0.90	2.44	0.96	-0.11	0.04	91.38	90.09
PanAgora Risk Parity Multi Asset	-5.04	-5.70	15.02	-5.54	1.27	4.60	0.95	-0.44	-1.16	107.70	141.09
AFL-CIO	-2.82	-0.36	6.84	-0.50	0.95	1.00	0.98	-0.77	-0.39	91.78	97.15
DFA Short Credit	0.24	0.60	2.74	0.53	0.79	1.43	0.78	-0.91	0.41	90.91	77.85
Insight Short Duration	1.79	1.54	1.77	1.65	0.55	1.62	0.47	-0.49	0.94	75.65	19.91
Sit Short Duration	-0.07	-0.09	3.51	-0.08	1.47	1.83	0.81	-0.76	-0.03	149.86	152.67

Performance Analysis excludes closed end funds and those funds without 3 years of performance.

Total Fund
Risk Analysis - 5 Years (Net of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

5 Years

	Anlzd Return	Anlzd Excess Performance	Standard Deviation	Alpha	Beta	Tracking Error	R-Squared	Sharpe Ratio	Information Ratio	Up Capture	Down Capture
BlackRock Russell 1000 Index	14.75	-0.01	18.61	-0.01	1.00	0.02	1.00	0.73	-0.56	99.97	100.00
Boston Partners	13.28	2.97	19.16	2.63	1.02	3.03	0.98	0.64	0.92	104.49	93.58
Emerald Advisers	7.99	0.61	23.14	0.95	0.95	5.17	0.95	0.36	0.08	99.93	98.42
Ceredex	8.49	0.32	22.47	1.21	0.87	7.11	0.92	0.39	-0.03	88.78	85.23
Pyrford	6.04	0.68	14.75	1.75	0.75	6.77	0.89	0.34	0.00	83.60	78.31
William Blair	8.47	2.23	19.04	2.04	1.05	5.04	0.93	0.42	0.47	110.76	103.33
PIMCO RAE Emerging Markets	7.97	5.87	20.52	5.97	1.06	6.02	0.92	0.38	1.01	116.34	92.12
TT Emerging Markets	1.39	-0.83	22.31	-0.67	1.15	6.05	0.94	0.09	-0.01	116.09	119.15
Artisan Partners	12.42	-1.14	18.78	-0.27	0.94	4.89	0.94	0.61	-0.23	92.92	93.27
First Eagle	8.26	0.62	13.90	2.16	0.76	5.64	0.93	0.50	-0.01	81.43	73.47
Voya Global Investors	3.39	-0.64	8.75	-0.32	0.92	1.70	0.97	0.20	-0.40	92.33	96.27
Adelante	5.35	0.93	19.48	1.01	0.95	1.66	1.00	0.26	0.40	97.64	94.29
AFL-CIO	0.01	-0.35	5.75	-0.33	0.93	1.07	0.97	-0.32	-0.35	88.36	92.40
DFA Short Credit	1.27	0.01	2.47	0.28	0.78	1.50	0.68	-0.30	0.00	81.18	72.26
Insight Short Duration	2.30	0.95	2.03	1.49	0.60	1.86	0.29	0.15	0.50	83.05	16.28
Sit Short Duration	1.39	0.25	3.01	-0.21	1.42	1.59	0.79	-0.20	0.17	145.22	158.94

Performance Analysis excludes closed end funds and those funds without 5 years of performance.

Total Fund
Investment Fund Fee Analysis

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Name	Asset Class	Fee Schedule	Market Value	Estimated Fee Value	Expense Fee (%)
BlackRock Russell 1000 Index	Growth	0.03 % of Assets	\$1,333,773,686	\$400,132	0.03
Boston Partners	Growth	0.50 % of First \$25 M 0.30 % Thereafter	\$452,725,674	\$1,408,177	0.31
Emerald Advisers	Growth	0.75 % of First \$10 M 0.60 % Thereafter	\$246,393,154	\$1,493,359	0.61
Ceredex	Growth	0.85 % of First \$10 M 0.68 % of Next \$40 M 0.51 % Thereafter	\$233,226,547	\$1,291,455	0.55
Pyrford	Growth	0.70 % of First \$50 M 0.50 % of Next \$50 M 0.35 % Thereafter	\$511,137,914	\$2,038,983	0.40
William Blair	Growth	0.80 % of First \$20 M 0.60 % of Next \$30 M 0.50 % of Next \$50 M 0.45 % of Next \$50 M 0.40 % of Next \$50 M 0.30 % Thereafter	\$504,471,490	\$1,928,414	0.38
PIMCO RAE Emerging Markets	Growth	0.75 % of First \$50 M 0.68 % of Next \$50 M 0.50 % of Next \$100 M 0.45 % Thereafter	\$259,484,680	\$1,480,181	0.57
TT Emerging Markets	Growth	0.70 % of First \$100 M 0.65 % of Next \$100 M 0.60 % Thereafter	\$247,522,027	\$1,635,132	0.66
Artisan Partners	Growth	0.75 % of Assets	\$665,966,950	\$4,994,752	0.75
First Eagle	Growth	0.75 % of Assets	\$597,922,680	\$4,484,420	0.75
Voya Global Investors	Growth	0.50 % of First \$50 M 0.40 % of Next \$50 M 0.35 % Thereafter	\$159,409,366	\$657,933	0.41
Invesco US Fundamental Beta	Growth	0.15 % of Assets	\$114,931,558	\$172,397	0.15
AQR Global Risk Premium-EL	Growth	0.38 % of Assets	\$182,826,494	\$694,741	0.38

Mutual fund fees shown are sourced from Morningstar and are as of the most current prospectus.

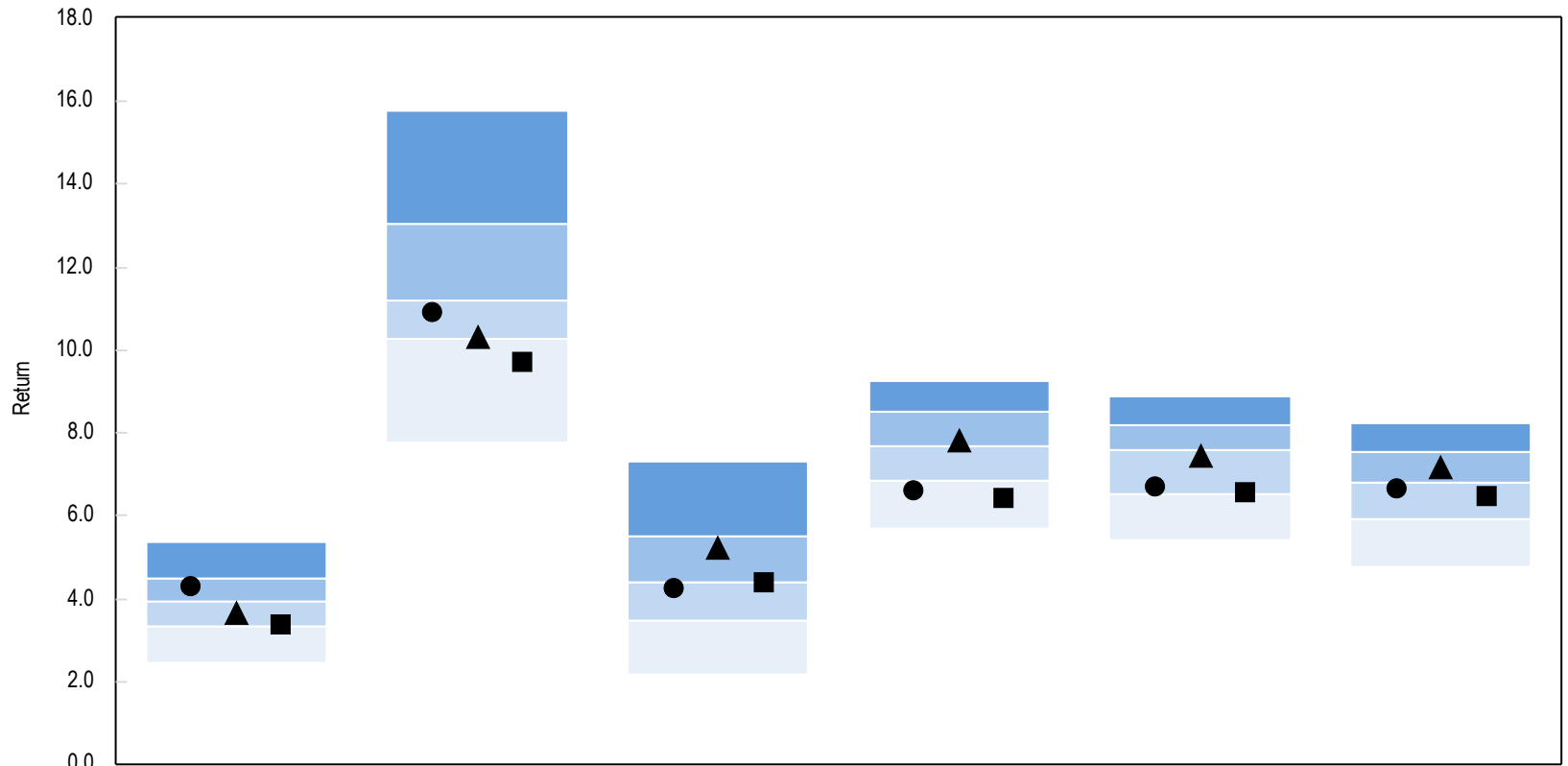
Total Fund
Investment Fund Fee Analysis

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Name	Asset Class	Fee Schedule	Market Value	Estimated Fee Value	Expense Fee (%)
PanAgora Risk Parity Multi Asset	Growth	0.35 % of Assets	\$167,177,978	\$585,123	0.35
AFL-CIO	Diversifying	0.32 % of Assets	\$220,632,514	\$706,024	0.32
Acadian Multi-Asset Absolute Return Fund	Diversifying	0.50 % of Assets	\$163,606,323	\$818,032	0.50
Sit LLCAR	Diversifying	0.39 % of First \$200 M 0.35 % Thereafter	\$372,229,605	\$1,414,473	0.38
DFA Short Credit	Liquidity	0.20 % of First \$25 M 0.10 % Thereafter	\$336,917,694	\$361,918	0.11
Insight Short Duration	Liquidity	0.06 % of First \$500 M 0.05 % of Next \$500 M 0.04 % Thereafter	\$549,439,086	\$324,720	0.06
Sit Short Duration	Liquidity	0.15 % of Assets	\$596,616,105	\$894,924	0.15

Mutual fund fees shown are sourced from Morningstar and are as of the most current prospectus.

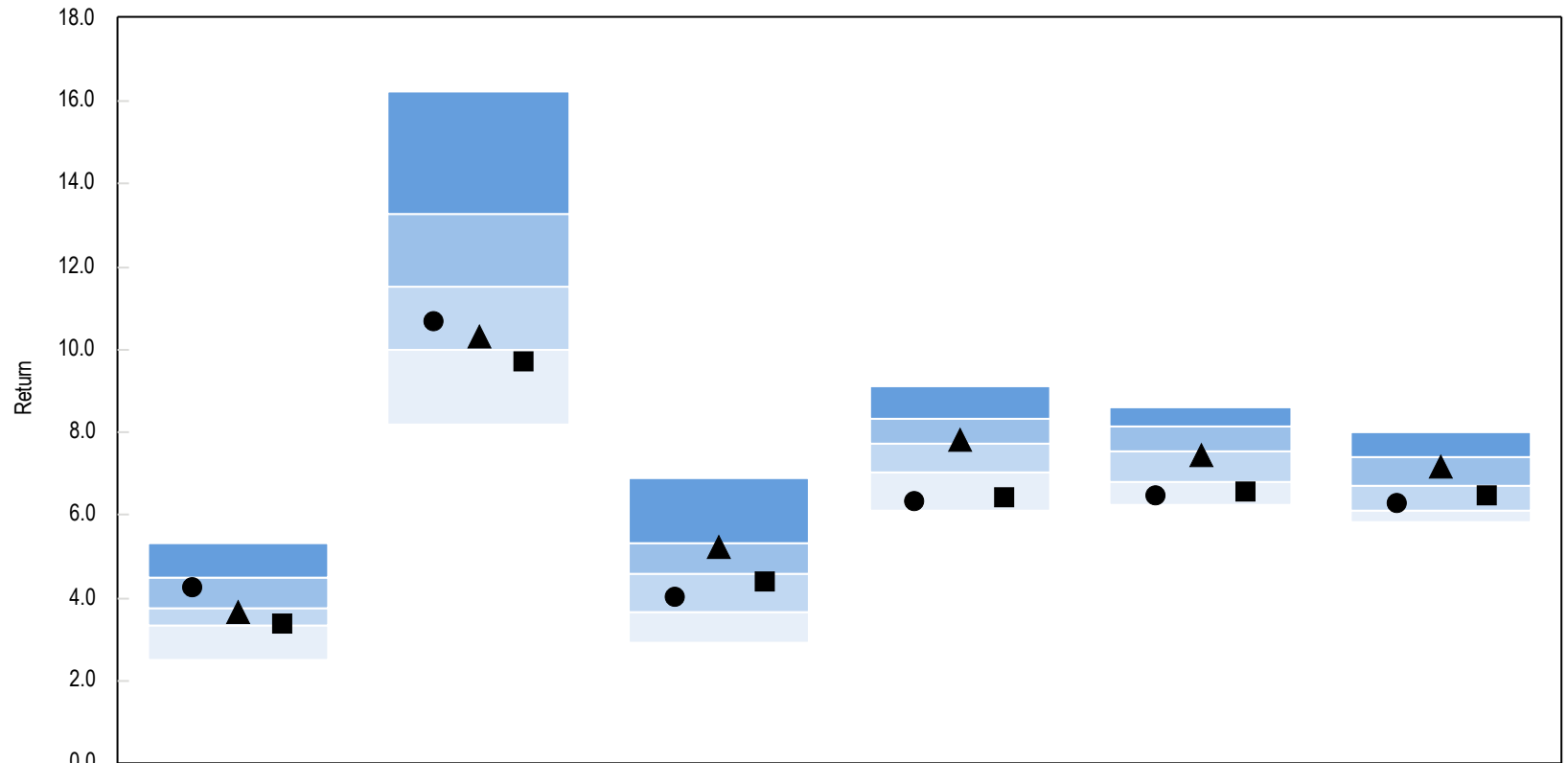
Total Fund Cumulative Performance vs. InvMetrics Public DB >\$1B Gross



	3 Mo	1 Yr	3 Yrs	5 Yrs	7 Yrs	10 Yrs
● Total Fund	4.32 (30)	10.92 (54)	4.25 (52)	6.61 (81)	6.73 (74)	6.66 (56)
▲ Policy Index	3.63 (67)	10.31 (75)	5.25 (30)	7.83 (47)	7.47 (54)	7.16 (42)
■ Implementation Benchmark	3.36 (74)	9.70 (80)	4.41 (50)	6.44 (87)	6.57 (75)	6.50 (60)
5th Percentile	5.38	15.77	7.32	9.27	8.87	8.23
1st Quartile	4.49	13.06	5.49	8.50	8.20	7.55
Median	3.95	11.20	4.39	7.67	7.59	6.79
3rd Quartile	3.34	10.25	3.48	6.84	6.55	5.91
95th Percentile	2.44	7.78	2.16	5.71	5.39	4.75
Population	98	55	51	51	50	47

Effective 1/01/2017, only traditional asset class (public equity, public fixed income, REITs) investment management fees will be included in the gross of fee return calculation.

Total Fund Cumulative Performance vs. InvMetrics Public DB >\$1B Net

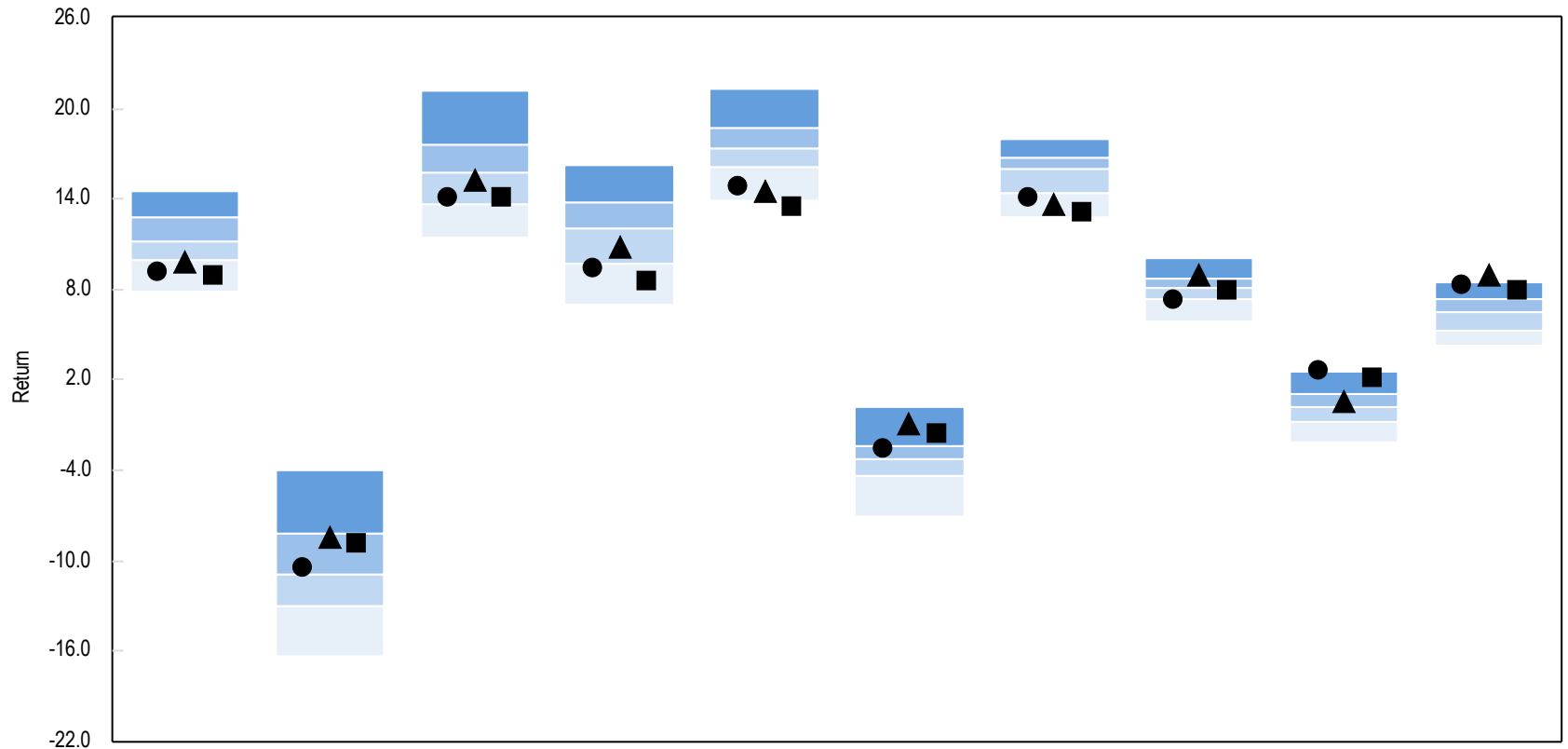


	3 Mo	1 Yr	3 Yrs	5 Yrs	7 Yrs	10 Yrs
● Total Fund	4.26 (32)	10.71 (57)	4.01 (66)	6.35 (89)	6.46 (87)	6.30 (68)
▲ Policy Index	3.63 (62)	10.31 (66)	5.25 (27)	7.83 (42)	7.47 (52)	7.16 (33)
■ Implementation Benchmark	3.36 (75)	9.70 (80)	4.41 (58)	6.44 (87)	6.57 (82)	6.50 (63)
5th Percentile	5.33	16.24	6.88	9.11	8.62	8.03
1st Quartile	4.47	13.27	5.34	8.31	8.15	7.39
Median	3.74	11.50	4.59	7.71	7.56	6.71
3rd Quartile	3.34	9.97	3.65	7.03	6.80	6.10
95th Percentile	2.50	8.17	2.93	6.10	6.24	5.83
Population	88	45	39	38	37	33

Total Fund
Peer Universe Comparison: Consecutive Periods (Gross of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

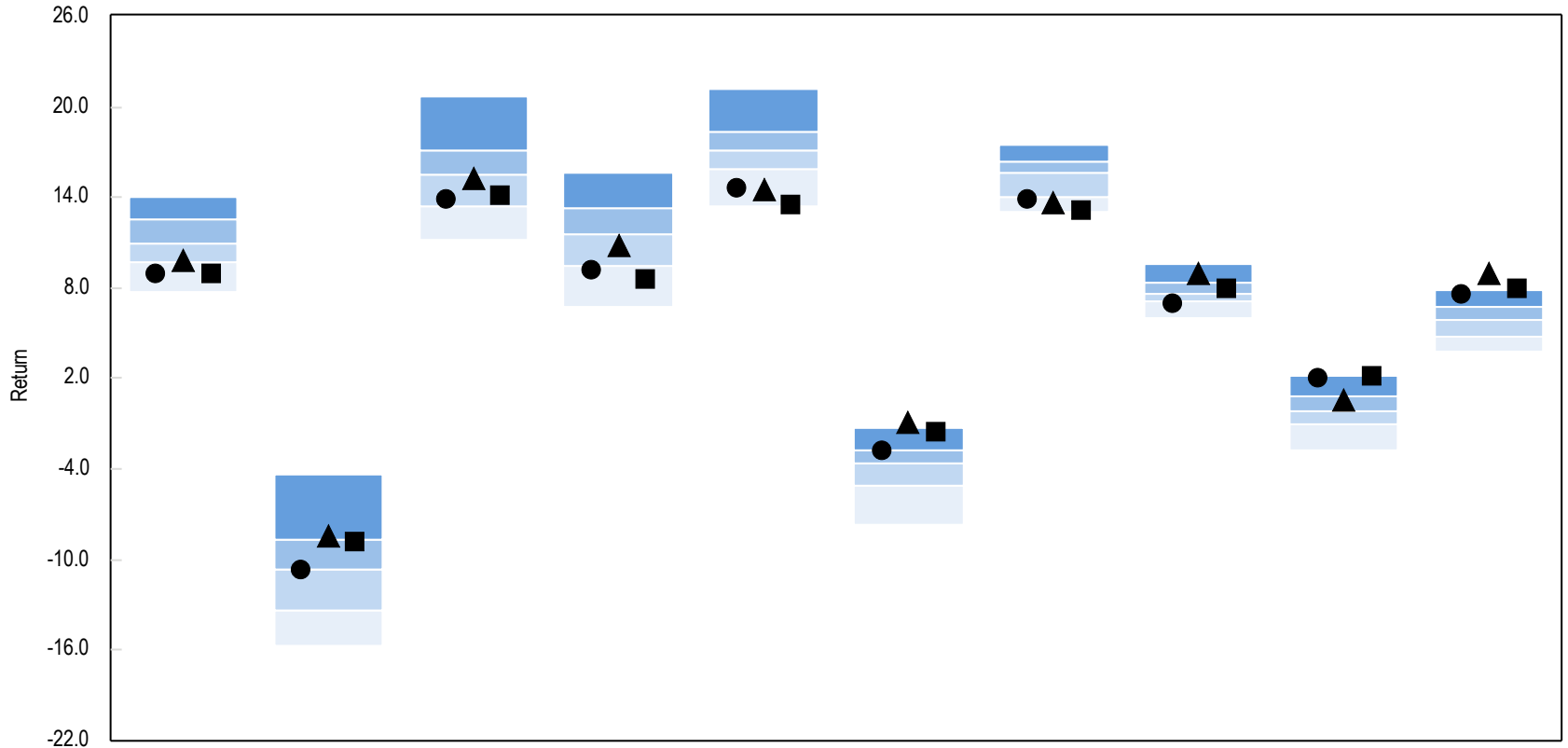
Total Fund Consecutive Periods vs. InvMetrics Public DB >\$1B Gross



	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
● Total Fund	9.23 (82)	-10.39 (46)	14.21 (66)	9.52 (81)	14.92 (90)	-2.46 (29)	14.18 (79)	7.43 (74)	2.70 (2)	8.40 (6)
▲ Policy Index	9.89 (76)	-8.38 (26)	15.29 (56)	10.81 (65)	14.58 (92)	-0.94 (9)	13.69 (91)	8.93 (21)	0.58 (37)	9.03 (2)
■ Implementation Benchmark	9.03 (83)	-8.74 (31)	14.17 (68)	8.66 (91)	13.59 (97)	-1.52 (14)	13.21 (95)	8.00 (56)	2.18 (10)	8.03 (10)
5th Percentile	14.58	-3.98	21.20	16.27	21.28	0.20	18.02	10.03	2.50	8.43
1st Quartile	12.86	-8.21	17.57	13.79	18.71	-2.33	16.79	8.67	1.07	7.37
Median	11.19	-10.84	15.77	12.11	17.31	-3.23	16.01	8.06	0.22	6.46
3rd Quartile	9.95	-12.97	13.67	9.75	16.18	-4.35	14.36	7.40	-0.80	5.21
95th Percentile	7.86	-16.37	11.44	7.01	13.93	-7.10	12.79	5.84	-2.12	4.27
Population	86	95	129	144	108	88	97	102	98	93

Effective 1/01/2017, only traditional asset class (public equity, fixed income, REITs) investment management fees will be included in the gross of fee return calculation.

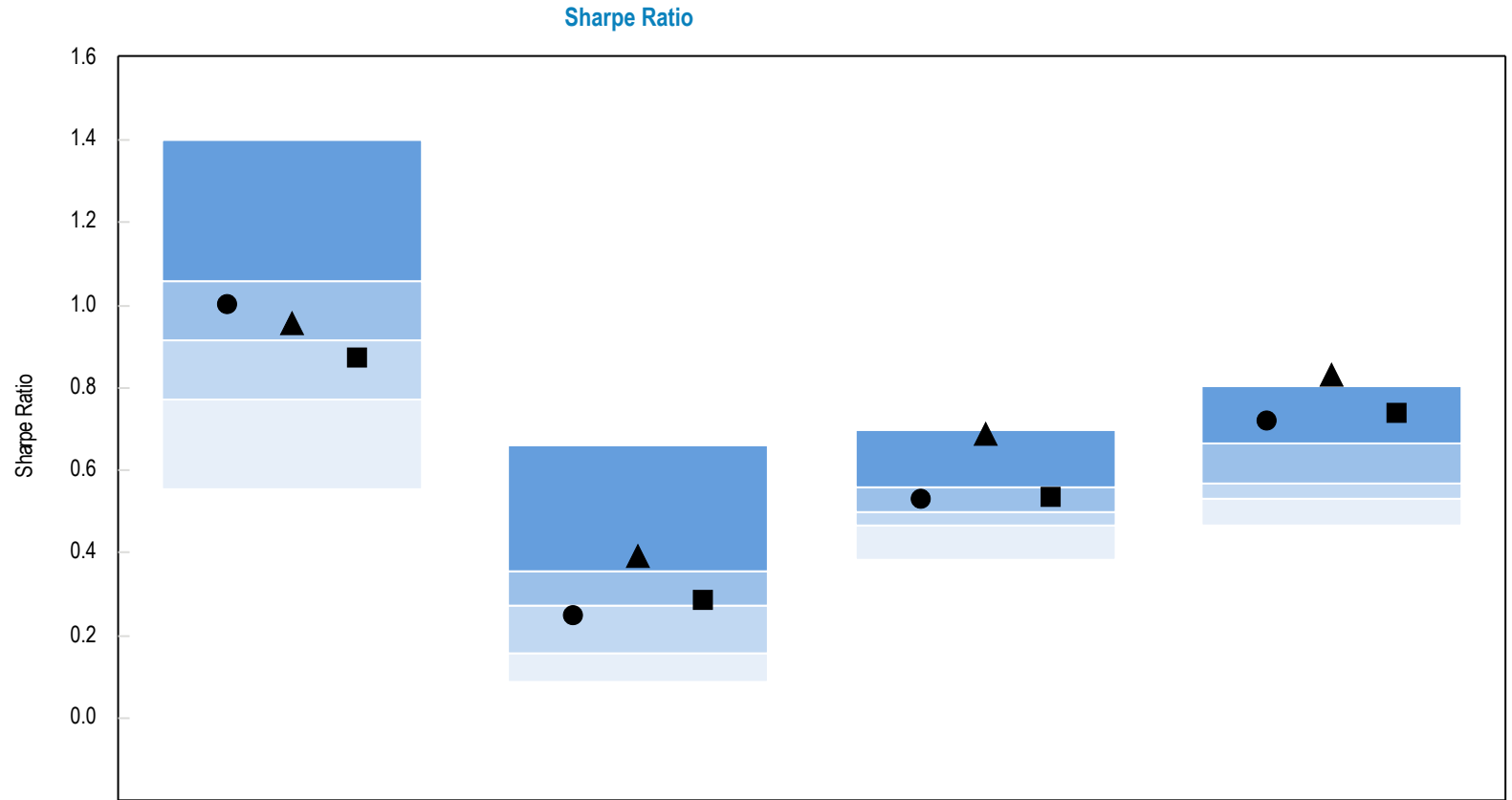
Total Fund Consecutive Periods vs. InvMetrics Public DB >\$1B Net



	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
● Total Fund	9.02 (82)	-10.61 (51)	13.90 (67)	9.23 (77)	14.61 (93)	-2.72 (25)	13.86 (81)	6.94 (79)	2.09 (9)	7.67 (8)
▲ Policy Index	9.89 (75)	-8.38 (24)	15.29 (52)	10.81 (62)	14.58 (93)	-0.94 (3)	13.69 (86)	8.93 (17)	0.58 (28)	9.03 (1)
■ Implementation Benchmark	9.03 (82)	-8.74 (28)	14.17 (63)	8.66 (88)	13.59 (95)	-1.52 (6)	13.21 (94)	8.00 (36)	2.18 (5)	8.03 (3)
5th Percentile	14.07	-4.40	20.67	15.67	21.23	-1.28	17.49	9.62	2.14	7.80
1st Quartile	12.54	-8.64	17.15	13.27	18.36	-2.74	16.35	8.40	0.86	6.72
Median	10.93	-10.61	15.53	11.54	17.08	-3.64	15.63	7.62	-0.20	5.89
3rd Quartile	9.70	-13.34	13.46	9.41	15.92	-5.04	14.03	7.08	-1.06	4.74
95th Percentile	7.77	-15.68	11.22	6.75	13.41	-7.74	13.00	6.00	-2.75	3.79
Population	73	73	104	120	99	79	89	88	85	80

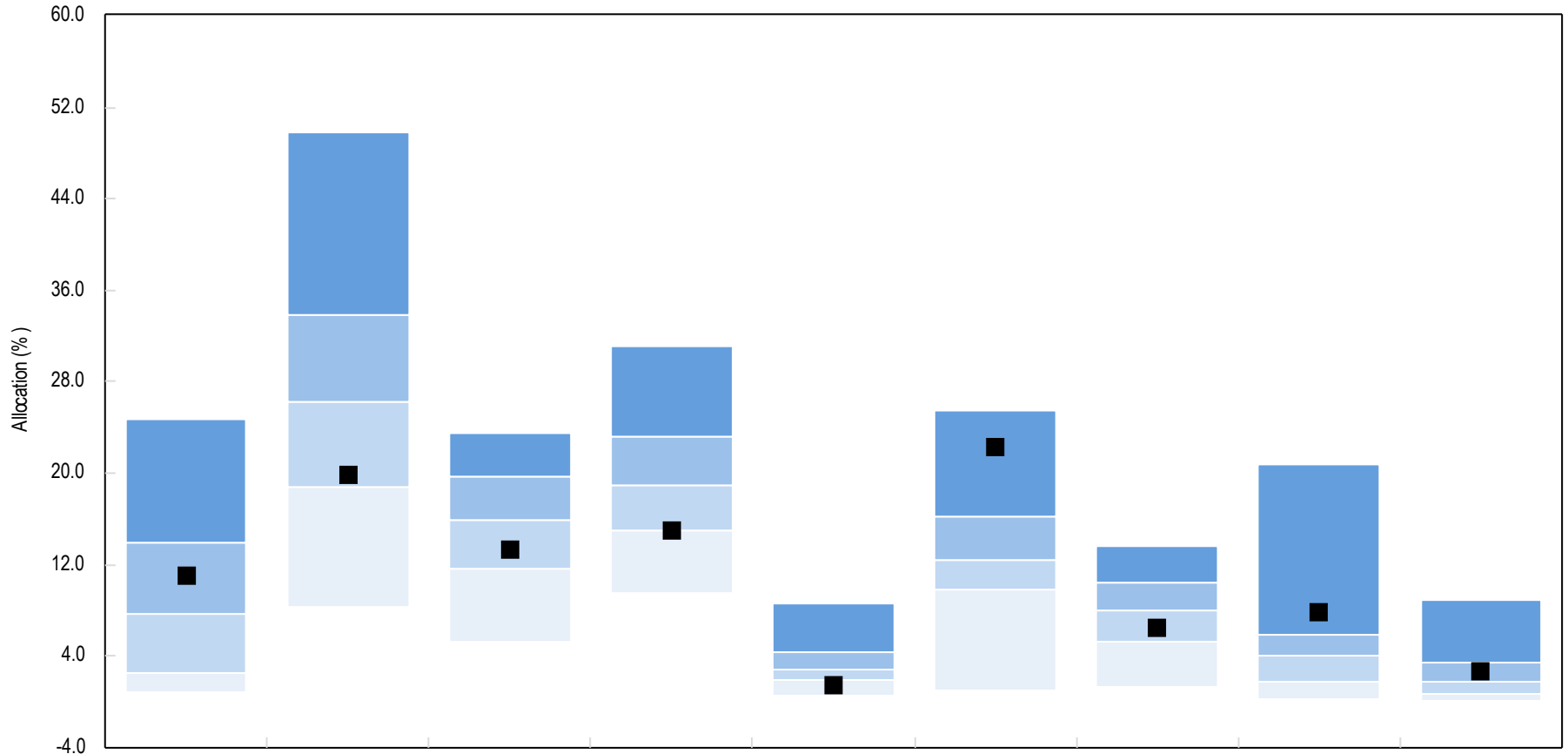
Total Fund
Sharpe Ratio Ranking (Gross of Fees)

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024



	1 Yr	3 Yrs	5 Yrs	10 Yrs
● Total Fund	1.00 (35)	0.25 (56)	0.53 (32)	0.72 (16)
▲ Policy Index	0.96 (36)	0.39 (17)	0.69 (6)	0.83 (4)
■ Implementation Benchmark	0.87 (52)	0.29 (42)	0.54 (30)	0.74 (13)
5th Percentile	1.40	0.66	0.70	0.80
1st Quartile	1.06	0.36	0.56	0.66
Median	0.92	0.27	0.50	0.57
3rd Quartile	0.77	0.16	0.47	0.53
95th Percentile	0.55	0.09	0.38	0.47
Population	45	39	38	33

Total Fund vs. InvMetrics Public DB > \$1B



	Global Equity	US Equity	Global ex-US Equity	US Fixed	Global ex-US Fixed	Private Equity	Total Real Estate	Multi-Asset	Cash & Equivalents
■ Total Fund	11.1 (34)	19.9 (74)	13.4 (69)	15.0 (76)	1.4 (81)	22.2 (9)	6.5 (66)	7.8 (16)	2.7 (34)
5th Percentile	24.7	49.8	23.5	31.1	8.7	25.4	13.6	20.8	8.9
1st Quartile	14.0	33.8	19.7	23.2	4.4	16.3	10.5	5.8	3.5
Median	7.7	26.3	15.9	19.0	2.8	12.4	8.0	4.1	1.8
3rd Quartile	2.6	18.8	11.7	15.1	2.0	9.8	5.3	1.8	0.7
95th Percentile	0.8	8.3	5.2	9.6	0.6	1.0	1.3	0.3	0.1
Population	37	94	93	92	33	76	77	32	85

Domestic Equity Managers

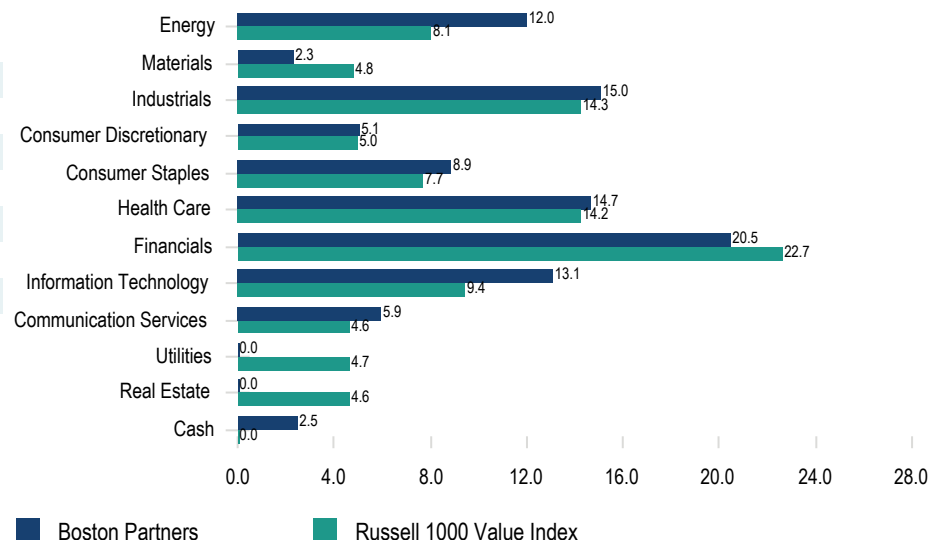
Boston Partners
 Manager Portfolio Overview

Contra Costa County Employees' Retirement Association
 Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	90	845
Wtd. Avg. Mkt. Cap \$M	171,177.95	158,797.93
Median Mkt. Cap \$M	48,462.48	13,476.47
Price/Earnings ratio	18.48	18.76
Price/Book ratio	2.93	2.58
Return on Equity (%)	3.53	3.75
Current Yield (%)	1.67	2.17
Beta (5 Years, Monthly)	1.02	1.00

Sector Allocation (%) vs. Russell 1000 Value Index



Largest Holdings

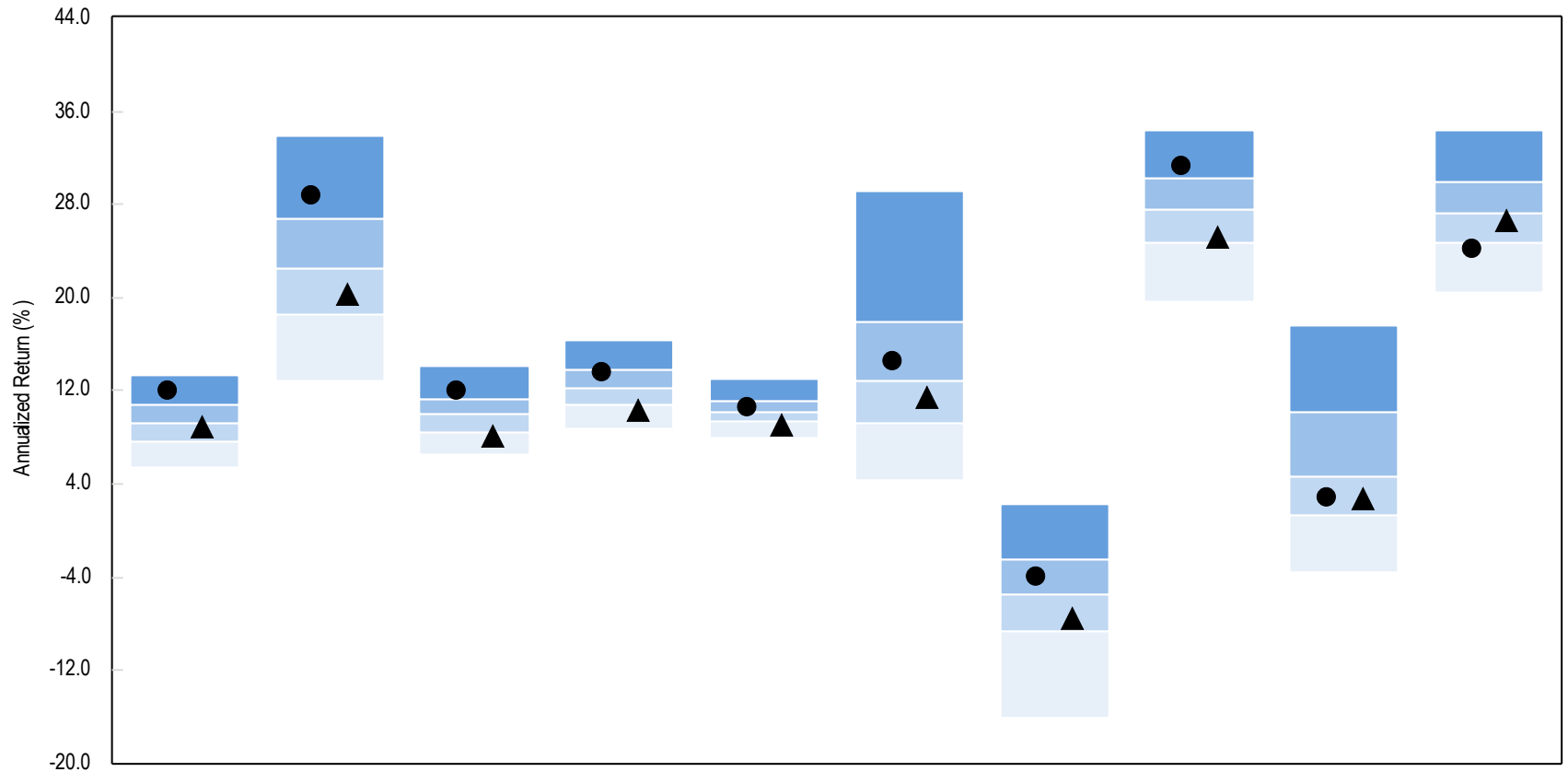
Top Contributors

Top Detractors

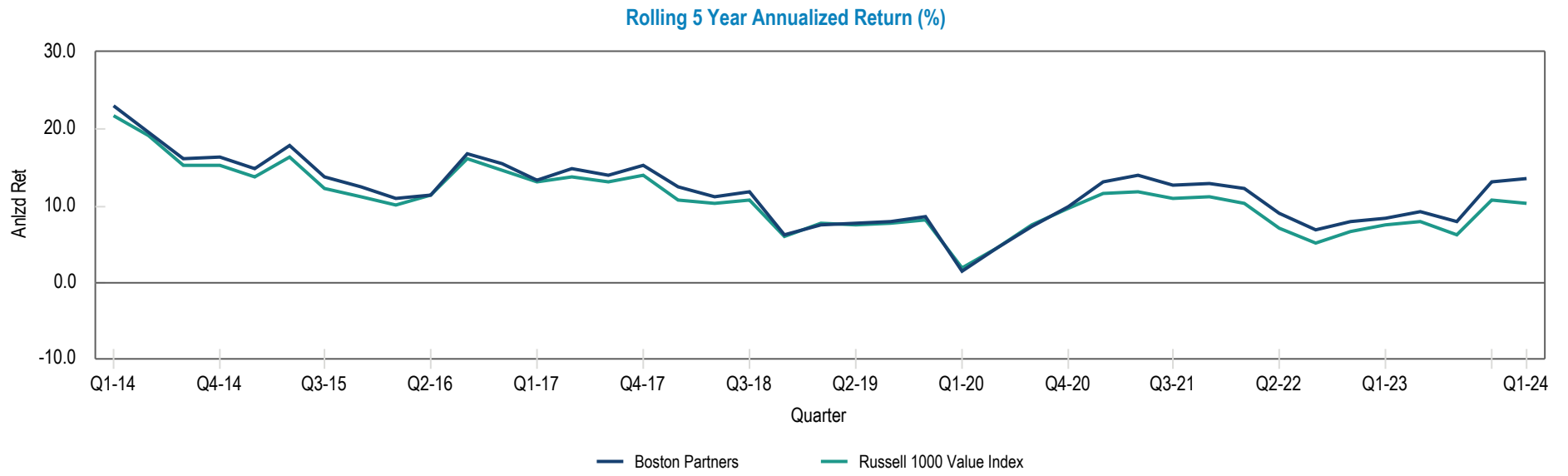
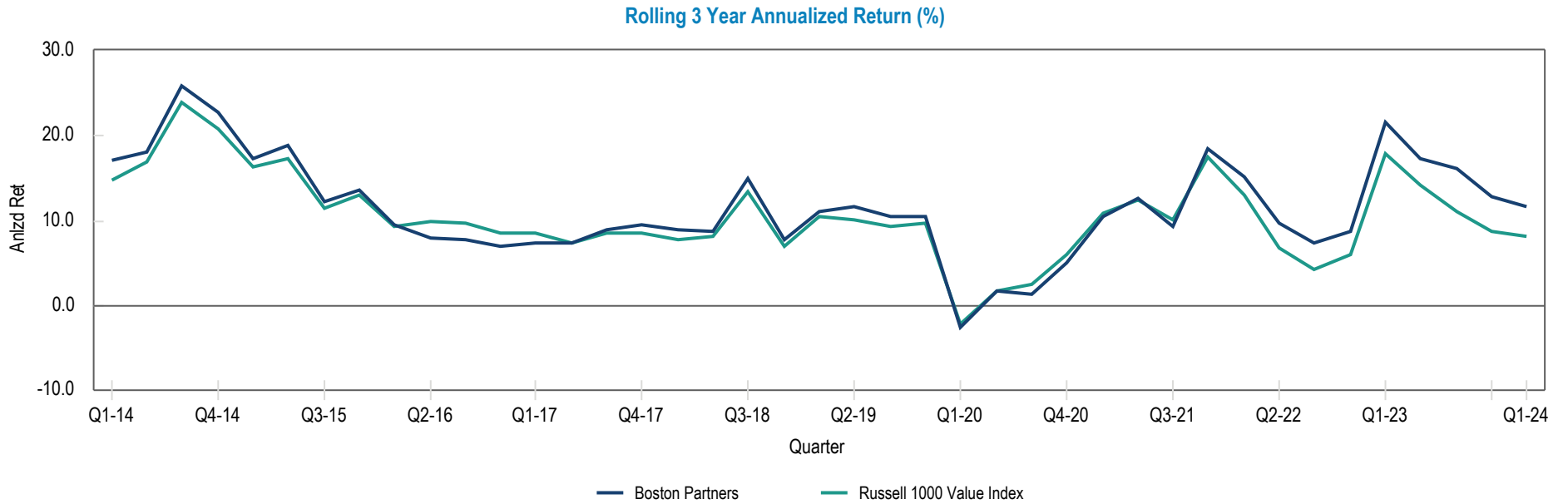
	End Weight (%)	Quarterly Return (%)		Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)		Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
JPMorgan Chase & Co	4.62	18.47	JPMorgan Chase & Co	4.24	18.47	0.78	Boeing Co	1.35	-25.96	-0.35
Alphabet Inc	3.09	8.05	Dell Technologies Inc	1.24	49.84	0.62	Warner Bros. Discovery Inc	0.62	-23.29	-0.15
Morgan Stanley	2.19	1.95	Berkshire Hathaway Inc	3.45	17.91	0.62	UnitedHealth Group	1.71	-5.66	-0.10
Oracle Corp	2.12	19.60	Marathon Petroleum Corp	1.42	36.50	0.52	Keurig Dr Pepper Inc	1.00	-6.69	-0.07
Wells Fargo & Co	1.91	18.60	Micron Technology Inc.	1.35	38.28	0.52	Sanofi	1.82	-2.27	-0.04
AutoZone Inc	1.80	21.89	United Rentals Inc.	1.63	26.08	0.43	Take-Two Software	0.41	-7.74	-0.03
Marathon Petroleum Corp	1.78	36.50	CRH PLC	1.41	25.24	0.36	Cognizant Technology	0.93	-2.59	-0.02
Philip Morris International Inc	1.73	-1.26	AutoZone Inc	1.60	21.89	0.35	Philip Morris International Inc	1.82	-1.26	-0.02
Micron Technology Inc.	1.72	38.28	Applied Materials Inc	1.27	27.46	0.35	WESCO International Inc	0.96	-1.24	-0.01
Cenovus Energy Inc	1.70	20.73	Wells Fargo & Co	1.75	18.60	0.33	BorgWarner Inc	0.30	-2.75	-0.01
			% of Portfolio	19.36		4.86	% of Portfolio	10.92		-0.80

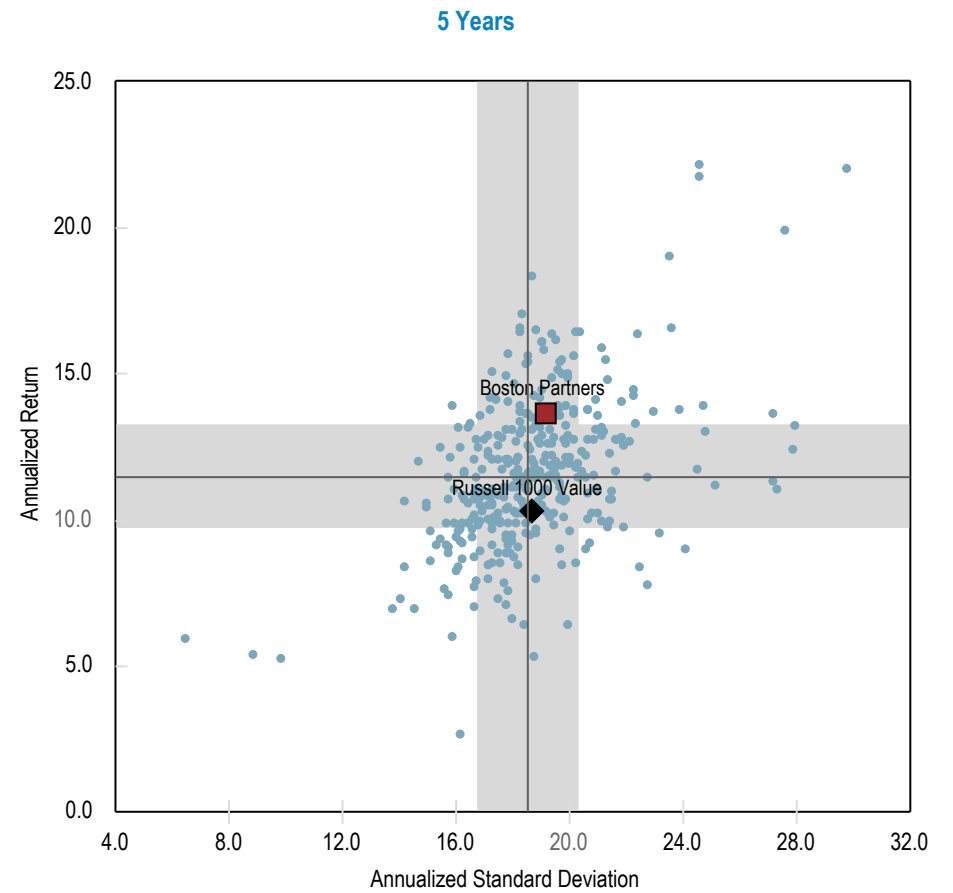
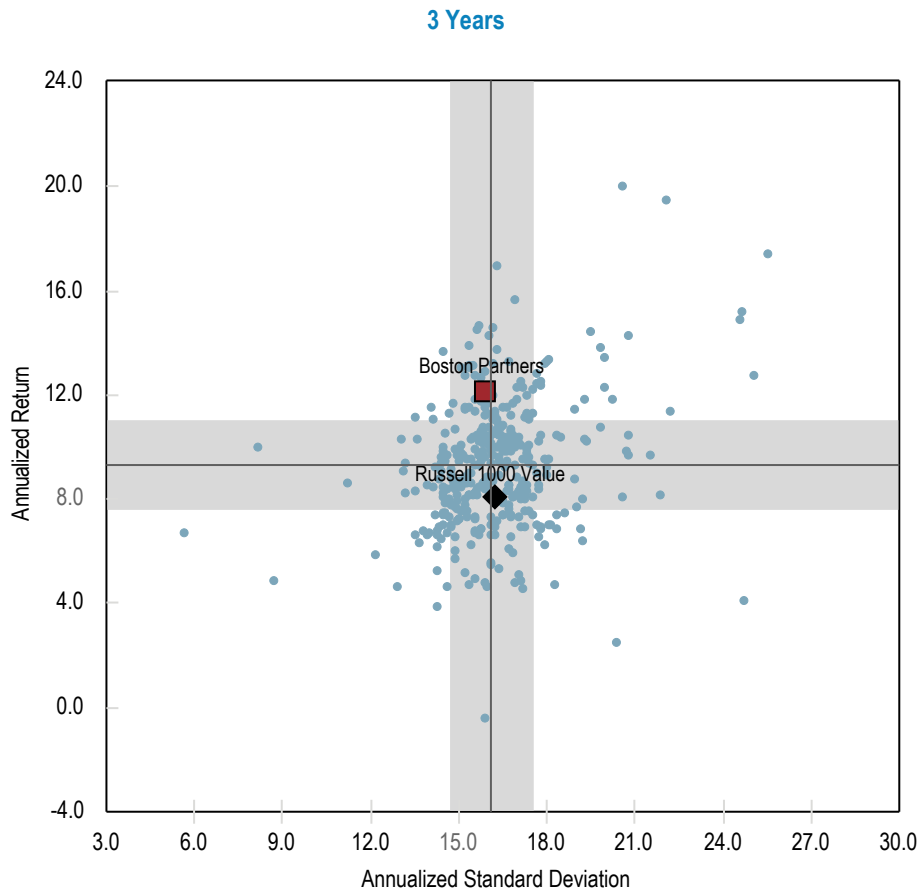
Domestic equity large cap value portfolio exhibiting low turnover in companies with low valuations relative to intrinsic value. Primary personnel include Mark Donovan and David Pyle.

Boston Partners vs. eV US Large Cap Value Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● Boston Partners	12.01 (15)	28.75 (16)	12.14 (15)	13.63 (28)	10.60 (38)	14.67 (39)	-3.82 (36)	31.34 (19)	2.96 (64)	24.26 (79)
▲ Russell 1000 Value Index	8.99 (53)	20.27 (66)	8.11 (82)	10.31 (84)	9.01 (84)	11.46 (62)	-7.54 (68)	25.16 (72)	2.80 (64)	26.54 (57)
5th Percentile	13.26	33.94	14.12	16.40	12.95	29.09	2.28	34.34	17.66	34.33
1st Quartile	10.85	26.72	11.21	13.80	11.14	18.00	-2.48	30.18	10.13	29.99
Median	9.21	22.49	9.96	12.19	10.20	12.89	-5.43	27.63	4.71	27.18
3rd Quartile	7.68	18.58	8.52	10.78	9.38	9.27	-8.69	24.64	1.30	24.73
95th Percentile	5.38	12.88	6.56	8.73	8.03	4.41	-16.12	19.62	-3.51	20.40
Population	383	383	378	364	329	401	417	427	433	460





	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Boston Partners	12.1	15.9	0.6
Russell 1000 Value Index	8.1	16.2	0.4
eV US Large Cap Value Equity Median	10.0	16.1	0.5
Population	378	378	378

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Boston Partners	13.6	19.1	0.7
Russell 1000 Value Index	10.3	18.6	0.5
eV US Large Cap Value Equity Median	12.2	18.5	0.6
Population	364	364	364

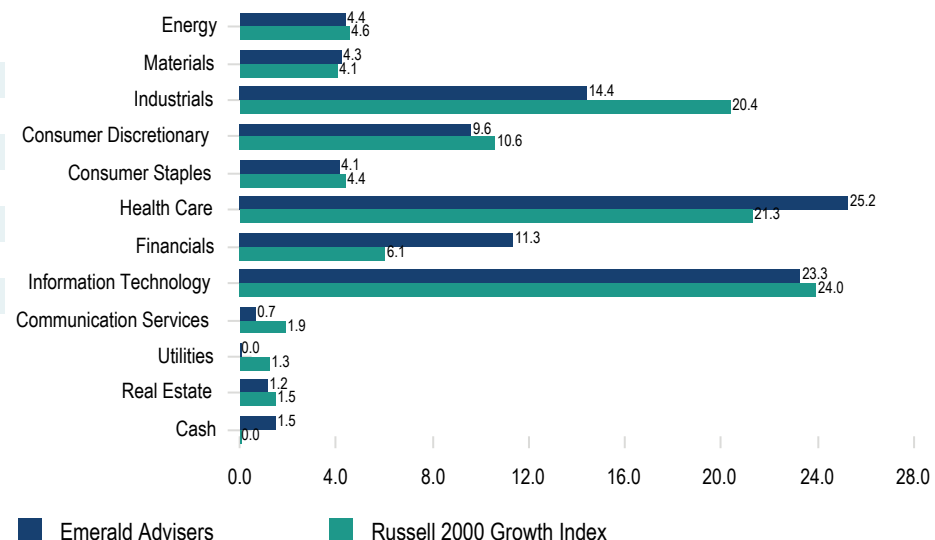
Emerald Advisers Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	114	1,064
Wtd. Avg. Mkt. Cap \$M	6,005.53	6,504.07
Median Mkt. Cap \$M	3,046.63	1,297.01
Price/Earnings ratio	22.72	23.31
Price/Book ratio	4.27	4.27
Return on Equity (%)	2.83	1.11
Current Yield (%)	0.47	0.60
Beta (5 Years, Monthly)	0.95	1.00

Sector Allocation (%) vs. Russell 2000 Growth Index



Largest Holdings

	End Weight (%)	Quarterly Return (%)
Super Micro Computer Inc	3.83	255.32
Freshpet Inc	2.63	33.54
FTAI Aviation Ltd	2.42	45.79
Varonis Systems Inc	1.97	4.17
Carpenter Technology Corp	1.85	1.19
Tenable Holdings Inc	1.70	7.32
Chart Industries Inc	1.65	20.82
LivaNova PLC	1.61	8.12
Blueprint Medicines Corp	1.59	2.84
Churchill Downs Inc	1.59	-8.29

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Super Micro Computer Inc	1.96	255.32	5.01
FTAI Aviation Ltd	1.79	45.79	0.82
Freshpet Inc	2.11	33.54	0.71
Palomar Holdings Inc	1.12	51.05	0.57
CymaBay Therapeutics Inc	1.14	37.51	0.43
Celsius Holdings Inc	0.79	52.09	0.41
RadNet Inc	0.86	39.95	0.34
Chart Industries Inc	1.47	20.82	0.31
AeroVironment Inc	1.28	21.61	0.28
Arhaus Inc	0.73	34.35	0.25

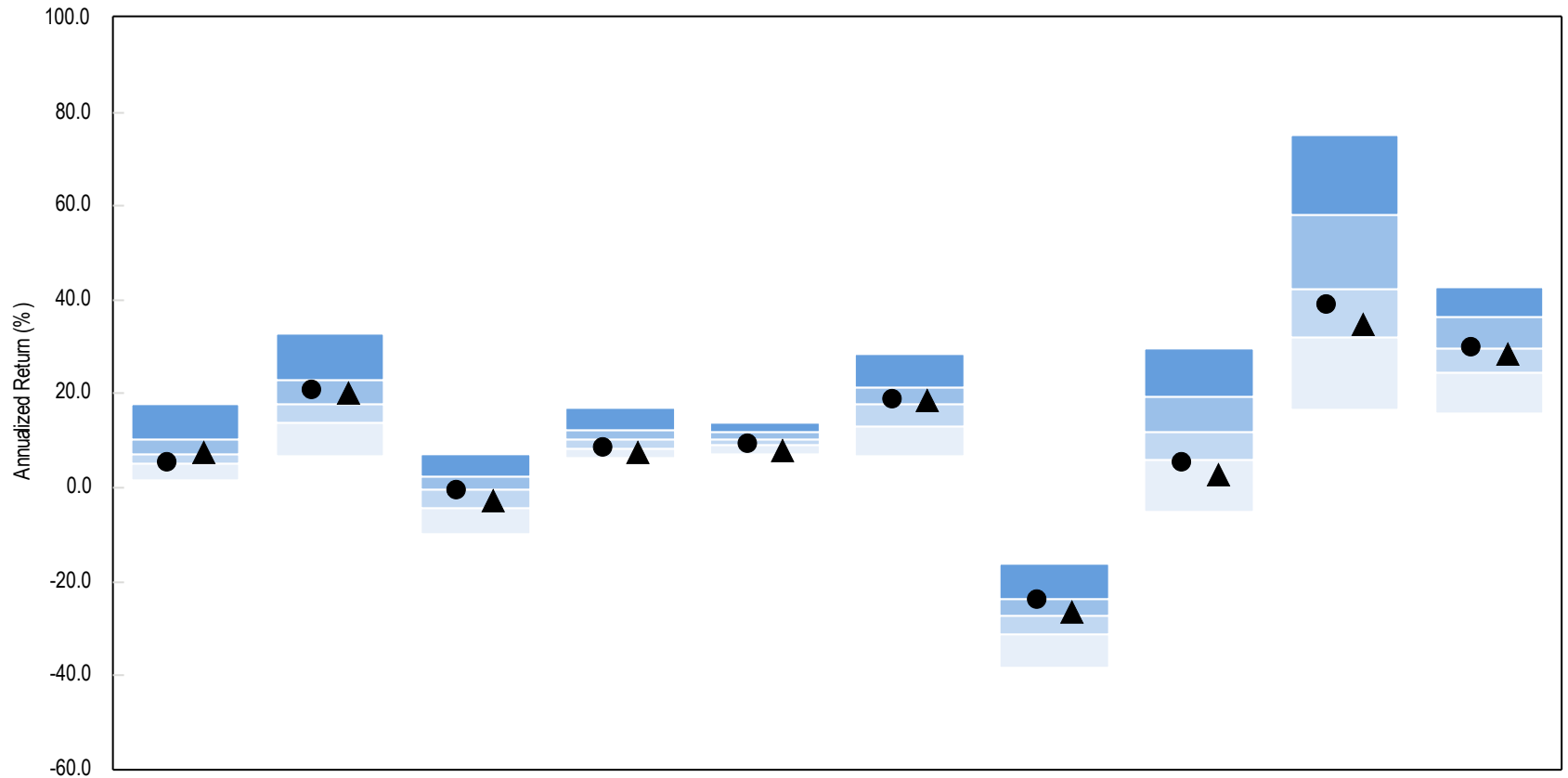
Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Acadia Pharmaceuticals Inc	2.18	-40.95	-0.89
Amylyx Pharmaceuticals Inc	0.53	-80.71	-0.43
BridgeBio Pharma Inc	1.26	-23.41	-0.29
CVRx Inc	0.58	-42.08	-0.24
Shift4 Payments Inc	1.58	-11.12	-0.18
NV5 Global Inc	1.46	-11.80	-0.17
DocGo Inc	0.58	-27.73	-0.16
Insmed Inc	1.26	-12.46	-0.16
Churchill Downs Inc	1.86	-8.29	-0.15
Privia Health Group Inc	1.03	-14.94	-0.15

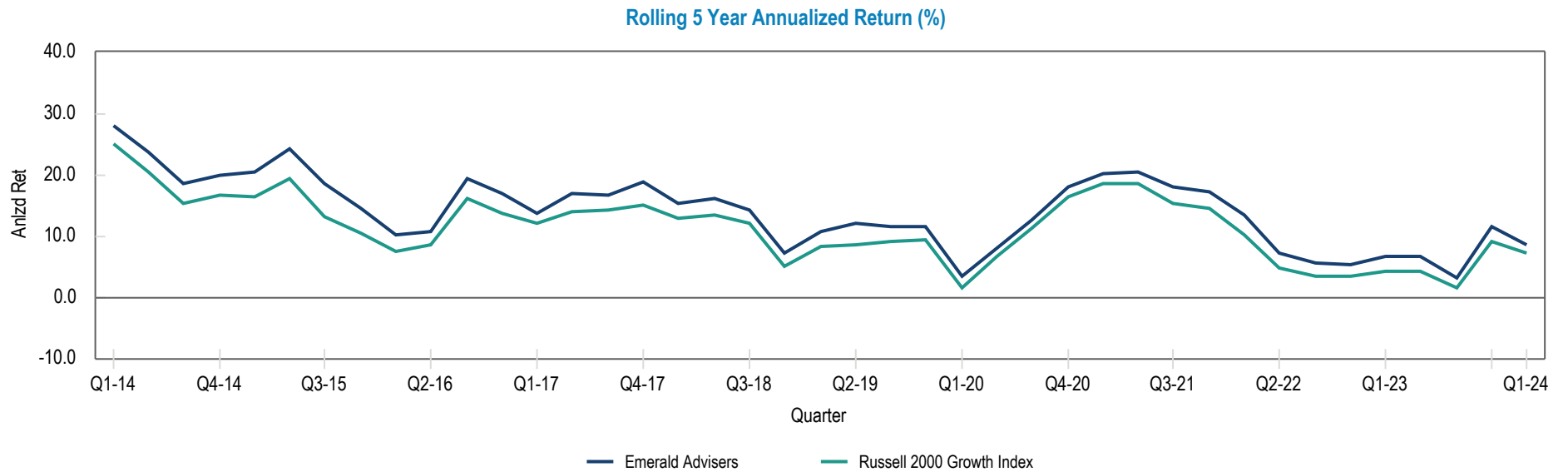
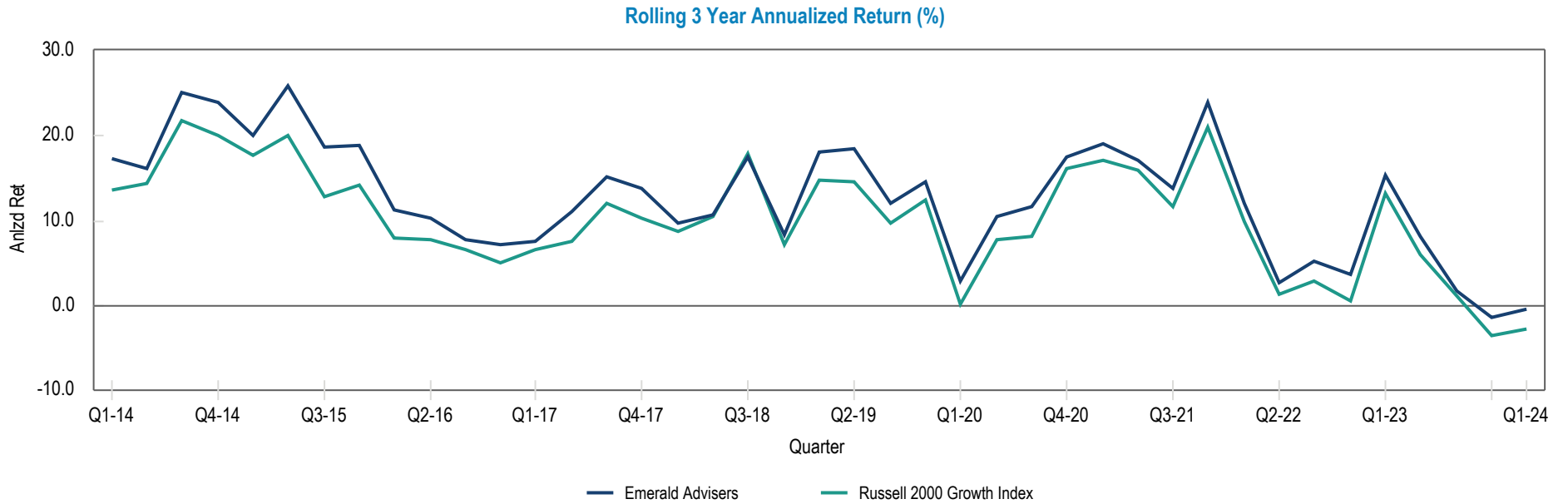
% of Portfolio 13.25 9.13 % of Portfolio 12.32 -2.83

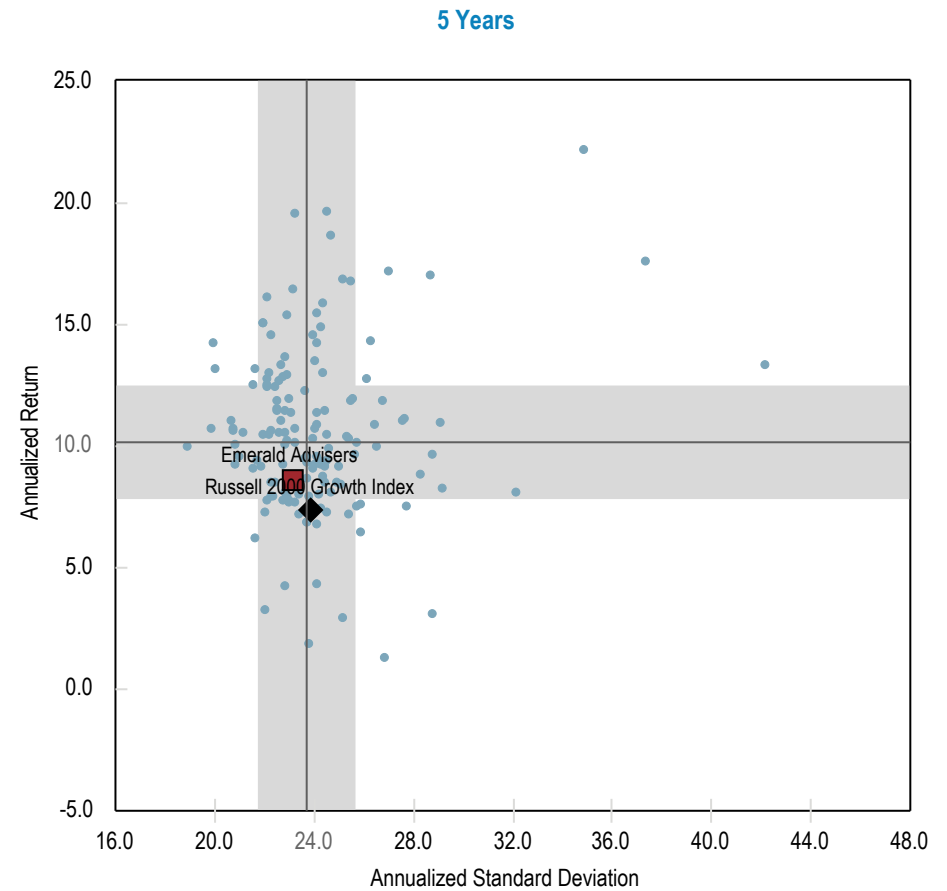
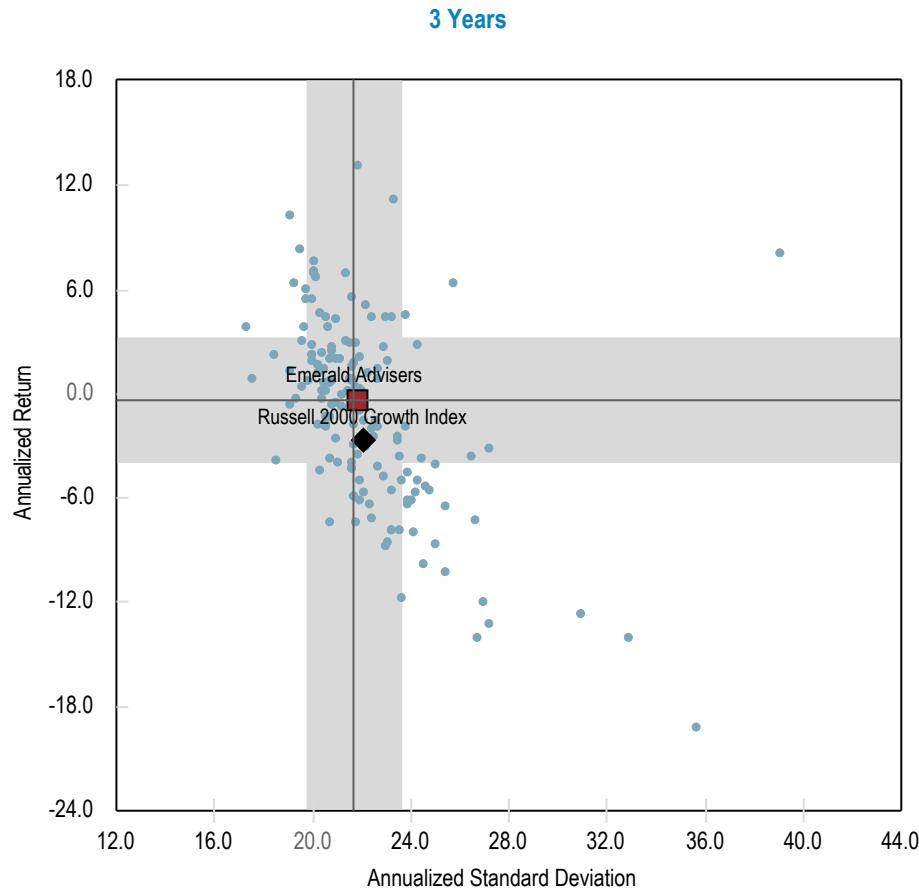
Domestic equity small cap growth portfolio of companies with significantly high growth rates. Primary personnel include Kenneth Mertz, Joseph Garner, and Stacey Sears.

Emerald Advisers vs. eV US Small Cap Growth Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● Emerald Advisers	5.76 (69)	20.97 (39)	-0.36 (50)	8.63 (71)	9.71 (65)	19.15 (41)	-23.75 (27)	5.53 (77)	38.96 (57)	30.26 (48)
▲ Russell 2000 Growth Index	7.58 (48)	20.35 (42)	-2.68 (64)	7.38 (89)	7.89 (95)	18.66 (45)	-26.36 (44)	2.83 (85)	34.63 (67)	28.48 (53)
5th Percentile	17.75	32.89	6.97	16.85	13.80	28.63	-16.20	29.85	74.95	42.60
1st Quartile	10.43	22.84	2.26	12.46	11.76	21.36	-23.57	19.36	58.30	36.52
Median	7.32	17.98	-0.37	10.19	10.37	17.72	-27.20	11.86	42.23	29.57
3rd Quartile	5.10	13.69	-4.33	8.30	9.28	13.28	-31.12	5.92	31.96	24.74
95th Percentile	1.52	6.86	-9.93	6.31	7.04	6.73	-38.40	-4.98	16.49	15.94
Population	155	155	154	150	135	160	171	182	183	190





	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Emerald Advisers	-0.4	21.8	0.0
Russell 2000 Growth Index	-2.7	22.1	-0.1
eV US Small Cap Growth Equity Median	-0.4	21.7	0.0
Population	154	154	154

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Emerald Advisers	8.6	23.2	0.4
Russell 2000 Growth Index	7.4	23.9	0.3
eV US Small Cap Growth Equity Median	10.2	23.7	0.4
Population	150	150	150

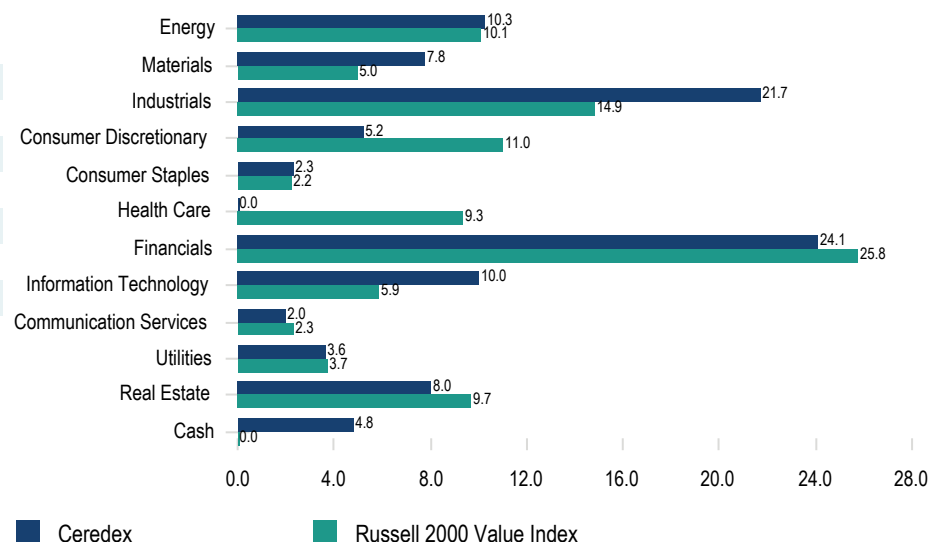
Ceredex Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	73	1,419
Wtd. Avg. Mkt. Cap \$M	5,512.32	2,966.91
Median Mkt. Cap \$M	5,669.44	829.70
Price/Earnings ratio	16.99	12.67
Price/Book ratio	2.16	1.71
Return on Equity (%)	4.24	-0.28
Current Yield (%)	2.37	2.21
Beta (5 Years, Monthly)	0.87	1.00

Sector Allocation (%) vs. Russell 2000 Value Index



Largest Holdings

	End Weight (%)	Quarterly Return (%)
Camden Property Trust	2.17	0.15
Schneider National Inc	2.10	-10.68
KBR Inc	1.95	15.17
Matador Resources Co	1.93	17.81
Valmont Industries Inc	1.88	-1.98
ChampionX Corp	1.86	23.25
OGE Energy Corp	1.82	-0.65
IDACORP Inc.	1.80	-4.67
Ashland Inc	1.76	15.97
Progress Software Corp	1.76	-1.50

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Kemper Corp	1.50	27.88	0.42
ChampionX Corp	1.57	23.25	0.37
Ashland Inc	2.22	15.97	0.35
Louisiana-Pacific Corp	1.80	18.90	0.34
Hudbay Minerals Inc	1.23	26.96	0.33
Belden Inc	1.60	19.95	0.32
KBR Inc	2.01	15.17	0.30
Kinsale Capital Group Inc	0.52	56.73	0.30
Matador Resources Co	1.61	17.81	0.29
RB Global Inc	1.91	14.33	0.27

% of Portfolio 15.97

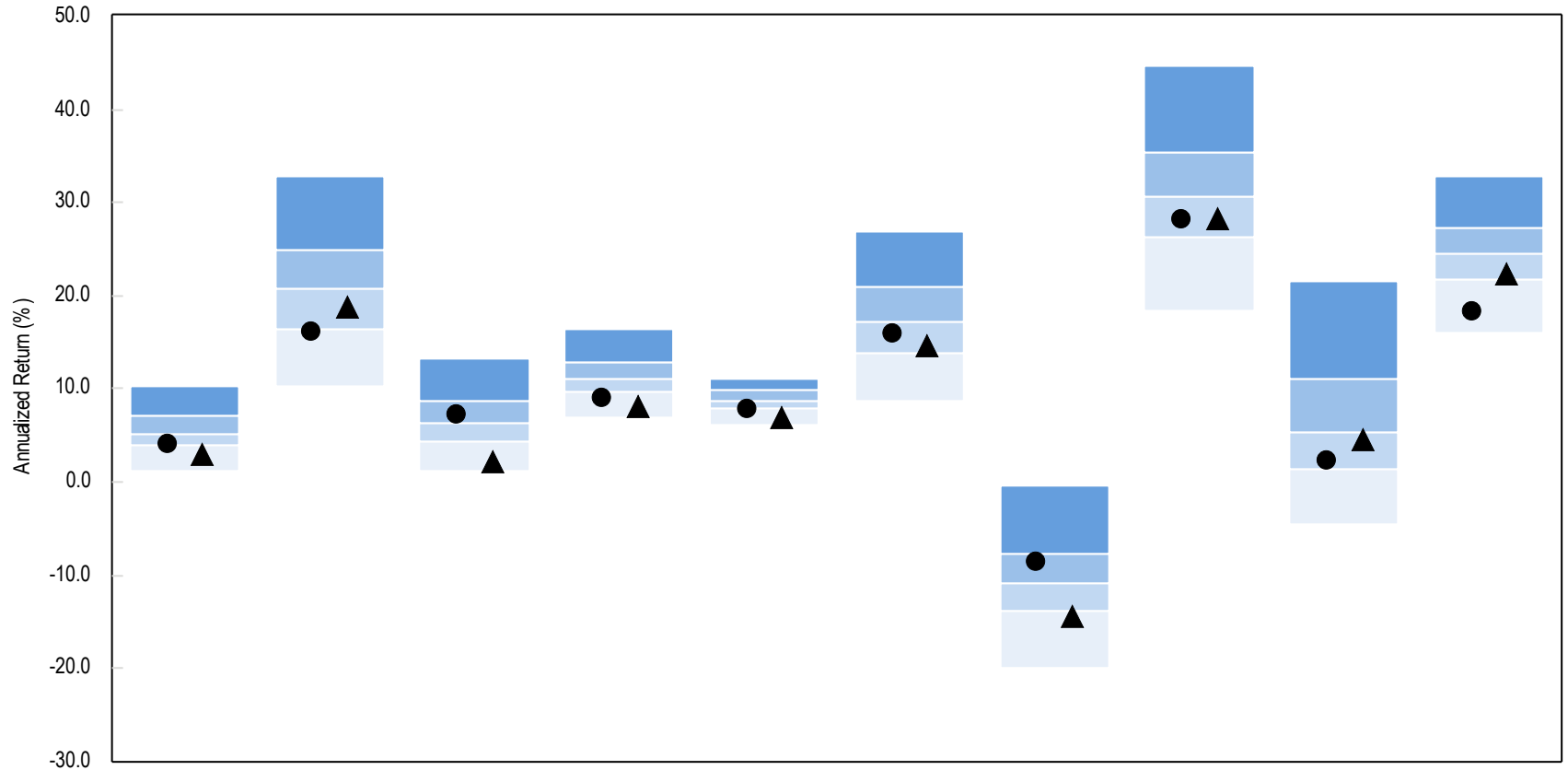
Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Iridium Communications Inc	1.33	-36.14	-0.48
Columbia Banking System Inc	1.79	-26.03	-0.47
Forward Air Corp	0.83	-50.52	-0.42
Bank of Hawaii Corp	2.05	-12.87	-0.26
Schneider National Inc	1.96	-10.68	-0.21
Power Integrations Inc	1.49	-12.61	-0.19
Seacoast Banking	1.78	-10.11	-0.18
Agree Realty Corp	2.04	-8.08	-0.17
Cogent Communications	1.16	-12.82	-0.15
Littelfuse Inc	1.04	-9.18	-0.10

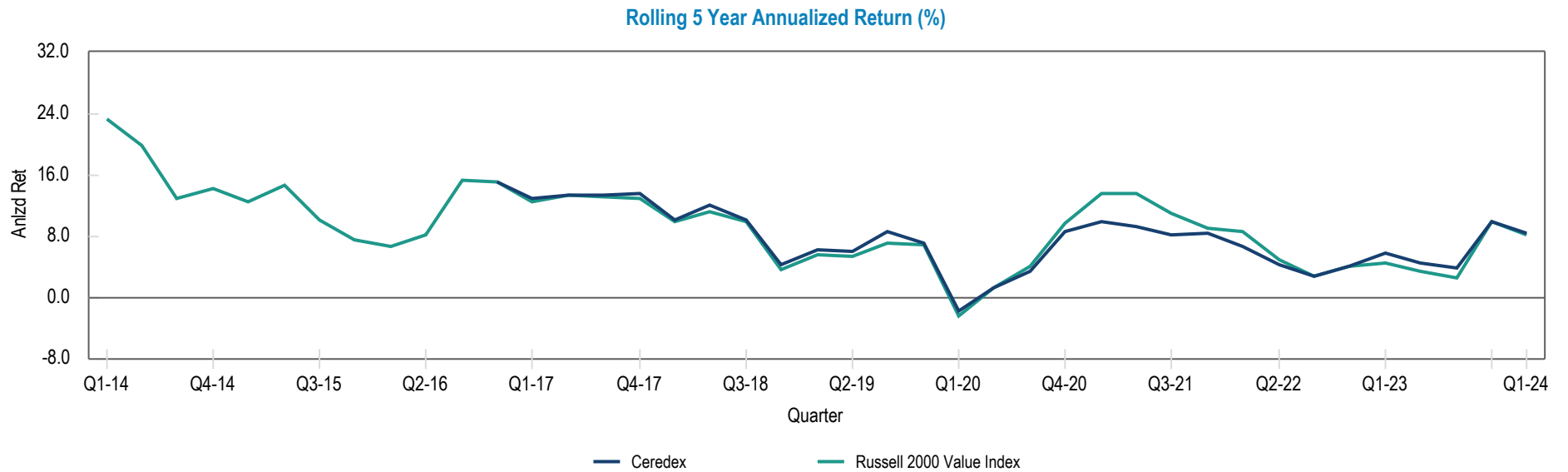
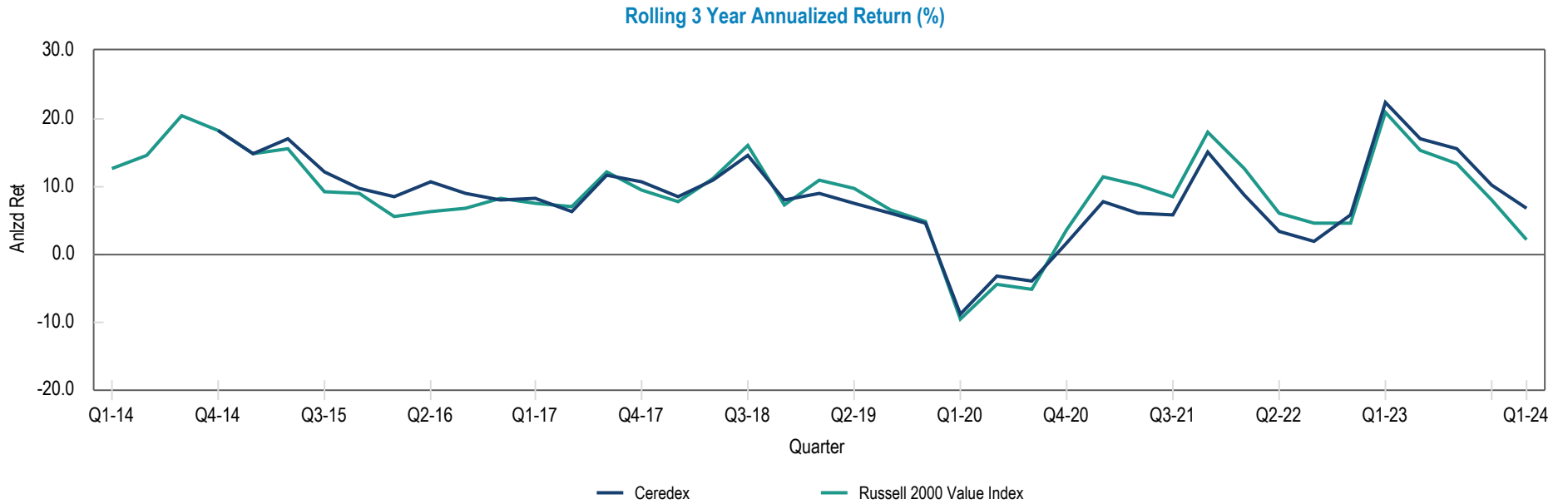
% of Portfolio 15.47

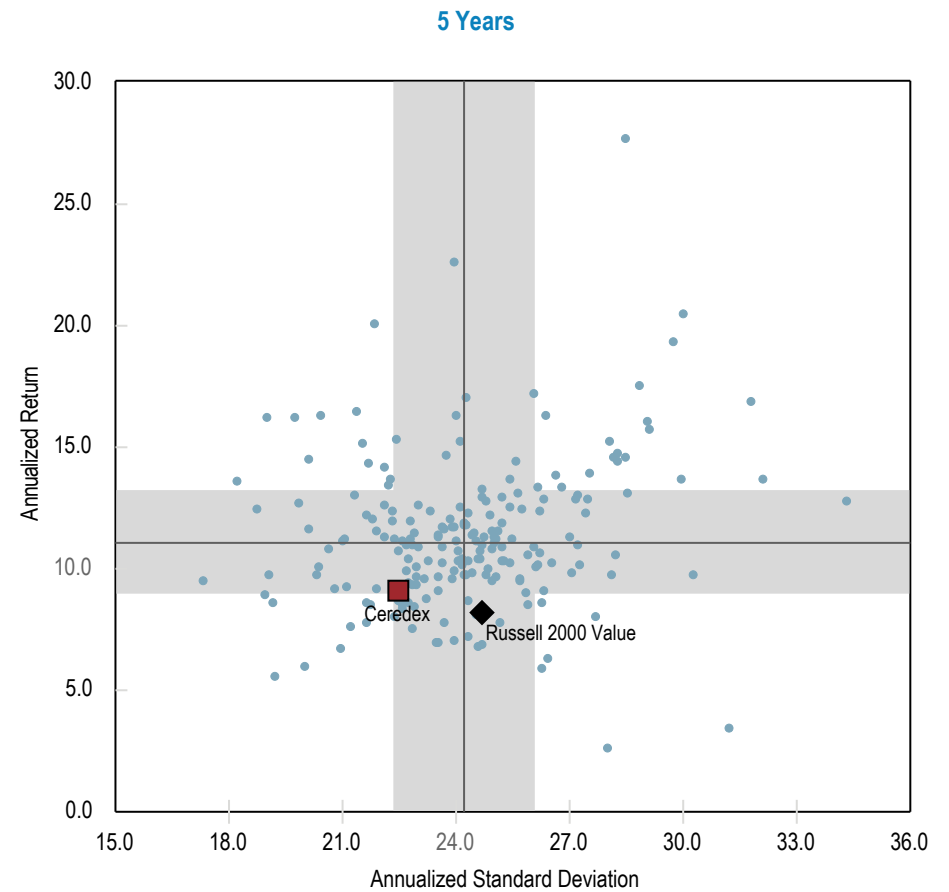
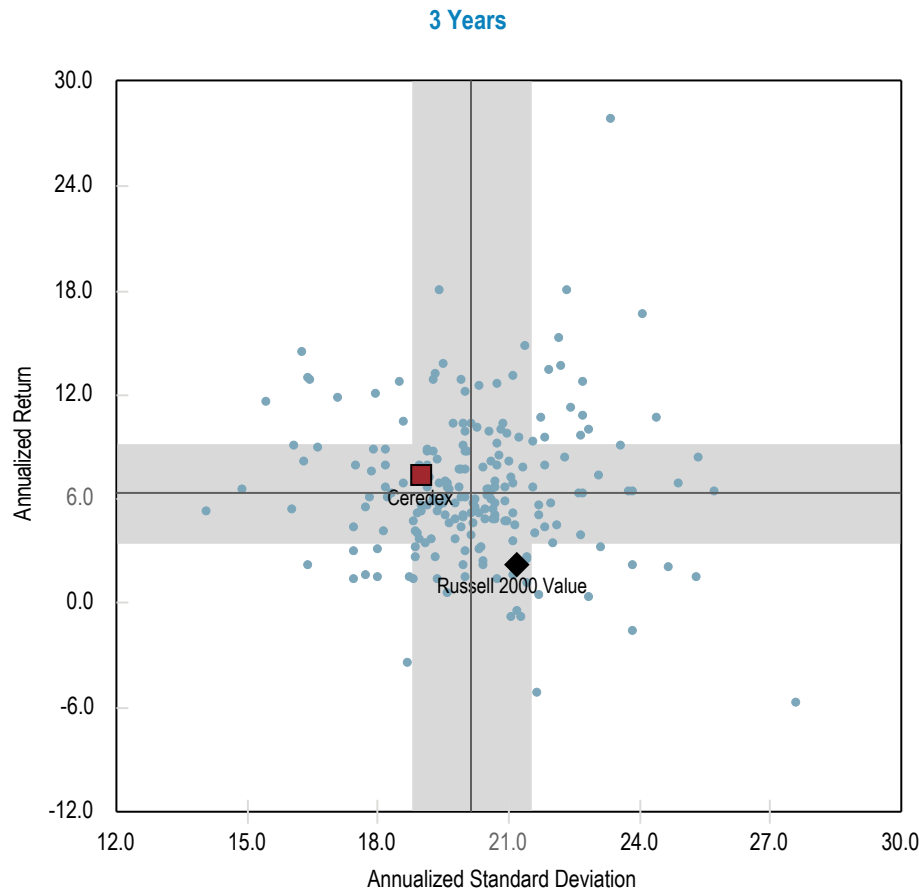
Domestic equity small cap value portfolio of companies with dividend yields and low valuations. Primary personnel include Brett Barner and David Maynard.

Ceredex vs. eV US Small Cap Value Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● Ceredex	4.15 (69)	16.17 (77)	7.41 (37)	9.07 (82)	7.99 (73)	16.02 (61)	-8.46 (28)	28.37 (60)	2.32 (70)	18.36 (88)
▲ Russell 2000 Value Index	2.90 (88)	18.75 (62)	2.22 (90)	8.17 (90)	6.87 (92)	14.65 (71)	-14.48 (79)	28.27 (60)	4.63 (54)	22.39 (71)
5th Percentile	10.22	32.89	13.20	16.35	11.17	26.86	-0.39	44.60	21.46	32.77
1st Quartile	7.10	24.84	8.79	12.81	9.85	20.89	-7.71	35.35	10.99	27.36
Median	5.16	20.82	6.34	11.10	8.66	17.24	-10.93	30.55	5.32	24.45
3rd Quartile	4.02	16.42	4.39	9.64	7.94	13.93	-13.87	26.26	1.36	21.70
95th Percentile	1.12	10.25	1.24	6.98	6.22	8.80	-19.90	18.37	-4.58	15.95
Population	208	208	206	200	176	211	220	232	246	254





	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Ceredex	7.4	19.0	0.3
Russell 2000 Value Index	2.2	21.2	0.1
eV US Small Cap Value Equity Median	6.3	20.1	0.3
Population	206	206	206

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Ceredex	9.1	22.5	0.4
Russell 2000 Value Index	8.2	24.7	0.4
eV US Small Cap Value Equity Median	11.1	24.2	0.5
Population	200	200	200

International Equity Managers

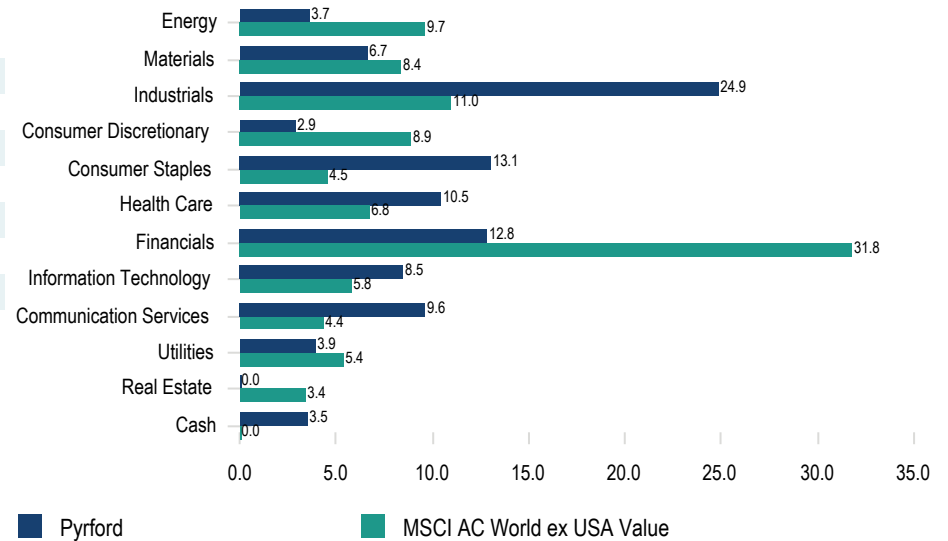
Pyrford
Manager Portfolio Overview

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	79	1,315
Wtd. Avg. Mkt. Cap \$M	59,093.98	68,529.31
Median Mkt. Cap \$M	21,406.24	9,588.25
Price/Earnings ratio	17.12	11.08
Price/Book ratio	2.38	1.74
Return on Equity (%)	3.28	-1.13
Current Yield (%)	3.99	4.53
Beta (5 Years, Monthly)	0.75	1.00

Sector Allocation (%) vs. MSCI AC World ex USA Value



Largest Holdings

	End Weight (%)	Quarterly Return (%)
Japan Tobacco Inc	2.59	3.60
Mitsubishi Electric Corp	2.51	18.45
United Overseas Bank Ltd	2.39	0.70
SAP SE	2.26	26.49
Brambles Ltd	2.23	15.23
L'Air Liquide SA	2.20	7.05
Nestle SA, Cham Und Vevey	2.15	-8.24
Roche Holding AG	2.04	-8.59
Kddi Corp	2.03	-5.47
Novartis AG	1.97	-0.19

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
SAP SE	1.81	26.49	0.48
Mitsubishi Electric Corp	2.16	18.45	0.40
Taiwan Semiconductor Man.	1.30	26.55	0.35
Brambles Ltd	1.98	15.23	0.30
QBE Insurance Group Limited	1.32	20.38	0.27
ASMP T Limited	0.82	31.78	0.26
Rubis	0.61	42.27	0.26
GSK plc	1.32	17.87	0.24
Bureau Veritas SA	1.10	20.90	0.23
Fuchs SE	1.76	11.36	0.20

Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
AIA Group Ltd	1.56	-22.95	-0.36
Nihon Kohden Corp	1.93	-15.78	-0.30
Nabtesco Corp	1.50	-17.13	-0.26
Deutsche Post AG	1.97	-13.00	-0.26
Woolworths Group Ltd	1.69	-13.52	-0.23
Perusahaan Perseroan	1.44	-14.69	-0.21
Reckitt Benckiser Group PLC	1.17	-17.51	-0.20
Roche Holding AG	2.35	-8.59	-0.20
Nestle SA, Cham Und Vevey	2.37	-8.24	-0.20
Brenntag SE	1.84	-8.27	-0.15

% of Portfolio

14.18

2.98

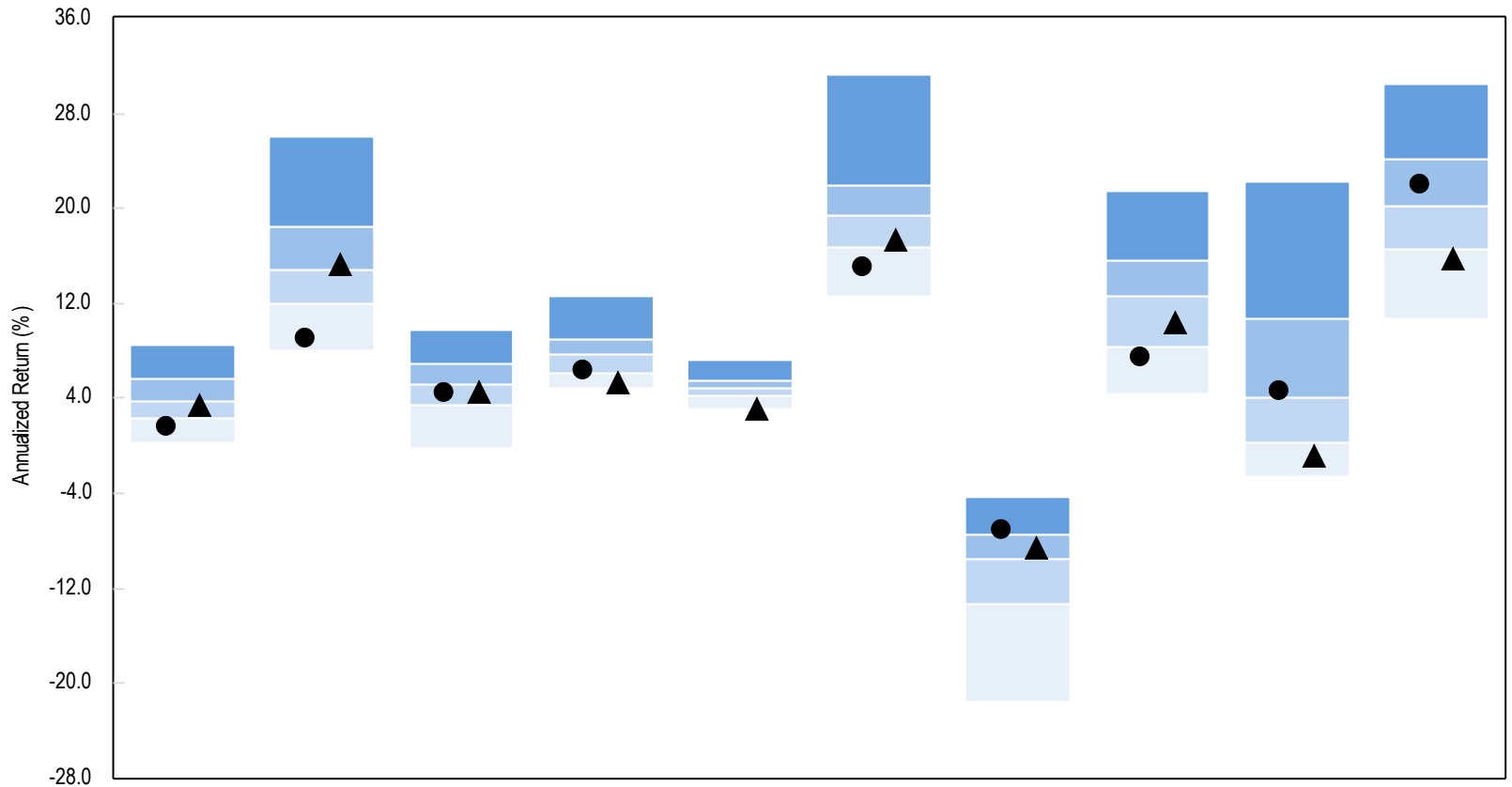
% of Portfolio

17.82

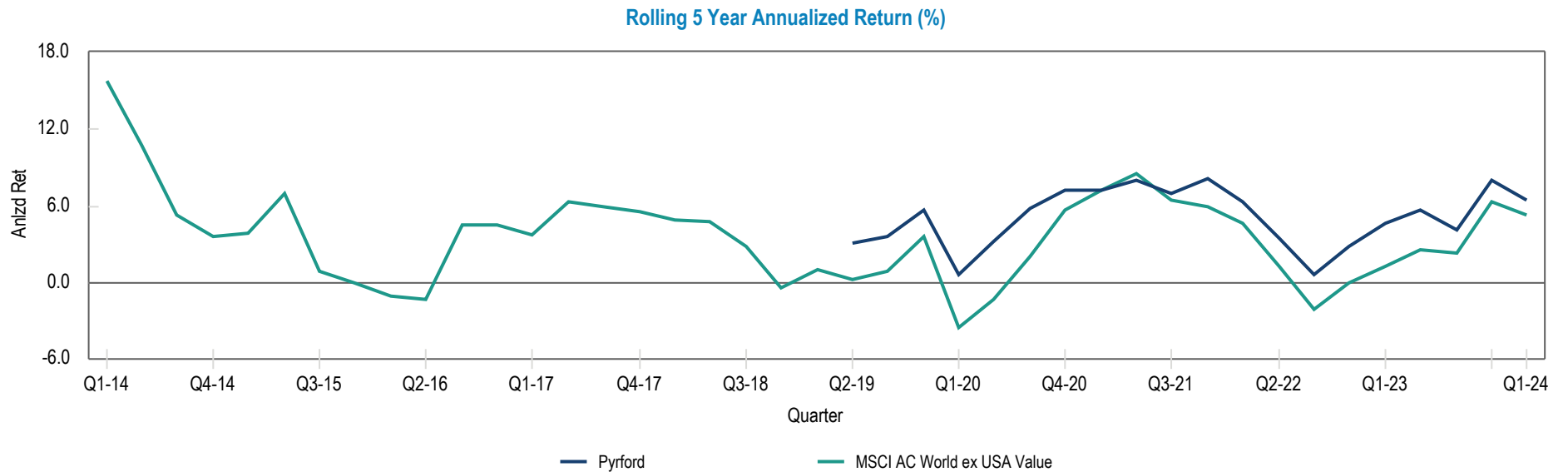
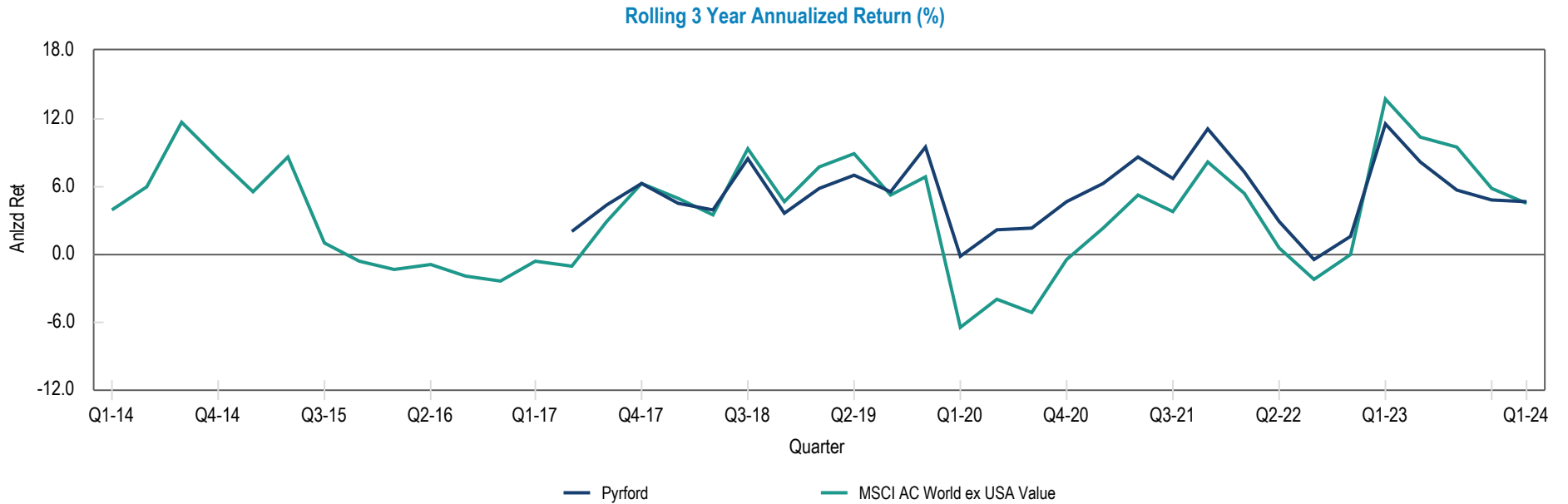
-2.37

International equity value portfolio of non-US companies with low valuations at the country and stock level. Primary personnel include Tony Cousins, Daniel McDonagh, and Paul Simons.

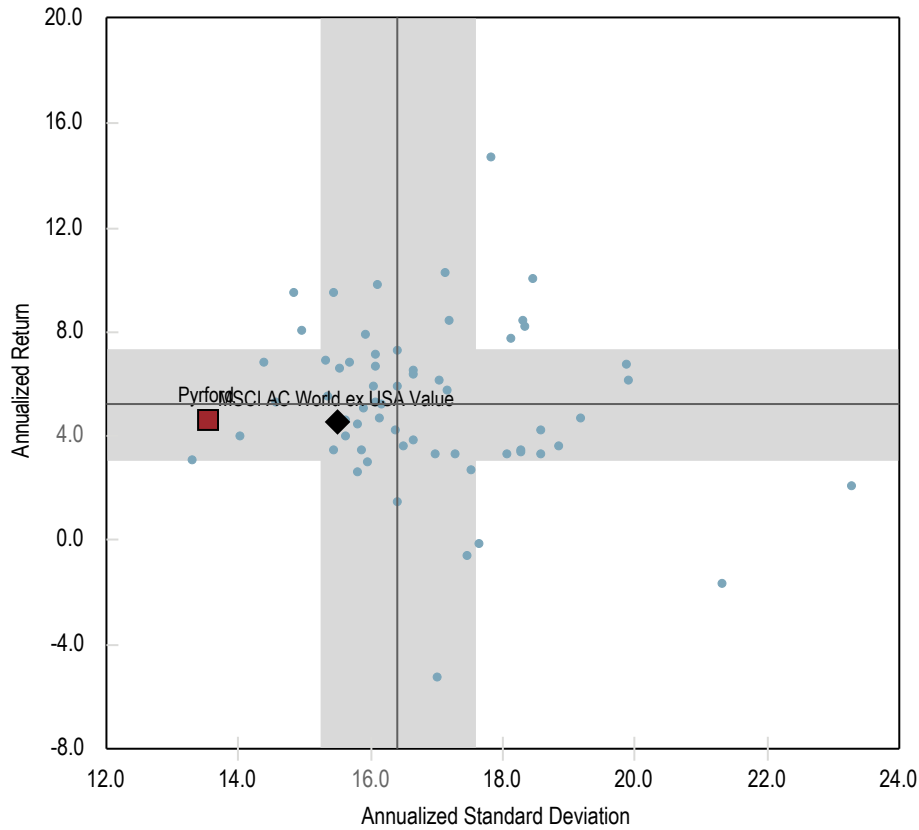
Pyrford vs. eV ACWI ex-US Value Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● Pyrford	1.72 (84)	9.14 (91)	4.63 (57)	6.47 (72)	-	15.17 (83)	-6.97 (21)	7.57 (84)	4.66 (47)	22.07 (38)
▲ MSCI AC World ex USA Value (Net)	3.40 (56)	15.34 (48)	4.58 (57)	5.36 (88)	3.20 (89)	17.30 (69)	-8.59 (40)	10.46 (67)	-0.77 (80)	15.72 (78)
5th Percentile	8.55	26.07	9.79	12.59	7.26	31.18	-4.22	21.42	22.18	30.55
1st Quartile	5.67	18.40	6.85	8.90	5.58	21.97	-7.47	15.58	10.71	24.23
Median	3.75	14.87	5.22	7.73	4.92	19.46	-9.50	12.61	4.15	20.24
3rd Quartile	2.32	11.95	3.45	6.19	4.20	16.72	-13.27	8.41	0.31	16.63
95th Percentile	0.29	7.99	-0.14	4.87	3.11	12.54	-21.51	4.37	-2.63	10.68
Population	63	63	61	54	38	65	68	70	71	69



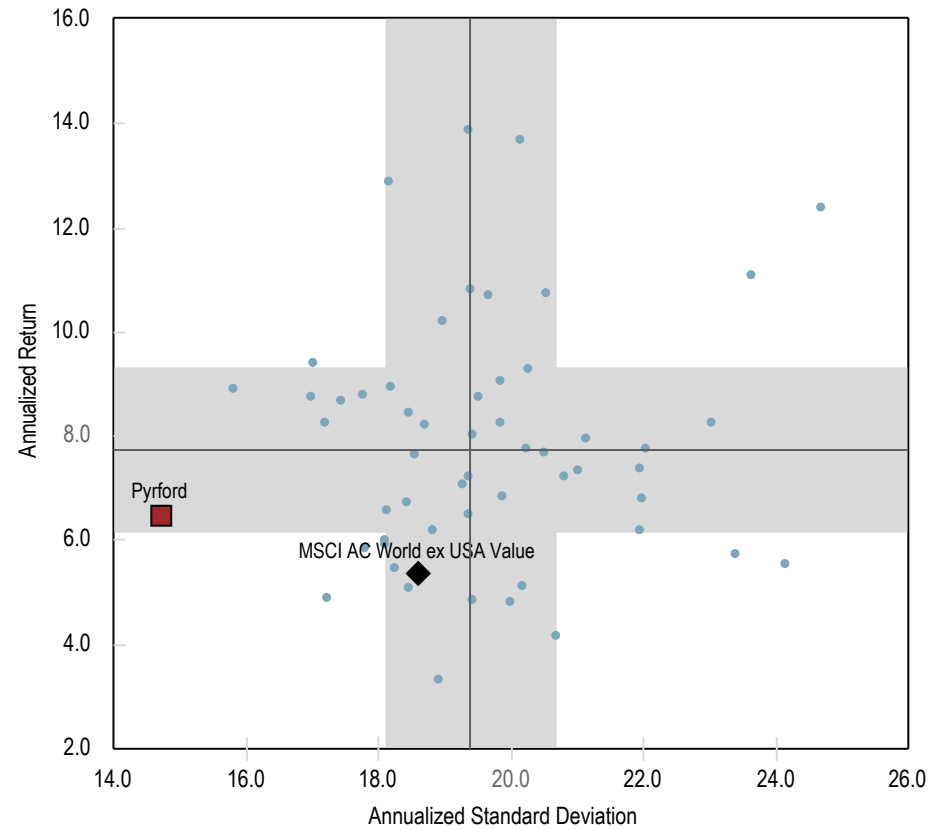
3 Years



3 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Pyrford	4.6	13.5	0.2
MSCI AC World ex USA Value (Net)	4.6	15.5	0.2
eV ACWI ex-US Value Equity Median	5.2	16.4	0.2
Population	61	61	61

5 Years



5 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Pyrford	6.5	14.7	0.4
MSCI AC World ex USA Value (Net)	5.4	18.6	0.3
eV ACWI ex-US Value Equity Median	7.7	19.4	0.4
Population	54	54	54

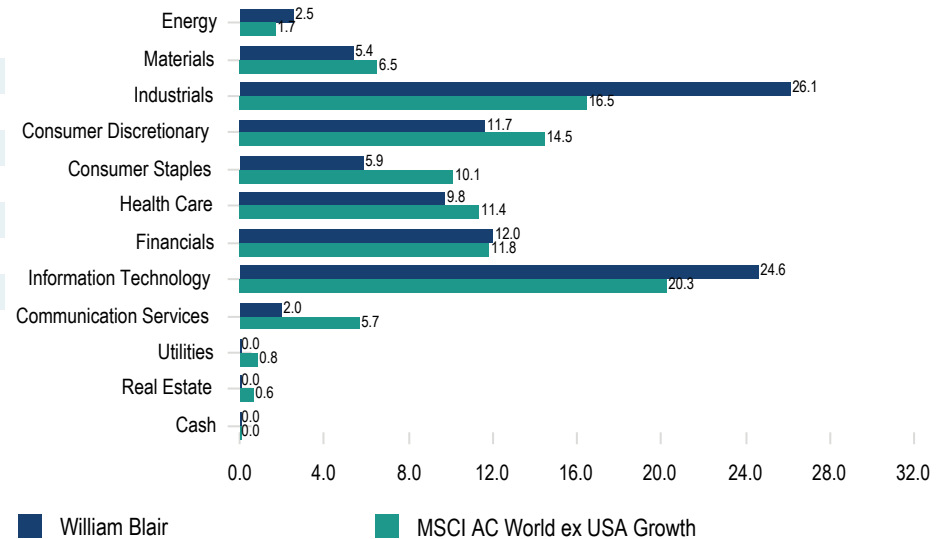
William Blair
Manager Portfolio Overview

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	173	1,246
Wtd. Avg. Mkt. Cap \$M	105,676.01	133,009.81
Median Mkt. Cap \$M	19,500.47	10,799.47
Price/Earnings ratio	27.95	23.85
Price/Book ratio	4.52	3.80
Return on Equity (%)	6.95	4.01
Current Yield (%)	1.56	1.72
Beta (5 Years, Monthly)	1.05	1.00

Sector Allocation (%) vs. MSCI AC World ex USA Growth



Largest Holdings

	End Weight (%)	Quarterly Return (%)
Taiwan Semiconductor Man.	2.96	31.35
ASML Holding NV	2.49	28.18
Novo Nordisk A/S	2.45	24.24
Airbus SE	1.68	19.41
Safran SA	1.55	28.79
London Stock Exchange Group	1.50	1.40
Keyence Corp	1.47	4.50
Tokyo Electron Ltd	1.36	46.77
Reliance Industries Ltd	1.35	14.70
Samsung Electronics Co Ltd	1.35	0.42

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Taiwan Semiconductor Man.	2.27	31.35	0.71
ASML Holding NV	1.95	28.18	0.55
Novo Nordisk A/S	1.99	24.24	0.48
Tokyo Electron Ltd	0.93	46.77	0.44
Safran SA	1.21	28.79	0.35
Disco Corp	0.55	52.79	0.29
Airbus SE	1.41	19.41	0.27
Sumitomo Mitsui	1.07	22.47	0.24
Tokio Marine Holdings Inc	0.93	25.73	0.24
SK Hynix Inc	0.84	23.72	0.20

Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Lululemon Athletica Inc	0.80	-23.59	-0.19
H D F C Bank Ltd	1.18	-15.48	-0.18
Dassault Systemes SA	1.40	-9.29	-0.13
Infineon Technologies AG	0.72	-17.63	-0.13
AIA Group Ltd	0.48	-22.95	-0.11
SHIFT Inc	0.25	-38.33	-0.10
B3 S.A.-Brasil Bolsa Balcao	0.47	-18.68	-0.09
Global Unichip Corp	0.28	-31.38	-0.09
Baycurrent Consulting Inc	0.20	-43.69	-0.09
Amadeus IT Group SA	0.78	-9.81	-0.08

% of Portfolio

13.15

3.77

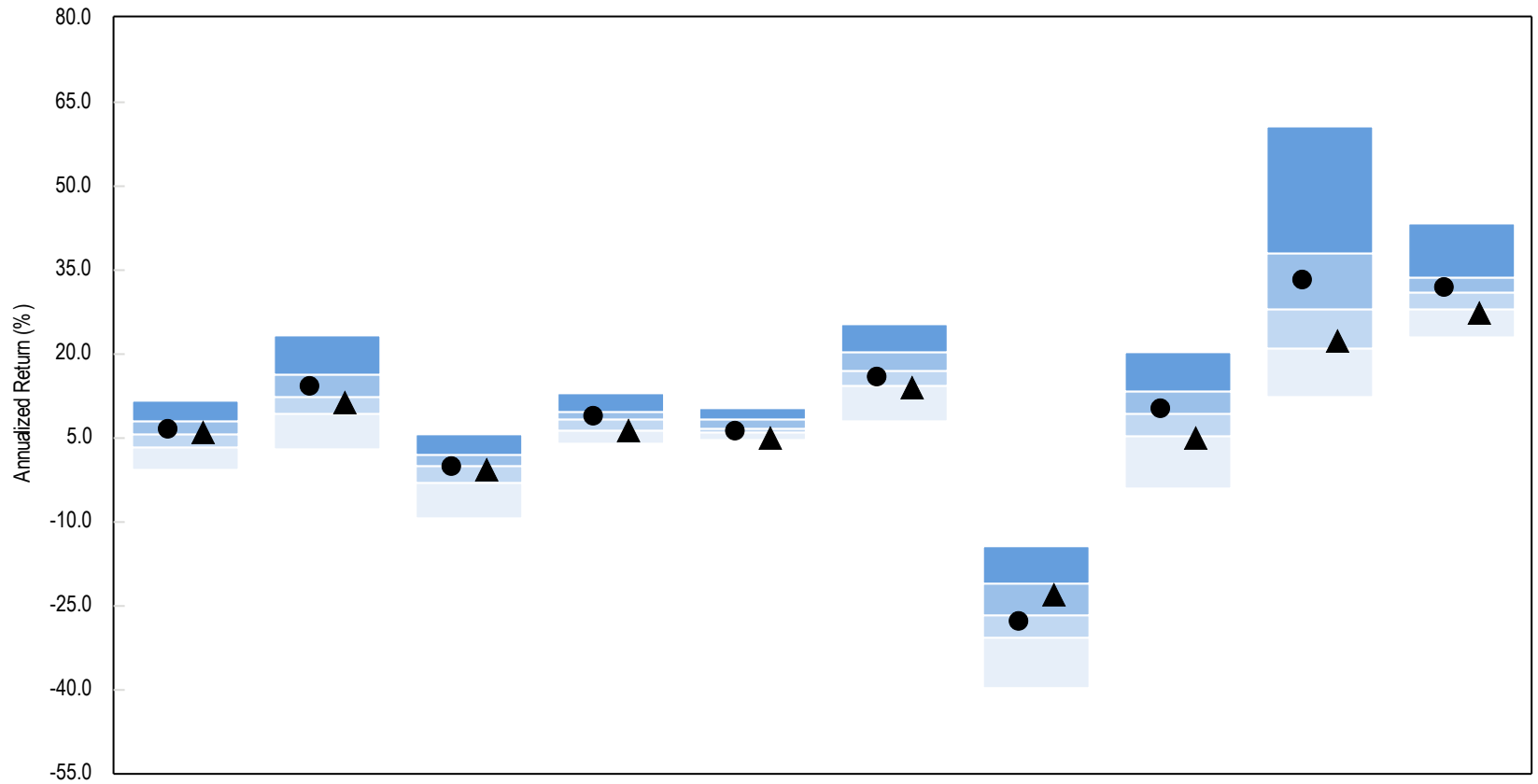
% of Portfolio

6.56

-1.17

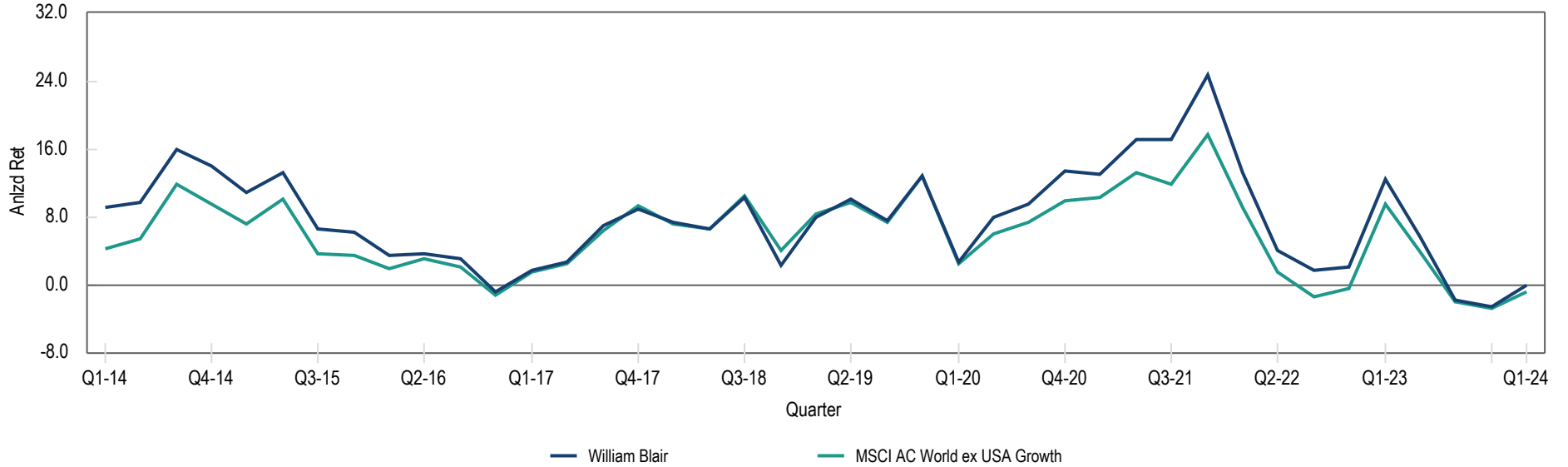
International equity growth portfolio of non-US companies with high growth rates constructed from the security level. Primary personnel include Simon Fennell and Kenneth McAtamney.

William Blair vs. eV ACWI ex-US Growth Equity Gross Universe

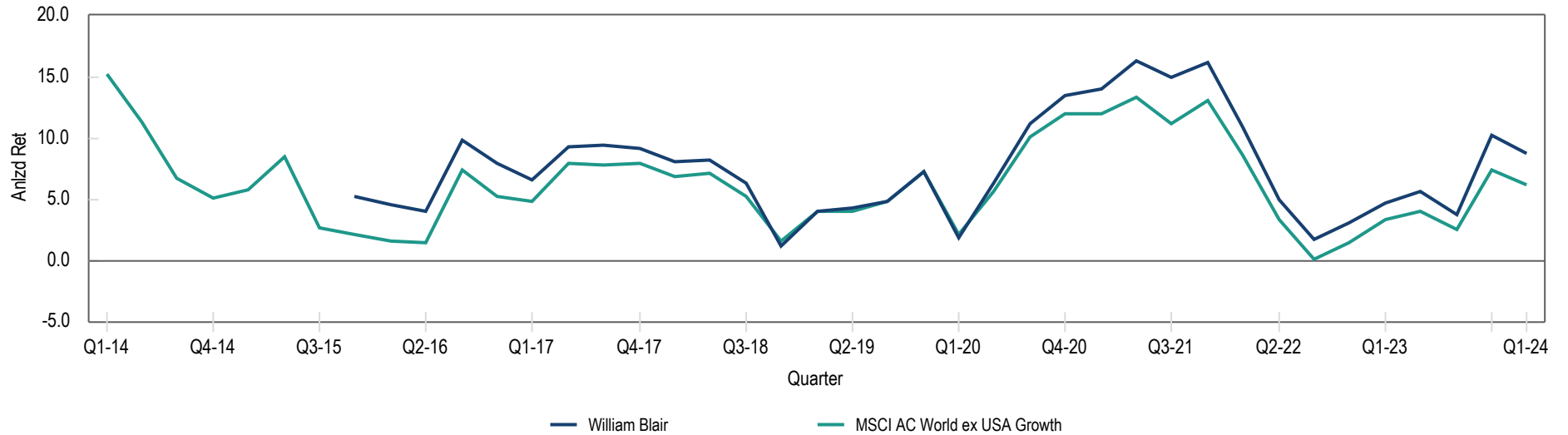


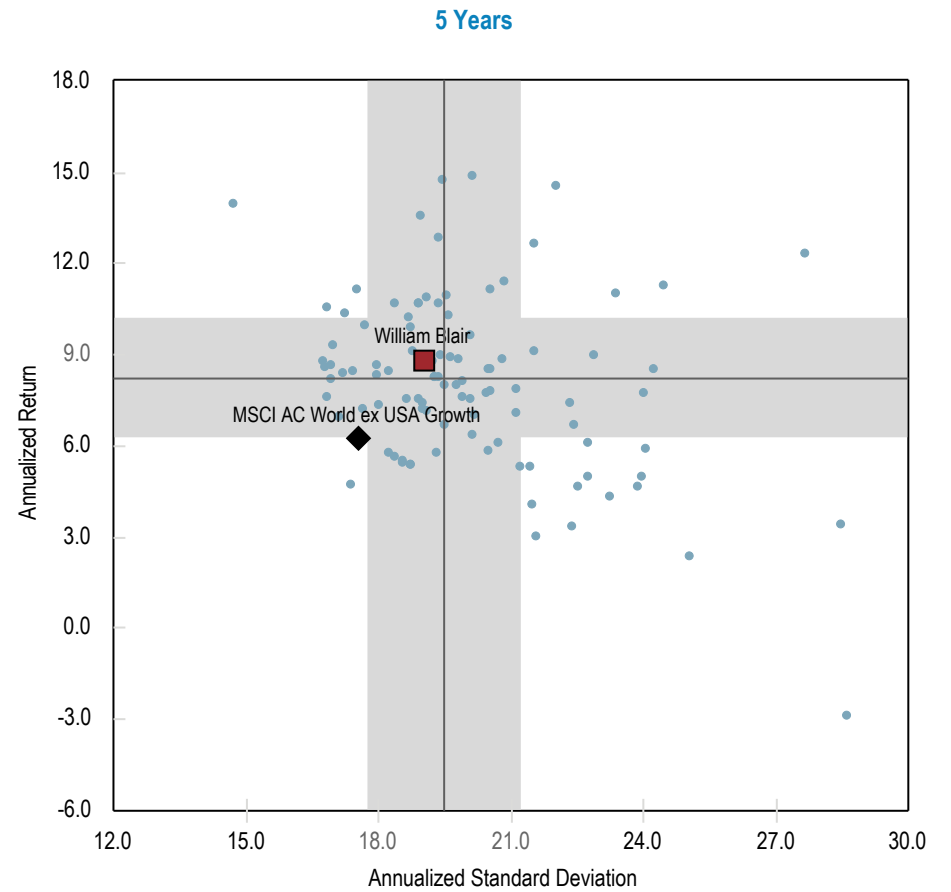
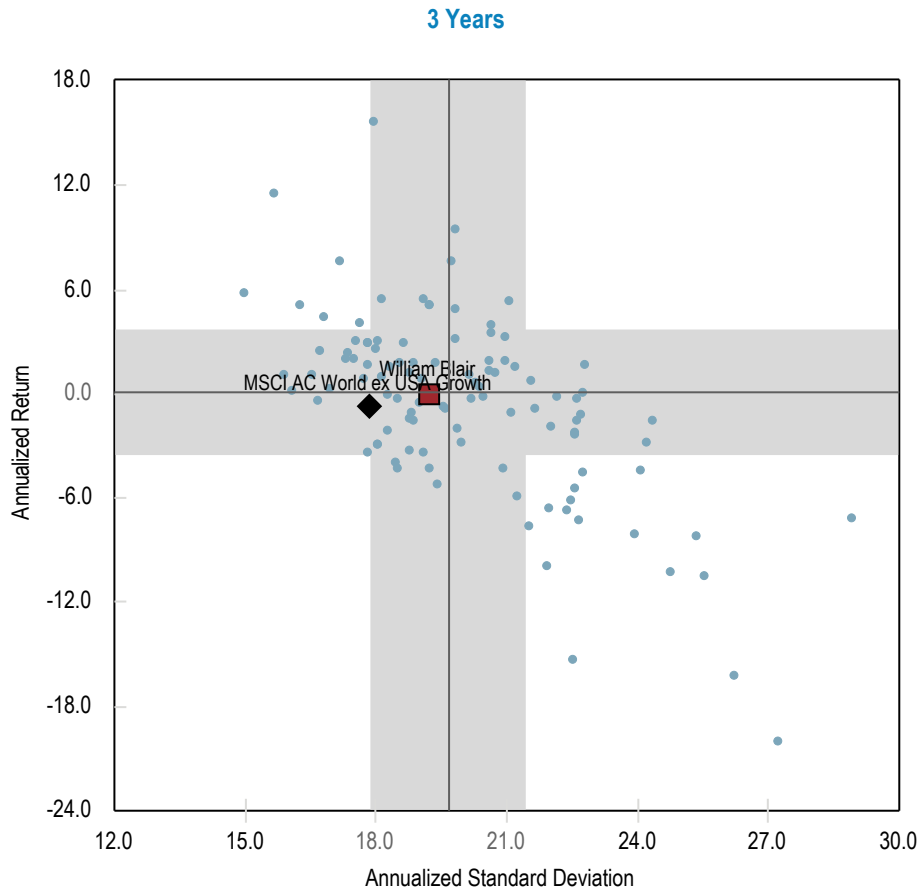
	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● William Blair	6.73 (38)	14.19 (36)	-0.03 (52)	8.85 (35)	6.41 (55)	16.15 (59)	-27.75 (56)	10.48 (41)	33.25 (36)	32.01 (38)
▲ MSCI AC World ex USA Growth	5.91 (46)	11.22 (61)	-0.76 (60)	6.24 (76)	5.12 (90)	14.03 (77)	-23.05 (31)	5.09 (76)	22.20 (73)	27.34 (78)
5th Percentile	11.81	23.43	5.76	12.96	10.39	25.47	-14.29	20.35	60.75	43.36
1st Quartile	7.83	16.29	2.13	9.78	8.23	20.18	-20.98	13.39	37.97	33.67
Median	5.51	12.29	0.10	8.26	6.70	17.08	-26.69	9.33	28.13	30.96
3rd Quartile	3.41	9.46	-2.87	6.24	6.11	14.18	-30.77	5.17	21.13	27.84
95th Percentile	-0.63	3.05	-9.32	4.04	4.64	7.96	-39.81	-3.97	12.38	23.07
Population	109	109	108	99	72	111	115	118	113	111

Rolling 3 Year Annualized Return (%)



Rolling 5 Year Annualized Return (%)





	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
William Blair	0.0	19.2	0.0
MSCI AC World ex USA Growth (Net)	-0.8	17.9	-0.1
eV ACWI ex-US Growth Equity Median	0.1	19.7	0.0
Population	108	108	108

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
William Blair	8.8	19.0	0.4
MSCI AC World ex USA Growth (Net)	6.2	17.6	0.3
eV ACWI ex-US Growth Equity Median	8.3	19.5	0.4
Population	99	99	99

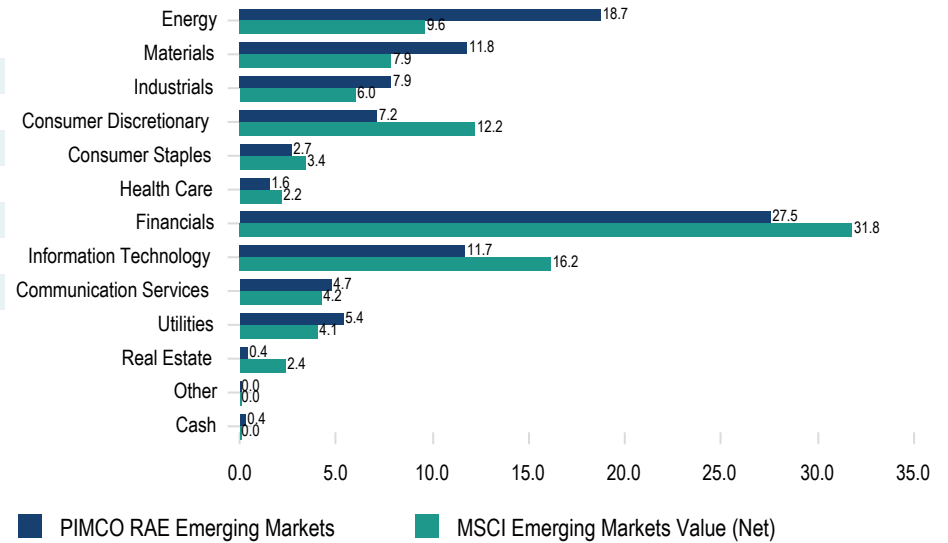
PIMCO RAE Emerging Markets
Manager Portfolio Overview

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	335	800
Wtd. Avg. Mkt. Cap \$M	24,410.09	65,640.58
Median Mkt. Cap \$M	4,151.87	6,897.75
Price/Earnings ratio	7.73	10.87
Price/Book ratio	1.79	1.90
Return on Equity (%)	1.49	2.69
Current Yield (%)	6.15	4.29
Beta (5 Years, Monthly)	1.06	1.00

Sector Allocation (%) vs. MSCI Emerging Markets Value (Net)



Largest Holdings

	End Weight (%)	Quarterly Return (%)
China Construction Bank Corp	4.13	1.27
Petroleo Brasileiro S.A	3.80	-2.64
Petrochina Co Ltd	2.97	29.36
China Petroleum & Chemical	2.68	8.31
POSCO Holdings Inc	2.57	-18.72
Bank of China Ltd	2.54	8.14
Industrial & Comm. Bank of China	2.41	2.91
Cemex SAB de CV	1.91	13.06
Quanta Computer Inc	1.76	25.37
Vipshop Holdings Limited	1.58	-4.49

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Tencent Music	3.97	24.20	0.96
Cemex SAB de CV	5.30	16.26	0.86
Petrochina Co Ltd	2.77	29.36	0.81
Netease Inc	5.83	12.16	0.71
Cielo SA	2.26	16.67	0.38
Embraer SA	0.80	44.37	0.35
Piraeus Financial Holdings SA	1.80	18.42	0.33
National Bank of Greece S A	2.00	12.78	0.26
Bank of China Ltd	3.08	8.14	0.25
China Petroleum & Chemical	2.98	8.31	0.25

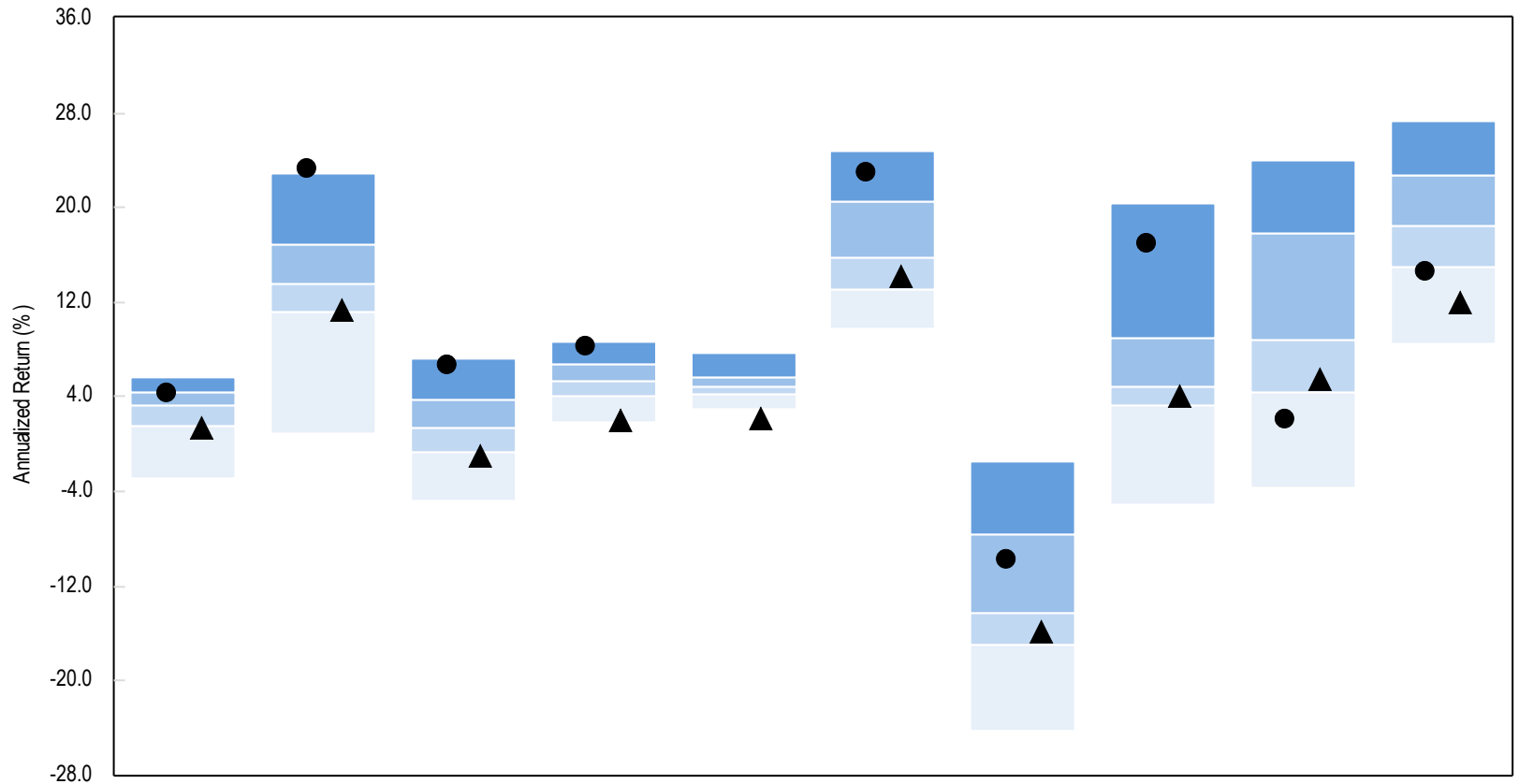
Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Vipshop Holdings Limited	15.96	-4.49	-0.72
Lenovo Group Ltd	1.66	-17.13	-0.28
Petroleo Brasileiro S.A	6.43	-2.64	-0.17
Ping An Insurance Group	1.49	-6.72	-0.10
Polska Grupa Energetyczna SA	0.50	-18.16	-0.09
Cogna Educacao S A	0.22	-34.38	-0.08
Capital A Berhad	0.41	-16.45	-0.07
Kunlun Energy Co Ltd	0.67	-7.46	-0.05
BYD Electronic	0.22	-21.36	-0.05
MTN Group Ltd	0.20	-21.62	-0.04

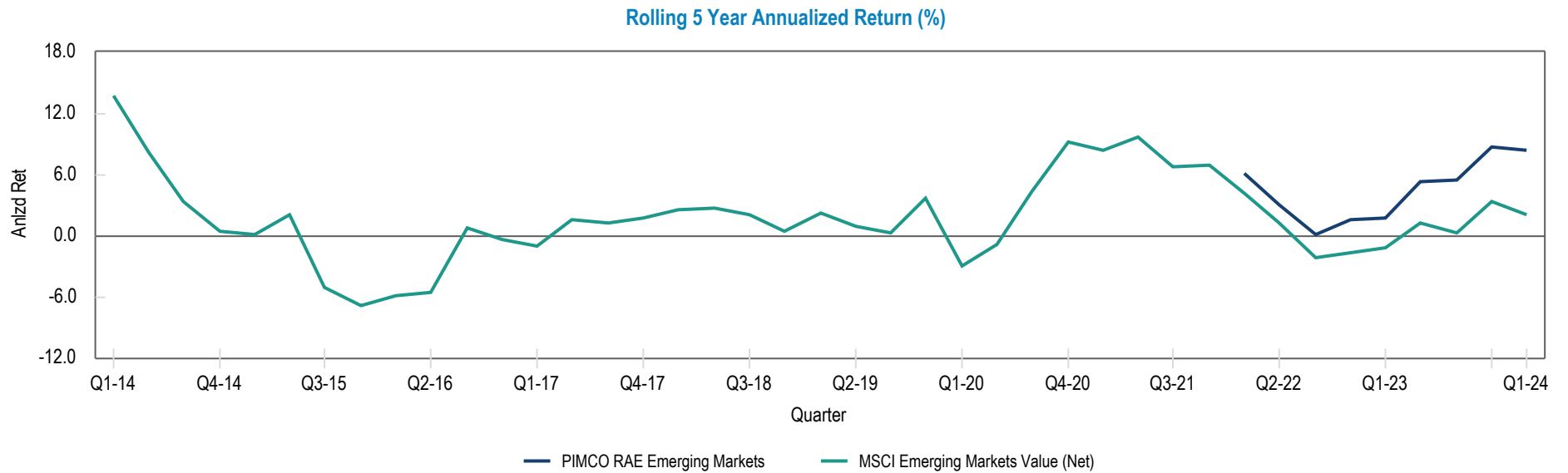
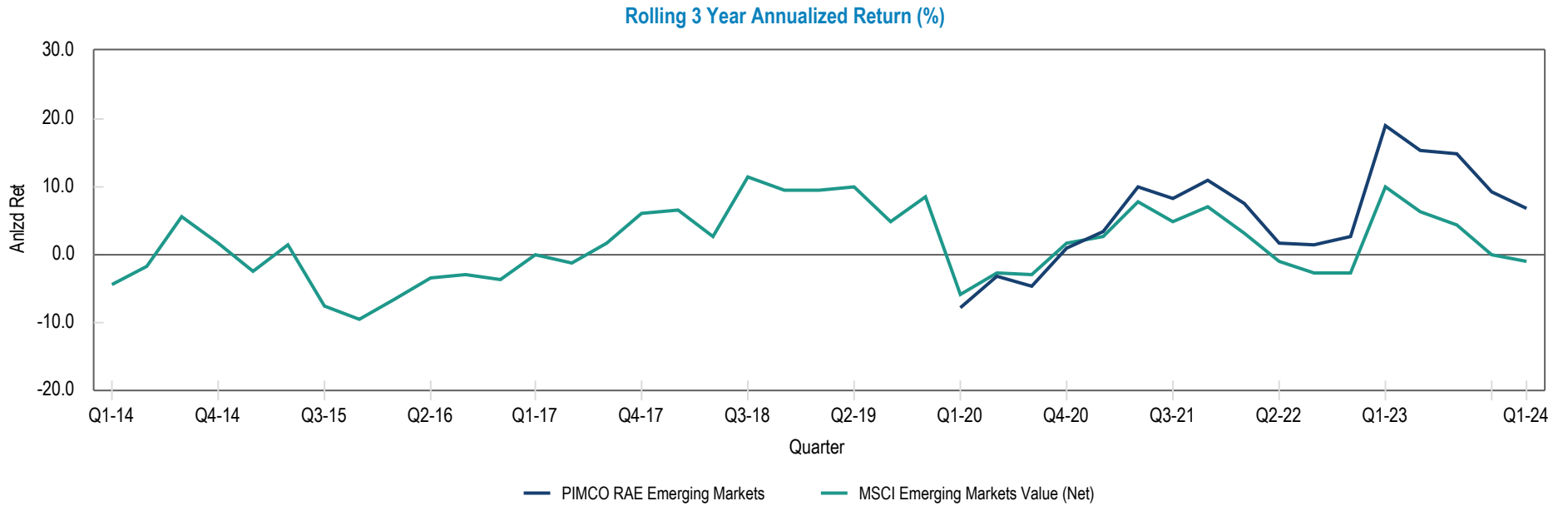
% of Portfolio 30.79 5.16 % of Portfolio 27.76 -1.65

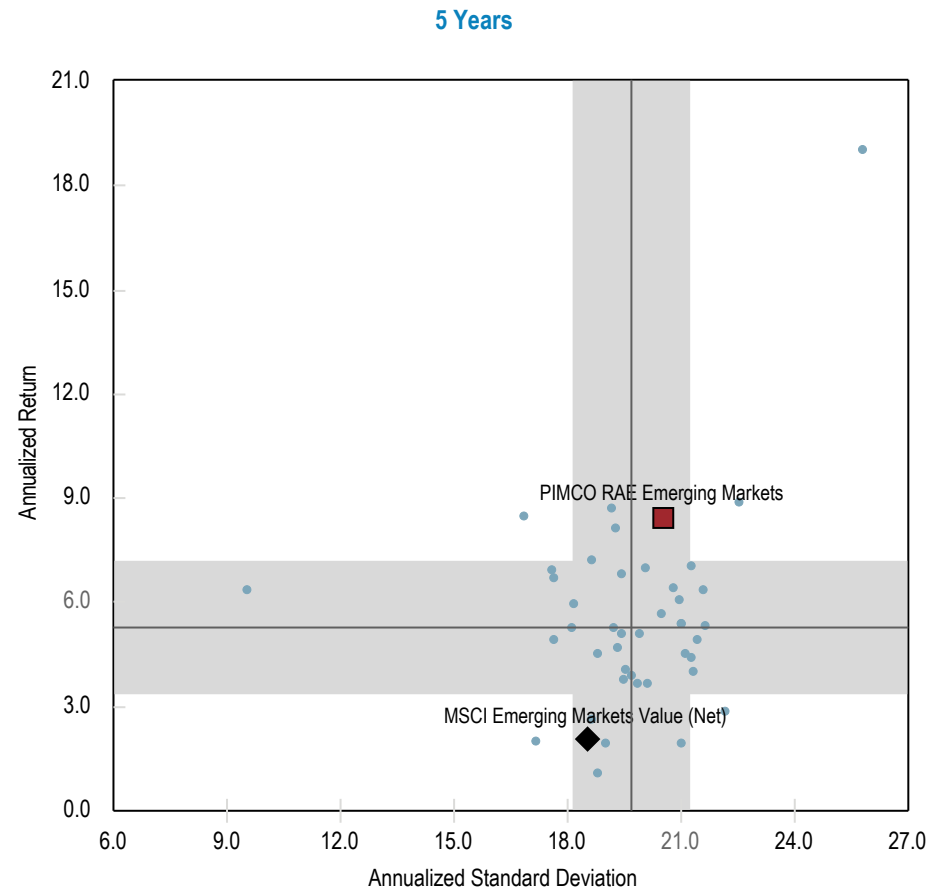
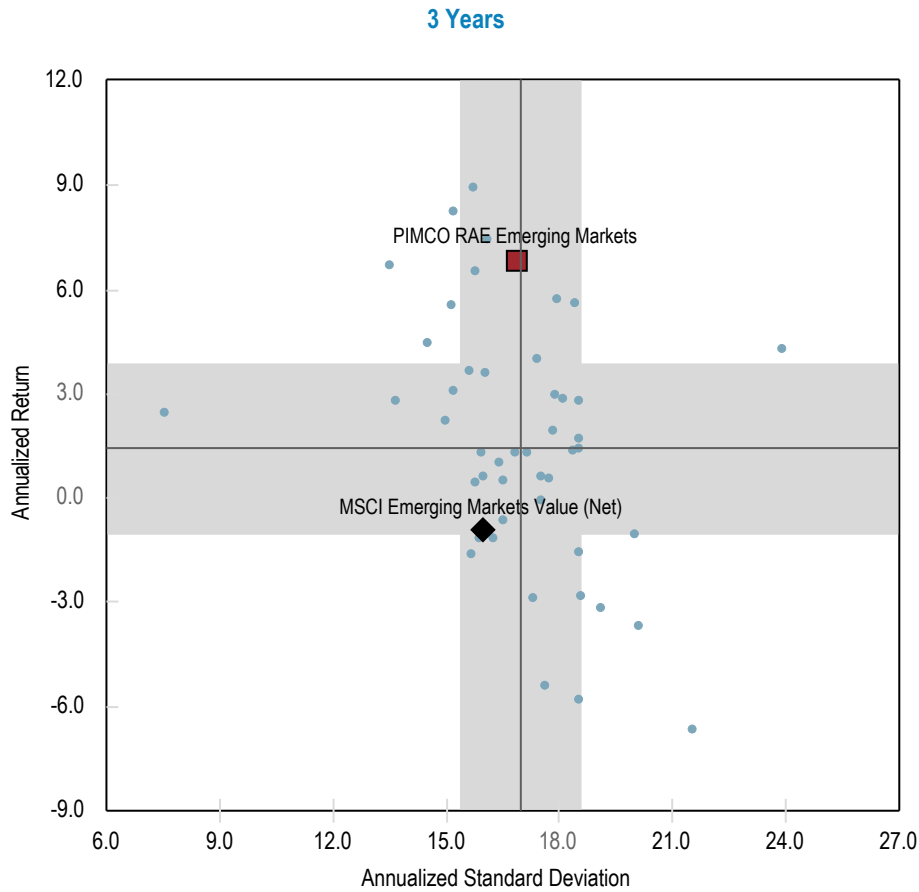
The PIMCO RAE Emerging Markets seeks to invest 80% of its assets in investments that are economically tied to emerging market countries. The portfolio is sub-advised by Research Affiliates, LLC.

PIMCO RAE Emerging Markets vs. eV Emg Mkts All Cap Value Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● PIMCO RAE Emerging Markets	4.47 (22)	23.30 (5)	6.81 (8)	8.41 (9)	-	23.09 (11)	-9.66 (34)	17.08 (8)	2.13 (85)	14.63 (78)
▲ MSCI Emerging Markets Value NR	1.31 (78)	11.36 (74)	-0.91 (77)	2.09 (93)	2.15 (100)	14.21 (67)	-15.83 (62)	4.00 (68)	5.48 (71)	11.96 (93)
5th Percentile	5.68	22.90	7.28	8.72	7.68	24.78	-1.44	20.40	23.96	27.36
1st Quartile	4.43	16.85	3.77	6.78	5.70	20.53	-7.67	9.02	17.81	22.69
Median	3.27	13.51	1.43	5.27	4.89	15.78	-14.26	4.86	8.90	18.43
3rd Quartile	1.52	11.14	-0.72	4.04	4.28	13.03	-16.88	3.26	4.47	14.93
95th Percentile	-2.91	0.93	-4.80	1.94	2.91	9.79	-24.26	-5.01	-3.71	8.58
Population	50	50	48	43	29	52	57	56	58	59





3 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
PIMCO RAE Emerging Markets	6.8	16.9	0.3
MSCI Emerging Markets Value (Net)	-0.9	16.0	-0.1
eV Emg Mkts All Cap Value Equity Median	1.4	17.0	0.0
Population	48	48	48

5 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
PIMCO RAE Emerging Markets	8.4	20.5	0.4
MSCI Emerging Markets Value (Net)	2.1	18.5	0.1
eV Emg Mkts All Cap Value Equity Median	5.3	19.7	0.3
Population	43	43	43

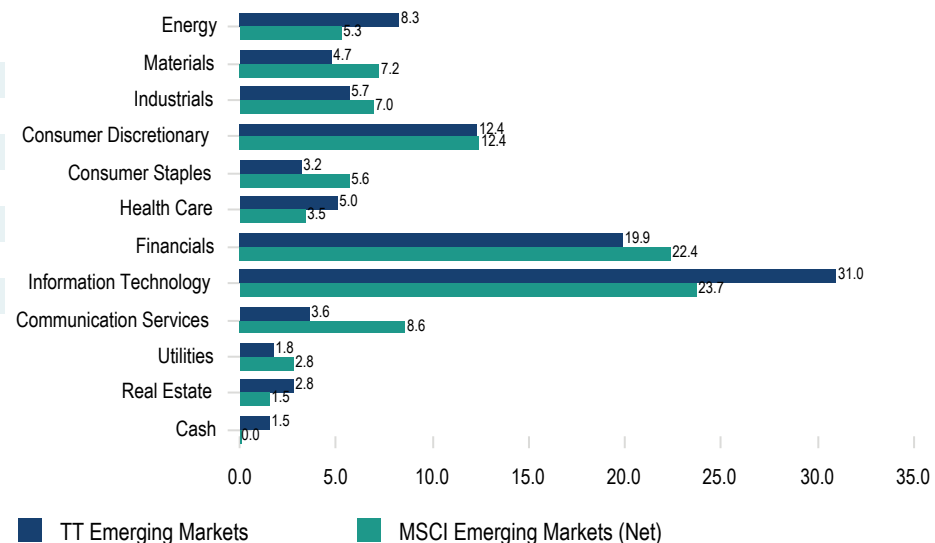
TT Emerging Markets Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	61	1,376
Wtd. Avg. Mkt. Cap \$M	140,478.87	121,493.60
Median Mkt. Cap \$M	11,709.19	7,229.11
Price/Earnings ratio	14.31	14.82
Price/Book ratio	2.82	2.59
Return on Equity (%)	3.84	3.59
Current Yield (%)	2.00	2.86
Beta (5 Years, Monthly)	1.15	1.00

Sector Allocation (%) vs. MSCI Emerging Markets (Net)



Largest Holdings

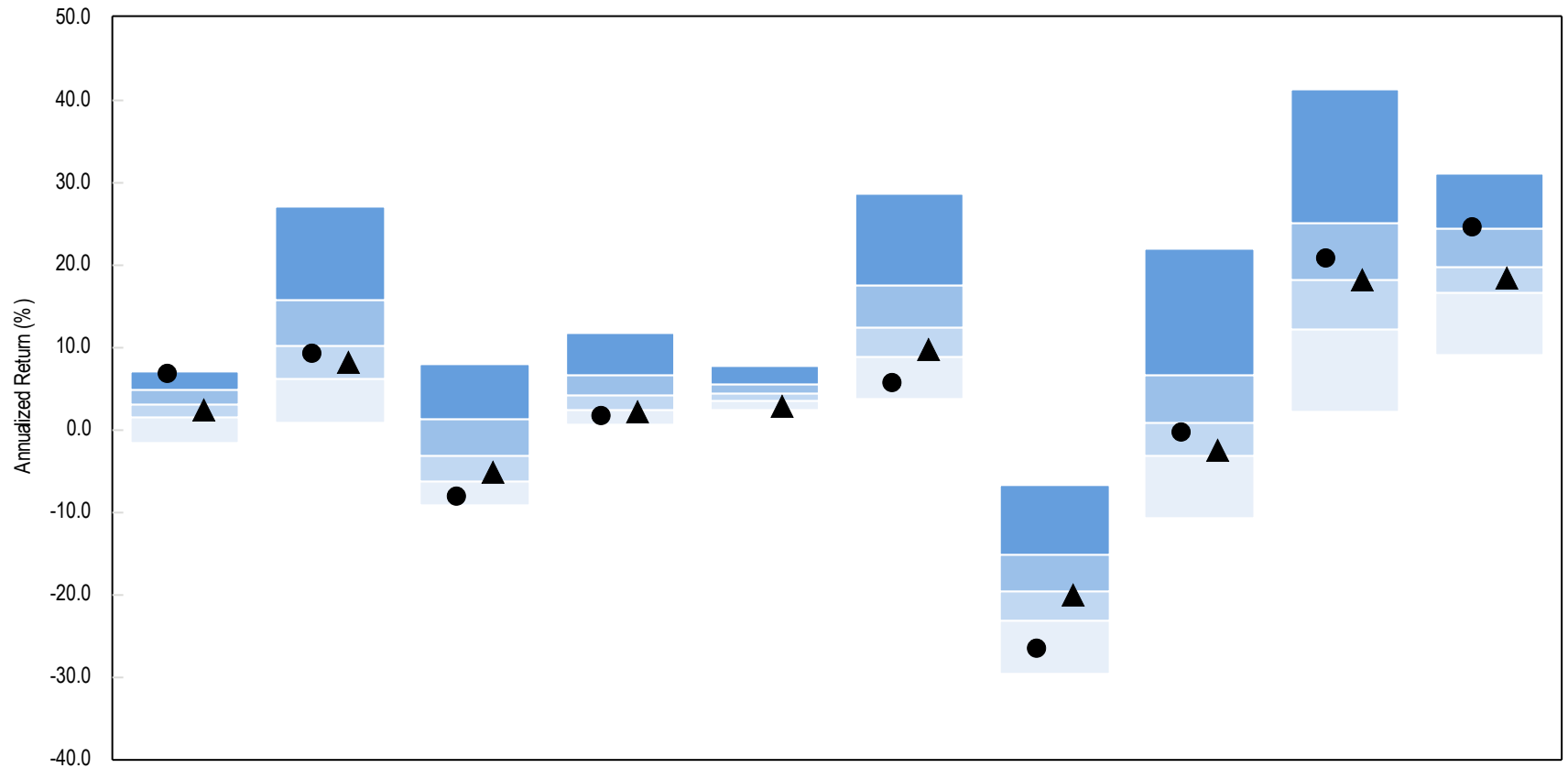
Top Contributors

Top Detractors

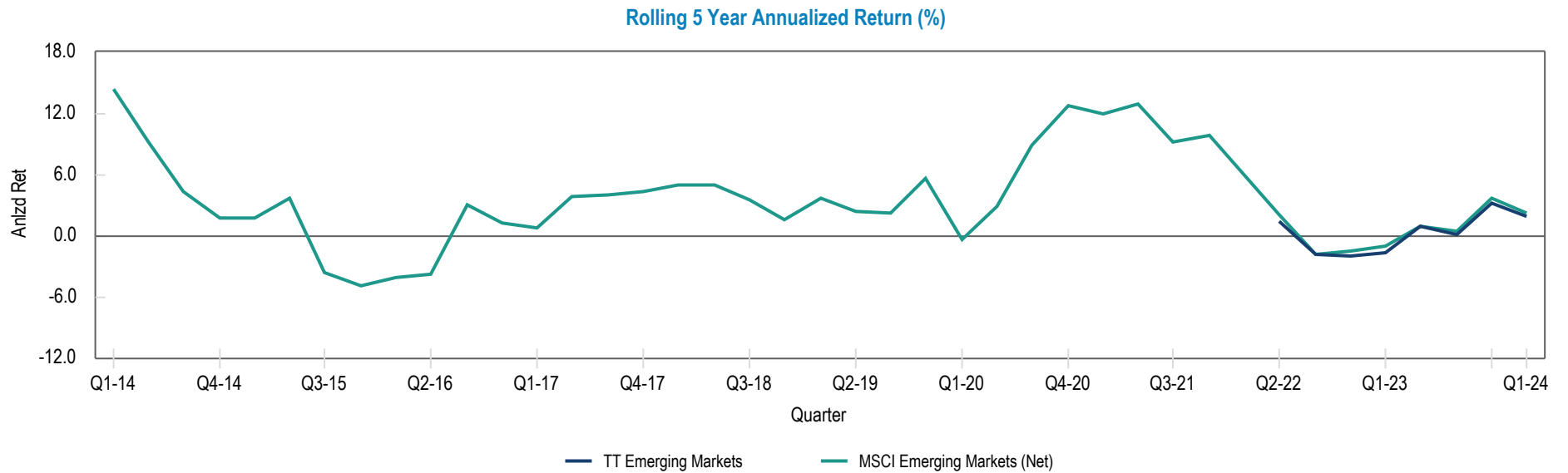
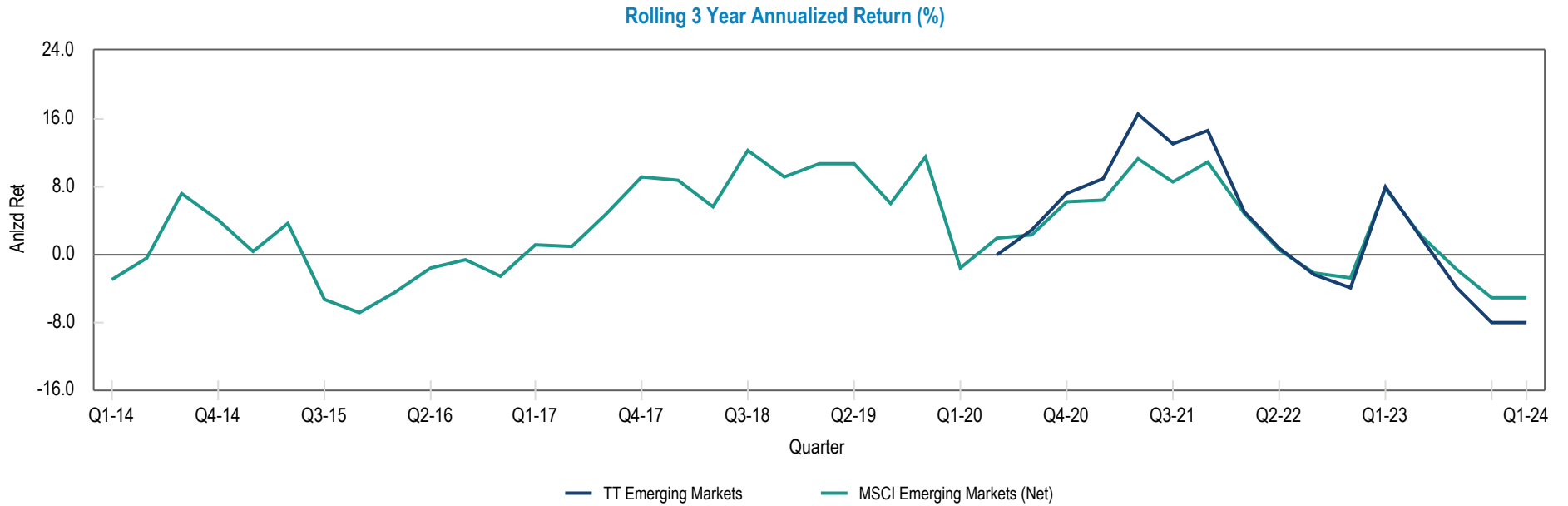
	End Weight (%)	Quarterly Return (%)		Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)		Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Taiwan Semiconductor Man.	11.26	26.55	Taiwan Semiconductor Man.	9.44	26.55	2.51	Vamos Locacao	1.87	-19.53	-0.37
Samsung Electronics Co Ltd	4.01	4.42	Nova Ljubljanska Banka d.d	2.70	25.95	0.70	Hapvida Participacoes	1.86	-19.31	-0.36
Axis Bank Ltd	3.84	-5.21	Vista Energy SAB de CV	1.56	37.79	0.59	WuXi Biologics (Cayman) Inc	0.64	-51.80	-0.33
Grupo Financiero Banorte	3.61	5.23	Ypf Sociedad Anonima	2.35	23.41	0.55	Equatorial Energia SA	2.12	-11.57	-0.25
Samsung Electronics Co Ltd	3.57	0.42	SK Hynix Inc	2.22	23.72	0.53	Axis Bank Ltd	4.28	-5.21	-0.22
Nova Ljubljanska Banka d.d	3.23	25.95	AngloGold Ashanti plc	1.98	19.80	0.39	Banco Bradesco S A	0.98	-18.72	-0.18
Icici Bank Ltd	3.03	9.45	PT Bank Mandiri TBK	1.64	22.21	0.36	PVR INOX Limited	0.90	-20.24	-0.18
Emaar Properties	2.81	3.17	KLA Corp	1.75	20.44	0.36	Hansol Chemience Co Ltd	1.40	-12.91	-0.18
Ypf Sociedad Anonima	2.74	23.41	Reliance Industries Ltd	2.24	14.70	0.33	ANJOY FOODS	0.77	-22.47	-0.17
SK Hynix Inc	2.60	23.72	Qifu Technology Inc	1.72	16.50	0.28	Localiza Rent A Car SA	0.99	-16.57	-0.16
			% of Portfolio	27.60		6.60	% of Portfolio	15.81		-2.41

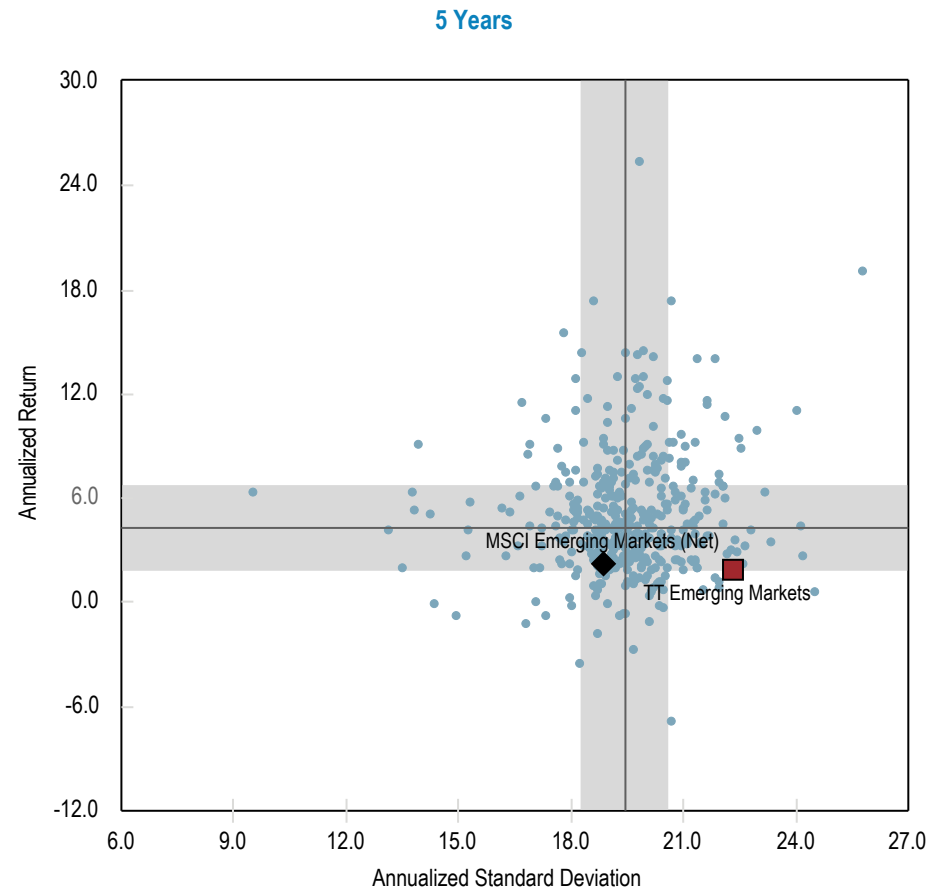
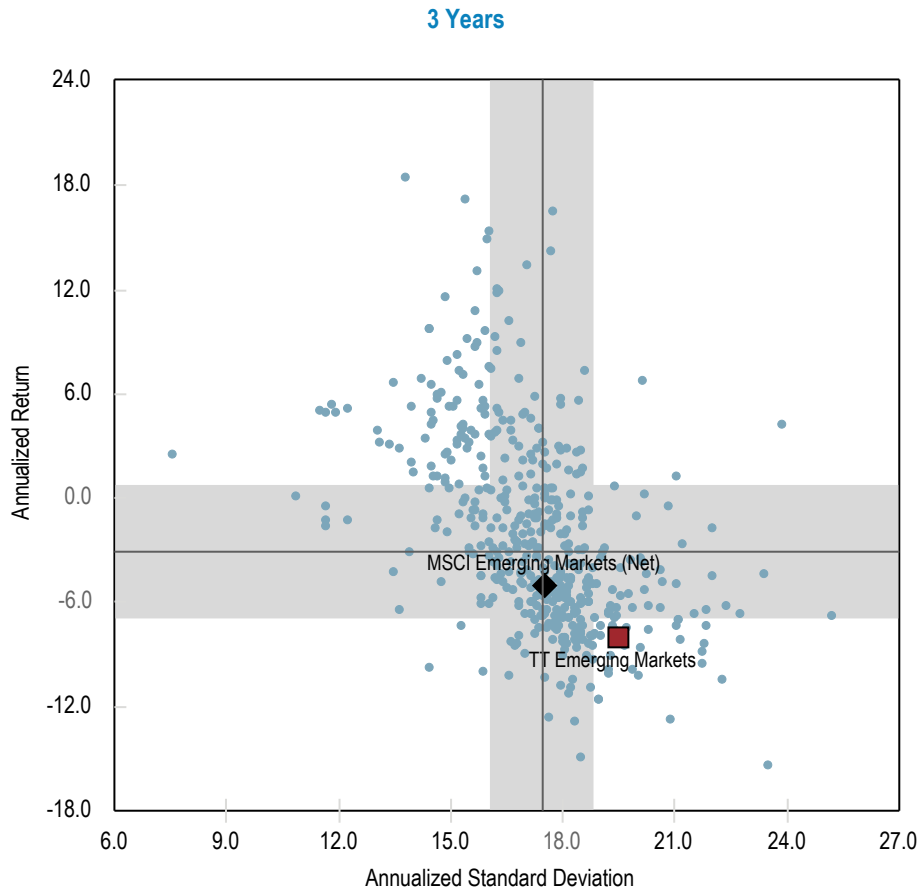
The Emerging Markets Unconstrained strategy aims to outperform its benchmark, MSCI Emerging Markets Index by 5% per annum over a three-year rolling period. It targets high returns and long term capital growth by investing in a focused portfolio of primarily equity and equity-related securities traded in the Emerging Markets.

TT Emerging Markets vs. eV Emg Mkts Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● TT Emerging Markets	6.85 (7)	9.42 (55)	-7.96 (90)	1.88 (88)	-	5.80 (91)	-26.36 (90)	-0.23 (58)	20.79 (39)	24.77 (24)
▲ MSCI Emerging Markets	2.37 (59)	8.15 (64)	-5.05 (65)	2.22 (81)	2.95 (88)	9.83 (66)	-20.09 (56)	-2.54 (72)	18.31 (51)	18.42 (62)
5th Percentile	7.09	27.09	7.98	11.73	7.85	28.74	-6.66	22.04	41.37	31.07
1st Quartile	4.82	15.68	1.38	6.56	5.55	17.52	-15.03	6.76	25.14	24.36
Median	3.03	10.15	-3.14	4.27	4.55	12.46	-19.54	1.00	18.33	19.71
3rd Quartile	1.58	6.30	-6.15	2.53	3.64	8.93	-23.03	-3.09	12.30	16.58
95th Percentile	-1.45	0.86	-9.04	0.67	2.48	3.74	-29.64	-10.71	2.12	9.14
Population	512	512	479	430	303	532	569	580	579	601





3 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
TT Emerging Markets	-8.0	19.5	-0.5
MSCI Emerging Markets (Net)	-5.1	17.5	-0.4
eV Emg Mkts Equity Median	-3.1	17.4	-0.3
Population	479	479	479

5 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
TT Emerging Markets	1.9	22.3	0.1
MSCI Emerging Markets (Net)	2.2	18.9	0.1
eV Emg Mkts Equity Median	4.3	19.4	0.2
Population	430	430	430

Global Equity Managers

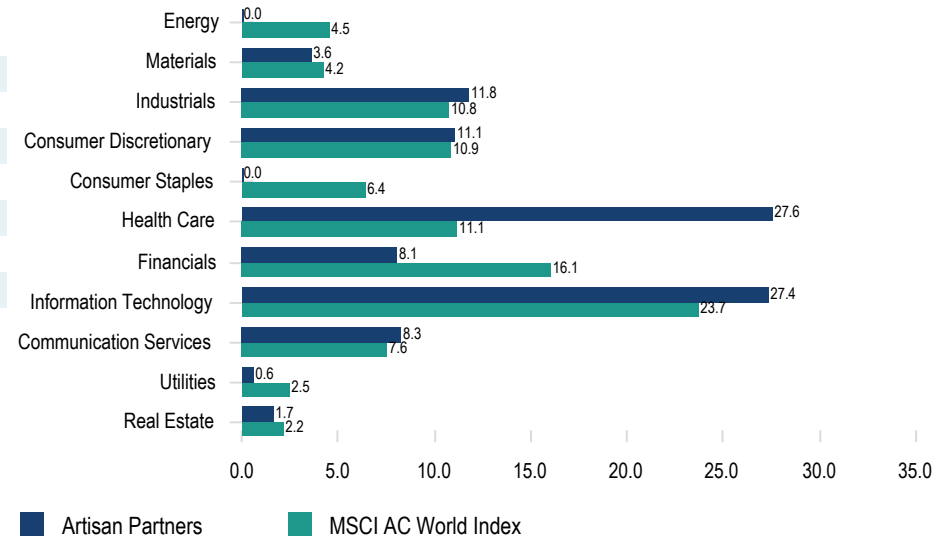
Artisan Partners
Manager Portfolio Overview

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	43	2,841
Wtd. Avg. Mkt. Cap \$M	353,414.16	517,391.04
Median Mkt. Cap \$M	81,677.14	13,737.40
Price/Earnings ratio	45.68	21.17
Price/Book ratio	6.41	3.75
Return on Equity (%)	4.86	8.76
Current Yield (%)	0.51	1.98
Beta (5 Years, Monthly)	0.98	1.00

Sector Allocation (%) vs. MSCI AC World Index



Largest Holdings

	End Weight (%)	Quarterly Return (%)
Novo Nordisk A/S	6.03	24.24
Advanced Micro Devices Inc	5.31	22.44
Boston Scientific Corp	5.09	18.47
Netflix Inc	4.02	24.74
Techtronic Industries Co Ltd	3.94	13.76
Intuit Inc.	3.80	4.15
Chipotle Mexican Grill Inc	3.69	27.10
Amazon.com Inc	3.38	18.72
Taiwan Semiconductor Man.	3.37	31.35
Veeva Systems Inc	3.36	20.35

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Advanced Micro Devices Inc	6.52	22.44	1.46
Novo Nordisk A/S	5.30	24.24	1.29
Boston Scientific Corp	4.79	18.47	0.88
Netflix Inc	3.48	24.74	0.86
Chipotle Mexican Grill Inc	3.13	27.10	0.85
Veeva Systems Inc	3.79	20.35	0.77
LONZA GROUP AG	1.73	42.72	0.74
Nu Holdings Ltd	1.28	43.22	0.55
Techtronic Industries Co Ltd	3.95	13.76	0.54
Taiwan Semiconductor Man.	1.69	31.35	0.53

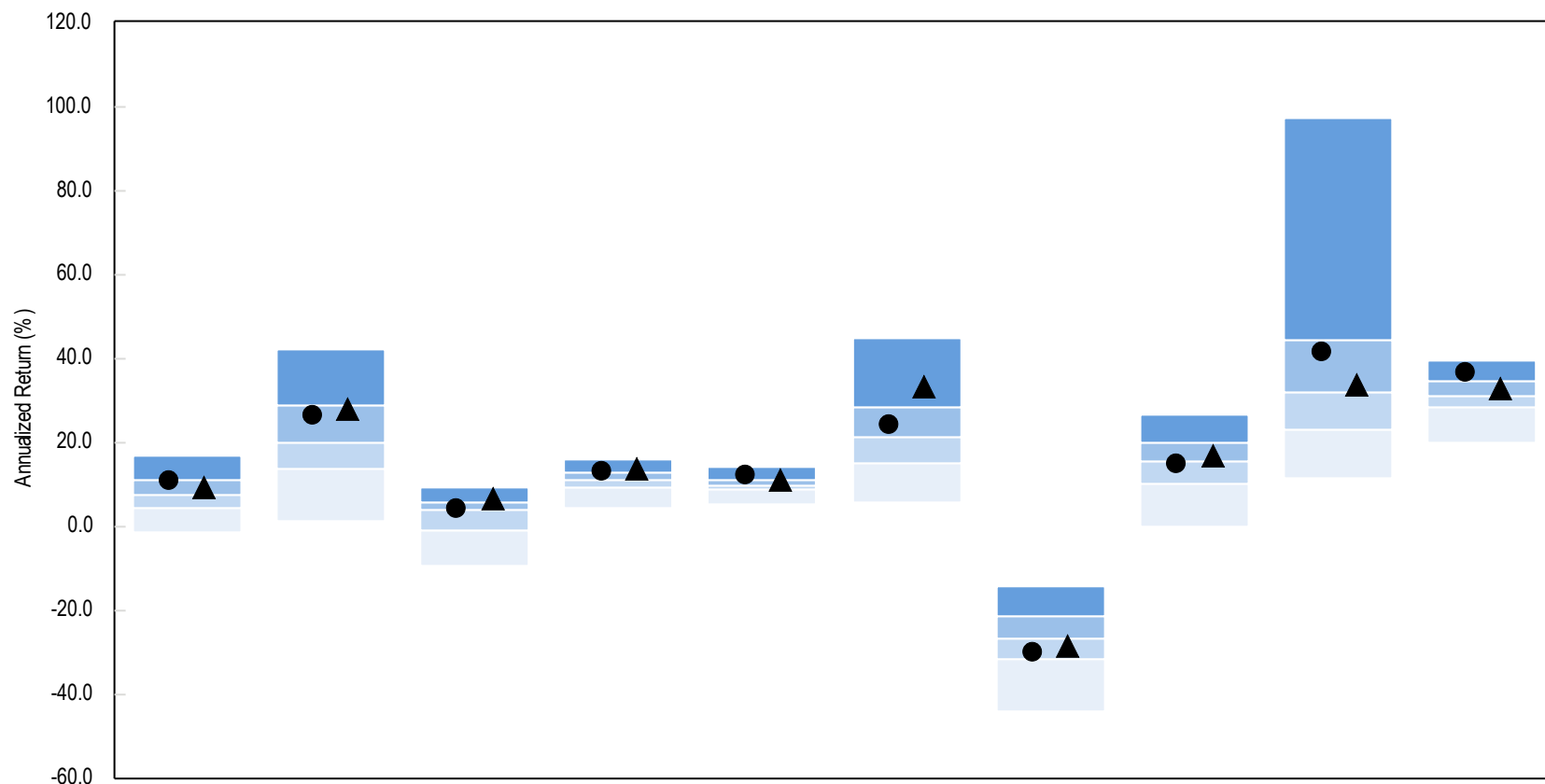
Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Atlassian Corp	4.34	-17.97	-0.78
Lululemon Athletica Inc	1.26	-23.59	-0.30
Vestas Wind Systems A/S	1.89	-12.00	-0.23
ON Semiconductor Corp	1.73	-11.95	-0.21
S&P Global Inc	2.83	-3.22	-0.09
Hexagon AB	1.88	-1.27	-0.02
Hoya Corp	1.86	-0.96	-0.02
Shopify Inc	1.36	-0.94	-0.01
UBS Group AG	1.83	-0.68	-0.01
ABB Ltd	0.43	7.13	0.03

% of Portfolio 35.66 8.48 % of Portfolio 19.41 -1.64

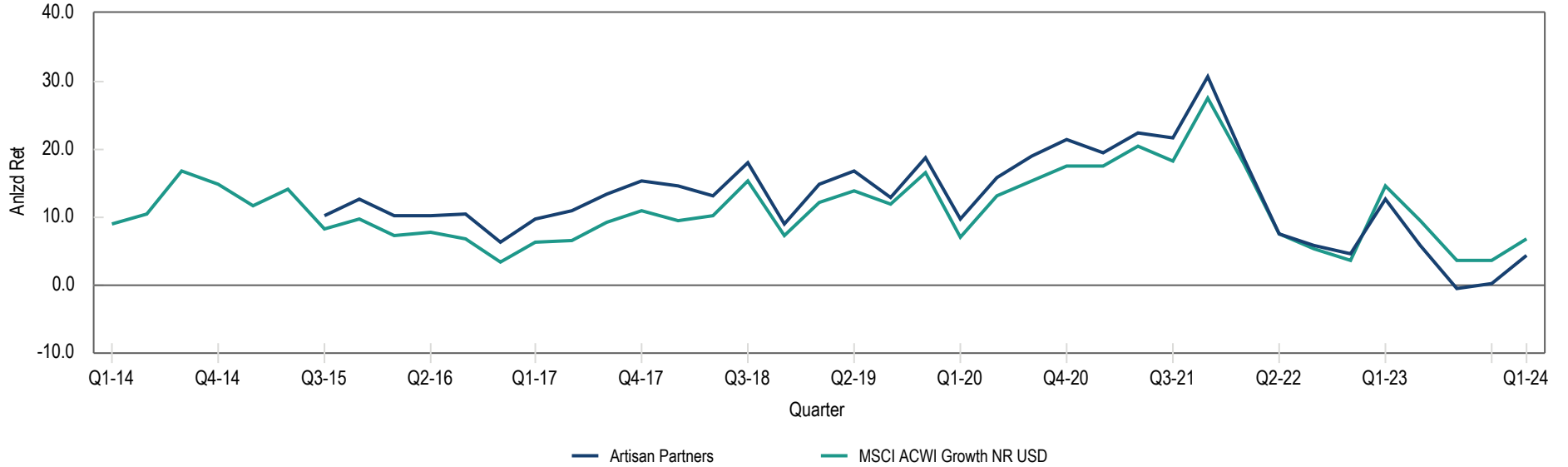
Global equity portfolio of companies that is benchmark agnostic with accelerating profit cycles and a focus on capital allocation. Primary personnel include James Hamel, Craigh Cepukenas, and Matthew Kamm.

Artisan Partners vs. eV Global Growth Equity Gross Universe

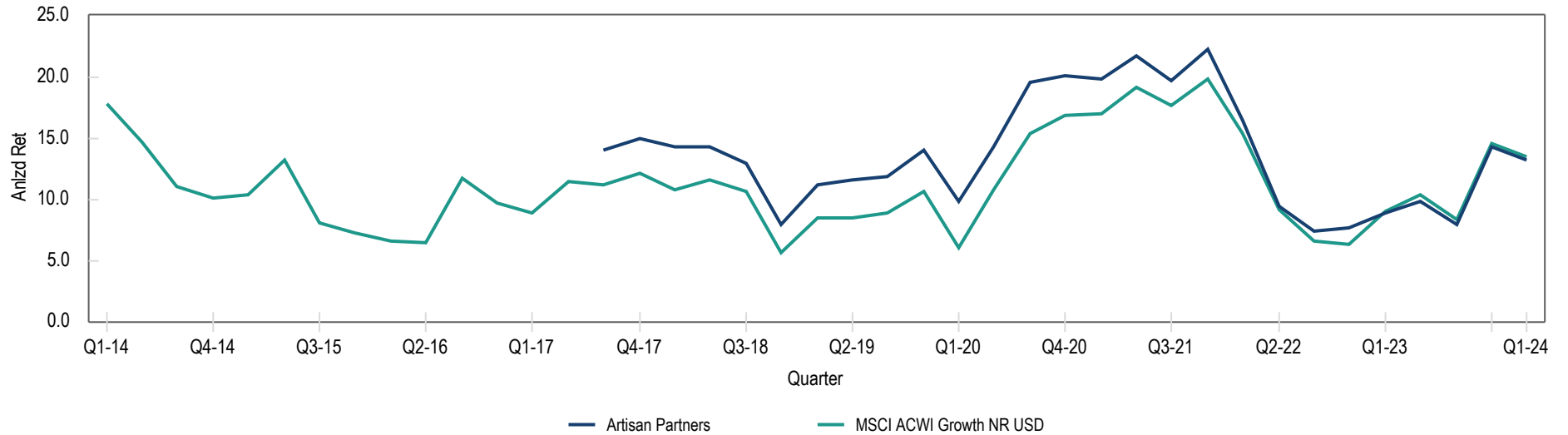


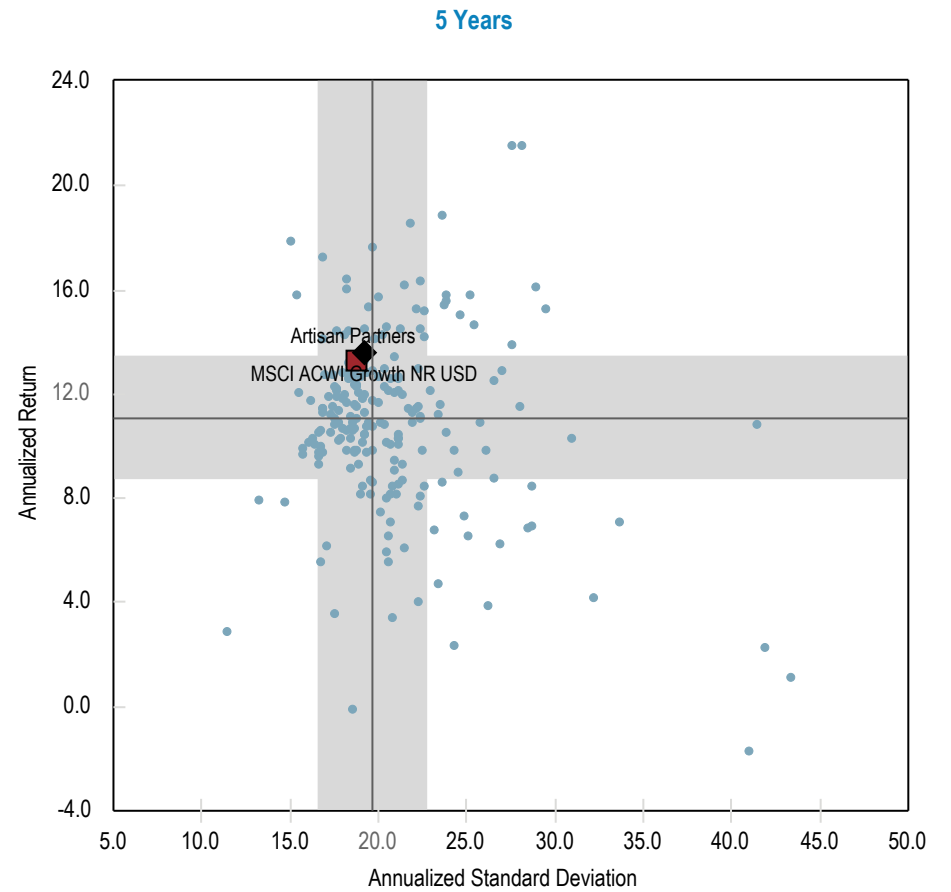
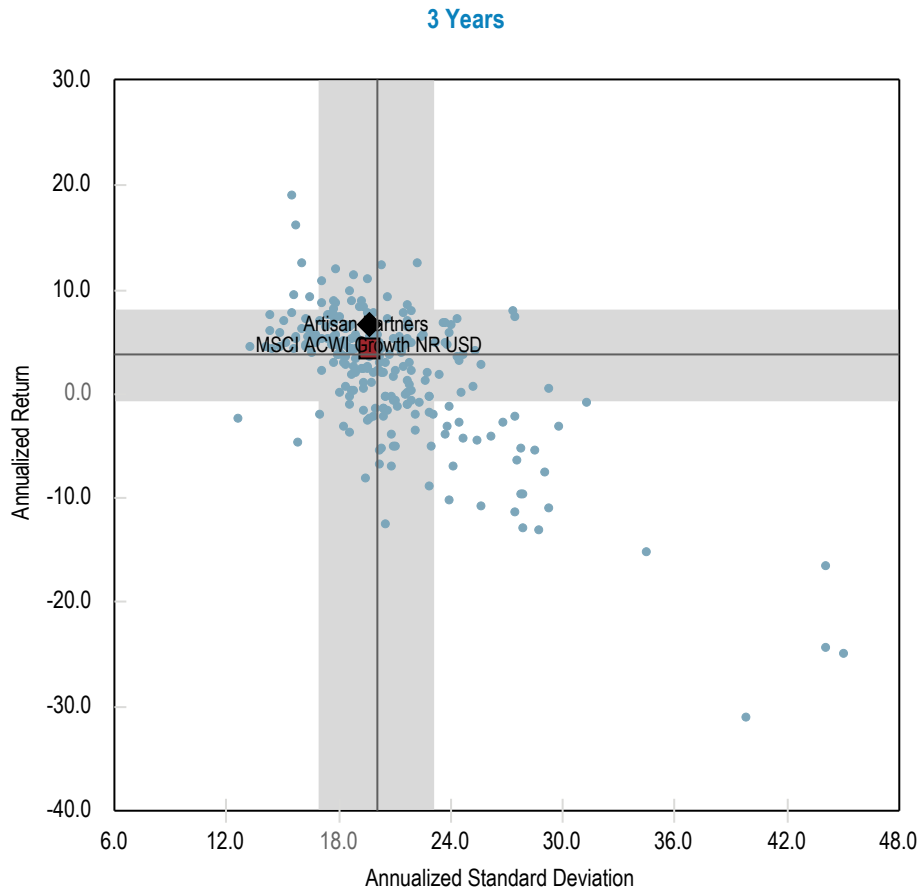
	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● Artisan Partners	11.09 (27)	26.67 (28)	4.41 (43)	13.26 (19)	12.26 (19)	24.54 (37)	-29.59 (62)	14.99 (57)	41.66 (32)	37.00 (12)
▲ MSCI ACWI Growth NR USD	9.50 (34)	28.21 (26)	6.74 (19)	13.57 (18)	11.02 (32)	33.22 (16)	-28.61 (58)	17.10 (44)	33.60 (48)	32.72 (37)
5th Percentile	16.96	42.32	9.19	16.08	14.20	44.96	-14.18	26.63	97.21	39.53
1st Quartile	11.26	28.77	5.74	12.73	11.27	28.35	-21.51	19.99	44.60	34.66
Median	7.65	20.15	3.78	11.08	9.78	21.39	-26.75	15.72	31.81	31.27
3rd Quartile	4.64	13.64	-0.72	9.53	8.74	15.31	-31.76	10.09	23.12	28.38
95th Percentile	-1.32	1.13	-9.55	4.45	5.55	5.92	-43.97	0.21	11.36	20.06
Population	271	268	246	211	121	284	293	280	265	246

Rolling 3 Year Annualized Return (%)



Rolling 5 Year Annualized Return (%)





	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Artisan Partners	4.4	19.6	0.2
MSCI ACWI Growth NR USD	6.7	19.6	0.3
eV Global Growth Equity Median	3.8	20.0	0.2
Population	246	246	246

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Artisan Partners	13.3	18.8	0.7
MSCI ACWI Growth NR USD	13.6	19.3	0.7
eV Global Growth Equity Median	11.1	19.7	0.5
Population	211	211	211

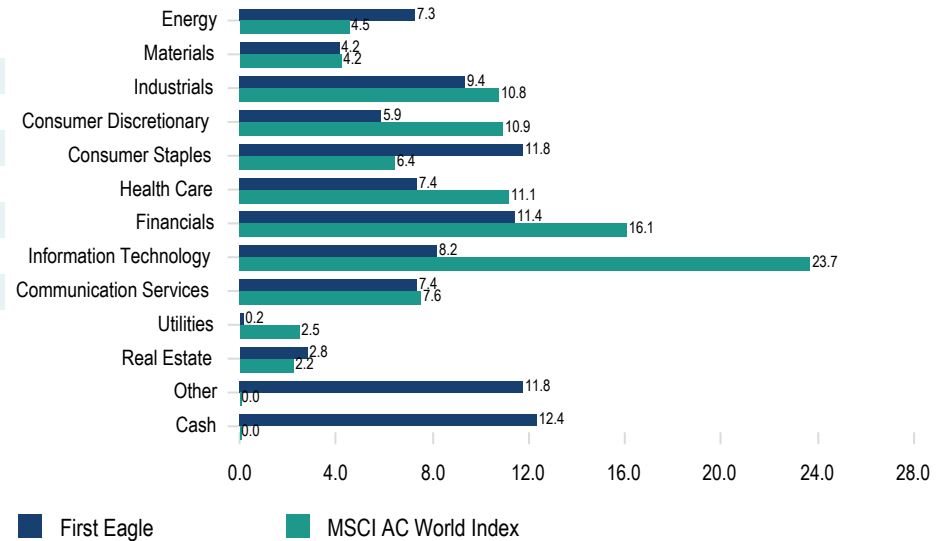
First Eagle
Manager Portfolio Overview

Contra Costa County Employees' Retirement Association
Period Ending: March 31, 2024

Characteristics

	Portfolio	Benchmark
Number of Stocks	123	2,841
Wtd. Avg. Mkt. Cap \$M	161,195.69	517,391.04
Median Mkt. Cap \$M	28,807.48	13,737.40
Price/Earnings ratio	17.68	21.17
Price/Book ratio	2.51	3.75
Return on Equity (%)	3.86	8.76
Current Yield (%)	2.13	1.98
Beta (5 Years, Monthly)	0.75	1.00

Sector Allocation (%) vs. MSCI AC World Index



Largest Holdings

	End Weight (%)	Quarterly Return (%)
SPDR Gold Trust	11.77	7.61
Oracle Corp	2.53	19.60
Meta Platforms Inc	2.47	37.33
Exxon Mobil Corp	2.16	17.35
Schlumberger Ltd	2.13	5.93
HCA Healthcare Inc	1.90	23.47
Comcast Corp	1.81	-0.48
Alphabet Inc	1.64	8.04
Willis Towers Watson plc	1.50	14.38
Imperial Oil Ltd	1.44	21.45

Top Contributors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Meta Platforms Inc	3.21	37.33	1.20
SPDR Gold Trust	13.07	7.61	0.99
Oracle Corp	3.22	19.60	0.63
HCA Healthcare Inc	1.84	23.47	0.43
MS&AD Insurance Group	1.00	38.65	0.39
Exxon Mobil Corp	2.22	17.35	0.39
Taiwan Semiconductor Man.	1.10	31.35	0.34
Imperial Oil Ltd	1.43	21.45	0.31
Sompo Holdings Inc	0.83	31.32	0.26
Willis Towers Watson plc	1.58	14.38	0.23

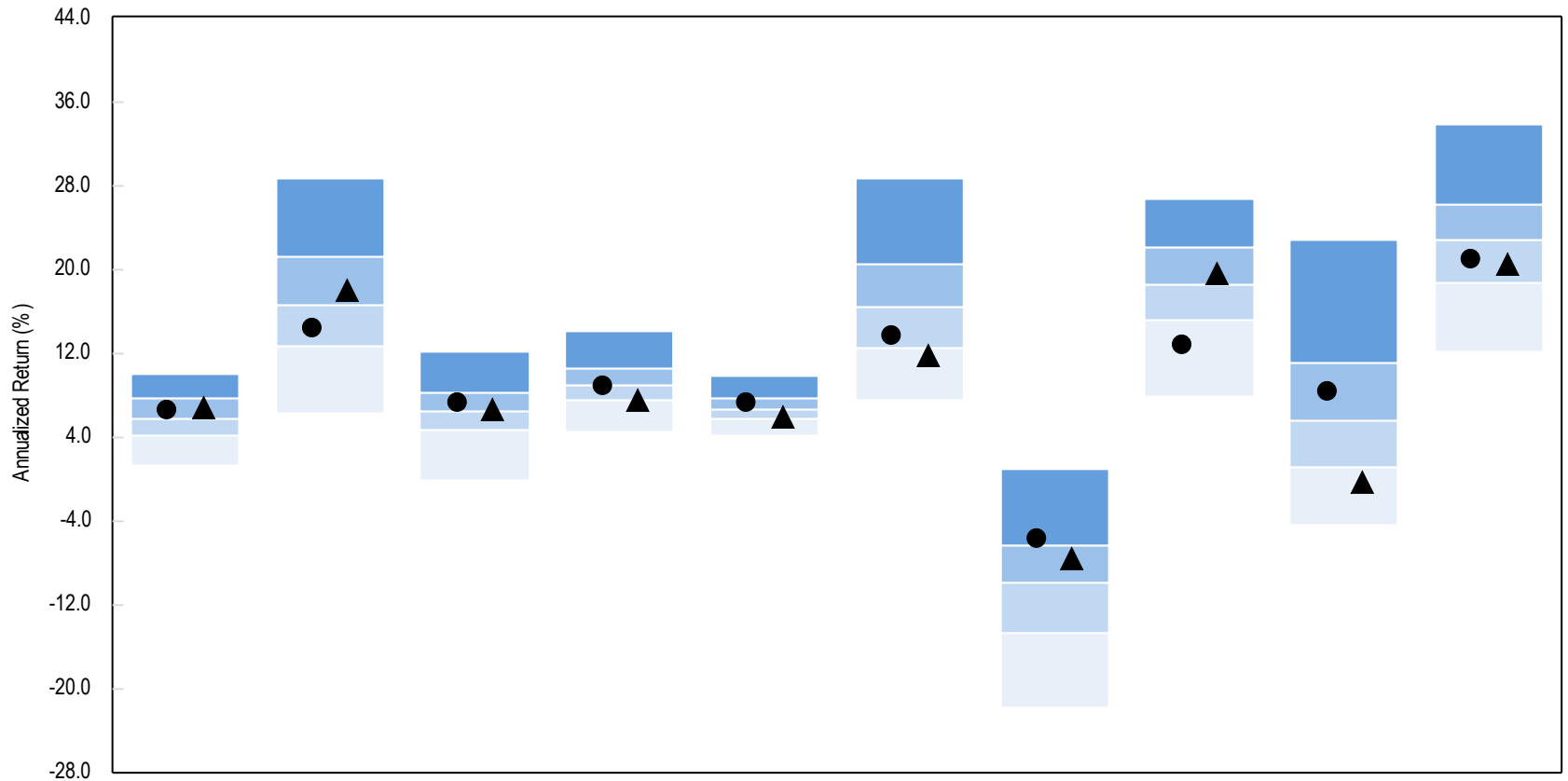
Top Detractors

	Portfolio Weight (%)	Quarterly Return (%)	Contribution to Return (%)
Reckitt Benckiser Group PLC	0.87	-17.51	-0.15
C.H. Robinson Worldwide Inc.	1.33	-11.14	-0.15
IPG Photonics Corp	0.74	-16.45	-0.12
Newmont Corporation	0.93	-12.76	-0.12
Ambev SA	0.95	-11.43	-0.11
Nestle SA, Cham Und Vevey	0.90	-8.24	-0.07
Bangkok Bank Public Co Ltd	0.44	-16.91	-0.07
CK ASSET HOLDINGS LIMITED	0.41	-18.05	-0.07
Fanuc Corp	1.08	-5.99	-0.06
Barrick Gold Corp	0.80	-7.37	-0.06

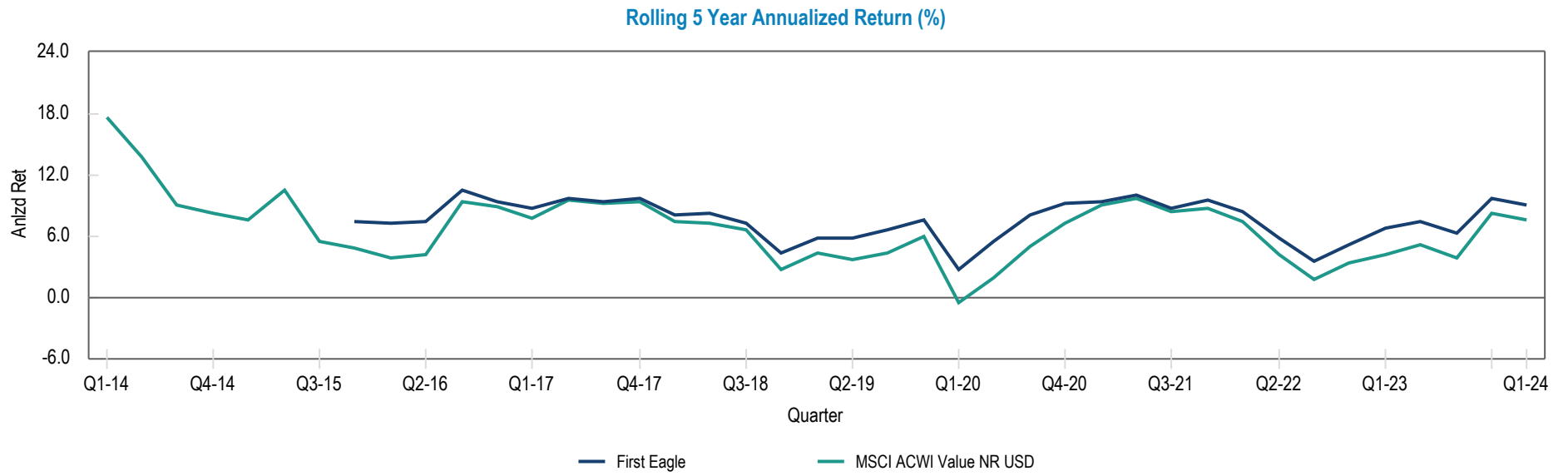
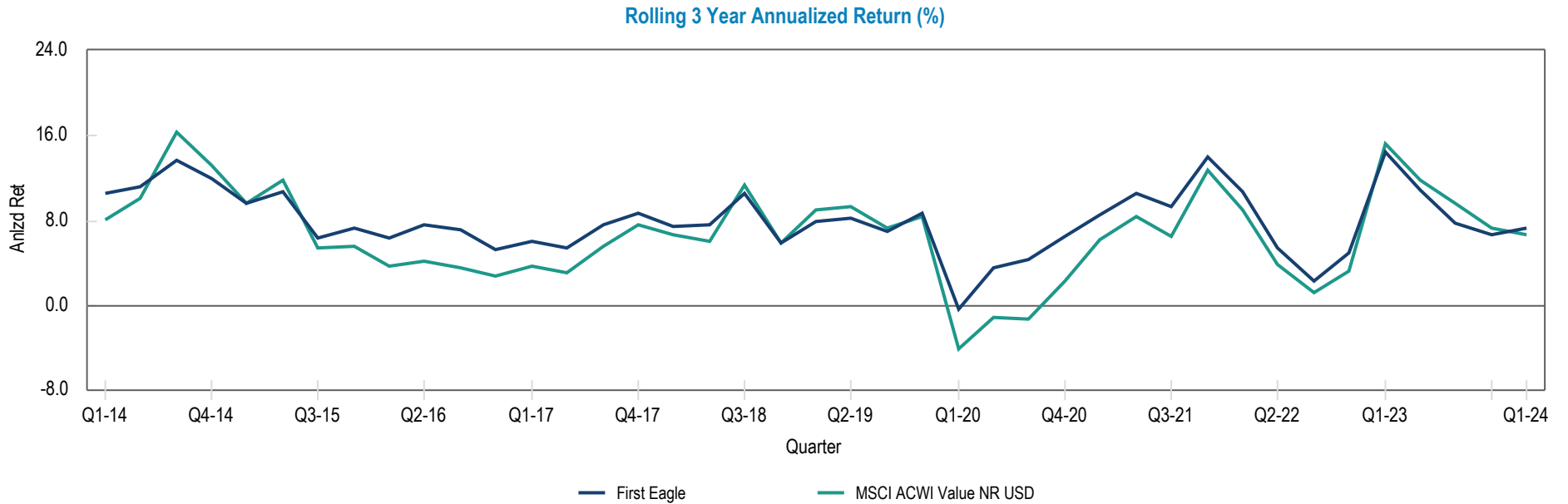
% of Portfolio 29.50 5.17 % of Portfolio 8.45 -0.99

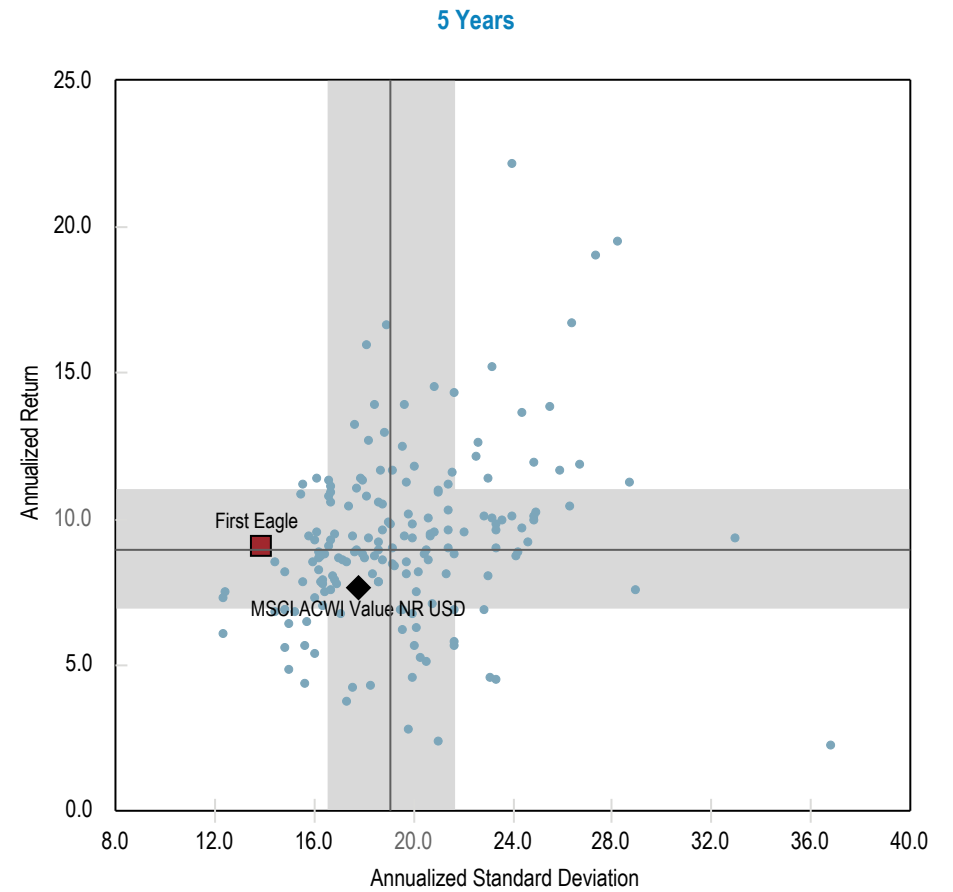
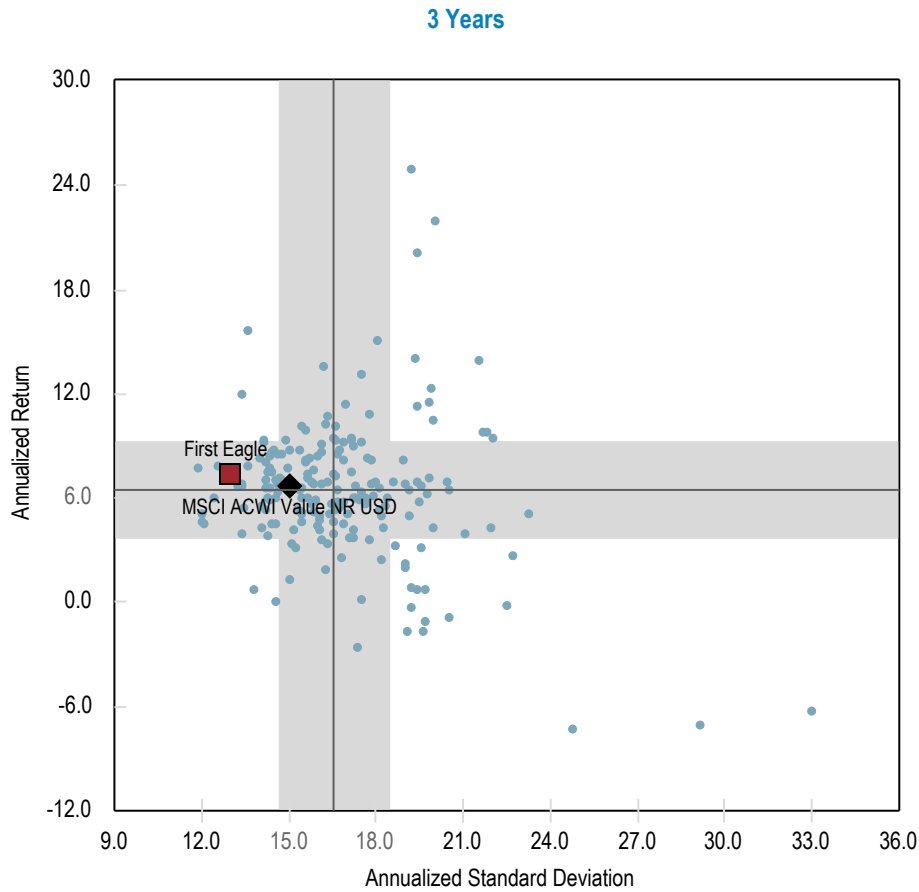
Global equity portfolio that is benchmark agnostic comprised of companies with low valuations. Primary personnel include Matt McLennan and Kimball Brooker.

First Eagle vs. eV Global Value Equity Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● First Eagle	6.60 (40)	14.57 (69)	7.35 (35)	9.06 (49)	7.40 (31)	13.75 (67)	-5.61 (21)	12.95 (86)	8.47 (33)	21.01 (64)
▲ MSCI ACWI Value NR USD	6.85 (38)	18.01 (43)	6.67 (48)	7.64 (75)	5.98 (72)	11.81 (82)	-7.55 (34)	19.62 (41)	-0.33 (81)	20.59 (66)
5th Percentile	10.12	28.69	12.13	14.13	9.78	28.63	0.97	26.74	22.92	33.93
1st Quartile	7.69	21.23	8.28	10.63	7.82	20.46	-6.26	22.19	11.14	26.20
Median	5.79	16.61	6.49	8.98	6.70	16.40	-9.81	18.62	5.66	22.80
3rd Quartile	4.12	12.75	4.63	7.60	5.84	12.59	-14.62	15.29	1.08	18.81
95th Percentile	1.28	6.24	-0.05	4.58	4.26	7.52	-21.84	7.94	-4.39	12.15
Population	212	210	194	172	128	219	225	228	235	231





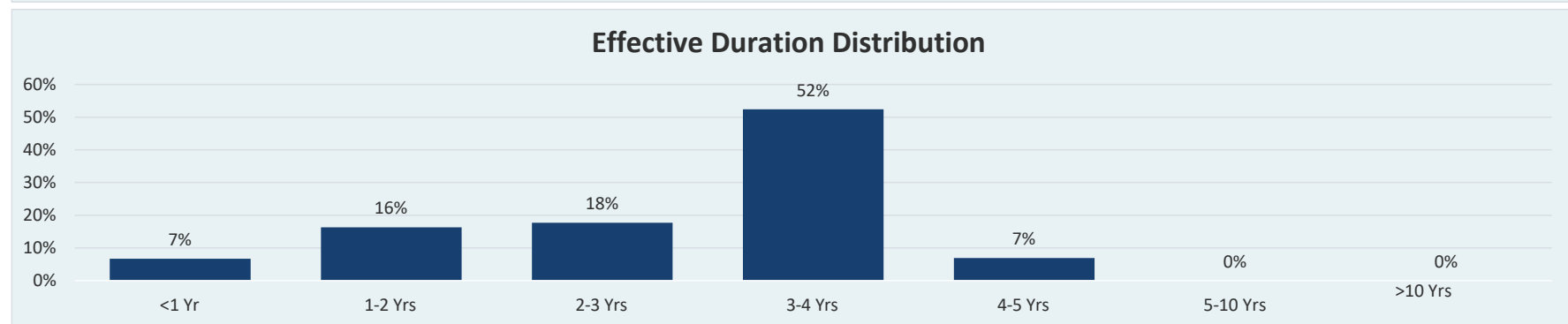
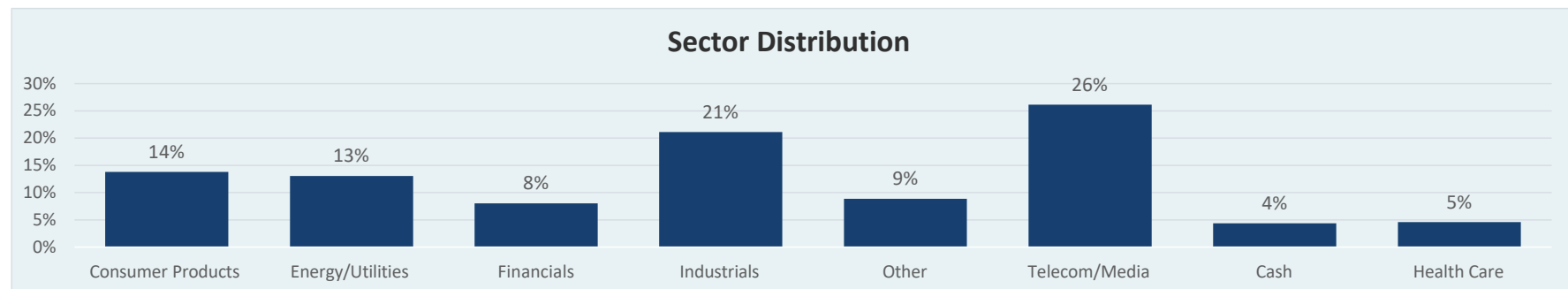
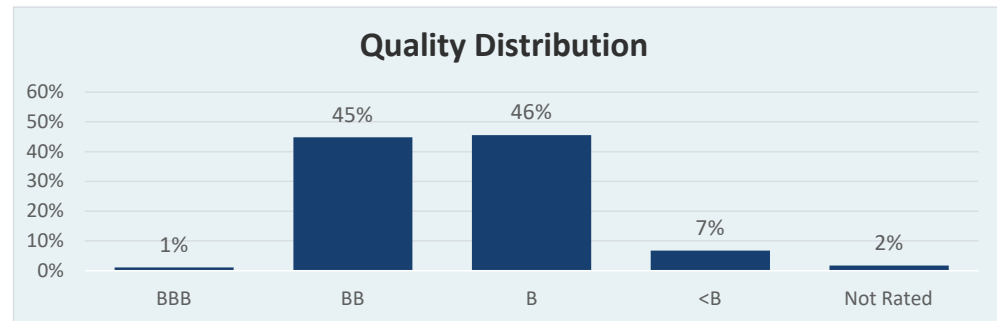
	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
First Eagle	7.4	12.9	0.4
MSCI ACWI Value NR USD	6.7	15.0	0.3
eV Global Value Equity Median	6.5	16.6	0.3
Population	194	194	194

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
First Eagle	9.1	13.9	0.6
MSCI ACWI Value NR USD	7.6	17.7	0.4
eV Global Value Equity Median	9.0	19.1	0.4
Population	172	172	172

High Yield Managers

Domestic high yield fixed income portfolio with a focus on security selection. Primary personnel include Douglas Forsyth, Justin Kass, William Stickney, and Michael Yee.

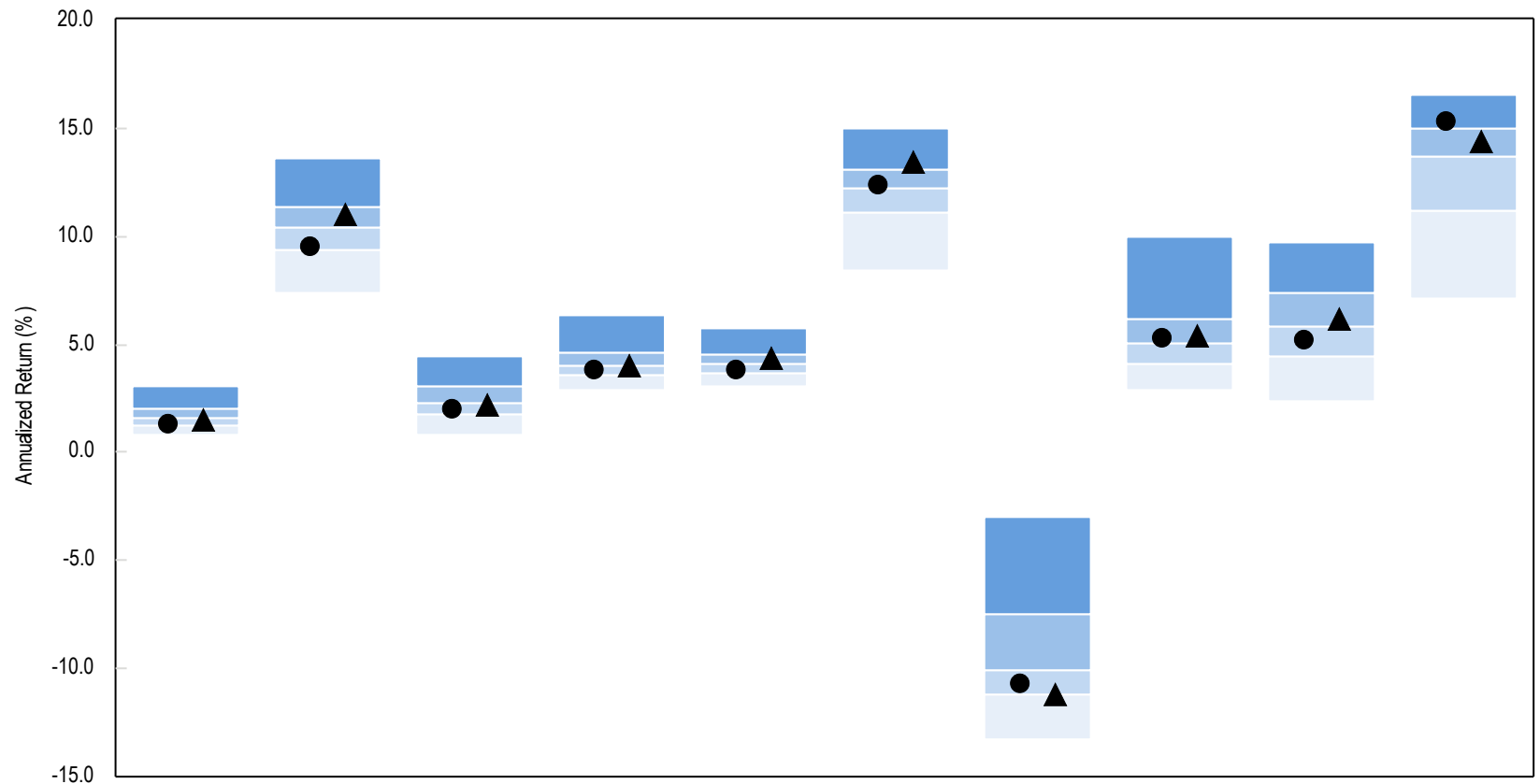
	Allianz	ICE BofAML HY Master II
Effective Duration	3.10	3.30
Yield to Maturity	0.05	0.05
Average Quality	B1	BB3
Average Coupon	6.7%	6.0%



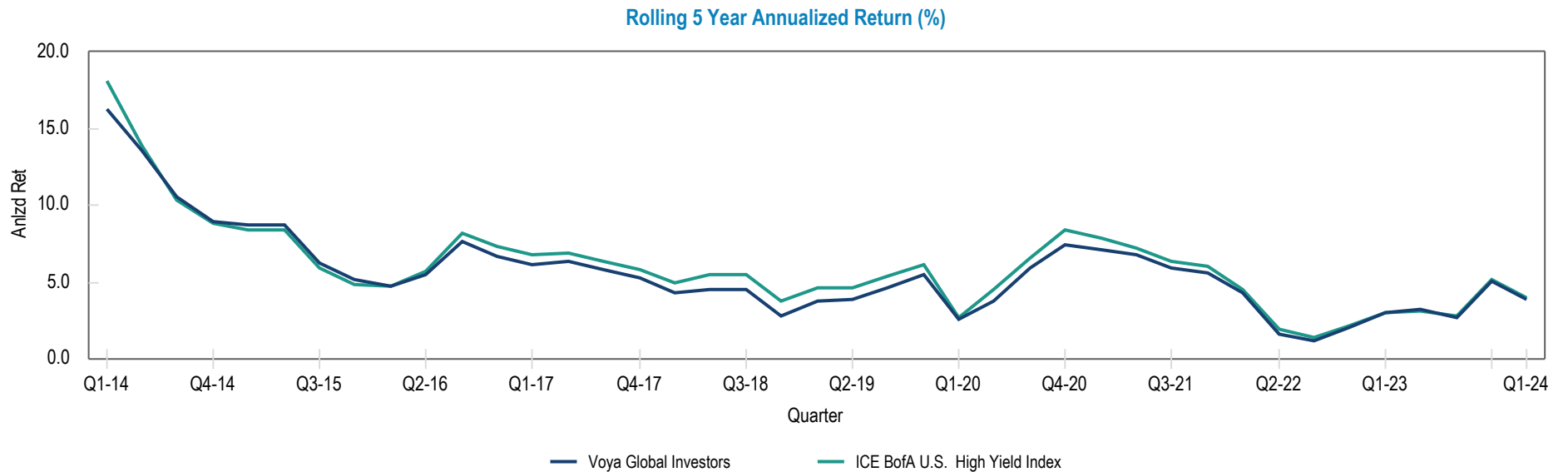
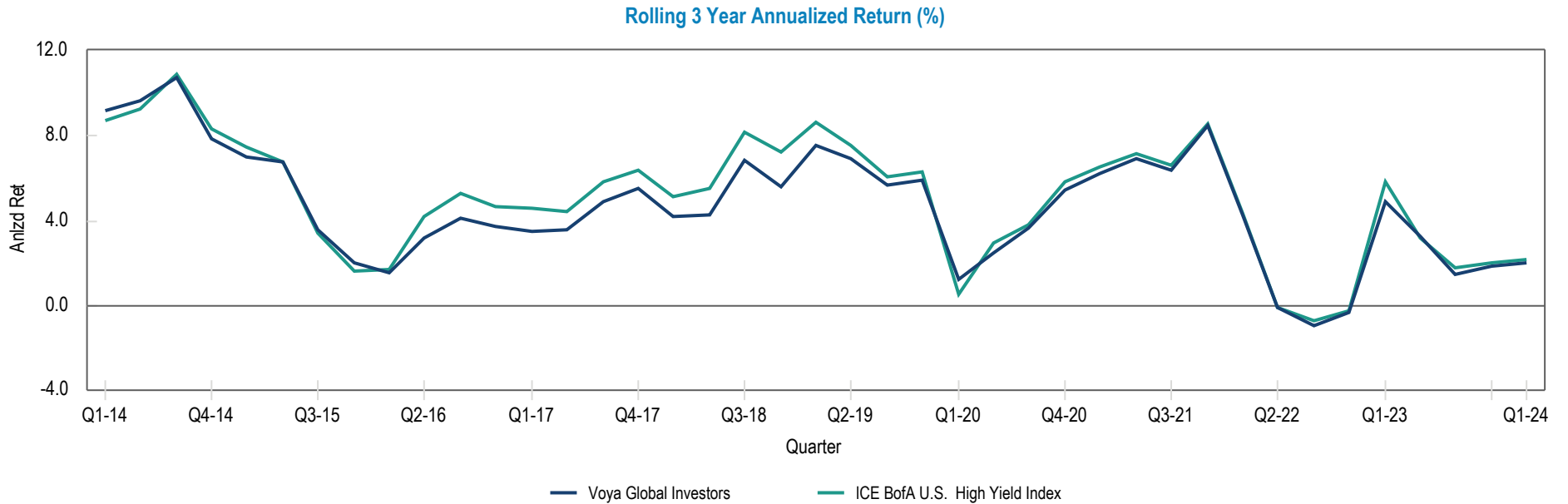
Quality distributions exclude cash.

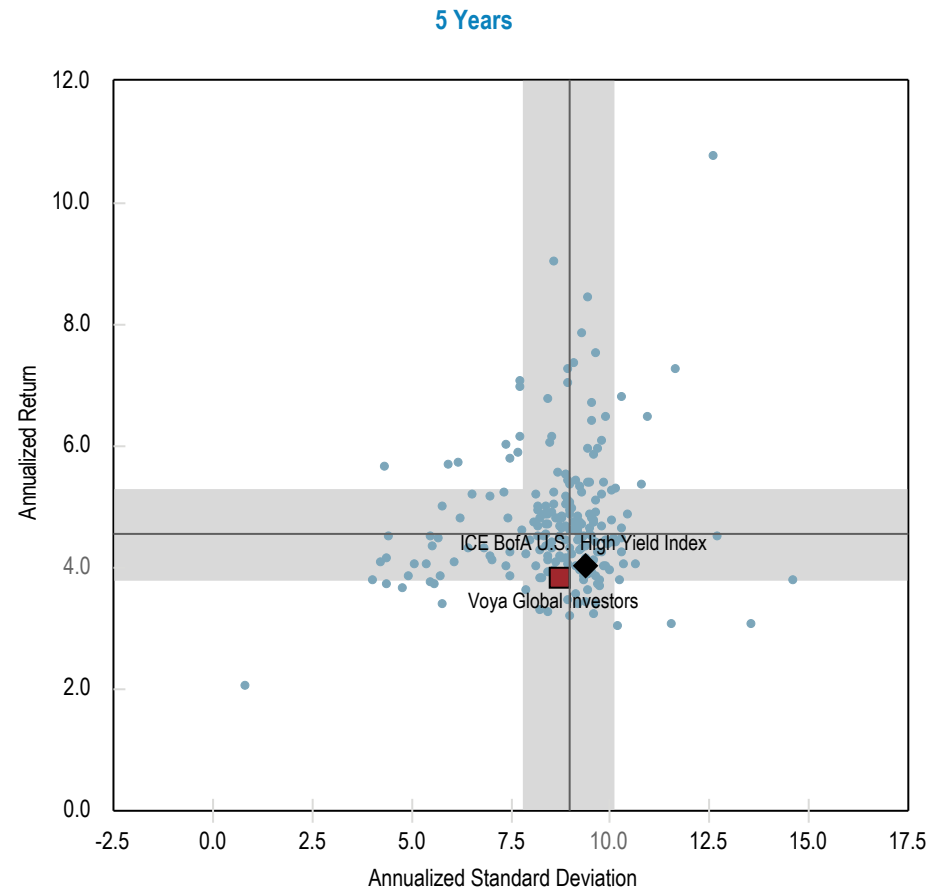
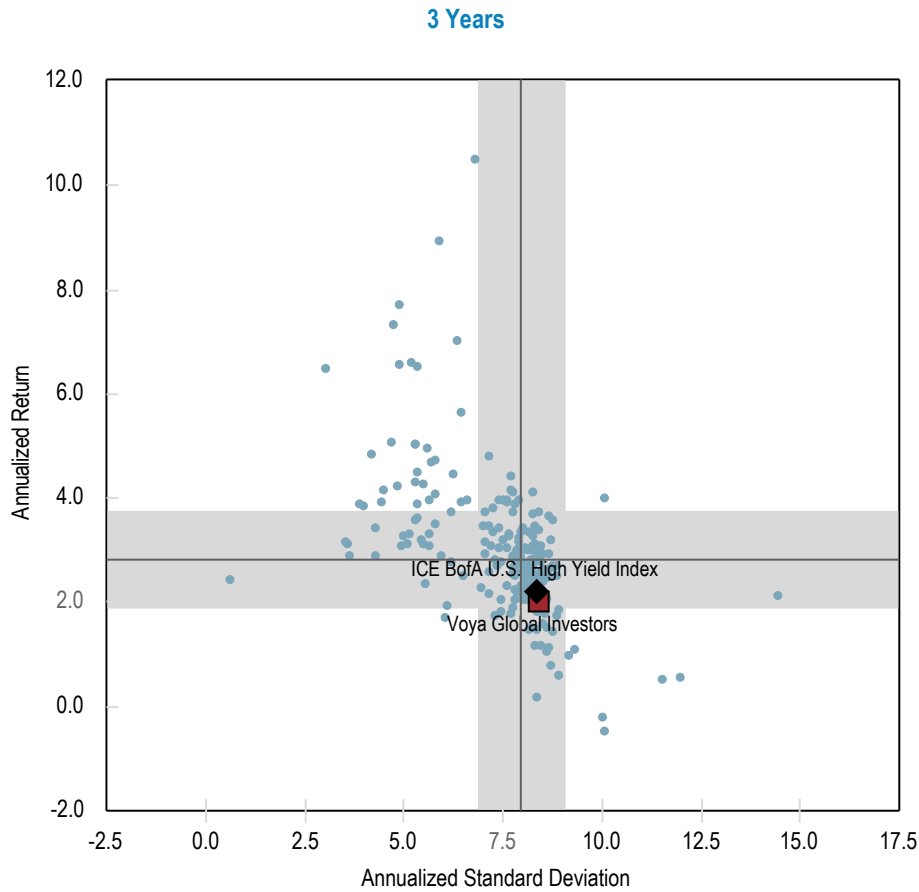
Voya Financial acquired Allianz Global Investors in 2022.

Voya Global Investors vs. eV US High Yield Fixed Inc Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● Voya Global Investors	1.35 (65)	9.58 (71)	2.03 (64)	3.85 (59)	3.84 (66)	12.39 (45)	-10.64 (64)	5.34 (42)	5.18 (66)	15.32 (19)
▲ ICE BofA U.S. High Yield Index	1.51 (55)	11.04 (31)	2.21 (55)	4.03 (49)	4.36 (33)	13.46 (18)	-11.22 (76)	5.36 (42)	6.17 (43)	14.41 (36)
5th Percentile	3.10	13.60	4.48	6.37	5.73	15.00	-2.98	9.94	9.71	16.51
1st Quartile	1.99	11.39	3.07	4.64	4.55	13.10	-7.48	6.14	7.40	14.95
Median	1.56	10.44	2.31	4.02	4.11	12.20	-10.04	5.05	5.85	13.72
3rd Quartile	1.23	9.35	1.74	3.55	3.67	11.14	-11.22	4.06	4.41	11.15
95th Percentile	0.82	7.39	0.80	2.90	3.02	8.42	-13.28	2.87	2.38	7.14
Population	225	223	213	207	171	236	253	250	256	262





3 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Voya Global Investors	2.0	8.4	0.0
ICE BofA U.S. High Yield Index	2.2	8.4	0.0
eV US High Yield Fixed Inc Median	2.8	8.0	0.1
Population	219	219	219

5 Years

	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
Voya Global Investors	3.8	8.7	0.2
ICE BofA U.S. High Yield Index	4.0	9.4	0.3
eV US High Yield Fixed Inc Median	4.5	9.0	0.3
Population	213	213	213

Real Estate Managers

Adelante Manager Portfolio Overview

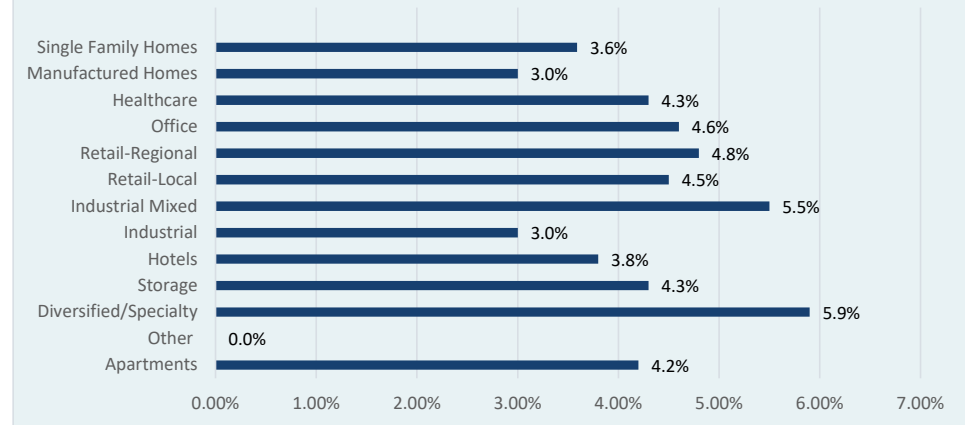
Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

Diversified portfolio of U.S. REITs with a focus on the underlying real estate assets

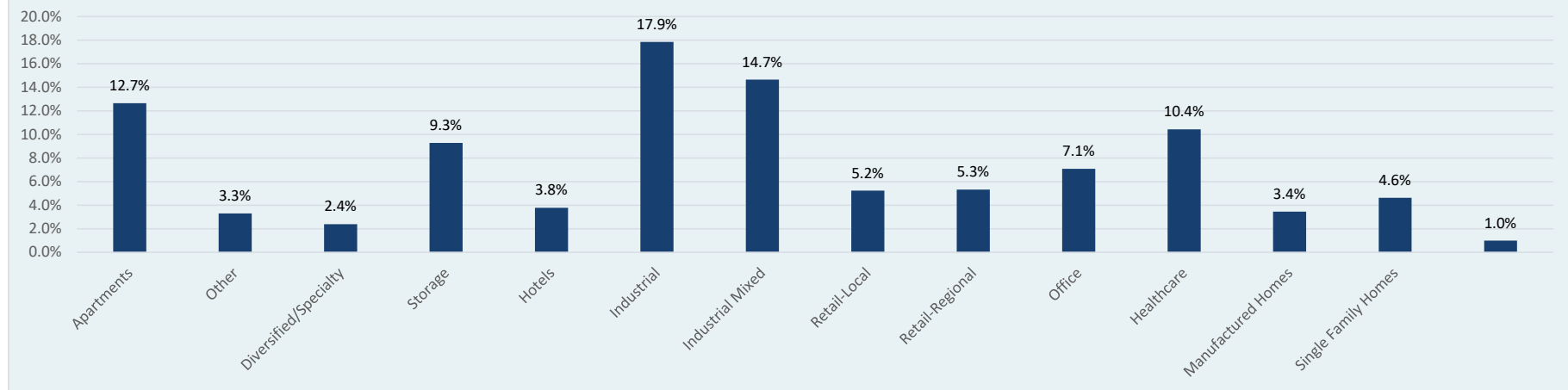
Top Five Holdings

Company	Property Type	Allocation
ProLogis Inc.	Industrial	13.6%
Equinix Inc	Industrial Mixed	9.8%
Welltower, Inc.	Healthcare	8.1%
Public Storage	Storage	6.5%
Simon Property Group, Inc.	Retail-Regional	6.4%

Dividend Yield by Property Type



Property Type Allocation



1.97% is allocated to Cash and Cash Equivalents.

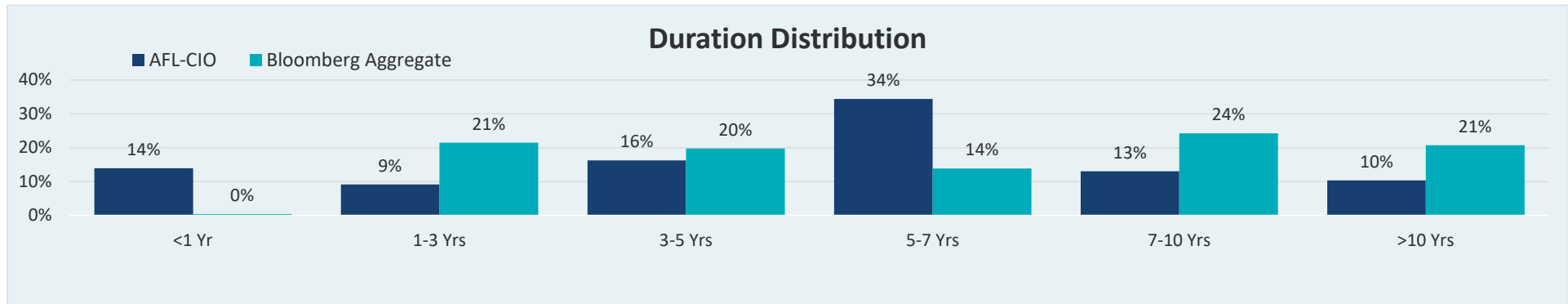
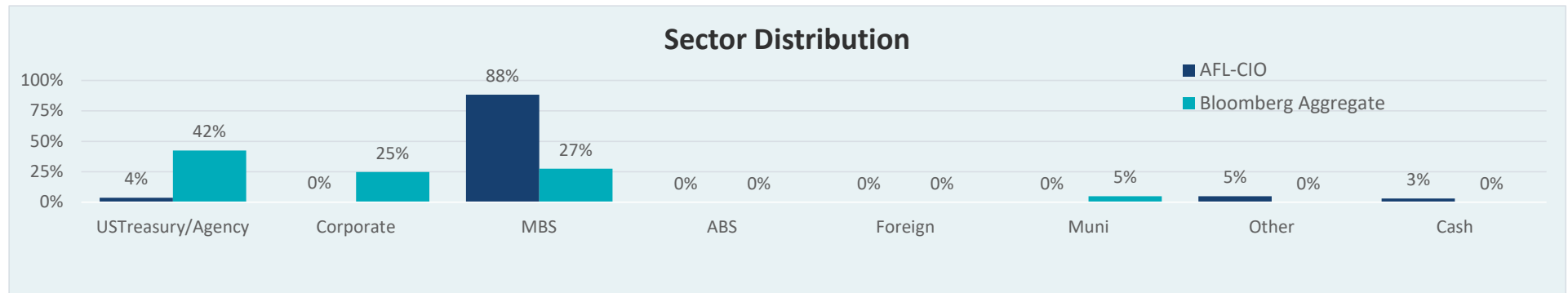
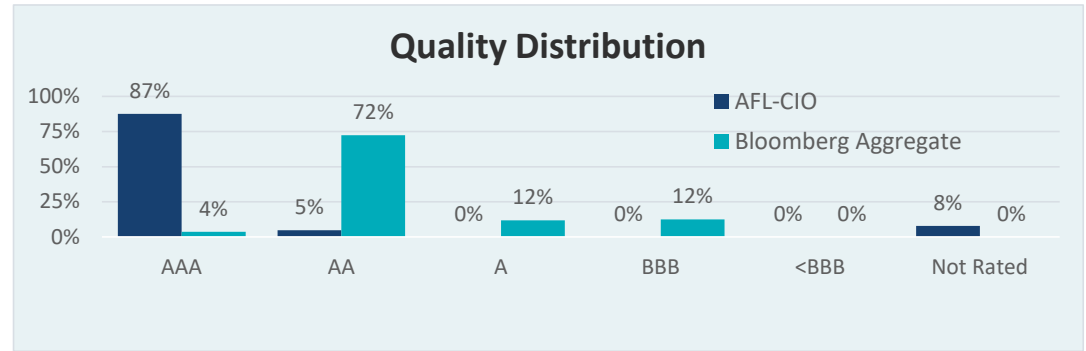
Diversifying Fixed Income Managers

AFL-CIO Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

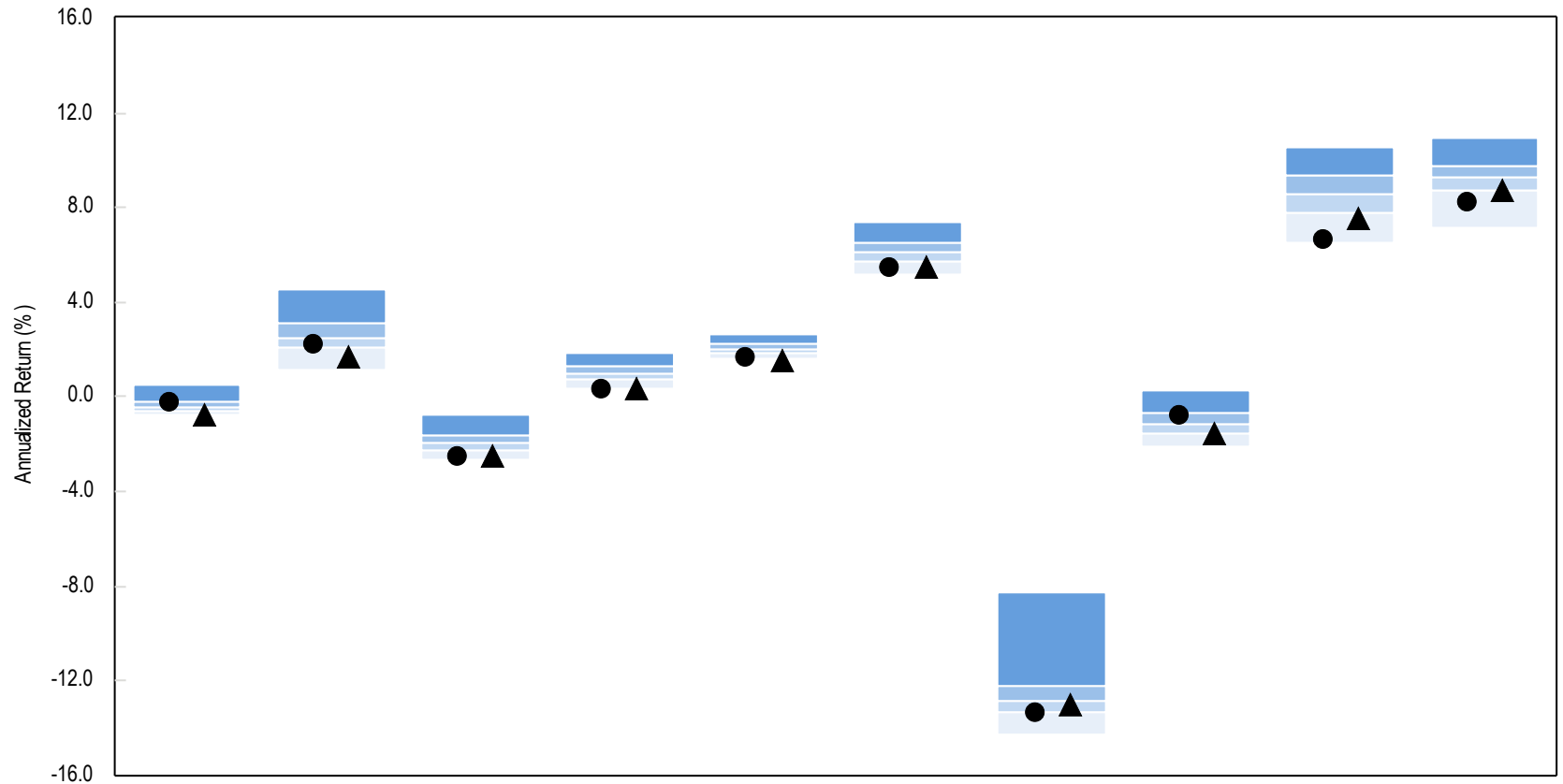
Domestic core fixed income portfolio with an exclusive focus on mortgage-related securities. Primary personnel include Stephen Coyle and Chang Su.

	AFL-CIO	Bloomberg Aggregate
Effective Duration	5.96	6.21
Yield to Maturity	3.99	4.85
Average Quality	AAA	AA/A
Average Coupon	3.6%	3.2%

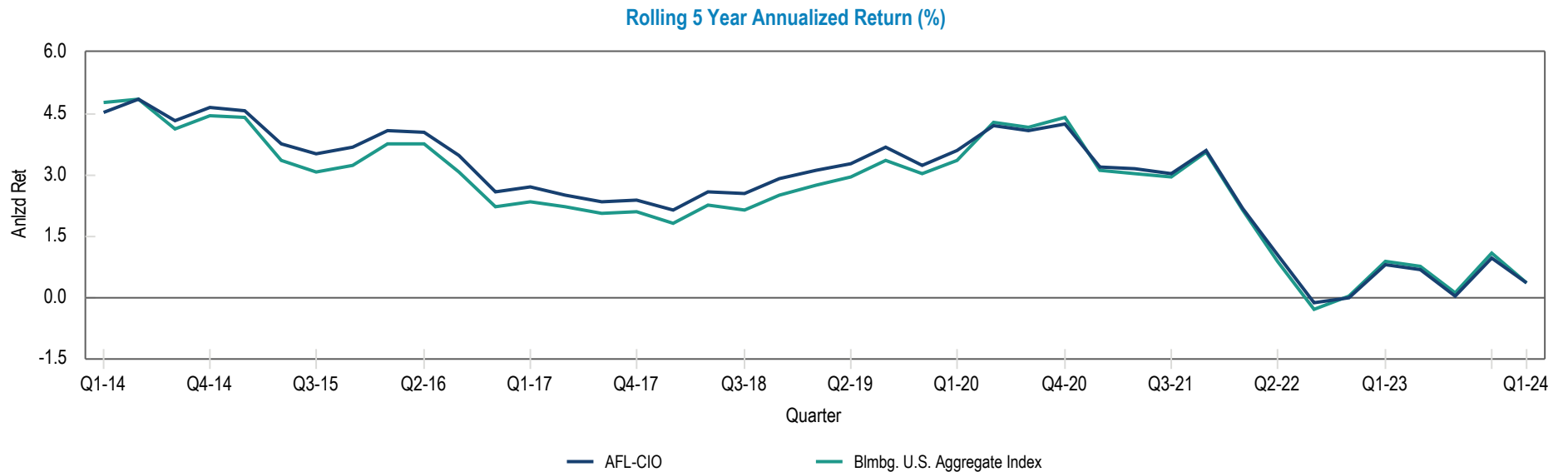
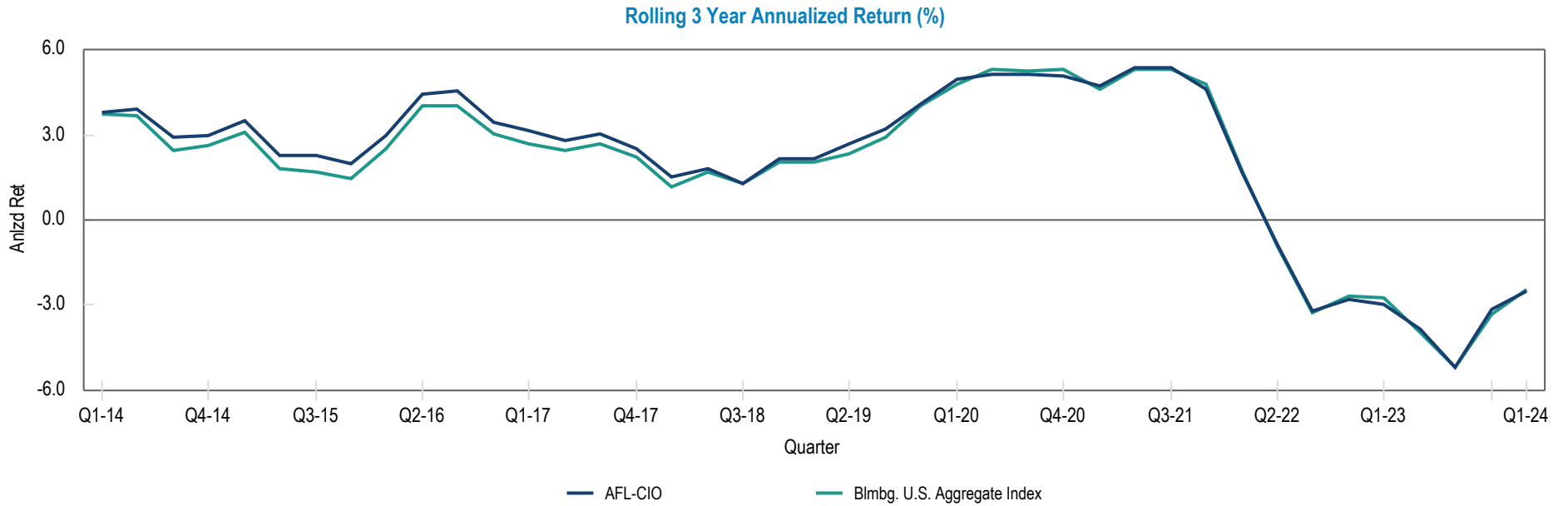


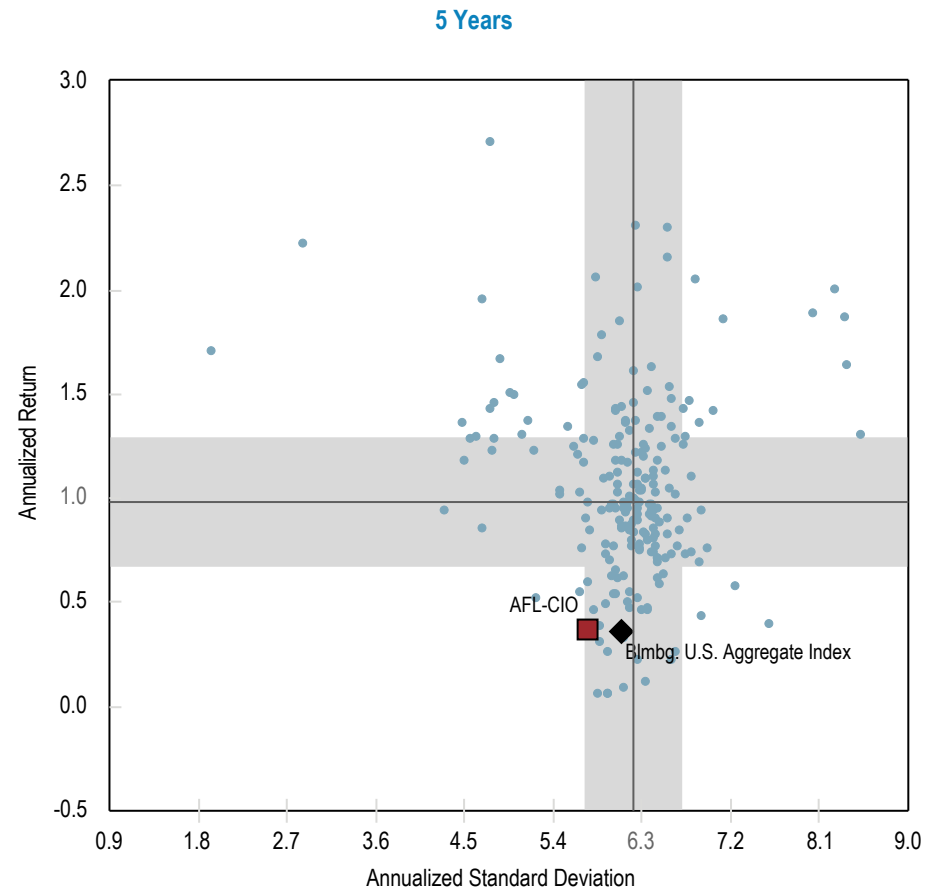
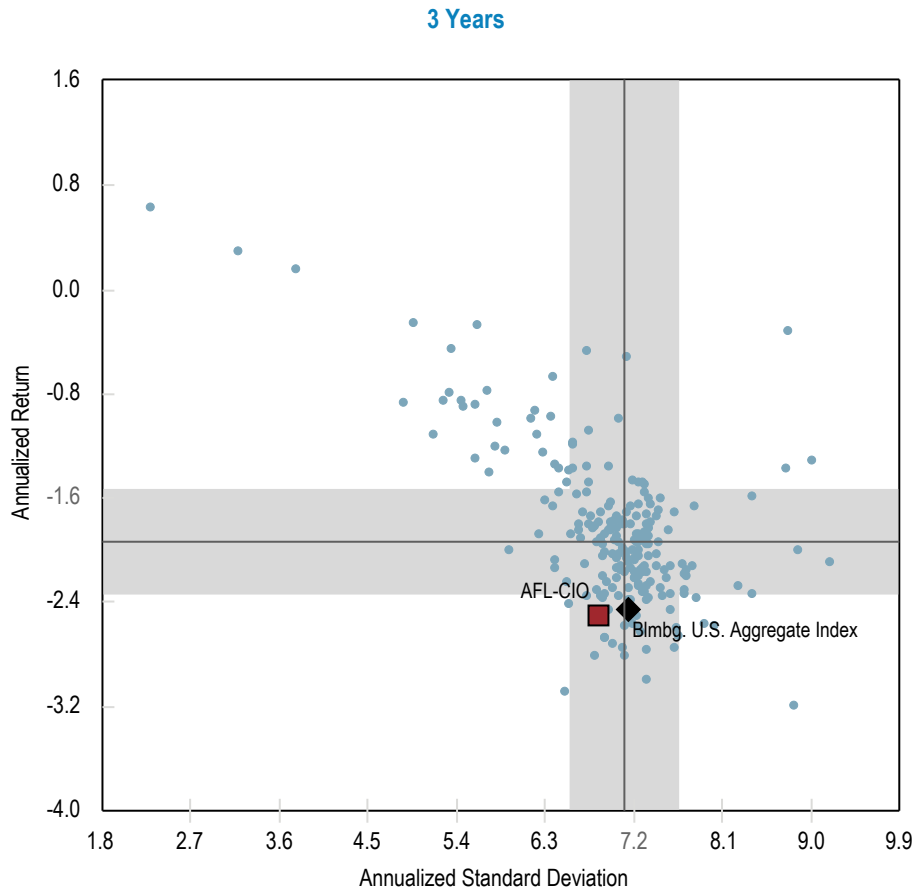
Duration and Quality distributions exclude cash.

AFL-CIO vs. eV US Core Fixed Inc Gross Universe



	Quarter	1 Year	3 Years	5 Years	10 Years	2023	2022	2021	2020	2019
● AFL-CIO	-0.20 (27)	2.25 (67)	-2.51 (92)	0.37 (95)	1.73 (89)	5.51 (86)	-13.27 (75)	-0.73 (32)	6.65 (95)	8.25 (86)
▲ Blmbg. U.S. Aggregate Index	-0.78 (95)	1.70 (87)	-2.46 (90)	0.36 (95)	1.54 (97)	5.53 (85)	-13.01 (64)	-1.55 (77)	7.51 (84)	8.72 (77)
5th Percentile	0.54	4.53	-0.79	1.88	2.64	7.41	-8.23	0.31	10.57	10.93
1st Quartile	-0.19	3.16	-1.64	1.29	2.24	6.53	-12.19	-0.64	9.34	9.76
Median	-0.43	2.52	-1.93	0.98	2.02	6.15	-12.83	-1.11	8.56	9.30
3rd Quartile	-0.62	2.09	-2.21	0.76	1.86	5.72	-13.28	-1.52	7.77	8.75
95th Percentile	-0.78	1.18	-2.66	0.33	1.59	5.19	-14.29	-2.11	6.53	7.16
Population	229	229	222	215	199	237	259	266	271	276





	3 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
AFL-CIO	-2.5	6.8	-0.7
Blmbg. U.S. Aggregate Index	-2.5	7.1	-0.7
eV US Core Fixed Inc Median	-1.9	7.1	-0.6
Population	222	222	222

	5 Years		
	Anlzd Return (%)	Anlzd Standard Deviation (%)	Sharpe Ratio
AFL-CIO	0.4	5.8	-0.3
Blmbg. U.S. Aggregate Index	0.4	6.1	-0.2
eV US Core Fixed Inc Median	1.0	6.2	-0.1
Population	215	215	215

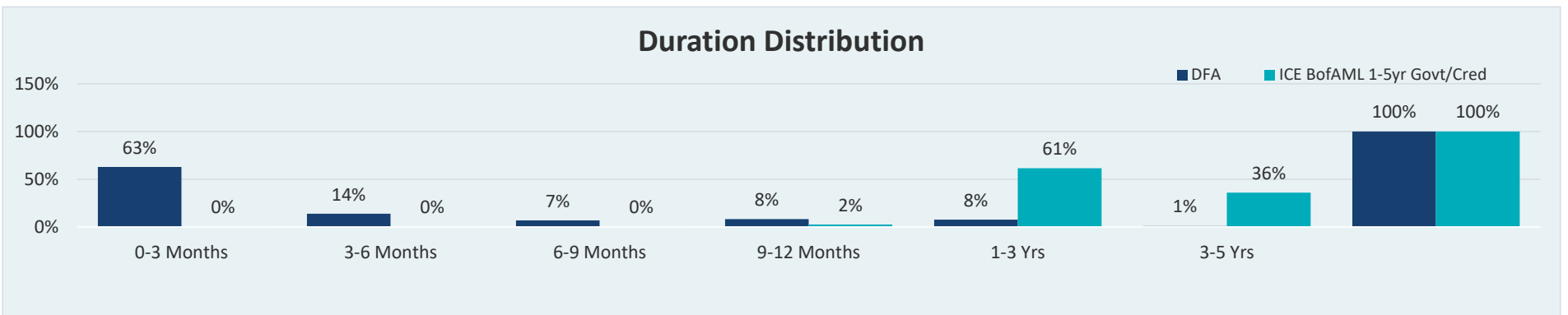
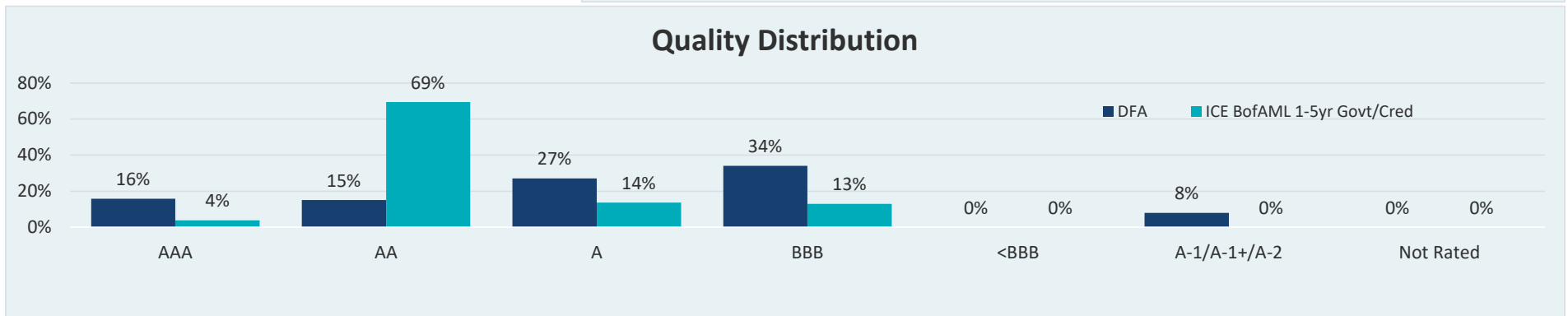
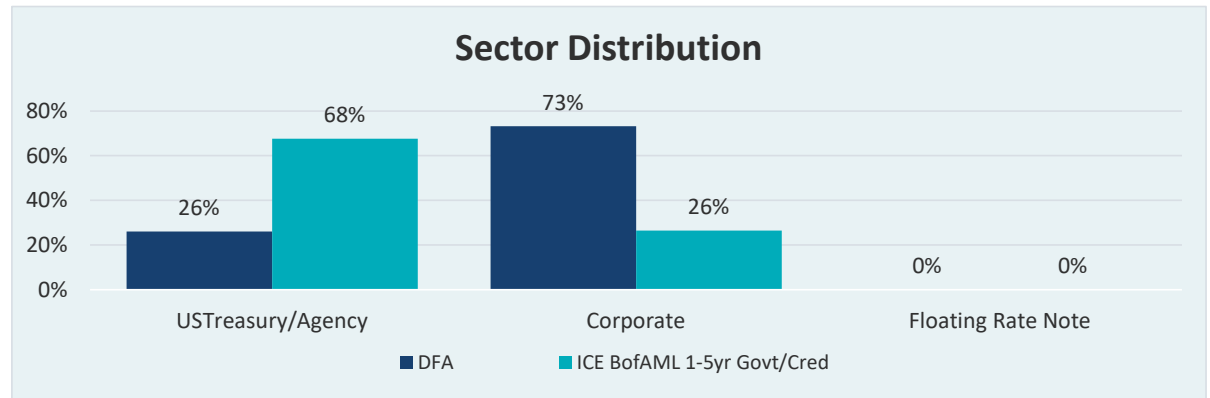
Liquidity Managers

DFA Short Credit Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

Domestic short term US credit fixed income portfolio that maximizes total return through income and capital appreciation. Primary personnel include Dave Plecha and Joseph Kolerich.

	DFA	ICE BofAML 1-5yr Govt/Cred
Effective Duration	0.33	2.57
Yield to Maturity	5.74	4.80
Average Quality	A+	Aa2
Average Coupon	3.88%	2.95%

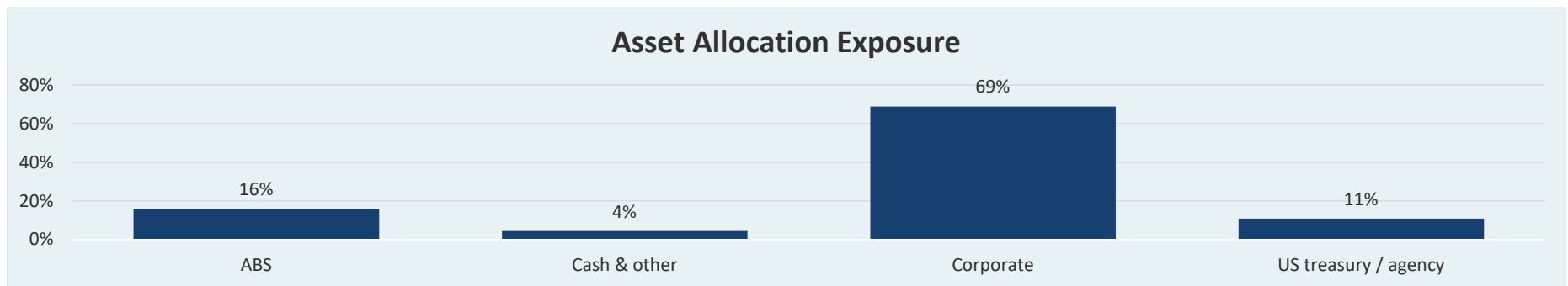
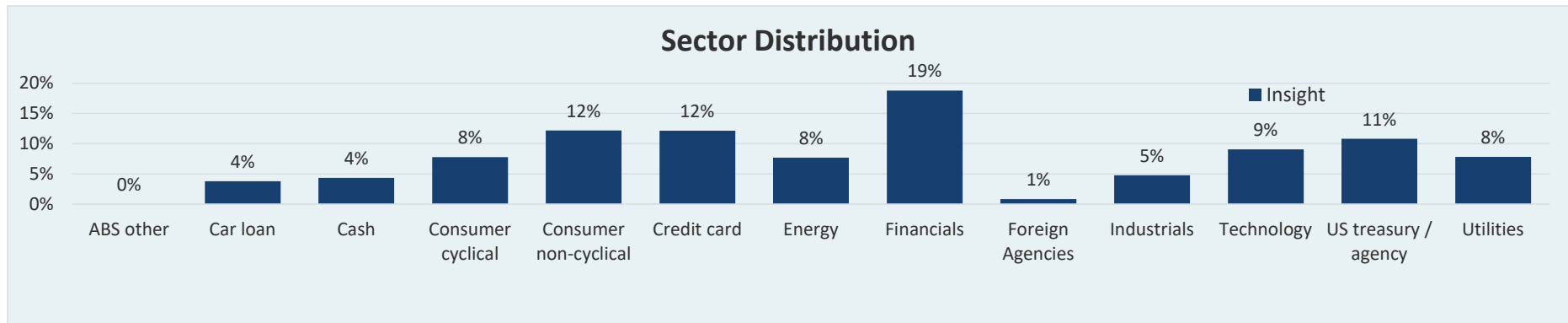
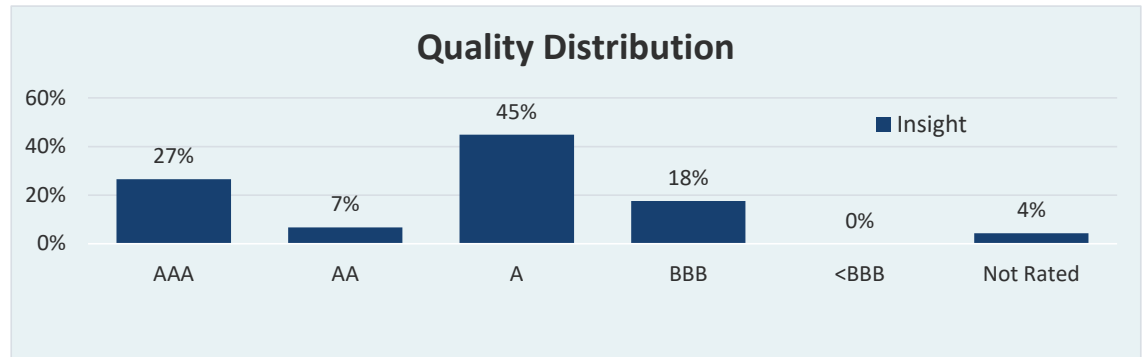


Insight Short Duration Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

High quality, short duration multi-sector fixed income portfolio comprised of Treasuries, Agencies, investment grade corporates, and ABS designed specifically to meet CCCERA's liabilities. Key personnel include Gerard Berrigan and Jesse Fogarty.

	Insight	BBgBarc 1-3yr Govt
Effective Duration	1.08	1.90
Yield to Maturity	0.05	N/A
Average Quality	A+	AGY / AGY
Average Coupon	3.41%	2.60%

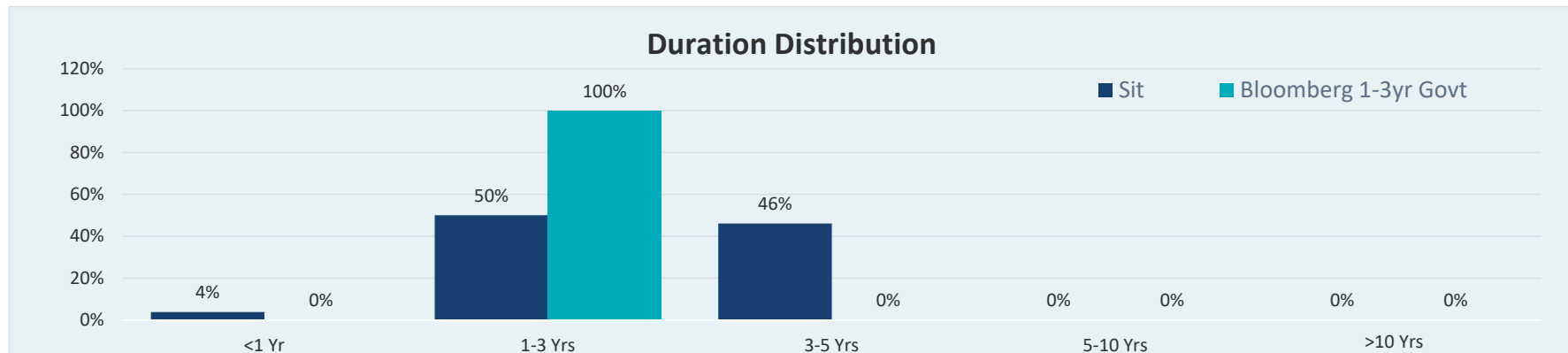
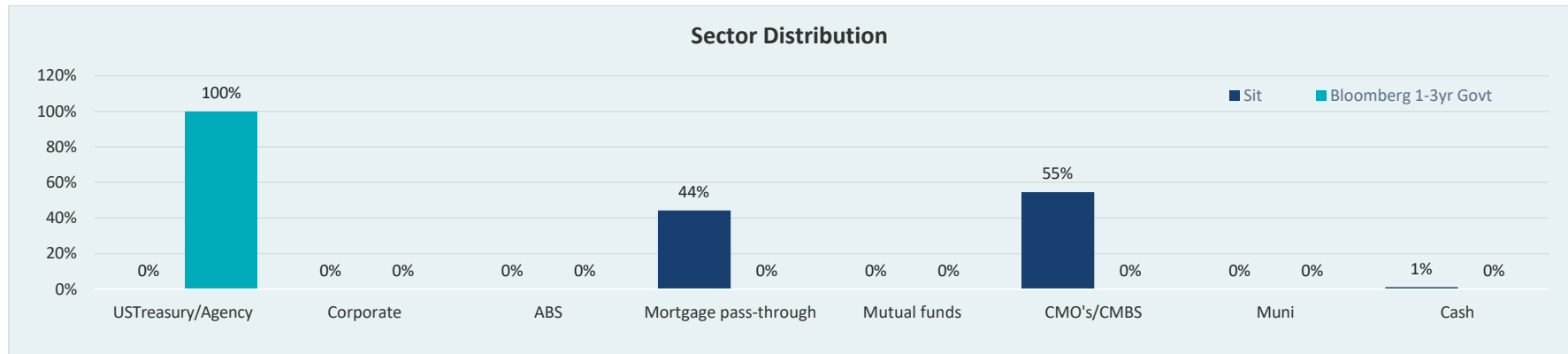
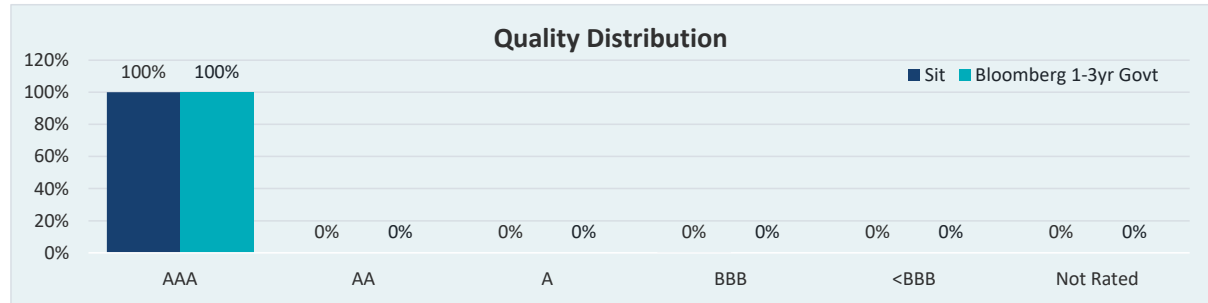


Sit Short Duration Manager Portfolio Overview

Contra Costa County Employees' Retirement Association Period Ending: March 31, 2024

Short duration fixed income portfolio with a focus on earning high levels of interest income. Primary personnel include Bryce Doty, Paul Jungquist and Michael Brilley.

	Sit	BBgBarc 1-3yr Govt
Modified Duration	2.90	1.90
Yield to Maturity	5.90	N/A
Average Quality	AGY / AGY	AGY / AGY
Average Coupon	6.00%	2.60%



Data Sources and Methodology

Performance Return Calculations

Performance is calculated using Modified Dietz and for time periods with large cash flow (generally greater than 10% of portfolio value), Time Weighted Rates of Return (TWRR) methodologies. Monthly returns are geometrically linked and annualized for periods longer than one year.

Data Source

Verus is an independent third party consulting firm and calculates returns from best source book of record data. Returns calculated by Verus may deviate from those shown by the manager in part, but not limited to, differences in prices and market values reported by the custodian and manager, as well as significant cash flows into or out of an account. It is the responsibility of the manager and custodian to provide insight into the pricing methodologies and any difference in valuation.

Illiquid Alternatives

Due to the inability to receive final valuation prior to report production, closed end funds (including but are not limited to Real Estate, Hedge Funds, Private Equity, and Private Credit) performance is typically reported at a one-quarter lag. Valuation is reported at a one-quarter lag, adjusted for current quarter flow (cash flows are captured real time). Closed end fund performance is calculated using a time-weighted return methodology consistent with all portfolio and total fund performance calculations. For Private Markets, performance reports also include Verus-calculated multiples based on flows and valuations (e.g. DPI and TVPI) and manager-provided IRRs.

Policy & Custom Index Composition

Policy Index (8/1/2023 - present)	16% Russell 3000, 12% MSCI ACWI ex-US (Gross), 10% MSCI ACWI (Net), 2% Wilshire REIT, 8% Private Real Estate composite returns, 2% FTSE 3-month T-bill +5%, 13% Private Equity composite returns, 10% Private Credit composite returns, 2% ICE BofAML High Yield Master II, 17% Bloomberg 1-3 Yr Gov/Credit, 2.5% Bloomberg US Aggregate, 3% 60% MSCI ACWI Net/40% Bloomberg Global Aggregate, 2.5% Bloomberg US Aggregate TR +1%.
Policy Index (7/1/2022 - present)	16% Russell 3000, 15% MSCI ACWI ex-US (Gross), 9% MSCI ACWI (Net), 2% Wilshire REIT, 8% Private Real Estate composite returns, 2.5% FTSE 3-month T-bill +5%, 13% Private Equity composite returns, 8% Private Credit composite returns, 1.5% ICE BofAML High Yield Master II, 17% Bloomberg 1-3 Yr Gov/Credit, 2.5% Bloomberg US Aggregate, 3% 60% MSCI ACWI Net/40% Bloomberg Global Aggregate, 2.5% Bloomberg US Aggregate TR +1%.
Policy Index (7/1/2021 - 6/30/2022)	16% Russell 3000, 16% MSCI ACWI ex-US (Gross), 9% MSCI ACWI (Net), 2% Wilshire REIT, 8% Private Real Estate composite returns, 3% CPI + 4%, 11% Private Equity composite returns, 8% Private Credit composite returns, 2% ICE BofAML High Yield Master II, 18% Bloomberg 1-3 Yr Gov/Credit, 2.5% Bloomberg US Aggregate, 3% 60% MSCI ACWI Net/40% Bloomberg Global Aggregate, 1.5% HFRI EH Equity Market Neutral.
Policy Index (1/1/2021 - 6/30/2021)	9% Russell 3000, 18% MSCI ACWI ex-US (Gross), 11% MSCI ACWI (Net), 1% Wilshire REIT, 8% Private Real Estate composite returns, 1.5% CPI + 4%, 11% Private Equity composite returns, 7% Private Credit composite returns, 1.5% ICE BofAML High Yield Master II, 25% Bloomberg 1-3 Yr Gov/Credit, 3% Bloomberg US Aggregate, 2% Bloomberg Global Aggregate, 2% HFRI EH Equity Market Neutral.
Policy Index (7/1/2020 - 12/31/2020)	9% Russell 3000, 18% MSCI ACWI ex-US (Gross), 11% MSCI ACWI (Net), 1% Wilshire REIT, 1.6% NCREIF Property Index, 6.4% NCREIF ODCE Index, 1.5% CPI + 4%, 11% S&P 500 +4% (Lagged), 7% ICE BofAML High Yield Master II +2%, 1.5% ICE BofAML High Yield Master II, 25% Bloomberg 1-3 Yr Gov/Credit, 3% Bloomberg US Aggregate, 2% Bloomberg Global Aggregate, 2% HFRI EH Equity Market Neutral.
Policy Index (7/1/2019 - 6/30/2020)	10% Russell 3000, 18% MSCI ACWI ex-US (Gross), 11% MSCI ACWI (Net), 1% Wilshire REIT, 1.6% NCREIF Property Index, 6.4% NCREIF ODCE Index, 2% CPI + 4%, 11% S&P 500 +4% (Lagged), 5% ICE BofAML High Yield Master II +2%, 2% ICE BofAML High Yield Master II, 24% Bloomberg 1-3 Yr Gov/Credit, 3.5% Bloomberg US Aggregate, 2% Bloomberg Global Aggregate, 2.5% HFRI EH Equity Market Neutral.
Policy Index (7/1/2018 - 6/30/2019)	11% Russell 3000, 19% MSCI ACWI ex-US (Gross), 11% MSCI ACWI (Net), 1% Wilshire REIT, 1.8% NCREIF Property Index, 7.2% NCREIF ODCE Index, 2% CPI + 4%, 10% S&P 500 +4% (Lagged), 4% ICE BofAML High Yield Master II +2%, 2% ICE BofAML High Yield Master II, 23% Bloomberg 1-3 Yr Gov/Credit, 3.5% Bloomberg US Aggregate, 2% Bloomberg Global Aggregate, 2.5% HFRI EH Equity Market Neutral.
Policy Index (10/1/2017 - 6/30/2018)	16.3% Russell 3000, 18.8% MSCI ACWI ex-US (Gross), 8.6% MSCI ACWI (Net), 1% Wilshire REIT, 1.6% NCREIF Property Index, 6.4% NCREIF ODCE Index, 2.5% CPI + 4%, 10.1% S&P 500 +4% (Lagged), 1.9% ICE BofAML High Yield Master II +2%, 4.3% ICE BofAML High Yield Master II, 25% Bloomberg 1-3 Yr Gov/Credit, 3.5% Bloomberg US Aggregate.
Policy Index (1/1/2017 - 9/30/2017)	22.9% Russell 3000, 11% MSCI ACWI ex-US (Gross), 10.9% MSCI ACWI (Net), 1% Wilshire REIT, 1.7% NCREIF Property Index, 6.8% NCREIF ODCE Index, 3.6% CPI + 4%, 8.1% S&P 500 +4% (Lagged), 1.7% ICE BofAML High Yield Master II +2%, 5.1% ICE BofAML High Yield Master II, 22.4% Bloomberg 1-3 Yr Gov/Credit, 3.2% Bloomberg US Aggregate, 1.6% 91-Day T-Bills.
Policy Index (4/1/2012-12/31/2016)	27.7% Russell 3000, 10.6% MSCI ACWI ex-US (Gross), 12.3% MSCI ACWI (Net), 19.6% Bloomberg U.S. Aggregate, 5% ICE BofAML High Yield Master II, 4% Bloomberg Global Aggregate, 13.5% Real Estate Benchmark, 6.8% S&P 500 +4% (Lagged), 0.5% 91-Day T-Bills.

Policy & Custom Index Composition (continued)

Policy Index (4/1/2011-3/31/2012)	31% Russell 3000, 10.4% MSCI EAFE (Gross), 9.6% MSCI ACWI (Net), 25% Bloomberg U.S. Aggregate, 3% ICE BofAML High Yield Master II, 4% Bloomberg Global Aggregate, 8.4% DJ Wilshire REIT, 3.1% NCREIF, 5% S&P 500 +4% (Lagged), 0.5% 91-Day T-Bills.
Policy Index (4/1/2010-3/31/2011)	35.6% Russell 3000, 10.4% MSCI EAFE (Gross), 5% MSCI ACWI (Net), 25% Bloomberg U.S. Aggregate, 3% ICE BofAML High Yield Master II, 4% Bloomberg Global Aggregate, 8.4% DJ Wilshire REIT, 3.1% NCREIF, 5% S&P 500 +4% (Lagged), 0.5% 91-Day T-Bills.
Policy Index (7/1/2009-3/31/2010)	40.6% Russell 3000, 10.4% MSCI EAFE (Gross), 25% Bloomberg U.S. Aggregate, 3% ICE BofAML High Yield Master II, 4% Bloomberg Global Aggregate, 8.4% DJ Wilshire REIT, 3.1% NCREIF, 5% S&P 500 +4% (Lagged), 0.5% 91-Day T-Bills.
Custom Growth Benchmark (7/1/2022 - present)	21.2% Russell 3000, 19.9% MSCI ACWI ex-US (Gross), 11.9% MSCI ACWI (Net), 2.6% Wilshire REIT, 10.6% Private Real Estate composite returns, 17.2% Private Equity composite returns, 10.6% Private Credit composite returns, 2.0% ICE BofAML High Yield Master II, 4% 60% MSCI ACWI Net/40% Bloomberg Global Aggregate
Custom Growth Benchmark (7/1/2021 - 6/30/2022)	21.33% Russell 3000, 21.33% MSCI ACWI ex-US (Gross), 12% MSCI ACWI (Net), 2.67% Wilshire REIT, 10.67% Private Real Estate composite returns, 14.67% Private Equity composite returns, 10.67% Private Credit composite returns, 2.67% ICE BofAML High Yield Master II, 4% 60% MSCI ACWI Net/40% Bloomberg Global Aggregate
Custom Growth Benchmark (1/1/2021 - 6/30/2021)	13.14% Russell 3000, 26.28% MSCI ACWI ex-US (Gross), 16.06% MSCI ACWI (Net), 1.46% Wilshire REIT, 11.68 Private Real Estate composite returns%, 16.06% Private Equity composite returns, 10.22% Private Credit composite returns, 2.19% ICE BofAML High Yield Master II, 2.92% Bloomberg Global Bond
Custom Growth Benchmark (7/1/2020 - 12/31/2020)	13.14% Russell 3000, 26.28% MSCI ACWI ex-US (Gross), 16.06% MSCI ACWI (Net), 1.46% Wilshire REIT, 2.34% NCREIF Property Index, 9.33% NCREIF ODCE Index, 16.06% S&P 500 +4% (Lagged), 10.22% ICE BofAML High Yield Master II +2%, 2.19% ICE BofAML High Yield Master II, 2.92% Bloomberg Global Bond
Custom Growth Benchmark (7/1/2019 - 6/30/20)	14.7% Russell 3000, 26.4% MSCI ACWI ex-US (Gross), 16.2% MSCI ACWI (Net), 1.5% Wilshire REIT, 2.4% NCREIF Property Index, 9.4% NCREIF ODCE Index, 16.2% S&P 500 +4% (Lagged), 7.4% ICE BofAML High Yield Master II +2%, 2.9% ICE BofAML High Yield Master II, 2.9% Bloomberg Global Bond
Custom Growth Benchmark (7/1/2018 - 6/30/2019)	16.0% Russell 3000, 27.5% MSCI ACWI ex-US (Gross), 15.9% MSCI ACWI (Net), 1.5% Wilshire REIT, 2.6% NCREIF Property Index, 10.4% NCREIF ODCE Index, 14.5% S&P 500 +4% (Lagged), 5.8% ICE BofAML High Yield Master II +2%, 2.9% ICE BofAML High Yield Master II, 2.9% Bloomberg Global Bond
Custom Growth Benchmark (9/30/2017- 6/30/2018)	23.6% Russell 3000, 27.2% MSCI ACWI ex-US (Gross), 12.5% MSCI ACWI (Net), 1.5% Wilshire REIT, 2.3% NCREIF Property Index, 9.3% NCREIF ODCE Index, 14.6% S&P 500 +4% (Lagged), 2.8% ICE BofAML High Yield Master II +2%, 6.2% ICE BofAML High Yield Master II
Custom Growth Benchmark (1/1/2017-9/30/2017)	32.6% Russell 3000, 15.7% MSCI ACWI ex-US (Gross), 15.5% MSCI ACWI (Net), 1.4% Wilshire REIT, 2.4% NCREIF Property Index, 9.6% NCREIF ODCE Index, 1.6% CPI +4%, 11.5% S&P 500 +4% (Lagged), 2.4% ICE BofAML High Yield Master II +2%, 7.3% ICE BofAML High Yield Master II
Custom Growth Benchmark (Prior to 1/1/2017)	Weighted-average of the benchmarks of the sub-composites that make up the composite.
Custom Diversifying Benchmark (7/1/2021-present)	35.71% Bloomberg US Aggregate, 21.43% FTSE 3-Month T-bill +4%, 21.43 FTSE 3-Month T-bill +5%, 21.43% Bloomberg Barclays US Aggregate +1%
Custom Diversifying Benchmark (8/1/2020 - 6/30/2021)	46.15% Bloomberg US Aggregate, 30.77 FTSE 3-Month T-bill +4%, 23.08 FTSE 3-Month T-bill +5%.
Custom Diversifying Benchmark (7/1/2018 - 7/31/2020)	43.75% Bloomberg US Aggregate, 25% CPI + 4%, 31.25% HFRI EH Equity Market Neutral.
Custom Diversifying Benchmark (10/1/2017 - 6/30/2018)	58.33% Bloomberg US Aggregate, 41.67% CPI + 4%.
Custom Diversifying Benchmark (1/1/2017 - 9/30/2017)	56.1% Bloomberg US Aggregate, 43.9% CPI + 4%.
Custom Diversifying Benchmark (Prior to 1/1/2017)	Weighted-average of the benchmarks of the sub-composites that make up the composite.
Custom Diversifying Multi-Asset Benchmark (current)	50% FTSE 3-Month T-bill +5%, 50% Bloomberg Barclays US Aggregate +1%
Real Estate Benchmark (current)	20% Wilshire REIT, 80% Private Real Estate composite returns.
Real Estate Benchmark (4/1/2012-11/30/2016)	40% Wilshire REIT, 50% NCREIF Property Index, 10% FTSE/EPRA NAREIT Developed ex-US.

Contra Costa County Employees' Retirement Association

Data Sources and Methodology

Period Ending: March 31, 2024

IMPLEMENTATION BENCHMARK WEIGHTS BY INVESTMENT ALLOCATION RESOLUTION (1/1/17 TO CURRENT)

Manager	Benchmark	1/1/17 - 9/30/17	10/1/17 - 6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20	7/1/20 - 6/30/21	7/1/21 - 6/30/22	7/1/22 - 7/31/23	8/1/2023 - current
BlackRock Index Fund	Russell 1000 Index	0.0%	1.0%	1.0%	2.0%	2.0%	5.0%	9.0%	10.0%
Intech Large Cap	S&P 500 Index	3.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Pimco Stocks +	S&P 500 Index	4.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Boston Partners	Russell 1000 Value	4.2%	4.5%	3.0%	2.5%	2.0%	4.0%	4.0%	3.0%
Jackson Square	Russell 1000 Growth	4.3%	4.5%	3.0%	2.5%	2.0%	4.0%	0.0%	0.0%
Emerald	Russell 2000 Growth	3.2%	3.3%	2.0%	1.5%	1.5%	1.5%	1.5%	1.5%
Ceredex	Russell 2000 Value	3.0%	3.3%	2.0%	1.5%	1.5%	1.5%	1.5%	1.5%
Pyrford	MSCI AC World ex USA Value	5.5%	5.4%	5.5%	5.0%	5.0%	4.0%	4.0%	4.0%
William Blair	MSCI AC World ex USA Growth	5.5%	5.4%	5.5%	5.0%	5.0%	4.0%	4.0%	4.0%
TT Emerging Markets	MSCI Emerging Markets	0.0%	4.2%	4.0%	4.0%	4.0%	4.0%	3.5%	2.0%
PIMCO/RAE Emerging Markets	MSCI Emerging Markets Value	0.0%	4.2%	4.0%	4.0%	4.0%	4.0%	3.5%	2.0%
Artisan	MSCI ACWI Growth NR USD	4.5%	4.3%	4.0%	4.0%	4.0%	4.5%	4.5%	5.0%
Intech Global Low Vol	MSCI ACWI	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
JP Morgan	MSCI ACWI	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
First Eagle	MSCI ACWI Value NR USD	4.3%	4.3%	4.0%	4.0%	4.0%	4.5%	4.5%	5.0%
Allianz (Voya?)	ICE BofA U.S. High Yield Index	5.1%	5.0%	2.0%	2.0%	1.5%	2.0%	1.5%	2.0%
Adelante REIT	Wilshire U.S. REIT Index	1.0%	1.0%	1.0%	1.0%	1.0%	2.0%	1.0%	1.0%
INVESCO REIT	Wilshire U.S. REIT Index	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.0%	1.0%
Private RE (NPI)	Private RE Composite Returns	1.1%	1.4%	1.8%	1.6%	1.6%	0.0%	0.0%	0.0%
Private RE (ODCE)	Private RE Composite Returns	8.4%	8.2%	7.2%	6.4%	6.4%	0.0%	0.0%	0.0%
Private RE	Private RE Composite Returns	0.0%	0.0%	0.0%	0.0%	0.0%	8.0%	8.0%	8.0%
Private Credit	Private Equity Composite Returns	0.0%	0.0%	4.0%	5.0%	7.0%	8.0%	8.0%	10.0%
Torchlight	Private Equity Composite Returns	1.7%	1.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Private Equity	Private Equity Composite Returns	7.7%	8.2%	10.0%	11.0%	11.0%	11.0%	13.0%	13.0%
Opportunistic	Private Equity Composite Returns	0.5%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Risk Parity	60% MSCI ACWI (Net) / 40% Bloomberg Global Aggregate	0.0%	0.0%	5.0%	5.0%	5.0%	3.0%	3.0%	3.0%
Insight	Bloomberg 1-3 Yr Gov/Cred	10.5%	10.7%	12.0%	12.0%	13.0%	7.0%	6.5%	6.5%
DFA	ICE BofA 1-5 Year U.S. Corp/Gov't Index	6.0%	5.3%	5.5%	6.0%	6.0%	4.0%	4.0%	4.0%
Cash	3-month Tbills	1.6%	1.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Sit	Bloomberg 1-3 Yr Govt index	5.9%	6.0%	5.5%	6.0%	6.0%	7.0%	6.5%	6.5%
AFL-CIO HIT	Bloomberg US Aggregate TR	3.2%	3.5%	3.5%	3.5%	3.0%	2.5%	2.5%	2.5%
Parametric Defensive Equity	CPI + 4%	0.0%	0.0%	2.5%	2.5%	0.0%	1.5%	0.0%	0.0%
Wellington Real TR	Bloomberg Global Aggregate	2.5%	2.5%	2.0%	2.0%	0.0%	0.0%	0.0%	0.0%
Acadian MAARS	FTSE 3-month T-bill + 5%	0.0%	0.0%	0.0%	0.0%	1.5%	1.5%	2.5%	2.0%
Sit AR	Bloomberg US Aggregate TR +100	0.0%	0.0%	0.0%	0.0%	2.0%	1.5%	2.5%	2.5%

Manager Line Up					
Manager	Inception Date	Data Source	Manager	Inception Date	Data Source
BlackRock Russell 1000 Index	4/20/2017	BlackRock	Invesco Real Estate V	9/27/2022	Invesco
Boston Partners	6/1/1995	Northern Trust	Oaktree REOF V	12/31/2011	Oaktree
Emerald Advisors	4/7/2003	Northern Trust	Oaktree REOF VI	9/30/2013	Oaktree
Ceredex	11/6/2011	Northern Trust	Oaktree REOF VII	4/1/2015	Oaktree
Pyrford	4/25/2014	State Street	PCCI IX	4/28/2022	PCCP
William Blair	10/29/2010	William Blair	Siguler Guff DREOF	1/25/2012	Siguler Guff
PIMCO RAE Emerging Markets	2/28/2017	State Street	Siguler Guff DREOF II	8/31/2013	Siguler Guff
TT Emerging Markets	7/27/2017	TT	Siguler Guff DREOF II Co-Inv	1/27/2016	Siguler Guff
Artisan Partners	10/1/2012	SEI Trust	Paulson Real Estate Fund II	11/10/2013	Paulson
First Eagle	1/18/2011	Northern Trust	AE Industrial Partners Fund II	4/8/2019	StepStone Group
Allianz Global Investors	4/25/2000	Northern Trust	Adams Street Partners	3/18/1996	StepStone Group
Adelante	9/30/2001	Northern Trust	Adams Street Partners II	1/16/2009	StepStone Group
AQR Global Risk Premium - EL	1/18/2019	AQR	Adams Street Partners Venture	4/28/2017	StepStone Group
Panagora Risk Parity Multi Asset	3/15/2019	Panagora	Adams Street Partners - BFP	1/18/1996	StepStone Group
AFL-CIO	6/30/1991	AFL-CIO	Adams Street Partners - Fund 5	9/21/2012	StepStone Group
Wellington Real Total Return (in Liquidation)	2/26/2013	Wellington	Aether Real Assets IV	3/16/2016	StepStone Group
Acadian Multi-Asset Absolute Return Fund	8/4/2020	SS&C	Aether Real Assets III	11/27/2013	StepStone Group
Sit LLCAR	4/15/2021	Northern Trust	Aether Real Assets III Surplus	11/30/2013	StepStone Group
Sit Short Duration	11/2/2016	Northern Trust	Bay Area Equity Fund	6/14/2004	StepStone Group
DFA Short Credit	11/21/2016	Northern Trust	Bay Area Equity Fund II	12/7/2009	StepStone Group
Insight Short Duration	11/18/2016	Northern Trust	Commonfund	6/28/2013	StepStone Group
Parametric Overlay	3/29/2017	Northern Trust	EIF US Power Fund II	8/16/2005	StepStone Group
Cash	-	Northern Trust	EIF US Power Fund III	5/30/2007	StepStone Group
Angelo Gordon Energy Credit Opp	9/24/2015	StepStone Group	EIF US Power Fund IV	11/28/2011	StepStone Group
StepStone CC Opportunities Fund	2/1/2018	StepStone Group	EIF US Power Fund V	11/28/2016	StepStone Group
Torchlight II	9/30/2006	StepStone Group	Genstar Capital Partners IX, L.P.	2/21/2019	StepStone Group
Torchlight IV	7/1/2012	StepStone Group	Oaktree PIF 2009	2/28/2010	StepStone Group
Torchlight V	7/1/2012	StepStone Group	Paladin III	11/30/2007	StepStone Group
Angelo Gordon Realty Fund VIII	1/23/2012	Angelo Gordon	Ocean Avenue Fund II	6/11/2014	StepStone Group
Angelo Gordon Realty Fund IX	12/8/2014	Angelo Gordon	Ocean Avenue Fund III	4/15/2016	StepStone Group
Blackstone Real Estate Partners VIII	3/24/2023	Blackstone	Pathway 6	5/24/2011	StepStone Group
DLJ RECP III	6/23/2005	DLJ	Pathway 7	2/7/2013	StepStone Group
DLJ RECP IV	2/11/2008	DLJ	Pathway 8	11/23/2015	StepStone Group
DLJ RECP V	7/1/2014	DLJ	Pathway	11/9/1998	StepStone Group
DLJ RECP VI	3/19/2019	DLJ	Pathway 2008	12/26/2008	StepStone Group
LaSalle Income & Growth VI	7/16/2013	LaSalle	Siguler Guff CCCERA Opps	6/3/2014	StepStone Group
LaSalle Income & Growth VII	2/28/2017	LaSalle	Siguler Guff Secondary Opps	11/30/2016	StepStone Group
Hearthstone II	6/17/1998	Hearthstone	Siris Partners IV	3/15/2019	StepStone Group
Long Wharf Fund IV	7/3/2013	Long Wharf	TPG Healthcare Partners, L.P.	6/28/2019	StepStone Group
Long Wharf Fund V	9/30/2016	Long Wharf	Trident VIII, L.P.	5/24/2019	StepStone Group
Long Wharf Fund VI	2/5/2020	Long Wharf	Wastewater Opp. Fund	12/8/2015	StepStone Group
Long Wharf Fund VII	5/30/2023	Long Wharf	Cross Lake RE IV	12/14/2023	Cross Lake
Invesco Real Estate IV	6/30/2014	Invesco	KSL Capital Partners VI, L.P.	11/10/2023	KSL
Invesco Real Estate V	2/20/2019	Invesco	EQT Infrastructure VI	12/31/2023	StepStone Group

Other Disclosures

All data prior to 12/31/2014 was provided by previous consultant.
 As of 7/1/2018 all Private Equity and Private Credit data is provided by StepStone Group.

Glossary

Allocation Effect: An attribution effect that describes the amount attributable to the managers' asset allocation decisions, relative to the benchmark.

Alpha: The excess return of a portfolio after adjusting for market risk. This excess return is attributable to the selection skill of the portfolio manager. Alpha is calculated as: $\text{Portfolio Return} - [\text{Risk free Rate} + \text{Portfolio Beta} \times (\text{Market Return} - \text{Risk free Rate})]$.

Benchmark R squared: Measures how well the Benchmark return series fits the manager's return series. The higher the Benchmark R squared, the more appropriate the benchmark is for the manager.

Beta: A measure of systematic, or market risk; the part of risk in a portfolio or security that is attributable to general market movements. Beta is calculated by dividing the covariance of a security by the variance of the market.

Book to Market: The ratio of book value per share to market price per share. Growth managers typically have low book to market ratios while value managers typically have high book to market ratios.

Capture Ratio: A statistical measure of an investment manager's overall performance in up or down markets. The capture ratio is used to evaluate how well an investment manager performed relative to an index during periods when that index has risen (up market) or fallen (down market). The capture ratio is calculated by dividing the manager's returns by the returns of the index during the up/down market, and multiplying that factor by 100.

Correlation: A measure of the relative movement of returns of one security or asset class relative to another over time. A correlation of 1 means the returns of two securities move in lock step, a correlation of -1 means the returns of two securities move in the exact opposite direction over time. Correlation is used as a measure to help maximize the benefits of diversification when constructing an investment portfolio.

Excess Return: A measure of the difference in appreciation or depreciation in the price of an investment compared to its benchmark, over a given time period. This is usually expressed as a percentage and may be annualized over a number of years or represent a single period.

Information Ratio: A measure of a manager's ability to earn excess return without incurring additional risk. Information ratio is calculated as: excess return divided by tracking error.

Interaction Effect: An attribution effect that describes the portion of active management that is contributable to the cross interaction between the allocation and selection effect. This can also be explained as an effect that cannot be easily traced to a source.

Portfolio Turnover: The percentage of a portfolio that is sold and replaced (turned over) during a given time period. Low portfolio turnover is indicative of a buy and hold strategy while high portfolio turnover implies a more active form of management.

Price to Earnings Ratio (P/E): Also called the earnings multiplier, it is calculated by dividing the price of a company's stock into earnings per share. Growth managers typically hold stocks with high price to earnings ratios whereas value managers hold stocks with low price to earnings ratios.

R Squared: Also called the coefficient of determination, it measures the amount of variation in one variable explained by variations in another, i.e., the goodness of fit to a benchmark. In the case of investments, the term is used to explain the amount of variation in a security or portfolio explained by movements in the market or the portfolio's benchmark.

Selection Effect: An attribution effect that describes the amount attributable to the managers' stock selection decisions, relative to the benchmark.

Sharpe Ratio: A measure of portfolio efficiency. The Sharpe Ratio indicates excess portfolio return for each unit of risk associated with achieving the excess return. The higher the Sharpe Ratio, the more efficient the portfolio. Sharpe ratio is calculated as: $\text{Portfolio Excess Return} / \text{Portfolio Standard Deviation}$.

Sortino Ratio: Measures the risk adjusted return of an investment, portfolio, or strategy. It is a modification of the Sharpe Ratio, but penalizes only those returns falling below a specified benchmark. The Sortino Ratio uses downside deviation in the denominator rather than standard deviation, like the Sharpe Ratio.

Standard Deviation: A measure of volatility, or risk, inherent in a security or portfolio. The standard deviation of a series is a measure of the extent to which observations in the series differ from the arithmetic mean of the series. For example, if a security has an average annual rate of return of 10% and a standard deviation of 5%, then two thirds of the time, one would expect to receive an annual rate of return between 5% and 15%.

Style Analysis: A return based analysis designed to identify combinations of passive investments to closely replicate the performance of funds

Style Map: A specialized form or scatter plot chart typically used to show where a Manager lies in relation to a set of style indices on a two dimensional plane. This is simply a way of viewing the asset loadings in a different context. The coordinates are calculated by rescaling the asset loadings to range from -1 to 1 on each axis and are dependent on the Style Indices comprising the Map.

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Meeting Date
05/22/2024
Agenda Item
#7b.

Memorandum

Date: May 22, 2024
To: CCCERA Board of Retirement Trustees
From: Timothy Price, Chief Investment Officer
Subject: Investment Staff Report – Q1 2024

Overview

On a quarterly basis CCCERA’s Board receives a report which details critical elements of CCCERA’s Functionally Focused Portfolio’s sub-portfolios. The purpose of the report is to highlight elements of the sub-portfolios which are good indicators to the Board of the program’s efficient and effective operation.

Summary

CCCERA’s Total Fund is largely performing as expected, exhibiting returns above expectations for the amount of risk taken over the long term. This is measured by the Sharpe Ratio (risk-adjusted return), and a comparison to the Simple Target Index. The Simple Target Index is the most basic index which could replicate CCCERA’s Total Fund, and is made up of 76% MSCI ACWI, 17% Bloomberg 1-3 Year Gov/Credit, and 7% 3-Month Treasury Bills (please see the Total Fund pages in the appendix for additional details). CCCERA’s portfolio is much more complex, especially as it relates to allocations to private equity, private credit, and real estate.

Over shorter periods, there are aspects of the implementation that have fallen short of expectations, which are discussed in the Growth and Risk Diversifying sub-portfolio reviews.

CCCERA has experienced lower risk and return levels than the Simple Target Index over trailing periods, but has matched or exceeded the STI on a risk-adjusted basis over most trailing time periods. Details on performance relative to this index are included in the appendix. It is worth noting that CCCERA’s Total Fund return is an aggregate of the performance of the Liquidity, Growth, and Risk Diversifying sub-portfolios.

1) Liquidity

The purpose of the liquidity program is to match three years of benefit payments with high credit quality, low duration assets. The liquidity sub-portfolio is made up of three fixed income managers, all of whom pursue a high quality, low duration investment approach. In the first quarter of 2024, all managers held high quality (as measured by credit ratings), low duration portfolios. The average credit quality for the entire liquidity program is AA (AAA is the highest rating), and the duration is 1.7 years, which is considered short. Importantly, the current yield of all three portfolios is above 5%.

2) Growth

The Growth portfolio is designed to take advantage of capital appreciation and income opportunities globally. To achieve this, the Growth portfolio includes a variety of assets, from stocks and growth-oriented bonds to private equity, real estate, and private credit.

For the trailing five-year period ending March 31, 2024, the Growth portfolio returned 8.4% relative to the index return of 10.9%, for a relative underperformance of -2.6%. Over this period, the Growth program produced a superior Sharpe ratio of 0.53 relative to the index's 0.45. During the first quarter of 2024, CCCERA's Growth sub-portfolio returned 5.2% relative to MSCI ACWI Index return of 8.2%. We expect underperformance relative to the public equity markets during sharp rallies such as we experienced in 2023 and the first quarter of 2024 due to the private market investments where valuations lag.

The past five years have been exceptionally strong for public equities, both on the basis of earnings growth and mostly benign monetary policy. This growth has been concentrated in the US tech sector and even more so in the "Magnificent 7" mega cap stocks. Given this environment, underperformance of a diversified portfolio should be expected.

3) Risk Diversifying

The Risk Diversifying mandate holds assets that are expected to diversify the growth portfolio's volatility while offering moderate growth. The mandate as a whole seeks to be highly liquid, have a low beta to the growth market, and produce positive real returns. In the first quarter, the Risk Diversifying mandate fulfilled two of these goals. The entire mandate can be liquidated within 90 days, meeting the requirement of high liquidity. The correlation of the mandate to growth markets is 0.7, the same as in December 2023. The trailing real (net of inflation) return over the past five years is -3.9%, worsening slightly in the last quarter from -3.5%, and remaining below expectations.

Most of the product teams and asset managers across all sub-portfolios are stable. There have been two personnel changes announced at TT and Acadian in late 2023. We conducted on-site reviews with both firms and have gained comfort with the team at TT but elected to terminate the Acadian strategy.

CCCERA's Total Fund in aggregate is performing in line with expectations, having a similar or higher risk-adjusted return but a lower level of volatility compared to the Simple Target Index. Enclosed are additional details on CCCERA's Total Fund, sub-portfolios, and individual investment strategies.

CCCERA Portfolio Report Card

Below we have itemized those elements of each of CCCERA’s sub-portfolios and Total Fund which we believe the Board should pay particular attention to. Additional details on each of the sub-portfolios are available in the appendix. All CCCERA performance is stated on a net of fees basis.

Liquidity

Objective	Measurement	Current Period Data	Status
High Quality	Credit Quality	AA	Meeting Expectations
Low Risk	Duration	1.7 years	Meeting Expectations
Appropriately Sized	Months of Benefit Payments Invested	28 Months	Meeting Expectations

Growth

Objective	Measurement	Current Period Data	Status
Growth of Plan Assets	Absolute Returns	Trailing 5 yr return: 8.4%	Meeting Expectations
	Benchmark Relative Returns	-2.6% relative to ACWI over trailing 5 years	Below Expectations
Efficient Capital Deployment	Sharpe Ratio	CCCERA: 0.53 MSCI ACWI: 0.45 over trailing 5 years	Meeting Expectations

Risk Diversifying

Objective	Measurement	Current Period Data	Status
Offset Volatility in Growth Portfolio	Correlation	0.7 over trailing 5 years	Below Expectations
Positive Real Returns	Returns	5 yr real return: -3.9% 5 yr nominal return: 0.26%	Below Expectations
High Liquidity	% of Portfolio that can be liquidated within 90 days	100%	Meeting Expectations

Total Fund

Objective	Component/Measurement	Status
Store 3 Years of Benefit Payments	Liquidity Sub-portfolio	Meeting Expectations
Participate in Growth Opportunities	Growth Sub-portfolio	Meeting Expectations
Provide an offset to Growth volatility	Risk Diversifying Sub-portfolio	Below Expectations
Produce superior risk adjusted returns	Total Fund Sharpe Ratio	Meeting Expectations

Appendix – Liquidity Sub-Portfolio

Manager Reviews

Organizational Stability

	Portfolio Management Assessment	1 Year Product Asset Growth	1 Year Firm Asset Growth	Regulatory Action in Last Year?
Insight	Good	4%	-1%	N
Sit	Good	-6%	9%	N
DFA	Good	13%	17%	N

Performance

	Portfolio Average Credit Quality	Portfolio Average Duration	Portfolio Average Yield	1 Year Total Return
Insight	A+	1.1	5.1	5.3%
Sit	AAA	2.9	5.9	3.4%
DFA	A+	0.3	5.7	5.4%

Manager Notes:

Fixed income yields have moderated on the growing consensus that the Federal Reserve is done raising rates for this cycle and has priced in a “higher for longer” baseline with 1-2 rate cuts in late 2024. The shorter duration of CCCERA’s mandates have provided relative protection during the rate hikes, as has the buy and maintain bias of the portfolio.

Manager Theses:

The Liquidity Portfolio is a combination of three managers which work together to match three years of CCCERA’s liabilities. The portfolio is refreshed every year during the annual funding plan.

Insight: Insight plays a completion role in the liquidity program, matching out liabilities with short duration government and corporate fixed income securities.

DFA: Dimensional Fund Advisors runs a strategy that focuses on obtaining fixed income exposures via the most liquid securities available. DFA contributes to the Liquidity Program by selling securities at regular intervals to pay a portion of CCCERA’s monthly benefit payment.

Sit: Sit invests in high yielding government backed mortgages. The cash flow from these securities is harvested monthly to make up a portion of CCCERA’s monthly benefit payment.

Appendix – Growth Sub-Portfolio

Manager Reviews

Organizational Stability

	Portfolio Management Assessment	1 Year Product Asset Growth	1 Year Firm Asset Growth	Regulatory Action in Last Year?
Boston Partners	Good	22%	17%	N
BlackRock Index Fund	Good	18%	15%	N
Emerald Advisors	Good	15%	14%	N
Ceredex	Good	-15%	-13%	N
Pyrford	Good	-4%	-9%	N
William Blair	Good	5%	18%	N
First Eagle	Good	9%	6%	N
Artisan Global	Good	11%	16%	N
PIMCO/RAE EM	Good	17%	5%	N
TT EM	Good	-36%	-22%	N
Adelante	Good	11%	5%	N
Invesco REIT	Good	7%	16%	N
Voya	Good	11%	2%	N
AQR	Good	-1%	12%	N
PanAgora	Good	-28%	1%	N
Private Equity	Good	--	--	N
Private Credit	Good	--	--	N
Real Estate	Good	--	--	N

Performance

	Trailing 1-Yr Return	Trailing 5-yr Return	Trailing 10-yr Return	Performance in Line with Expectations?	Inception Date
MSCI ACWI-ND	23%	11%	9%		
Boston Partners	28%	13%	10%	Y	04/30/1995
BlackRock Index Fund	30%	15%	13%	Y	03/31/2017
Emerald Advisors	20%	8%	9%	Y	03/31/2003
Ceredex	16%	8%	7%	Y	09/30/2011
Total Domestic Equity	27%	12%	11%	Y	
Pyrford	9%	6%	4%	Y	03/31/2014
William Blair	14%	8%	6%	Y	09/30/2010
PIMCO/RAE EM	24%	8%	6%	Y	01/31/2017
TT EM	9%	1%	4%	N	06/30/2017
Total International Equity	14%	6%	5%	Y	
First Eagle	14%	8%	7%	Y	12/31/2010
Artisan Global	26%	12%	11%	Y	11/30/2012
Total Global Equity	20%	10%	9%	Y	
Adelante	13%	5%	7%	Y	07/31/2001
Invesco REIT	6%	N/A	N/A	Y	02/28/2022
Voya	9%	3%	3%	N	04/30/2000
AQR	6%	4%	3%	N	12/31/2018
PanAgora	0%	1%	4%	N	02/28/2019
Private Equity	8%	15%	12%	Y	
Private Credit	10%	8%	9%	Y	
Real Estate	-14%	-2%	4%	N	

For periods longer than inception date within CCCERA's Total Fund, the return is from a representative composite account.

Manager Notes:

Niall Paul, lead portfolio and architect of the TT International Global Emerging Market strategy, has announced that he intends to retire as of March 31, 2024. Rob James, who had been a co-PM on the strategy, will continue along with Diego Mauro, who joined the firm in 2020. We have conducted an on-site reviews with James and Mauro to vet the team's capacity to manage the strategy effectively on a go forward basis.

Manager Theses:

The growth portfolio includes all managers in public and private equity, real estate, and private credit. These managers grow CCCERA's assets for future benefit payments (beyond the three years already covered by the Liquidity program).

Boston Partners: Large cap domestic equity which follows a value discipline. Boston Partners will buy out of favor companies and sell them when their intrinsic values are reflected in the market. Expected to outperform in flat to falling markets.

BlackRock Index Fund: Large cap domestic equity portfolio which should follow the Russell 1000 Index.

Emerald Advisors: Small cap growth equity seeking companies with high growth rates. Expected to produce strong returns in rising markets, and weak returns in falling markets.

Ceredex: Domestic equity small cap value portfolio of companies with dividend yields and low valuations. This portfolio should outperform flat markets.

Pyrford (Columbia): International equity value portfolio of non-US companies with low valuations at the country and stock level. This portfolio should outperform in flat markets.

William Blair: International equity growth portfolio of non-US companies with high growth rates constructed from the security level. This portfolio should outperform in rapidly rising markets.

First Eagle: Global equity portfolio that is benchmark agnostic comprised of companies with low valuations.

Artisan Global Opportunities: Global equity portfolio of companies that is benchmark agnostic with accelerating profit cycles and a focus on capital allocation.

PIMCO/RAE Emerging Markets: Quantitative equity with a value orientation. This portfolio follows the fundamental indexing approach (ranking companies by metrics other than market capitalization), resulting in a diversified, low turnover portfolio. This portfolio underperforms in momentum driven markets.

TT International Emerging Markets: Concentrated, growth-oriented manager which invests in small and mid-cap emerging market companies. TT employs both a top-down and a bottom-up research approach and seeks to outperform by identifying companies that have a catalyst to drive future growth.

Adelante: Diversified portfolio of U.S. REITs with a focus on the underlying real estate assets. Adelante is a public market proxy of the core real estate market.

INVESCO Fundamental Beta REIT: Invesco invests in US REITs following a sector neutral strategy that allocates to the securities that INVESCO believes have the strongest financial conditions.

Voya High Yield Fixed Income: Domestic high yield fixed income portfolio with a focus on security selection. Voya will focus on the higher quality segment of the high yield universe. Voya should provide a steady income stream and provide downside protection in falling markets.

Private Equity: CCCERA invests in private equity to generate returns above those available in the public equity markets.

Private Credit: CCCERA invests in private credit to generate cash flow streams above those available in the public debt markets.

Real Estate: CCCERA invests in value-add, distressed, and opportunistic real estate to generate returns from the capital appreciation and cash flow associated with commercial real estate investment.

Risk Parity: Multi-asset approach that strives for balanced contributions to total portfolio risk from multiple asset classes.

Appendix – Risk Diversifying Sub-Portfolio

Organizational Stability

	Portfolio Management Assessment	1 Year Product Asset Growth	1 Year Firm Asset Growth	Regulatory Action in Last Year?
AFL-CIO	Good	5%	5%	N
Acadian	Liquidating	5%	13%	N
Sit	Good	7%	9%	N

Performance

	Trailing 1 Year Correlation to Growth	Trailing 3 Year Correlation to Growth	1 Year Return	5 Year Return	% of Portfolio Liquid in 90 Days
AFL-CIO	0.8	0.8	2%	0%	100%
Acadian	-0.7	-0.6	-4%	1%	100%
Sit	0.7	0.5	6%	N/A	100%

Manager Notes:

CCCERA terminated the Acadian strategy and it will be wound down during the second quarter of 2024. The Board approved the BH-DG Systematic Trend Following strategy and this position is being funded in the second quarter as well.

Manager Theses:

Managers in the risk diversifying allocation seek to have a low correlation with the growth portfolio, positive returns in flat and falling equity markets, and a high degree of liquidity. These managers work together to offset some of the risks in the growth portfolio.

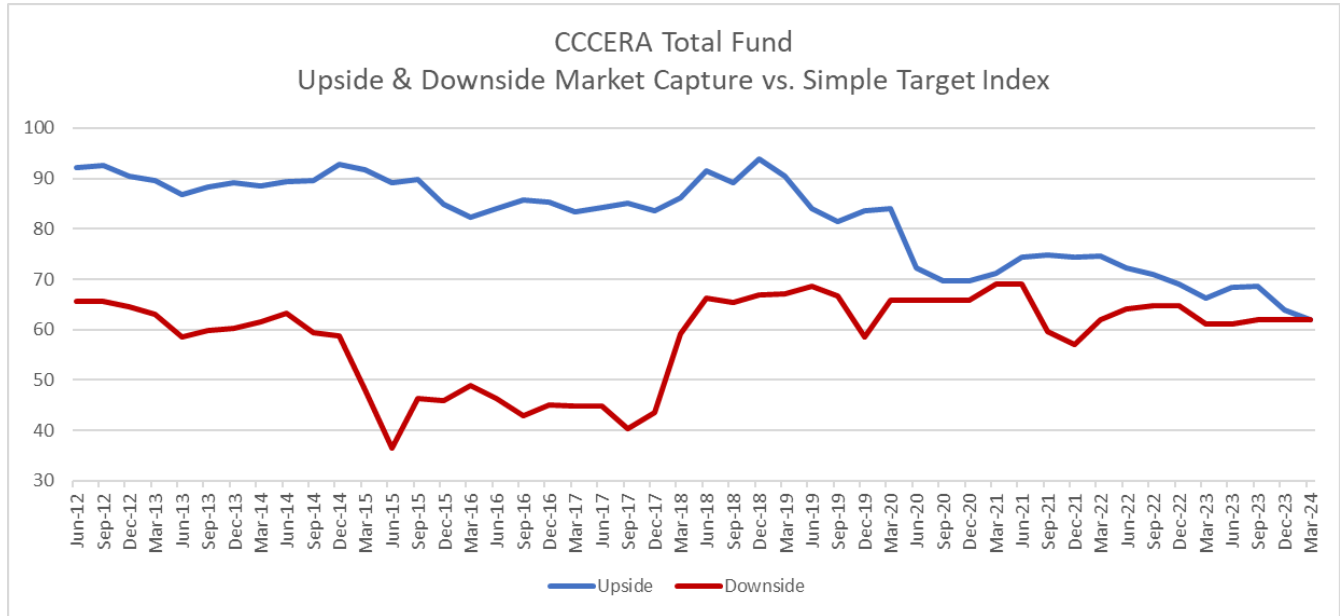
AFL-CIO: Portfolio of domestic, high quality fixed income securities which are backed by commercial and residential mortgages.

Acadian: Quantitatively managed multi-asset absolute return strategy that uses various models to capture pricing dislocations.

Sit LLCAR: Multiple fixed income strategies (closed end funds, mortgages, Treasuries) actively managed to target a modest positive return in most market environments.

Appendix Data – Total Fund

Rolling 3-Year Total Fund Upside/Downside Market Capture



*The composition of the Simple Target Index has mirrored changes in CCCERA's asset allocation over time: from 2008 to 2012 the benchmark was 73% MSCI ACWI, 23% Bloomberg 1-3 Year Gov/Credit, and 4% 3-Month Treasury Bills. From 2012 to 2016 the composition was 74% MSCI ACWI, 18% Bloomberg 1-3 Year Gov/Credit, and 9% 3-Month Treasury Bills. From 2016 to 2017 the composition was 63% MSCI ACWI, 25% Bloomberg 1-3 Year Gov/Credit, and 12% 3-Month Treasury Bills, from 2017 to June 2018 the composition was 61% MSCI ACWI, 27% Bloomberg 1-3 Year Gov/Credit, and 12% 3-Month Treasury Bills, from July 2018 to June 2019 the composition is 69% MSCI ACWI, 23% Bloomberg 1-3 Year Gov/Credit, and 8% 3-Month Treasury Bills, from July 2019 to June 2020 the composition is 68% MSCI ACWI, 24% Bloomberg 1-3 Year Gov/Credit, and 8% 3-Month Treasury Bills, from July 2020 to June 2021 the composition is 68.5% MSCI ACWI, 25% Bloomberg 1-3 Year Gov/Credit, and 6.5% 3-Month Treasury Bills; from July 2021 to June 2022 the composition is 75% MSCI ACWI, 18% Bloomberg 1-3 Year Gov/Credit, and 7% 3-Month Treasury Bills; from July 2022 to present the composition is 75.5% MSCI ACWI, 17% Bloomberg 1-3 Year Gov/Credit, and 7.5% 3-Month Treasury Bills; from July 2023 to present the composition is 76% MSCI ACWI, 17% Bloomberg 1-3 Year Gov/Credit, and 7% 3-Month Treasury Bills.

Total Fund Quarterly Attribution

	CCCERA Total Fund			Simple Target Index			Analysis		
	Allocation	Return	Return Contribution	Allocation	Return	Return Contribution	Allocation Difference	Return Difference	Total Effect
Liquidity	16.0%	0.8%	0.1%	17.0%	0.4%	0.1%	-1.0%	0.4%	0.1%
Growth	76.1%	5.2%	3.9%	76.0%	8.2%	6.2%	0.1%	-3.0%	-2.3%
Risk Diversifying	6.8%	1.0%	0.1%	7.0%	1.3%	0.1%	-0.2%	-0.2%	0.0%
Overlay	1.1%	8.1%	0.1%	0%	0%	0%	1.1%	8.1%	0.1%
Total Fund	100%		4.2%	100%		6.4%	-0.1%		-2.2%

CCCERA Total Fund Performance vs. Simple Target Index

	One Year		Three Years		Five Years		Ten Years	
	CCCERA	STI	CCCERA	STI	CCCERA	STI	CCCERA	STI
Return	10.7	18.5	4.0	5.6	6.4	8.5	6.3	6.5
Volatility	6.3	9.7	8.5	12.8	9.4	14.1	7.6	11.2
Sharpe	0.8	1.3	0.2	0.2	0.5	0.5	0.7	0.5

The Simple Target Index is made up of 76% MSCI ACWI, 17% Bloomberg 1-3 Year Gov/Credit, and 7% 3-Month Treasury Bill. The purpose of this index is to examine whether CCCERA is being rewarded for pursuing a more nuanced portfolio versus a very simple representative portfolio.

CCCERA's Total Fund has produced good risk adjusted returns over all trailing time periods, but has lagged the absolute return of the Simple Target Index. This primarily reflects the exceptionally strong performance of the global equity markets in recent years relative to more modest private equity and credit returns and significant challenges in real estate.

The Sharpe ratio is a measure of risk adjusted returns which shows the amount of return a portfolio earns above the risk-free rate per unit of volatility. The Total Fund has matched or exceeded the Sharpe ratio relative to the Simple Target Index over all trailing time periods longer than one year, indicating that CCCERA is being favorably rewarded for the level of risk taken in the portfolio.



Memorandum

Date: May 22, 2024

To: CCCERA Board of Retirement Trustees

From: Timothy Price, Chief Investment Officer

Subject: Interim Rebalancing

Overview

In addition to our significant annual investment allocation rebalancing that occurs each July, CCCERA investment staff review the asset allocation monthly and make adjustments as necessary to maintain target allocations or adjust for various other factors. Upon review of the March asset allocation, our allocation to public equities was overweight relative to target due to strong performance within this portion of this portfolio in the fourth quarter of 2023 and first quarter of 2024.

We elected to trim this overweight by \$250 mm and allocated the proceeds to the Liquidity sub-portfolio. A total of \$170 mm was raised from domestic equity and \$80 mm from international and global equity managers. We invested \$60 mm into DFA, \$100 mm into Insight and \$90 into Sit Fixed Income. We also withdrew \$50 mm from Acadian MAARS. These trades, outlined below, occurred in mid-April and were completed by April 17.

Contributions		Withdrawals	
DFA	\$60,000,000	Boston Partners	\$20,000,000
Insight	100,000,000	BlackRock	90,000,000
Sit Short Duration	90,000,000	Emerald	30,000,000
		Ceredex	30,000,000
		Pyrford	20,000,000
		William Blair	20,000,000
		Artisan	40,000,000
		Acadian	50,000,000
Total	\$250,000,000	Total	\$250,000,000

The post-rebalancing allocations are shown on the following page.

CCCERA Asset Allocation as of April 17, 2024

	Market Value	Percentage of Total Fund	Current Target* Percentage	Current Target Over/(Under)	Long Term Target	Long Term Over/(Under)
Liquidity						
Dimensional Fund Advisors	397,688,075	3.6%	4.0%	-0.4%		
Insight	649,565,651	5.9%	6.5%	-0.6%		
Sit	680,662,792	6.1%	6.5%	-0.4%		
Total Liquidity	1,727,916,517	15.6%	17.0%	-1.4%	17.0%	-1.4%
		Range				
		11-22%				
Growth						
Domestic Equity						
Boston Partners	411,502,276	3.7%	3.0%	0.7%		
BlackRock Index Fund	1,186,217,159	10.7%	10.0%	0.7%		
Emerald Advisers	201,293,275	1.8%	1.5%	0.3%		
Ceredex	191,492,587	1.7%	1.5%	0.2%		
Total Domestic Equity	1,990,505,298	18.0%	16.0%	2.0%	13.0%	5.0%
Global & International Equity						
Pyrford (Columbia)	471,519,439	4.3%	4.0%	0.3%		
William Blair	461,055,412	4.2%	4.0%	0.2%		
First Eagle	583,654,764	5.3%	5.0%	0.3%		
Artisan Global Opportunities	625,966,950	5.7%	5.0%	0.7%		
PIMCO/RAE Emerging Markets	256,007,585	2.3%	2.0%	0.3%		
TT Emerging Markets	253,394,248	2.3%	2.0%	0.3%		
Total Global & International Equity	2,651,598,398	23.9%	22.0%	1.9%	19.0%	4.9%
Private Equity**						
Private Credit	1,312,911,959	11.9%	13.0%	-1.1%	18.0%	-6.1%
Real Estate - Value Add	1,105,621,501	10.0%	10.0%	-0.0%	13.0%	-3.0%
Real Estate - Opportunistic & Distressed	223,556,256	2.0%	4.0%	-2.0%	5.0%	-3.0%
Real Estate - REIT	308,197,460	2.8%	4.0%	-1.2%	5.0%	-2.2%
Adelante	89,543,598	0.8%	2.0%	-0.2%	0.0%	1.8%
Invesco	105,855,147	1.0%				
High Yield	156,879,090	1.4%	2.0%	-0.6%	0.0%	1.4%
Risk Parity			3.0%	0.1%	3.0%	0.1%
AQR GRP EL	178,365,528	1.6%				
PanAgora	167,177,979	1.5%				
Total Other Growth Assets	3,648,108,518	32.9%	38.0%	-5.1%	44.0%	-11.1%
Total Growth Assets	8,290,212,214	74.9%	76.0%	-1.1%	76.0%	-1.1%
		Range				
		65-85%				
Risk Diversifying						
AFL-CIO	216,109,059	2.0%	2.5%	-0.5%	2.5%	-0.5%
Acadian MAARS	113,288,036	1.0%	2.0%	-1.0%	2.5%	-1.5%
Sit LLCAR	365,161,598	3.3%	2.5%	0.8%	2.0%	1.3%
Total Risk Diversifying	694,558,694	6.3%	7.0%	-0.7%	7.0%	-0.7%
		Range				
		0% - 10%				
Cash and Overlay						
Overlay (Parametric)	119,663,636	1.1%		1.1%		
Cash	242,058,921	2.2%		2.2%		
Total Cash and Overlay	361,722,556	3.3%	0.0%	3.3%	0.0%	3.3%
Total Fund	11,074,409,981	100%	100%		100%	

*Current targets and ranges reflect asset allocation targets accepted by the Board on July 12, 2023 (BOR Resolution 2023-3).

**Private Equity long-term target includes Real Assets/Infrastructure (see Asset Allocation Mix 5 adopted December 9, 2020).



FINAL AGENDA

SUNDAY, AUGUST 18

3:30 pm – 5:30 pm REGISTRATION

4:30 pm – 5:30 pm How Do U.S. Demographic Challenges Matter for the Future of Pensions?
Diana Elliott, Population Reference Bureau

5:30 pm – 6:30 pm WELCOME RECEPTION

MONDAY, AUGUST 19

6:30 am – 4:30 pm REGISTRATION

7:00 am – 8:00 am BREAKFAST

8:00 am – 5:30 pm GENERAL SESSION I

8:00 am – 8:15 am Welcome & Opening Remarks
Hank Kim, NCPERS

8:15 am – 9:00 am Understanding Artificial Intelligence
Pia Malaney, Institute for New Economic Thinking

- 9:00 am – 9:45 am Artificial Intelligence and Future of Public Pensions
Frank Williams, Teacher Retirement System of Texas
- 9:45 am – 10: 45 am Strategies for Plans with Growing Negative Cash Flows
Dan Doonan, National Institute on Retirement Security
Russell Kamp, Ryan Alm
- 10:45 am – 11:00 am BREAK
- 11:00 am – 11:45 am Private Debt Perspectives: Balancing Risk and Opportunity
Jean Hsu, CalPERS
- 11:45 am – 12:30 pm A Survey of Private Debt Funds
Young Soo Jang, University of Chicago
- 12:30 pm – 1:30pm LUNCH
- 1:30 pm – 2:15 pm How did Connecticut’s Mature State Employees Retirement System
Become a Success Story?
*John Herrington, Division of Pensions, Office of the State Comptroller,
State of Connecticut*
- 2:15 pm – 3:00 pm Anticipating and Managing Negative Cash Flows for Mature Plans
David Lamoureux, CalSTRS
- 3:00 pm – 3:15 pm BREAK
- 3:15 pm – 4:00 pm Emerging State Restrictions on ESG Investing and Dollar Value of
Environmental Sustainability
Kendal Killian, NPPC (TBD)
Mariem Mhadhbi, Valuecometrics
- 4:00 pm – 4:45 pm How States Can Best Benefit from Federal Stimulus Bills?
Greg LeRoy, Good Jobs First
- 5:30 pm – 6:30 pm NETWORKING RECEPTION

TUESDAY, AUGUST 20

7:00 am – 12:00 pm REGISTRATION

7:00 am – 8:00 am BREAKFAST

8:00 am – 11:30 am GENERAL SESSION II

8:00 am – 9:00 am States Have Shored up Funding, What Else Can They Do?
Jeff Hale, Human Resources Director, Athens-Clark County (TBD)
Eric Atwater, AON (TBD)

9:00 am – 10:00 am Actuarial and Investment Strategies for Mature Plans
Gene Kalwarski, Cheiron
David Wilson, Nuveen

10:00 am – 10:15 am BREAK

10:15 am – 11:00 am Political and Economic Consequences of So-Called Pensions Reforms
Robert Kuttner, Brandies University

11:00 am – 12:00 pm Outlook for the U.S. Economy in 2024 and Beyond
David Altig, Federal Reserve Bank of Atlanta

12:00 pm THANK YOU & CLOSING REMARKS
Hank Kim and Michael Kahn, NCPERS

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CALAPRS

EDUCATION · COMMUNICATION · NETWORKING

Register Now!

CALAPRS Principles of Pension Governance for Trustees 2024

Monday, August 26 - Thursday, August 29, 2024
Tiburon, CA



For over twenty years, Trustees of our member retirement systems have participated in this unique training program presented exclusively for California public retirement system board members. This training focuses on the practical aspects of our Trustees' duties.

WHO SHOULD ATTEND?

The course is for Trustees. Attendance is recommended within the first year after assuming office. Experienced Trustees will use the program as a comprehensive refresher course.

WHY ATTEND?

- To gain insight into public pension policy issues
- To discuss alternative solutions to common problems
- To understand the complexities involved in administering public pension plan
- To appreciate the differences and similarities among California public pension plans
- To network with other Trustees and pension professionals
- To increase familiarity with pension terminology and concepts
- To receive the ethics training required for new Trustees

*PRINCIPLES OF
PENSION GOVERNANCE*
A COURSE FOR TRUSTEES



*The Crane, An Age-Old
Symbol Of Long Life*

Sponsored By



to be held at
The Lodge at Tiburon
Tiburon, CA

Monday-Thursday, August 26-29, 2024

PRINCIPLES OF PENSION GOVERNANCE

A Course For Trustees

A COURSE FOR TRUSTEES

CALAPRS' MISSION

"CALAPRS sponsors educational forums for sharing information and exchanging ideas among Trustees and staff to enhance their ability to administer public pension benefits and manage investments consistent with their fiduciary duty."

ABOUT THE COURSE

Public Pension Fund Trustees bear a heavy fiduciary burden. On a cumulative basis, California's Constitution holds our members' **350** Trustees accountable for the stewardship of more than **\$450** Billion in retirement fund assets. **40** California public pension systems belong to CALAPRS. Over the past ten years, Trustees of our member retirement systems have participated in this unique training program presented exclusively for California public retirement system board members. This training focuses on the practical aspects of our Trustees' duties.

For over 25 years, CALAPRS has continued to offer this high-caliber coursework and carefully selected faculty.

WHO SHOULD ATTEND?

The course is for Trustees. Attendance is recommended within the first year after assuming office. Experienced Trustees will use the program as a comprehensive refresher course.

For more experienced Trustees, the Advanced Principles of Pension Governance course at UCLA is suggested.

WHY ATTEND?

- To gain insight into public pension policy issues
- To discuss alternative solutions to common problems
- To understand the complexities involved in administering public pension plans
- To appreciate the differences and similarities among California public pension plans
- To network with other Trustees and pension professionals
- To increase familiarity with pension terminology and concepts
- To receive the ethics training required for new Trustees

FACULTY

The Course will be taught by public pension practitioners, including Trustees, Consultants, Actuaries, Investment Managers, Attorneys & Administrators.

THE CURRICULUM COMMITTEE

Principles of Pension Governance is managed by CALAPRS' Curriculum Committee led by the course Dean: Kristen Santos, Retirement Plan Administrator, Merced County Employees' Retirement Association.

LOGISTICS

California Association of Public Retirement Systems:

Alison Trejo, Administrator

Adriana Pannick, Administrative Manager

PRINCIPLES OF PENSION GOVERNANCE

A Course For Trustees

THE CURRICULUM

Each participant must attend the full 3 days of intensive training. Sessions combine team teaching, case studies and mock board problem solving. All course materials are based on actual California public pension fund law, policies, practices and problems.

The *Tuesday Evening Case Study* will provide practical experience in a disability hearing. The *Wednesday Evening Session* will consist of a **TEAM CASE STUDY** to resolve significant Board of Retirement issues.

MONDAY – AUGUST 26

6:00 PM *Reception & Dinner*
7:30 PM **Introductions and Course Overview**

TUESDAY – AUGUST 27

8:00 AM **Fiduciary Duty and Sound Decision Making**
How a Board Should Function
Benefits Provided and the Board's Role
Key Issues in Disability Retirement
4:20 PM **Case Study: Disability Hearing**
6:00 PM *Reception & Dinner*

WEDNESDAY – AUGUST 28

8:00 AM **Addressing Pension Liabilities**
Investment Policy Basics
Overseeing the Investment Program
5:30PM **Stakeholder Case Study**
6:30PM *Networking Dinner*

THURSDAY – AUGUST 29

8:00 AM **Required Ethics Training for Public Fund Trustees**
Course Summary
11:30 AM *Certificate Luncheon* and **Final Course Evaluation**

CERTIFICATE OF COMPLETION

Participants who successfully complete the course will receive a Certificate of Completion as well as a Certificate for completion of the AB1234 Ethics in Public Service. Trustees must attend all sessions to receive a completion certificate, at the discretion of the course faculty, and attendees who do not complete the course may return the following year to make up missed sessions at no additional charge.

LOCATION & LODGING

The program and lodging will be located at The Lodge at Tiburon, 1651 Tiburon Blvd, Tiburon, CA 94920. Lodging will be provided at the Lodge for the nights of August 26, 27 and 28, and will be arranged by CALAPRS as part of the course for all participants. Meals will also be provided beginning with dinner on August 26 and ending with lunch to-go on August 29.

ENROLLMENT

Minimum 20, Maximum 34 Trustees.

APPLICATION & TUITION

All applications must be received no later than **JULY 15, 2024**. Unsigned applications will be returned to the sender for signature. Tuition of \$3,000 (includes lodging, meals and materials) must be paid in advance of the program, no later than **AUGUST 15, 2024**

APPLICATION FOR ENROLLMENT 2024

APPLICATIONS WITH BOTH REQUIRED SIGNATURES MUST BE RECEIVED BY JULY 15, 2024.

Applicants must be trustees of a California public employee pension system. Attendance is recommended within the first year after assuming office. Experienced trustees will use the program as a comprehensive refresher course. Each system should enroll one Trustee as a "Delegate" and designate one additional Trustee as "1st Alternate" with the remainder as "2nd Alternate". Should it become necessary due to high demand, CALAPRS reserves the right to limit the number of participants from each system based on these designations. All applicants will be notified regarding acceptance no later than the week of July 17th.

Applicant Information

Trustee's Name (for certificate/name badge): _____

Retirement System: _____

Trustee Type: Elected Appointed Ex-Officio Date Became a Trustee: _____ Date Term Expires: _____

Trustee's Mailing Address: _____

Trustee's Phone: _____ Trustees' Email: _____

Administrative Contact (name, email): _____

Emergency Contact (name, phone): _____

Dietary Restrictions (if any): _____

BIOGRAPHY: Email Trustee's biography (≤150 words) to register@calaprs.org for printing in the attendee binder.

Applicant Agreement

If admitted, I agree to attend the program in full and acknowledge that missing one or more sessions may result in forfeiture of my Certificate of Completion, as determined by the Faculty.

Trustee Signature (required) _____ Date: _____

Administrator Approval

Applicant Designation: Delegate 1st Alternate 2nd Alternate

Administrator Name: _____ Email: _____

Administrator Signature (required): _____

Tuition Payment

Tuition of \$3,000 must be paid in full by August 15, 2024 and includes all meals, materials, and lodging. Payable by check only (no credit cards) to "CALAPRS". This application form serves as an invoice. No additional invoice will be sent. Cancellation refunds may be provided to the extent that costs are not incurred by CALAPRS.

Lodging is mandatory for all participants. CALAPRS will make the hotel reservations and payment for the nights of August 26, 27, and 28.

**RETURN COMPLETED APPLICATION BY
JULY 15, 2024**

Mail, email or fax form and payment to
CALAPRS
575 Market Street, Suite 400
San Francisco, CA 94105
Phone: 415-764-4860 Fax: 415-764-4915
register@calaprs.org www.calaprs.org



If, due to a disability, you have any special needs, call 415-764-4860 to let us know. We will do our best to accommodate them.



Meeting Date
05/22/2024
Agenda Item
#9c.

ITINERARY

TUESDAY, SEPTEMBER 3, 2024

6:00 pm – 6:15 pm:	Welcome and Opening Remarks
6:15 pm – 7:30 pm:	Session 1: Keynote Address
7:30 pm – 10:00 pm:	Networking Dinner: Endless Summer

WEDNESDAY, SEPTEMBER 4, 2024

8:00 am – 9:00 am:	Session 2: World on Fire – Understanding Geopolitical Risks and Opportunities
9:00 am – 10:00 am:	Session 3: Election 2024
10:00 am – 10:15 am:	Networking Break
10:15 am – 11:00 am:	Session 4: The Death of Passive Management
11:00 am – 12:00 pm:	Session 5: Shareholder Litigation
12:00 pm – 1:00 pm:	Lunch
1:00 pm – 2:00 pm:	Session 6: Leadership and Happiness
2:00 pm – 3:00 pm:	Session 7: Investing in Genius – The Good, the Bad, and the Ugly of Founder-Driven Firms
3:00 pm – 4:00 pm:	Session 8: In-Depth Breakout Sessions (General Counsel Roundtable, Art of the Chair, or Personalizing AI)
6:30 pm – 7:30 pm:	Cocktail Reception
7:30 pm – 11:00 pm:	Networking Dinner: 007 Gala

THURSDAY, SEPTEMBER 5, 2024

8:00 am – 9:00 am:	Session 9: Best Practices in Fund Governance
9:00 am – 9:45 am:	Session 10: “Mind Blowing” – AI Revisited
9:45 am – 10:00 am:	Networking Break
10:00 am – 11:00 am:	Session 11: Trends to Watch in Governance and Investing
11:00 am – 12:10 pm:	Session 12: Closing Remarks
12:30 pm – 5:30 pm:	Networking Activities: Pickleball Tournament, Painting on Canvas, Charcuterie Board, and Whale Watching.

2024 PUBLIC FUNDS FORUM
MONTAGE LAGUNA BEACH, CALIFORNIA
SEPTEMBER 3-5, 2024

WEDNESDAY, SEPTEMBER 4, 2024

8:00 am – 9:00 am:

Session 2: World on Fire – Understanding Geopolitical Risks and Opportunities

With hot wars igniting and international tensions rising around the globe, political risk underlies even domestic investment. Investment strategists discuss how pension fund trustees can map potential impacts in their portfolios, hedge against negative effects, and provide long-term protection for their beneficiaries.

9:00 am – 10:00 am:

Session 3: Election 2024

This year's elections will have far-reaching influence for institutional investment, financial regulation, corporate governance, and portfolio management. From Washington, DC to the state houses, American politics is realigning under our feet, perhaps creating tectonic shifts for pension fund policies and expectations. Keen political observers offer insights and predictions on what this year's elections will mean for you.

10:00 am – 10:15 am:

Networking Break

10:15 am – 11:00 am:

Session 4: The Death of Passive Management

From voting proxies to company engagement, from divestment mandates to securities litigation strategies, pension funds are increasingly pressured to be active owners in their portfolios. How public fund fiduciaries are rising to the challenge and employing new tools and technologies to act as stewards for the capital markets.

11:00 am – 12:00 pm:

Session 5: Shareholder Litigation

Leading securities lawyers and fund managers present case studies on the successful use of securities litigation by pension funds to improve returns, reduce risk, and repair troubled companies in their portfolios.

12:00 pm – 1:00 pm:

Lunch

1:00 pm – 2:00 pm:

Session 6: Leadership and Happiness

According to research, to be successful in life, one should understand the importance of happiness and manage it appropriately. Social scientists have shown that there is an enormous opportunity for leaders to improve happiness practices in their organizations, thereby raising workplace engagement, facilitating recruitment, and increasing retention and productivity. This session explores the methods by which institutions can establish a culture of meaning, purpose, and life satisfaction, and prosper in highly competitive labor markets where culture and quality of life are so critical.

2:00 pm – 3:00 pm:

Session 7: Investing in Genius – The Good, the Bad, and the Ugly of Founder-Driven Firms

The top ten of the world's richest people are the creators of some of the companies with the best returns in the market. We examine what to watch out for when investing in the growth stocks that lead the indexes and that everyone needs in their portfolios.

3:00 pm – 4:00 pm:

Session 8: In-Depth Breakout Sessions

1: General Counsel Roundtable – Veteran general counsel discuss hot topics and share insights on legal issues facing public funds.

2: Art of the Chair – Top experts provide tips and training on how to chair boards and other organizations with equity, efficiency, and effectiveness.

3: Personalizing AI – Experts demonstrate how pension funds can use AI and other technology to provide an expanded range of personalized services to their beneficiaries.

THURSDAY, SEPTEMBER 5, 2024

8:00 am – 9:00 am:

Session 9: Best Practices in Fund Governance

Pension fund leaders share innovative insights and information on such topics as boardroom politics, trends in funding, operations management, and stakeholder accountability.

9:00 am – 9:45 am:

Session 10: “Mind Blowing” – AI Revisited

Earlier this year, Tyler Perry stunned the public when he paused plans to build a new \$800 million studio set near Atlanta. The reason? He saw a “shocking” demo of Sora – a new content-creating AI system from OpenAI – and immediately saw that near-Hollywood quality content could be created instantly with a few keystrokes. AI was said to be coming. Just one year later, it seems to have arrived everywhere.

9:45 am – 10:00 am:

Networking Break

10:00 am – 11:00 am:

Session 11: Trends to Watch in Governance and Investing

Experienced fund leaders and investment experts discuss emerging issues for public pensions, including developments in responsible investing, boardroom practices, and new focus points of systemic risk.

11:00 am – 12:10 pm:

Session 12: Closing Remarks

12:30 pm – 5:30 pm:

Networking Activities: Pickleball Tournament, Painting on Canvas, Charcuterie Board, and Whale Watching.

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MONTAGE LAGUNA BEACH, CALIFORNIA
SEPTEMBER 3-5, 2024

The registration fee for the Forum is \$995.

The guest fee is \$505.

- Credit Card Waiver Request*

IN-DEPTH BREAKOUT SESSIONS (please select one of the following):*

- General Counsel Roundtable Art of the Chair Personalizing AI

NETWORKING ACTIVITY (please select one of the following):*

- Pickleball Tournament Painting on Canvas Charcuterie Board
 Whale Watching None

(An additional fee of \$125 is required to participate in any of the networking activities.)

HOTEL ACCOMMODATIONS

A discounted block of rooms has been reserved at the Montage Laguna Beach for \$405 per night (not including applicable fees and taxes). Please visit [Montage Reservations](#) by August 21, 2024 to reserve your room.

* Upon request and as legally permissible, the registration fee may be waived subject to applicable gift and gratuity limitations. Public officials in certain jurisdictions may accept all or part of Forum benefits free of charge. Public officials are encouraged to contact their ethics officials with questions.

The registration fee includes admission to the conference sessions, educational materials, the Endless Summer and 007 Gala dinners, and other meals and refreshments that are integral to the Forum agenda.

For questions regarding the Forum, please contact a Forum Representative at (310) 476-8108 or info@veaglobalevents.com.

CONTINUING EDUCATION

CLE and CPE accreditations are available for attendance at the conference.

Please indicate the accreditations, if any, being sought:

- CLE CPE None

Environmentalists call this project ‘the worst ridgeline development in Northern California’ — and just got it delayed

Annexation vote delayed as parties try to work out agreement



A drone view of undeveloped hills and Mount Diablo seen from the San Marco development in unincorporated Pittsburg, Calif., on Tuesday, April 9, 2024. There is a proposal to develop 1,500 residential units in the area. (Jane Tyska/Bay Area News Group)



By **JUDITH PRIEVE** | jprieve@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: April 9, 2024 at 2:54 p.m. | UPDATED: April 9, 2024 at 4:48 p.m.

CONTRA COSTA — Fearing the development of a major ridgeline just outside Pittsburg, environmentalists are hoping to convince local officials and the developer to create an open-space buffer between them.

Twice approved by the Pittsburg City Council, the Discovery Builders’ Faria project proposes to build some 1,500 homes in the hills southwest of Pittsburg overlooking Thurgood Marshall Regional Park in Concord, where the former Naval Weapons Station was once located.

But before any work can begin, the 606 acres of land must first be annexed into Pittsburg. The Contra Costa Local Agency Formation Commission, which oversees

such boundary changes, was set to do that this week, but the item was continued after the small agency was flooded with hundreds of emails and letters, mainly from members and supporters of the nonprofit Save Mount Diablo who have environmental concerns about the proposed project, according to Lou Ann Texeira, executive officer of LAFCO. On its website, Save Mount Diablo calls the planned development “the disastrous Faria project that would bulldoze the top of Pittsburg’s hills.”

Texeira said she reached out to the involved parties to arrange a meeting before the project comes before the agency again on June 12.

“I’m just encouraging them to talk to one another and maybe work something out, to preserve permanent open space in that area,” she said.

In an April 3 letter to LAFCO, Juan Pablo Galván Martínez, senior land use manager at Save Mount Diablo, laid out the group’s concerns, including the project’s potential grading and development of the major ridgeline between Pittsburg and Concord. The project, they say, “would damage resources and agricultural land,” and mitigations are “not sufficient.”



In the 10-page letter, the nonprofit said the Albert Seeno III development group “never provided project-level environmental review as LAFCO has repeatedly said it requires,” nor has it submitted a detailed grading plan or an engineered subdivision map with house lots and streets — something that routinely happens everywhere else at the beginning of environmental review.”

The environmental group also wants the developer to provide more detailed “information that would allow analyses of what would be visible and what would prevent drastic visual and biological impacts.”



BAY AREA NEWS GROUP

In addition, the group is

asking for a 400- to 500-foot buffer from Faria's western fence line to reduce aesthetic and biological impacts, reduce fire hazards and "offset negative impacts of carbon pollution due to project construction, and serve as mitigation for impacts to agricultural land."

Seth Adams, land conservation director for Save Mount Diablo, said the buffer zone would help.

"I think a whole bunch of issues can be resolved by making a bigger buffer on this county unincorporated land between the development footprint and the edge of Concord," he said.

Louis Parsons, president of Discovery Builders, said on Monday that Save Mount Diablo "is confused about the Contra Costa LAFCO's role or is attempting to confuse the public and decisionmakers."

"The fact is the shape and scope of the project is already approved by the city of Pittsburg," he wrote in an email.

As for LAFCO's role, it is to approve the city's boundaries and "is limited to determining whether the project site can be served by public facilities and services, and related matters," Parsons wrote. All service providers have already confirmed that they can provide necessary services, he said.

"The agency has enough information to make this decision," he added. "State law is very clear that LAFCO only needs, and only can demand, adopted zoning plans and general policies to make a decision in these circumstances."

Parsons further called the project's environmental review "robust, encompassing thousands of pages" and said the proposed development "satisfies all environmental regulations, including important habitat conservation policies adopted by various local cities and the Contra Costa County Habitat Conservancy."

He called Save Mount Diablo's challenge "meritless."

Plans to develop the hills date back to 2005 when voter-approved Measure P moved the Faria site within Pittsburg's urban boundary. The city then approved an agreement with Seeno that established guidelines for a permanent greenbelt buffer along the inner edges of the boundary.

The developer filed an application in 2010, modified it in 2014 and again in 2017. The council first approved a version of the project in 2021. But months later, Save Mount Diablo sued, challenging the city's approval of a planned 1,500-home project.

A judge in 2022 [ruled](#) that the city's environmental review failed to properly analyze the project's effects on air quality, traffic, water supply and possible impacts of the

proposed 150 accessory dwelling units. The developer's request for a new trial was rejected, and the city later revised some of the environmental documents. The project was dealt another [blow](#) in early 2023 when the city's planning commission failed to recommend it. But in April of that same year, the City Council gave it a [green light](#).

Pittsburg city officials could not be reached for comment.

Adams said the nonprofit is not against all development but noted there are ways to protect the ridgeline, and the Faria development could be improved to do that.

As it is, Adams called the project "the worst ridgeline development in Northern California." It not only would be overlooking park open space, "it would be next to it in various places," he said.

Discovery Builders, meanwhile, said they previously agreed with the East Bay Regional Park District "to better harmonize the proposed development" with the district's recreational plans. The developer had [sued](#) EBRPD in 2020, saying the new regional park would cause undisclosed impacts on the environment and their planned 606-acre Faria housing development. But after lengthy discussions, the parties settled, and the park district agreed not to object to annexation.

Adams blames any delays on the developer.

"All of the delays were caused by Seeno, primarily, because they've never, ever actually revealed the true nature of the project," he said.

Texiera, meanwhile, said that if LAFCO approves the project in June, there will be a 30-day reconsideration period before approvals would be finalized, unless there are more challenges.



A drone view of undeveloped hills seen from Bailey Road in unincorporated Pittsburg, Calif., on Tuesday, April 9, 2024. There is a proposal to develop 1,500 residential units in the area. The former Concord Naval Weapons Station is to the left. (Jane Tyska/Bay Area News Group)

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Decision on large development in Pittsburg postponed following community pushback

by [Aly Brown, Bay City News](#) April 16, 2024



The Los Medanos Ridgeline between Pittsburg and Concord, Calif., on March 30, 2023. The City of Pittsburg approved the Seeno/Discovery Builders' Faria development that proposes the construction of 1,500 homes on Feb, 21, 2021 and awaits Contra Costa Local Agency Formation Commission (LAFCo) approval. Save Mount Diablo's Save the Ridge initiative has rallied hundreds of letter writers who emailed LAFCo which postponed the decision until June 2024. (Cooper Ogden/Save Mount Diablo via Bay City News)

After receiving hundreds of emails opposing a housing project that would develop a portion of the Los Medanos Ridgeline between Pittsburg

and Concord, the agency charged with deciding whether to annex the open space into the city of Pittsburg postponed its decision.

The [Contra Costa Local Agency Formation Commission](#) met Wednesday to consider approving a boundary change that would annex more than 600 acres located in the rolling hills southwest of the city of Pittsburg. The annex would allow for the [1,500-unit Faria development project](#) by Discovery Builders Inc., an Albert Seeno-owned developer company, to move forward.

But after receiving about 400 emails from opponents of the project, Lou Ann Texeira, LAFCo executive officer, said her two-person team needed more time and continued the item to June 12.

Every county in the state has a [LAFCo](#), which has the power to act on boundary changes thanks to the [Cortese-Knox-Hertzberg Act of 2000](#).

Seeno's development project was at the heart of controversy for decades before it was [ultimately approved](#) by the Pittsburg City Council in 2021, when Faria was proposed as a 1,650-unit development on the ridgeline between Pittsburg and Concord.



• The Los Medanos Ridgeline between Pittsburg and Concord, Calif., on March 30, 2023. The City of Pittsburg approved the Seeno/Discovery Builders' Faria development that proposes the construction of 1,500 homes on Feb. 21, 2021 and awaits Contra Costa Local Agency Formation Commission (LAFCo) approval. Save

Mount Diablo's Save the Ridge initiative has rallied hundreds of letter writers who emailed LAFCo which postponed the decision until June 2024. (Cooper Ogden/Save Mount Diablo via Bay City News)





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Shortly after the project's approval, [Save Mount Diablo](#) — a land trust and conservation organization — [took legal action](#), challenging the Council's decision to approve a project with an inadequate Environmental Impact Review. A Contra Costa County Superior Court judge sided with Save Mount Diablo, demanding the Council overturn its approval and conduct another EIR. A subsequent request for a retrial from Discovery Builders and the city of Pittsburg was denied.

In early 2023, a modified version of the project went before the Pittsburg Planning Commission, which recommended rejecting it — a recommendation the City Council ignored in April when approving the 1,500-unit project with no affordable houses. The city instead accepted in lieu fees from the developer.

Now, it's the city's application that awaits consideration from LAFCo to decide whether it will annex just over 600 acres.

“They’ll say Save Mount Diablo is against housing. No, we’re not. We’re against avoiding environmental review, and we think things should be mitigated, and we think location matters...”

-SETH ADAMS, SAVE MOUNT DIABLO LAND CONSERVATION DIRECTOR

Save Mount Diablo representatives, however, say the EIR is still inadequate and barely different from previous iterations.

Seth Adams, Save Mount Diablo land conservation director, pointed out that without a proper EIR it was unclear how wildlife will be impacted, but he knows from studies of other regional agencies that there is at least one golden eagle nest in proximity to the project.

“They’ll say Save Mount Diablo is against housing. No, we’re not,” Adams said. “We’re against avoiding environmental review, and we think things should be mitigated, and we think location matters.”

Adams further pointed out that Measure P, a 2005 voter-approved ballot initiative that established the urban limit line, was authored by Seeno himself.

“It had a big loophole in it. It said it will protect the ridges and slopes, but it included a clause in the actual language of the initiative that said the city can change this with a vote, which the city did,” he said.

“So based on the zoning and the general plan and Measure P, there was a certain number of houses that could be accommodated on this rugged site, and in some places the developer increased that by 25, and then Mayor Shanelle Scales-Preston, Councilmember Jelani Killings, Councilmember Dionne Adams and Councilmember Angelica Lopez all approved those changes without question,” Adams said.

No one from the Pittsburg City Council responded to requests for comment at press time.

Revisiting call for retrial

In their request for a retrial in 2022, attorneys representing Discovery Builders and the city of Pittsburg said the EIR's methodological approach was supported by substantial evidence, further writing:

“In 2017, shortly before the Draft EIR was circulated for public review, biological consultants revisited the project site to examine whether habitat conditions at the project site had changed since 2014 and whether the special-status plant species observed in 2014 could still be expected to occur at the project site. The 2017 study found that the project site ‘provides only marginal habitat for special-status plant species known from the region.’”

Texeira noted that the city of Pittsburg and Discovery Builders submitted all of the documentation that was required of them for the annexation application. Until June 12, LAFCo will continue reading through the 400 public comments and documents.

“I am encouraging the city and the developer and Save Mount Diablo to work together on some sort of permanent open space arrangement in the ridgeline area,” Texeira said.

Adams added that the houses, if built in that location, will be the most expensive in the city of Pittsburg, a strain on public services that are difficult to deliver to the top of the ridge and will impact the view for half of central Contra Costa County. He stressed the importance of moving the project.

“Save Mount Diablo calls on all the parties involved — Supervisor Glover, the Pittsburg City Council, the Concord City Council — to all get together with us and come up with a solution that will protect as much of the top of the Los Medanos Ridgeline as we can,” said Adams.

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