



**Lou Ann Teixeira**  
*Executive Officer*

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*Special District Member*

**David A. Piepho**  
*Special District Member*

**Rob Schroder**  
*City Member*

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*Public Member*

**George H. Schmidt**  
*Special District Member*

**Mary N. Piepho**  
*County Member*

**Don Tatzin**  
*City Member*

June 11, 2008 (Agenda)

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

**Spheres of Influence – Central Contra Costa Sanitary District,  
Contra Costa Water District and Delta Diablo Sanitation District**

Dear Members of the Commission:

**BACKGROUND**

During the past six months, the Commission has taken various actions with regard to the East and Central County Water/Wastewater Municipal Service Reviews (MSRs) and Sphere of Influence (SOI) updates.

In sum, the MSR reports for the East and Central Water/Wastewater Services were accepted; written determinations, as required by statute, were made; and SOIs for most water and wastewater service providers were updated, with the exception of three agencies: Central Contra Costa Sanitary District (CCCSD), Contra Costa Water District (CCWD) and Delta Diablo Sanitation District (DDSD). For additional background on these MSR/SOI updates please refer to LAFCO staff reports dated December 19, 2007, February 13, 2008, March 12, 2008, April 9, 2008 and May 14, 2008, which are available on the LAFCO website at [www.contracostalafco.org](http://www.contracostalafco.org) or through the LAFCO office.

With regard to the SOI updates for CCCSD, CCWD and DDSD, the Commission has deferred action pending additional staff research and subsequent discussion. The focus of the discussion has primarily centered around two issues: 1) the relationship of SOIs to voter approved urban limit lines (ULLs); and 2) SOI actions and environmental review pursuant to the California Environmental Quality Act (CEQA), including whether an environmental review is needed; and if so, the scope of work, estimated cost and funding sources.

**DISCUSSION**

**Relationship of SOIs to Voter Approved ULLs**

The MSR reports include detailed analysis of services, along with government structure and SOI options and recommendations. Attachment 1 provides a summary of SOI options and recommendations relating to CCCSD, CCWD and DDSD.

Included among these options is expansion of the Districts' SOIs to correspond to voter approved ULLs. Maps depicting the affected areas are attached (Attachments 2A, 2B and 2C). As noted, most of the highlighted areas are

located within existing city boundaries and/or SOIs. However, there are several areas (circled) which are outside of existing city SOIs.

It is important to note that the MSR consultant qualifies these SOI expansion options in terms of the need for additional environmental, land use and supply/demand/capacity analysis. The MSR report indicates that SOI expansions and boundary changes should be considered on a case by case basis in conjunction with annexations to cities, accompanied by the appropriate environmental and CKH analysis, along with the district's concurrence that it can serve the additional area in accordance with district resources and policies.

In discussions with the affected districts, all agree that additional review and analysis is needed. However, only one of the three affected districts (DDSD) supports its SOI expansion. The other two districts (CCCSD and CCWD) do not support expansion of their respective SOI at this time for reasons expressed in their letters (attached).

The Government Code and the Commission's local policies provide some guidance with regard to these issues.

### Statute

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2001 (CKH Act) empowers the Commission with authority to “...discourage urban sprawl, preserve open-space and prime agricultural lands, efficiently provide government services, and encourage the orderly formation and development of local agencies based upon local conditions and circumstances.” (Government Code §56301)

In recognition of this authority, the CKH Act provides “factors” the Commission is to consider in its review of various SOI and boundary changes. Government Code §56425 sets forth those factors relevant to SOI actions, and Government Code §56668 lists those factors relevant to changes of organization and reorganizations. These sections of the Government Code are attached to the staff report for your reference.

It is important to note that these factors emphasize the nexus between land use and the demonstrated need for and capacity of municipal services in relation to SOI and jurisdictional boundary changes. In consideration of an SOI/boundary change, basic information is needed regarding proposed land use and the need for service. Consequently, expansion of a special district's SOI beyond a city SOI would require LAFCO to make assumptions regarding proposed land use and service needs, which appears to be inconsistent with the existing LAFCO policies and standards and the CKH Act.

### Contra Costa LAFCO Policies and Procedures

The statute directs the Commission to “...establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.” (Government Code §56301)

In accordance with the CKH Act, the Commission has adopted its own local policies. The Commissioner Handbook (Section 2.1) provides policies and standards relating to ULLs, SOI and boundary changes (attached). Of note are three sections: A. General Policy Statement, D. Policy on Spheres of Influence and Annexations, and I. Municipal Service Review Guidelines.

You may recall that in 2005, the Commission modified its General Policy with regard to its treatment of boundary changes and ULLs. Whereas, previously the Commission's policy was to honor ULLs in consideration of boundary changes; the policy was modified to provide for greater flexibility with regard to ULLs and boundary changes.

In addition, the Commission's policy relating to SOI and boundary changes emphasizes the importance of land uses and the demonstrated need for public services.

Finally, the Commission's policies provide that SOI updates and amendments be prepared in conjunction with MSRs.

### **SOIs and Environmental Review**

The Commission's previous discussions have focused on the relationship of SOI actions and environmental review pursuant to CEQA, and related issues regarding scope of work, cost and funding sources.

As previously reported, the LAFCO Legal Counsel concludes that the subject SOI expansions will require an Initial Study pursuant to CEQA. As previously discussed, the scope of work, whether to review some or all of the districts, and whether to include or exclude those areas which are presently outside city SOIs will dictate the extent and cost of the CEQA work.

As reported to the Commission in May, DDSD is the only affected agency that has agreed to share in the cost of the District's SOI expansion. At the May 14 LAFCO, the Pittsburg City Manager and a representative from Discovery Builders suggested that funding would likely be available through their respective agencies. However, no parties have officially come forward to share in the cost of the CEQA review.

Of concern to some are the issues of precedent, equity and cost/benefit in the event that the costs are borne by LAFCO and not a third party. The LAFCO budget is funded jointly and equally by the County, the 19 cities and 44 independent special districts, most of whom will not directly benefit from the subject SOI expansions.

### **Observations and Conclusions**

In consideration of the provisions contained in the CKH Act and the Commission's own local policies, should the Commission wish to expand local agency SOIs to correspond to voter approved ULLs, it should consider the following:

- The CKH Act and Contra Costa LAFCO's local policies provide that SOI changes be based on present and planned land uses and probable need and capacity for services. As noted above, some of the proposed expansion areas are not presently within city SOIs, and the planned land uses and need for service and capacity are unknown. Expansion of district SOIs would, in essence, result in LAFCO facilitating land use planning in advance of more appropriate land planning and entitlement processes by the land use agency (e.g., city). For these reasons, LAFCO staff suggests that these areas be excluded from study at this time. Further, it may be prudent to defer action until the city MSRs are complete, as discussed below.
- Contra Costa LAFCO's policies discourage inclusion of land in an agency's SOI if a need for service within a 5-10 year period cannot be demonstrated. Once again, those areas which are not currently within a city SOI should not be studied at this time.
- The CKH Act and Contra Costa LAFCO's local policies provide that SOI updates and amendments be prepared in conjunction with MSRs. The east and central County water and wastewater MSRs are complete. The sub-regional (i.e., city) MSRs are currently underway as discussed in Agenda Item #10. As indicated above, it may be desirable to wait until the city MSRs are complete before taking action on the district SOIs.
- DDSD supports expanding its SOI and is willing to share in the cost of the required environmental review; neither CCCSD nor CCWD support the SOI expansions for their respective districts at this time.

### **OPTIONS FOR CONSIDERATION**

In light of the discussion above, the following options are provided.

**Option I**

Defer SOI actions for CCCSD, CCWD and DDSD until the city and miscellaneous service MSRs are complete.

**Option II**

- a. Direct LAFCO staff to work with DDSD staff and one of the available planning firms to draft service and fee agreements to prepare an Initial Study to review those SOI expansion areas for DDSD which are within an existing city SOI (i.e., Antioch and Pittsburg) for review by the Commission in July 2008; and
- b. Update CCCSD and CCWD SOIs as previously presented with recommended reductions as shown in the attached maps.

**Option III**

If the Commission needs more information, it should CONTINUE this matter to a future meeting.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

**Attachments:**

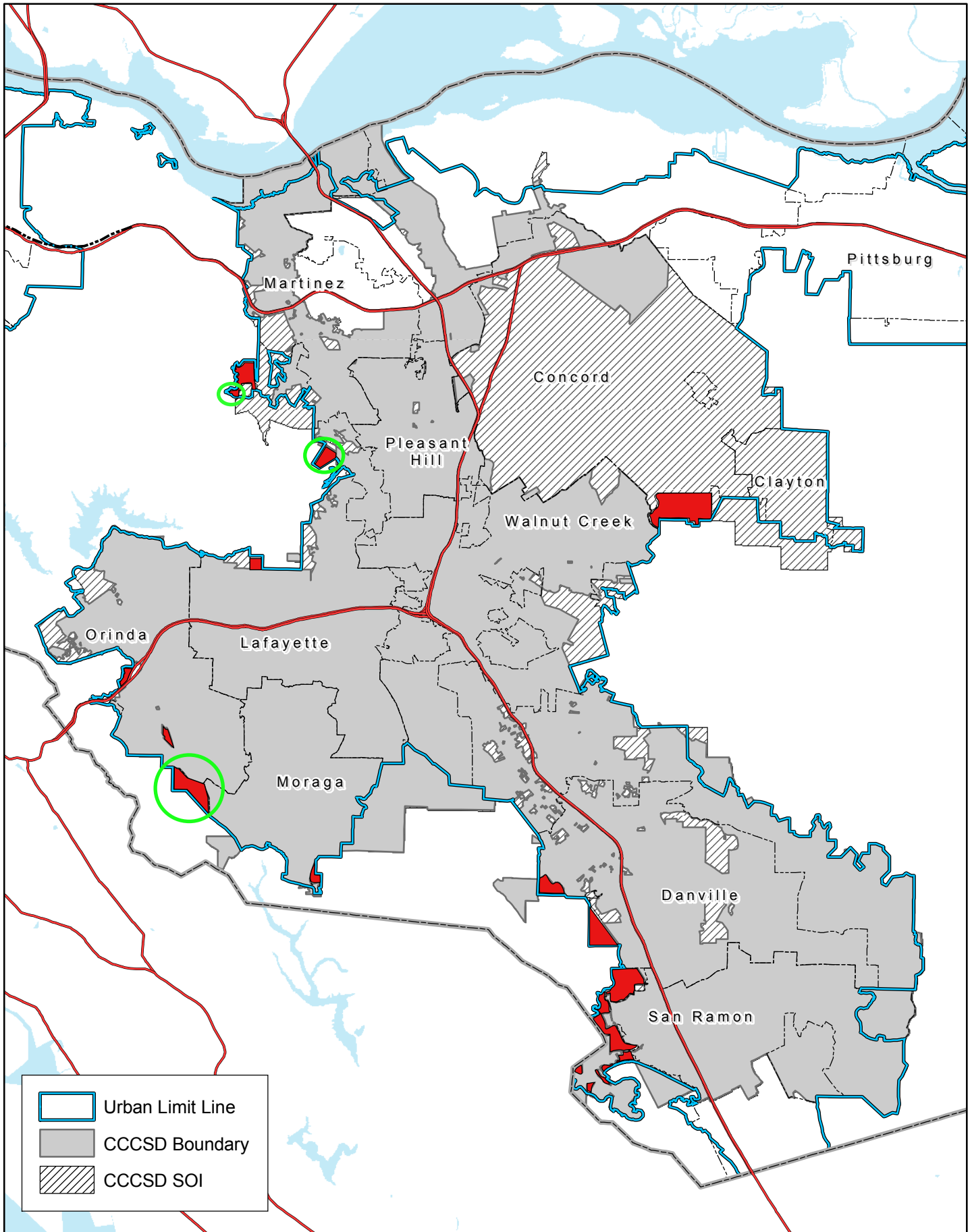
- 1- SOI Options/Recommendations Table
- 2- 2A, 2B, 2C - Maps Depicting Potential SOI Expansion Areas (CCCSD, CCWD, DDSD)
- 3- Communication from CCWD
- 4- Communication from CCCSD
- 5- Government Code §56425
- 6- Government Code §56668
- 7- Commissioner Handbook (Section 2.1)
- 8- CCCSD Recommended SOI Update
- 9- CCWD Recommended SOI Update

c: Distribution

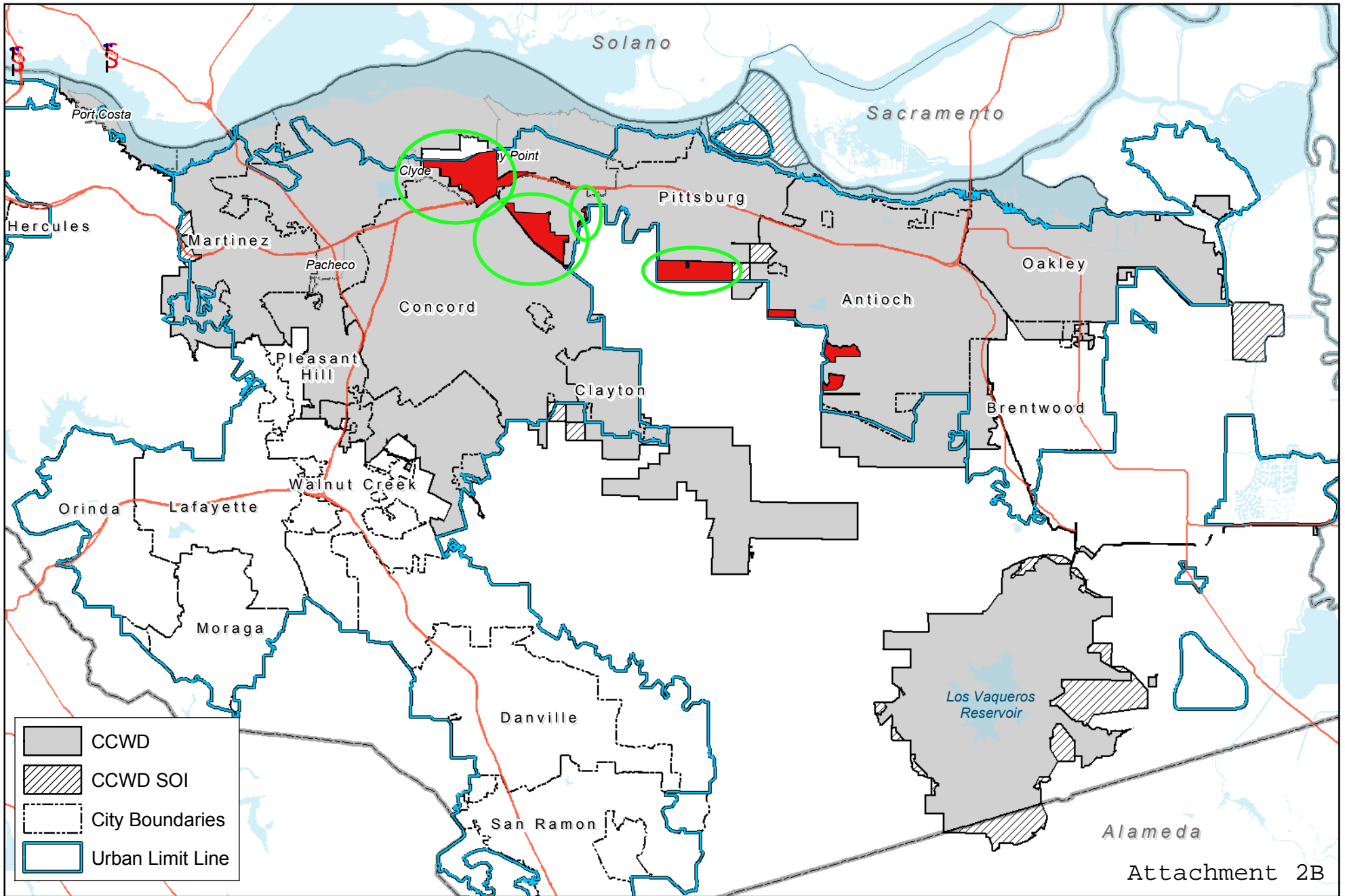
## SPHERE OF INFLUENCE OPTIONS AND RECOMMENDATIONS

Agency	SOI Options	Consultant Recommendations	LAFCO Staff Recommendations
Central Contra Costa Sanitary District (CCCSD)	<ul style="list-style-type: none"> <li>• Retain existing SOI</li> <li>• Adjust the SOI to be consistent with local agency adopted Urban Limit Lines (ULLs) within central Contra Costa County</li> <li>• Expand District's SOI to include areas within the ULLs that are not currently within CCCSD's SOI, and remove from the District's SOI undeveloped areas outside the local agency adopted ULLs</li> </ul>	<ul style="list-style-type: none"> <li>• Adjust CCCSD's SOI to include those areas within the ULLs that are not currently within its SOI (excluding the area served by DSRSD), and to reduce the District's SOI outside the ULLs to exclude undeveloped areas</li> </ul>	<ul style="list-style-type: none"> <li>• Remove from CCCSD's SOI undeveloped areas outside the local agency adopted ULLs</li> </ul>
Contra Costa Water District (CCWD)	<ul style="list-style-type: none"> <li>• Retain existing SOI</li> <li>• Remove Veale Tract</li> <li>• Expand the SOI to be consistent with local agency adopted Urban Limit Lines (ULLs) within central Contra Costa County</li> </ul>	<ul style="list-style-type: none"> <li>• Remove Veale Tract</li> </ul>	<ul style="list-style-type: none"> <li>• Remove Veale Tract</li> </ul>
Delta Diablo Sanitation District (DDSD)	<ul style="list-style-type: none"> <li>• Retain the existing SOI</li> <li>• Adjust SOI to be consistent with the voter approved Urban Limit Lines for Antioch and Pittsburg</li> </ul>	<ul style="list-style-type: none"> <li>• Adjust DDSD's SOI to be consistent with the voter approved Urban Limit Lines for the cities of Antioch and Pittsburg</li> </ul>	<ul style="list-style-type: none"> <li>• Retain the existing SOI</li> </ul>

# Central Contra Costa Sanitary District and Sphere of Influence



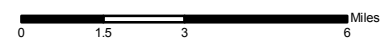
# Contra Costa Water District and Sphere of Influence



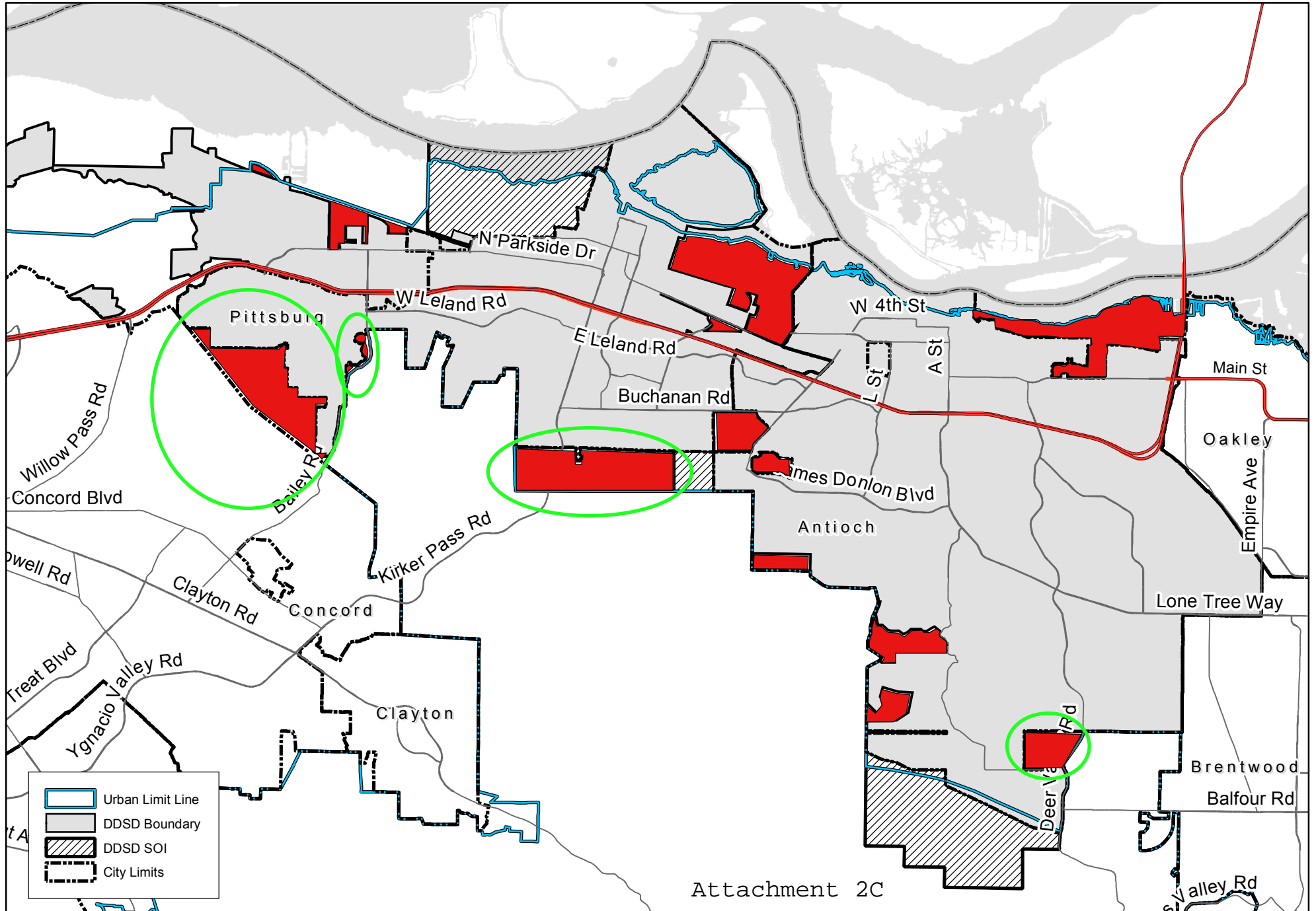
Attachment 2B

Map created 11/28/2007  
 by Contra Costa County Community Development, GIS Group  
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-3095  
 37.59-48.455N 122.26-35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



# Delta Diablo Sanitation District and Sphere of Influence

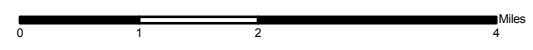


Attachment 2C

	Urban Limit Line
	DDSD Boundary
	DDSD SOI
	City Limits

Map created 4/20/2008  
 by Contra Costa County Community Development, GIS Group  
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095  
 37.59-48.455N 122.06-35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





**CONTRA COSTA  
WATER DISTRICT**

1331 Concord Avenue  
P.O. Box H20  
Concord, CA 94524  
(925) 688-8000 FAX (925) 688-8122

June 3, 2008

**Directors**

Joseph L. Campbell  
*President*

Elizabeth R. Anello  
*Vice President*

Bette Boatman  
John A. Burgh  
Karl L. Wandry

Walter J. Bishop  
*General Manager*

Ms. Lou Ann Texeira  
Executive Officer  
Contra Costa County Local Agency Formation Commission  
651 Pine Street, 6th Floor  
Martinez, CA 94553

**Subject: Municipal Service Review and Sphere of Influence Adjustments**

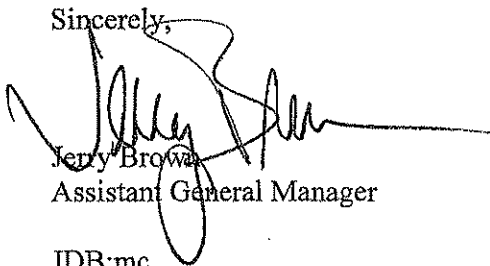
Dear Ms. Texeira:

The purpose of this letter is to ensure there's no misunderstanding regarding CCWD's position on the issue of adjusting the sphere of influence as part of the municipal service review. Please reference CCWD's April 8, 2008 letter on this same subject.

CCWD is not opposed to its sphere of influence being adjusted. Our issue is that an adjustment to CCWD's sphere should not be ahead of the associated land use decisions. All of CCWD's water planning is based off of land use decisions made by the City's and County and we provide water service meeting the needs of these customers.

Please let me know if you have any questions.

Sincerely,



Jerry Brown  
Assistant General Manager

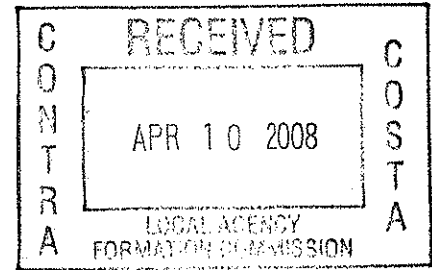
JDB:mc



**CONTRA COSTA  
WATER DISTRICT**

1331 Concord Avenue  
P.O. Box H20  
Concord, CA 94524  
(925) 688-8000 FAX (925) 688-8122

April 8, 2008



**Directors**

Joseph L. Campbell  
*President*

Elizabeth R. Anello  
*Vice President*

Bette Boatman  
John A. Burgh  
Karl L. Wandry

Walter J. Bishop  
*General Manager*

Ms. Lou Ann Texeira  
Executive Officer  
Contra Costa County Local Agency Formation Commission  
651 Pine Street, 6th Floor  
Martinez, CA 94553

**Subject: Municipal Service Review and Sphere of Influence Adjustments**

Dear Ms. Texeira:

Contra Costa Water District has reviewed the staff reports for the April 9 LAFCO meeting regarding the Municipal Service Review (MSR) and the Sphere of Influence (SOI) adjustments and would like to make sure CCWD's view on the issues is clear.

CCWD concurs with the staff recommendation of leaving its SOI as is at this time however, CCWD believes the action is supported by different reasons than those expressed by the LAFCO staff and are as follows:

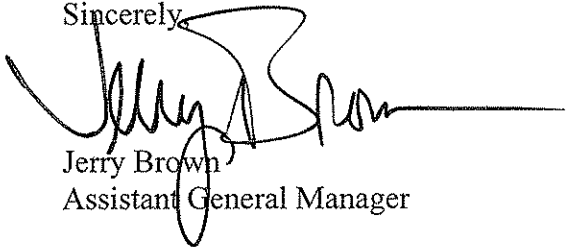
- CCWD is not a land use agency and believes changes in its SOI to incorporate new areas of potential urban development should be initiated by the responsible land use agency. If through the LAFCO MSR/SOI review process, LAFCO proposes to adjust the SOIs of CCWD's customer cities, CCWD's SOI should be considered at that time, not prior to. CCWD does not object to removal of the Veale Tract because CCWD is unaware of any plans for any kind of water service from CCWD within Veale Tract and does not provide any service to this area at the present time.
- CCWD's water supply planning in the wholesale municipal area is based on the planning areas of its municipal customers. When CCWD's plans are updated, the latest land use and demand information from the municipal customers is gathered and evaluated. CCWD's planning for wholesale municipal water service follows the land use agencies' planning - and so should determination of the SOI.
- CCWD's water supply planning for retail water service is based upon the planning of the cities in its service area and Contra Costa County. Retail water service includes, but is not limited to, retail treated water service in both incorporated and un-incorporated areas, retail treated and untreated water service to industrial customers, and retail irrigation water service to agricultural customers and other rural water service.

Ms. Lou Ann Texeira  
Contra Costa County Local Agency Formation Commission  
April 8, 2008  
Page 2

- CCWD does not support linking its SOI to the ULL for numerous reasons including specifically that the areas CCWD is able to serve under its enabling statutes as well as its Central Valley Project (CVP) water service contract are not restricted to urban uses, and include agriculture, industrial, irrigation, fire protection service and other uses. In fact, CCWD currently serves, and has served for decades, industrial, irrigation and other customers that are outside the ULL.
- CCWD's CVP water service contract is not tied in any way to the SOI. The CVP contract does require that newly annexed areas must be approved for CVP water by the Contracting Officer before service can begin, but whether a particular parcel is in or not in the SOI does not affect that approval process. There is no link between water availability under the contract and the SOI.

CCWD recognizes that the MSR/SOI review has been a long and complicated process and appreciates your ongoing efforts to coordinate with CCWD staff. If you have any questions, please do not hesitate to contact me at (925) 688-8172 or Fran Garland, Principal Planner at (925) 688-8312.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Brown", with a long horizontal line extending to the right.

Jerry Brown  
Assistant General Manager

JDB/FG:mc

cc: Marc Grisham, City of Pittsburg



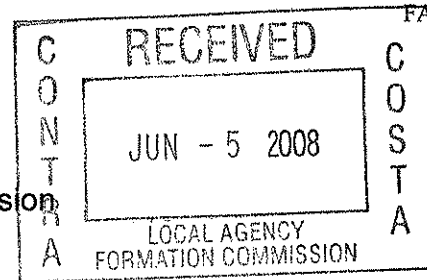
# Central Contra Costa Sanitary District

5019 Imhoff Place, Martinez, CA 94553-4392

(925) 228-9500 • www.centrcsan.org

May 28, 2008

Mr. Dwight Meadows  
 Special District LAFCO Member  
 Contra Costa Local Agency Formation Commission  
 651 Pine Street, Sixth Floor  
 Martinez, CA 94553



FAX: (925) 676-7211

*JAMES M. KELLY*  
 General Manager

*KENTON L. ALM*  
 Counsel for the District  
 (510) 808-2000

*ELAINE R. BOEHME*  
 Secretary of the District

Subject: Central County Water and Wastewater Services – Sphere of Influence Updates

Dear Mr. Meadows:

Recently, the LAFCO Commission has been considering adjustments to Central County Water and Wastewater Services Spheres of Influence (SOI). While LAFCO staff did not recommend an expansion of the Central Contra Costa Sanitary District (CCCSD) SOI, the Commission voted at their April 9, 2008 meeting to continue the SOI discussion to a future meeting due to their interest in expanding the CCCSD SOI so that it would be contiguous with the County urban limit line (ULL). In addition, the Commission requested that LAFCO staff determine if CCCSD would be interested in funding the CEQA process for such an expansion of our SOI.

At our May 1, 2008, regularly scheduled Board meeting, we discussed this matter and our entire Board of Directors was in agreement. The District Board believes it is not in the best interest of our rate payers to fund CEQA for an expansion of our SOI. Many of the areas identified on your map as being between CCCSD's SOI and the ULL are not likely to generate wastewater service demand in the future.

For the areas with development potential, CCCSD does not typically proactively seek expansion of its SOI. Rather, we wait for property owners/developers to come to us with requests to expand the SOI in combination with an annexation request. At that time, the applicants provide CCCSD with the appropriate CEQA documentation to be submitted to LAFCO. CCCSD is not a land use planning agency, and by following the above process, CCCSD avoids putting itself in the position of taking actions that may be perceived as growth inducing.

Our position was transmitted to you in a letter dated May 5, 2008. Our staff attended the May 14, 2008 LAFCO meeting expecting the LAFCO Commission to respect the position of our District as detailed in our letter. We were surprised when the Commission again continued the item and requested that a person from the District speak at the next LAFCO meeting on June 11, 2008. I request that you, as a Special District Member of LAFCO, support our position. While I am willing to attend the meeting and state our position publicly, our District has no interest in changing our position and is not prepared to fund the CEQA process for the expansion of our SOI.

I would be happy to speak with you in advance of your next meeting to further explain our reasoning. As a Special District Representative to LAFCO, I would appreciate your full consideration of our position. If you would like my contact information, you may call Elaine Boehme, Secretary of the District at (925) 229-7303.

Sincerely,



Gerald R. Lucey  
President of the Board of Directors

cc: CCCSD Board of Directors  
LAFCO Commissioners:  
Federal Glover, County Member  
Gayle Uilkema, County Member  
Helen Allen, City Member  
Rob Schroder, City Member  
Martin McNair, Public Member  
Mary N. Piepho, Alternate County Member  
George H. Schmidt, Alternate Special District Member  
Don Tatzin, Alternate City Member  
William Bristow, Alternate Public Member  
James Kelly, CCCSD General Manager  
Walter Bishop, Contra Costa Water District General Manager  
Lou Ann Texeira, LAFCO Executive Officer  
Curt Swanson, CCCSD Environmental Services Division Manager  
Russ Leavitt, CCCSD Engineering Assistant III

*Original letter was also addressed to  
Special District LAFCO Member David A. Piepho*



# Central Contra Costa Sanitary District

5019 Imhoff Place, Martinez, CA 94553-4392

(925) 228-9500

www.centrcalsan.org

May 5, 2008

Lou Ann Texeira, Executive Officer  
 Contra Costa Local Agency Formation Commission  
 651 Pine Street, Sixth Floor  
 Martinez, CA 94553

C O N T R A	<b>RECEIVED</b>	C O S T A	FAX: (925) 228-4624
	MAY - 7 2008		JAMES M. KELLY General Manager
LOCAL AGENCY FORMATION COMMISSION		KENTON L. ALM Counsel for the District (510) 808-2000	
		ELAINE R. BOEHME Secretary of the District	

Dear Ms. Texeira:

## CENTRAL COUNTY WATER AND WASTEWATER SERVICES – SPHERE OF INFLUENCE UPDATES

I was in attendance at the April 9, 2008 regular meeting of LAFCO where the wastewater municipal service area review and sphere of influence (SOI) for Central Contra Costa Sanitary District was discussed. We have worked closely with you and your staff and consultants on this review. We were therefore surprised when the Commission voted to continue the sphere of influence discussion to a future meeting due to their interest in expanding our SOI such that it would be contiguous with the County urban limit line (ULL). In addition, the Commission requested that you determine if CCCSD would be interested in funding the CEQA process for such an expansion of our sphere of influence.

On May 1, 2008, at our regularly scheduled Board meeting, we discussed this matter with our Board of Directors. The Board of Directors concurred with staff's recommendation that it is not in the best interest of our rate payers to fund CEQA for an expansion of our SOI. Many of the areas identified on your map as being between CCCSD's SOI and the ULL are not likely to generate wastewater service demand in the future. For the areas with development potential, typically CCCSD does not proactively seek expansion of its SOI. Rather, we wait for property owners/developers to come to us with requests to expand the SOI in combination with an annexation request. At that time, these applicants provide CCCSD with the appropriate CEQA documentation to be submitted to LAFCO. CCCSD is not a land use planning agency, and by following the above process, CCCSD avoids putting itself in the position of taking actions that may be perceived as growth inducing.

If you would like to discuss this matter further, please call me at 925-229-7302.

Sincerely,

Ann E. Farrell  
 Director of Engineering

AEF/mvp

cc: James Kelly, Curt Swanson, Russ Leavitt  
 Board of Directors

**GOVERNMENT CODE SECTION 56425**

56425. (a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

(b) Prior to a city submitting an application to the commission to update its sphere of influence, representatives from the city and representatives from the county shall meet to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. If an agreement is reached between the city and county, the city shall forward the agreement in writing to the commission, along with the application to update the sphere of influence. The commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section, and the commission shall give great weight to the agreement to the extent that it is consistent with commission policies in its final determination of the city sphere.

(c) If the commission's final determination is consistent with the agreement reached between the city and county pursuant to subdivision (b), the agreement shall be adopted by both the city and county after a noticed public hearing. Once the agreement has been adopted by the affected local agencies and their respective general plans reflect that agreement, then any development approved by the county within the sphere shall be consistent with the terms of that agreement.

(d) If no agreement is reached pursuant to subdivision (b), the application may be submitted to the commission and the commission shall consider a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section.

(e) In determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to each of 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.

(f) Upon determination of a sphere of influence, the commission shall adopt that sphere.

(g) On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.

(h) The commission may recommend governmental reorganizations to particular agencies in the county, using the spheres of influence as the basis for those recommendations. Those recommendations shall be made available, upon request, to other agencies or to the public. The commission shall make all reasonable efforts to ensure wide public dissemination of the recommendations.

(i) When adopting, amending, or updating a sphere of influence for a special district, the commission shall do all of the following:

(1) Require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts.

(2) Establish the nature, location, and extent of any functions or classes of services provided by existing districts.

## **GOVERNMENT CODE SECTION 56668**

56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) Consistency with city or county general and specific plans.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

(i) The comments of any affected local agency or other public agency.

(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

(n) Any information relating to existing land use designations.

(o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

56668.3. (a) If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following:

(1) In the case of district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.

(2) In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city.

(3) Any factors which may be considered by the commission as provided in Section 56668.

(4) Any resolution raising objections to the action that may be filed by an affected agency.

(5) Any other matters which the commission deems material.

(b) The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the factors considered by the commission.

56668.5. The commission may, but is not required to, 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. This section does not grant any new powers or authority to the commission or any other body to establish regional growth goals and policies independent of the powers granted by other laws.

## 2.1. POLICIES AND STANDARDS

LAFCOs are charged with establishing policies and exercising their powers “. . . in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns” and with “. . . the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies based upon local conditions and circumstances.” [§§56300 and 56301]

In carrying out its responsibilities, each LAFCO must conduct studies and review and make determinations on changes of organization, reorganizations and spheres of influence (SOIs).

The following policies and standards have been adopted by the Contra Costa LAFCO to assist in the review of proposals and the preparation of studies as necessary.

### A. General Policy Statement

The statutory goals of the LAFCO include the promotion of orderly growth and development by determining logical local boundaries [§56001], preservation of open space by encouraging development of vacant land within cities before annexation of vacant land adjacent to cities [§56377(b)], and preservation of prime agricultural land by guiding development away from presently undeveloped prime agricultural lands [§56377(a)].

Although LAFCO attempts to discourage urban sprawl, to preserve agricultural lands and open space, and to promote well-ordered and appropriate land use within the County, the Commission lacks authority to exercise the more specific powers that a general land use jurisdiction (county or city) can exercise when directly regulating land use density or intensity, property development or subdivision requirements [§56375(a)]. LAFCO intends that its policies promote the overall quality of life of the residents of Contra Costa County.

In considering proposals that would facilitate or lead to intensification of land uses, the Commission will consider consistency of the application with City and County general and specific plans that are relevant to the proposal or the affected territory.

The Commission will generally favor adopted plans that are supportive of the Commission’s responsibility to discourage urban sprawl, preserve open space and prime agricultural lands, provide for efficient public services and encourage the orderly formation and development of local agencies.

LAFCO will encourage proposals that enable urban development to include annexation to a city whenever reasonably possible, and discourage proposals that enable urban development without annexation to a city. LAFCO will also encourage cities to annex lands that have been developed to urban levels, particularly areas that receive city services.

While not bound by the regulations promulgated by local agencies in this County, LAFCO prefers that proponents of any boundary or SOI change demonstrate that their proposal will be consistent with such local regulations as may be relevant to the factors that LAFCO must consider pursuant to §56668.

This policy is to include, but is not limited to, the regulation of water and sewer agencies such as the East Bay Municipal Utility District and the Central Contra Costa Sanitary District.

LAFCO must also consider the impact of a proposal on the regional supply of residential housing for all income levels. LAFCO will usually encourage those applications, which improve the regional balance between housing and jobs.

**B. Preferred Service Provider**

The Legislature has found that a single multipurpose government agency accountable for community service needs and financial resources may be the best mechanism for establishing community service priorities, particularly in urban areas (§56001).

LAFCO shall generally consider, and approve, where appropriate and feasible, the provision of new or consolidated services in the following order of preference:

1. Annexation to an existing city.
2. Annexation to an existing multiple purpose special district.
3. Annexation to an existing single purpose special district.
4. Consolidation of existing districts.
5. Annexation to a subsidiary district or County Service Area (CSA).
6. Formation of a new CSA.
7. Incorporation of a new city.
8. Formation of a new multipurpose district.
9. Formation of a new single purpose district.

**C. Indemnification Policy**

LAFCO typically will tender defense of lawsuits to the real parties in interest (i.e., the proponents, and/or affected local agencies).

As a condition of LAFCO's approval, applicants are required to enter into an agreement to indemnify LAFCO in the event of a legal challenge of a Commission decision.

D. Policy on Spheres of Influence and Annexations

The goals of the Contra Costa Local Agency Formation Commission include promotion of orderly growth and development by determining logical local agency boundaries [§56001], preservation of open space by encouraging development of vacant land within cities before annexation of vacant land adjacent to cities [§56377(b)], and the preservation of prime agricultural land by guiding development away from presently-undeveloped prime agricultural lands [§56377(a)].

In order to accomplish these and other goals, LAFCO is required to review and update every five years the spheres of influence (SOIs) of local agencies in Contra Costa County [§56425].

An SOI is a plan for the probable physical boundaries and service area of a local agency [§56076] and includes policies for directing growth patterns. In accordance with State law, inclusion in an SOI makes land eligible for annexation but does not assure annexation. LAFCO must consider numerous other factors when considering an annexation, reorganization or change of organization.

SOIs may be amended by the Commission. When an SOI amendment is requested, the proponent shall submit documentation to support the determinations the Commission must make pursuant to §56425(a). For a city seeking an SOI amendment, particular attention should be paid to the current land uses in the county and city, the land uses planned for the city's present SOI and the land uses proposed for territory sought to be added to the SOI. Areas to remain in agricultural and open space should be clearly specified [§§56425(a), 56377].

As a precursor to boundary changes, requests for SOI amendments should address all relevant factors of §56668. Such requests should also specify how the policies of the CKH Act will be fostered with respect to the 1) orderly formation of local agencies [§56001] and 2) preservation of open space [§56059] and prime agricultural land [§56064], both within the existing boundaries of the agency and the proposed SOI of the agency [§56377].

LAFCO discourages inclusion of land in an agency's SOI if a need for services provided by that agency within a 5-10 year period cannot be demonstrated. To demonstrate that a proposed SOI amendment is timely, an applicant should indicate expected absorption and development rates for land already in the SOI, as well as land proposed to be added.

A request to expand an SOI should designate clearly the territory that may be sought for annexation and the anticipated timeframe. An agency should propose a reduction in its SOI to remove territory that the agency does not believe will be developed within 20 years.

Territory proposed to be annexed to an agency should be within the Urban Service Area [§56080] of the agency. Related infrastructure improvements should be included in the

agency's 5-year Capital Improvement Program. Each agency expected to serve any portion of a city's SOI during the period should provide the city and LAFCO with an "intent to serve" statement. Such statements should demonstrate the reason, intent and capacity to serve the area by such evidence as resolutions of the governing boards establishing service area boundaries and ultimate service areas. The applicant shall also submit an adopted plan for financed infrastructure. [§56378].

Requests for changes of SOIs should be accompanied by summaries of the studies used to establish the SOI areas, copies of any 5-year Capital Improvement Program, and copies of any master service agreements, resolutions, or other such documentation for local agencies that may provide service to the area.

A Municipal Service review will be required prior to processing a substantial SOI amendment (§56430). LAFCO may find an SOI request inadvisable and/or premature if the Commission is unable to determine from the application that the goals of the CKH Act would be served by approving the request [§§56425, 56426, 56668, 56377, 56001].

Territory for which an annexation is proposed should be within the adopted SOI of the annexing agency. If not, an SOI amendment will be required prior to consideration of the annexation. Territory for which an annexation is proposed should be within the area shown as the 5-year SOI-Urban Service Area in the adopted SOI of the annexing agency. Annexations proposed for territory beyond the 5-year SOI-Urban Service Area usually will be denied unless overriding reasons demonstrate need for the annexation at the present time. Whenever feasible, annexation to all agencies that are expected to provide urban services to the area should be submitted at the same time.

SOIs generally will not be amended concurrently with an action on the related change of organization or reorganization. A change of organization or reorganization will not be approved solely because an area falls within the SOI of any agency.

Proponents of an annexation must demonstrate that the proposed development within the annexation area will meet the annexing jurisdiction's adopted performance standards for facilities, services and traffic and that an adopted Capital Improvement Plan will provide for these facilities.

Annexation proposals should avoid creation of "islands" or corridors of territory not served by the annexing agency, and boundaries that are not definite and certain or do not conform to lines of assessment or ownership. The Commission's approval of boundary change proposals containing split parcels will typically be subject to a condition requiring the recordation of a parcel map, lot line adjustment or other instrument to avoid creating remnants of legal lots.

Territory to be annexed by a city shall be pre-zoned by the city. A map submitted by the proponents should show all zoning designations for the territory to be annexed.

#### E. Island Annexation Policies

Recognizing that cities are the most logical providers of municipal services, and that unincorporated islands can be more effectively and efficiently served by surrounding cities, LAFCO is committed to the annexation of urban island areas.

LAFCO will collaborate with the County and cities in facilitating annexation of unincorporated urban islands.

LAFCO encourages the County and cities to coordinate development standards in urban island areas to facilitate the annexation of urban islands.

The Government Code contains special provisions for annexing small islands, which facilitate the annexation of islands of less than 150 acres (§56375.3).

In the interest of orderly growth and development, cities should annex urban unincorporated islands within their current SOIs before seeking to add new lands to their boundaries.

F. Policy for Evaluating Applications Requesting the Provision of Water Service for Urbanizing Areas

In addition to the factors the Commission is required to evaluate and review pursuant to §56668, the following criteria also apply to ensure greater consistency in LAFCO's decision-making process:

- 1) Any proposal for a change of organization that includes the provision of water service shall provide information sufficient to address the following: water supply, storage, treatment, distribution, and waste recovery; and to determine that adequate services, facilities, and improvements can be provided and financed by the agency responsible for the provision of such services, facilities and improvements.
- 2) Any proposal for reorganization (two or more changes of organization) will be evaluated based on each component organizational change. The Commission will then balance the overall benefits against the costs and adverse impacts in deciding on the reorganization as a whole.
- 3) In evaluating the capability of an annexing agency to provide the required service, the Commission shall take into account the agency's ability to acquire the resources necessary to provide the needed service (i.e., water rights necessary to provide the water services needed by an area proposed for annexation).
- 4) The Commission requires evidence that water service will be available. Such evidence may include, but is not limited to, the following: 1) A Plan for Service pursuant to §56653; 2) a legally binding "will serve" letter by the agency; or 3)

legally binding agreement between the developer and the agency or other service provider, or all.

- 5) The Commission may determine that a need for service exists if there is a public health or safety threat or if the area's growth patterns indicate that the area is likely to be developed for urban uses within five years provided it is designated for urban uses in the appropriate land use authority's General Plan (§56133(c)).
- 6) Lands to be annexed shall be within the adopted sphere of influence of the affected agency at the time LAFCO approves the boundary change.
- 7) The annexation must be a reasonable and logical expansion of the agency's boundaries. Further, territory to be annexed must be contiguous to the annexing agency unless otherwise provided by the principal act under which the agency operates.

#### G. School Capacity

In addition to the factors and determinations required by state law, LAFCO may consider whether or not the affected territory (i.e., change of organization or reorganization) can be served by affected school districts, and whether or not there is or will not be sufficient existing school capacity to serve the affected territory at the time of development.

#### H. Service Plans

Requests for boundary changes must include a plan for providing municipal services (§56653). This section provides guidelines to assist in the review of service plans and facilitate consistency with LAFCO's stated purposes and objectives.

1. The plan for services shall include the following information:
  - a) An enumeration and description of the services to be extended to the affected territory;
  - b) The level and range of those services;
  - c) A plan and timeline of when those services can feasibly be extended to the affected territory;
  - d) A plan for improvement, or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory;
  - e) A plan for how the services will be financed if the change of organization is approved; and
  - f) A description of whether the affected area is or will be proposed for inclusion within an existing improvement zone, redevelopment area, and assessment district or community facilities district.

2. The plan for services shall be prepared and submitted for all proposed changes of organization including those initiated by resolution of a local agency and those initiated by petition.
3. In the case of a proposed annexation, the plan for services should demonstrate that the range and level of services currently available within the area proposed for annexation will be maintained or exceeded by the annexing agency.
4. In the case of a proposed annexation, the plan for services should demonstrate that the cost of services to existing residents will not increase as a result of the annexation, unless a corresponding increase in the level of service also occurs.
5. The plan for services should demonstrate that proposed services will not result in any unnecessary duplication of services.
6. The plan for services should demonstrate that each service provider represents the most efficient and cost effective source of service delivery.
7. In the case of a proposed reorganization consisting of annexations to multiple agencies, the plan for services shall address each of the items specified above for each annexing agency.

#### I. Municipal Service Review Guidelines

- 1) Purpose - To provide guidance to the Contra Costa Local Agency Formation Commission in preparing and conducting municipal service reviews.
- 2) Background - Effective January 1, 2001, the CKH Act requires LAFCO to review municipal services. The requirement for Municipal Service Reviews (MSRs) is in response to the identified need of a more coordinated and efficient public service structure to support California's growth. The MSR provides LAFCO with a tool to comprehensively study existing and projected public service conditions and to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are efficiently and cost-effectively provided.
- 3) Goals and Objectives - LAFCOs are required to conduct MSRs and prepare written statements of determinations with respect to each of the following [§56430], as revised 1/1/08. The consolidated list of determinations will apply to MSRs initiated after 1/1/08.
  - (a) Growth and population projections for the affected area.
  - (b) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.
  - (c) Financial ability of agencies to provide services.
  - (d) Status of, and opportunities for shared facilities.

- (e) Accountability for community service needs, including governmental structure and operational efficiencies.
- (f) Any other matter related to effective or efficient service delivery, as required by Commission policy.

The MSR process does not require LAFCO to initiate changes of organization based on service review findings; it only requires that LAFCO make determinations regarding the provision of public services per §56430. However, LAFCO, other local agencies and the public may subsequently use the information contained in the MSRs as a basis to pursue changes of organization or reorganization or sphere of influence amendments.

- 4) When Prepared - LAFCO will determine when MSRs are necessary. Generally, reviews will be prepared in conjunction with SOI studies or updates; however, MSRs may also be conducted independent of SOI updates based on a number of factors to be determined by the Commission. Such factors may include public health or safety issues, service provision issues associated with areas of potential growth or development, etc.

Minor amendments to a sphere of influence, as determined by LAFCO, will not require an MSR.

- 5) Services Addressed - MSRs will address identified services within the service review boundary of those agencies under LAFCO's jurisdiction and are associated with growth and development. Target services include, but are not limited to, water, sewer, drainage, libraries, roads, parks, police, and fire protection. General government services such as courts, social services, human resources, treasury, tax collection and administrative services will not be included.
- 6) Agencies Included - Local agencies whose boundary changes are subject to LAFCO review, or are required to have an SOI, are subject to MSRs, and LAFCO shall encourage those local agencies to fully participate in the service review process. Services provided by other agencies (i.e., federal, state, private) may be included in the service review in order to provide a comprehensive overview of service and provide context.
- 7) Boundaries - LAFCO will determine the geographic boundaries and agencies that will be the subject of an MSR. Factors that may be considered in determining a service review boundary include, but are not limited to, existing city and special district jurisdictional and sphere boundaries; topography; geography; community boundaries; tax/assessment zones; infrastructure locations; transportation systems and roads; areas with shared facilities; areas with shared social and economic communities of interest; plus other factors as determined by LAFCO.

Generally, service reviews will be conducted for sub-regional areas within the County; however, a service review may be prepared for a single agency, multiple agencies, or on a countywide basis. An MSR may review services outside Contra

Costa County, in conjunction with multi-county service providers (e.g., Dublin San Ramon Services District, East Bay Municipal Utility District, East Bay Regional Park District). Multi-county MSR will be prepared by the LAFCO of the principal county (§56066). Inter-agency coordination is encouraged.

- 8) Environmental Determination - The California Environmental Quality Act (CEQA) encourages the consideration of multiple related actions where appropriate. Whenever possible, LAFCO will work to streamline the MSR process by a) integrating SOI proposal processing and related CEQA processes with the MSR process; b) placing high priority on reviews of services affected by pending or anticipated proposals; c) working with city and county planners to identify areas where the short-term conduct of service reviews is needed to support orderly growth and development; and d) requesting that technical information needed for service reviews be included in the General, Specific and Master Service Plans of land use agencies and special districts.

Most MSRs will qualify for Categorical or Statutory Exemption under CEQA, as they are studies and are not typically accompanied by specific development proposals. Subsequent SOI actions may require additional environmental review.

- 9) Types of Service Reviews - Municipal Service Reviews will fall into two general categories:

- (a) **Routine reviews** are anticipated to be uncomplicated and straightforward with few concerns about the adequacy of public services. Routine service reviews may be conducted for single agencies or for multiple agencies that provide similar services. The boundary of a routine service review may cover a sub-region, region or the County.
- (b) **Intensive reviews** are anticipated to require detailed analysis of complex and controversial issues. An intensive MSR may result from a pending LAFCO proposal, or of service provision concerns otherwise identified by LAFCO.

- 10) Preparation

- (a) The Commission will determine the priority, schedule, procedure and content for service reviews.
- (b) LAFCO staff will provide a survey/questionnaire to the affected agency(ies) identified in the service review work plan.
- (c) If needed, LAFCO may hold scoping meetings. All affected agencies, interested agencies and persons or entities requesting notice will receive a mailed notice.
- (d) LAFCO staff will review submitted MSR information, coordinate and follow-up with the affected agencies.
- (e) LAFCO will prepare or cause to be prepared a Draft MSR for circulation to affected agencies and other interested parties for review and comment.
- (f) The Draft MSR will be considered at a public hearing, at which time the Commission may accept the report with or without modifications, adopt the

required determinations, direct staff to prepare the Final MSR, and take other actions as appropriate.

- (g) The cost associated with conducting the baseline MSRs will be incorporated in the annual LAFCO budget, and will be shared by the funding agencies. Agencies requiring a separate or expedited review will be required to fund the MSR.

11) Timing

On or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update every sphere of influence [§56425(g)]. MSRs will be completed, as necessary, concurrent with SOI formations, updates or substantial amendments, but not less than every five years.

- 12) Factors for Analysis - As part of its review of municipal services, LAFCO must prepare a written statement of its determination with respect to the following factors. [§56430]

Determination 1: Growth and population projections for the affected area

The efficient provision of public services is linked to an agency's ability to plan for future needs. Such factors as projected growth in and around the agency's service areas and impact of land use plans and growth patterns on service demands may be reviewed. In making a determination on growth and population projections, LAFCO may consider an agency's ability to plan for future need.

Determination 2: Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies

The present and planned capacity of public facilities and services is linked to an agency's ability to plan for future needs, including infrastructure. The term "infrastructure needs and deficiencies" refers to the status of existing and planned infrastructure and its relationship to the quality of levels of service that can or need to be provided. In making a determination on infrastructure needs or deficiencies, LAFCO may consider ways in which the agency has the ability and capacity to provide service.

Determination 3: Financial ability of agencies to provide services

LAFCOs must weigh a community's public service needs against the resources available to fund the services. In making a determination on the financial ability of an agency to provide services, LAFCO may review such factors as an agency's potential for shared financing and/or joint funding applications, cost avoidance opportunities, rate structures, and other fiscal constraints and opportunities.

Determination 4: Status of, and opportunities for, shared facilities

If service providers develop strategies for sharing resources, public service costs may be reduced and service efficiencies increased. In making a determination on opportunities for shared facilities, LAFCO may consider if an agency's facilities are currently being utilized to capacity and whether efficiencies can be achieved by accommodating the facility needs of adjacent agencies.

Determination 5: Accountability for community service needs, including governmental structure and operational efficiencies

The service review may include options to provide more logical service boundaries to the benefit of customers and regional planning goals and objectives. In making a determination on government structure, LAFCO may consider possible consolidations, mergers and/or reorganizations. The service review may also consider the agency's management efficiencies in terms of operations and practices in relation to the agency's ability to meet current and future service demands.

Determination 6: Any other matter related to effective or efficient service delivery, as required by Commission policy.

J. Standards for Out-Of-Agency Service Agreements

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

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

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

K. Reconsideration of LAFCO Decisions

- 1) Content of requests for reconsideration - Requests for reconsideration of LAFCO resolutions making determinations are permitted pursuant to the CKH Act. Requests must be submitted in writing. The Commission will determine whether

a reconsideration request should be considered, and render a decision based on the following: [§§56383, 56895]

- The applicant meets the statutory deadline for submitting the request.
  - The request sets forth the specific modification being sought.
  - A processing fee is paid.
  - The request demonstrates that reconsideration is required to correct a procedural defect in LAFCO’s earlier action.
  - Newly discovered evidence, material to the request for reconsideration and relevant to the Commission’s decision on the boundary change, is available which could not, with reasonable diligence, have been discovered and produced at the time of initial LAFCO consideration.
- 2) Final Action – At the conclusion of its consideration, the Commission may approve or disapprove, with or without amendment, wholly, partially or conditionally, the request for reconsideration.

L. City Incorporations

Incorporation means the formation of a city with corporate powers.

These policies, along with the Procedures for Processing an Incorporation Proposal found in the “Procedures” section of this handbook, supplement the Governor’s Office of Planning and Research “Guide to the LAFCO Process for Incorporation.” Application requirements, Certificate of Filing and timeframes, and fee requirements are described in the LAFCO Procedures for Processing an Incorporation Proposal.

The proposed incorporation should be based upon a need for services, maintenance of community identity, or controls that can best be provided by the proposed agency and in the absence of existing alternatives that could provide the service or control in a more efficient manner.

The LAFCO acts as a neutral hearing body in evaluating the merits of the proposal without having a stake in the outcome of an incorporation effort.

The following Commission policies are intended to guide unincorporated communities in pursuing incorporation, and to maximize the likelihood of forming a city, which can financially sustain itself:

***General Incorporation Policies***

- 1) A proposed incorporation must satisfy a demonstrated need for services, and promote the health, safety and welfare of the service community.

- 2) An incorporation proposal must define the relationship of the new city to existing agencies, including the County. The Commission will study the fiscal impacts of the incorporation proposal on existing agencies.
- 3) While State law requires that an area proposed for incorporation shall have at least 500 registered voters residing within the affected area (§56043), the Contra Costa LAFCO recommends that the area proposed for incorporation contain a minimum of 10,000 people.

### ***Boundaries***

- 1) An area proposed for incorporation must be compact and contiguous, and possess a community identity.
- 2) A proposed incorporation must not conflict with the logical expansion of adjacent governmental agencies. Incorporation proposals involving land within an existing city sphere of influence (SOI) will not be accepted for filing. If a cityhood proposal would conflict with an established city's SOI, the incorporation proponent must first request, and the Commission must approve, an SOI amendment to exclude such area, prior to consideration of the incorporation proposal.
- 3) Areas included within the proposed incorporation boundaries should consist of:
  - (a) Existing developed areas,
  - (b) Areas which are planned for development, and/or
  - (c) Areas which are planned for development supporting extensions of infrastructure, such as within the next 10 years.
- 4) Areas which should not be included within the proposed incorporation boundaries include:
  - (a) Agricultural and open space lands which are not designated for development in the future, such as within the next 10 years (§56377).
  - (b) Lands specifically designated by the County General Plan for natural resource, agriculture, or open space uses.
  - (c) Exclusions of land that would result in islands, flags peninsulas or boundary configurations that are illogical and difficult to serve.
- 5) With regard to special districts in the incorporation area:

- (a) New cities should assume jurisdiction over as many services in the incorporation area as feasible.
- (b) District territory included in an incorporation area should be detached from the district or the district dissolved, unless LAFCO determines that there is an overriding reason to retain the district.
- (c) Incorporation boundaries should be drawn so that community based special districts are wholly included or excluded from the incorporation boundary, unless the Commission determines that there is a compelling reason to divide the district.
- (d) Detachment from a region-wide district which provides service to multiple communities outside the incorporation area should not be approved unless the Commission determines that there is an overriding benefit from the detachment.
- (e) All districts whose service responsibility or territory would be changes as a result of the incorporation should participate in the incorporation proceedings to mitigate negative fiscal impacts of the incorporation.

***Fiscal Policies Relating to Incorporation***

- 1) In approving an incorporation, the Commission must make a finding of financial feasibility. The Commission defines “financial feasibility” to mean the ability of a new city to maintain pre-incorporation service levels.
- 2) In determining feasibility, the Commission will consider only those revenues that are currently available to all general law cities. The Commission will not consider new revenues derived through special taxes or assessments, which might become available through possible actions of a future city council. The Commission will consider existing county assessments and taxes in place at the time of the incorporation in the determination of financial feasibility.
- 3) The Commission may consider an incorporation proposal which is conditioned upon the imposition of a new revenue source (e.g., assessment or tax) subject to voter approval.
- 4) All revenue estimates/projections contained in the Comprehensive Fiscal Analysis (CFA) shall be conservative.
- 5) Costs for functions that are not being directly assumed from another agency (e.g., the County) should use similarly sized cities within the nine county Bay Area as a basis for estimates. This is particularly applicable to administrative functions, salaries and benefits.
- 6) Proposition 13 allows for a maximum increase in assessed value of two percent annually for individual properties in the absence of a change in ownership. When the general rate of inflation is higher than two percent, the effect is a loss in real dollars from the existing tax base (unless the rate of turnover and property value

increases are sufficiently higher). Property tax projection methodology must take into account the potential deflation of property tax dollars.

- 7) While State law only requires an analysis of the city's first three years, the Contra Costa LAFCO requires an analysis projecting out a minimum of eight years following incorporation. This is to reflect those State subventions that represent a temporary "bump" to help new cities, to capture the fiscal status of the new city at the point when subventions "catch-up" with actual population, and to help gauge the long-term viability of the city.
- 8) In determining compliance with Government Code §56720, the Commission finds that a "reasonable reserve" is a contingency fund equal to a minimum of 10% of the projected general funds of the new city accumulated not later than three years from the effective date of the incorporation.

#### M. Revenue Neutrality

Any proposal that includes an incorporation should result in a similar exchange of both revenue and responsibility for service delivery among the County, the proposed city, and any other subject agencies. Further, the incorporation should not occur primarily for financial reasons. LAFCO may approve a proposal for incorporation if it finds either of the following:

- 1) The County and all of the affected agencies agree to the proposed transfer; or
- 2) The negative fiscal effect has been adequately mitigated by tax sharing agreements, lump-sum payments, payments over a fixed period of time, or any other terms and conditions pursuant to §56886.

#### *Purpose*

The purpose of the revenue neutrality policy is as follows:

- To institute a process for analysis and mitigation of the fiscal impacts of incorporation on the county that results in stable, predictable financial outcomes for both the county and the new city.
- To define the terms and budget items to be negotiated under revenue neutrality requirements of Government Code §56815.
- To mitigate potential fiscal losses to the county without making incorporation impossible for local communities ready for self-governance or precluding an adequate financial basis for new cities.
- To specify how participants in the incorporation process can develop proposed terms and conditions of incorporation that will meet revenue neutrality criteria and the standards of the Commission in making the findings required by §56815 and §56375 for approval of incorporation.

- To implement the legislative mandates for achieving revenue neutrality through a rational and predictable process for gathering information, determining the appropriate content of revenue neutrality agreements and providing for the revision of those agreements.

### ***Procedure for Revenue Neutrality***

- A draft Comprehensive Fiscal Analysis (CFA) is a prerequisite to revenue neutrality negotiations. LAFCO staff will convene a revenue neutrality negotiating committee composed of representatives of the county, representatives of incorporation proponents, and other affected agencies, as needed. LAFCO staff will attend meetings of the committee in order to facilitate discussions and compliance with this policy.
- The revenue neutrality committee will have up to 90 days to negotiate and propose terms and conditions to meet the requirements of §56815. Any proposals for terms and conditions of revenue neutrality should adhere to the standards for content described in this policy, and should include a description of the methodologies and assumptions leading up to the proposed terms and conditions. Revenue neutrality agreements should also provide criteria and a process for modification of the agreement after incorporation.
- At the conclusion of the meetings of the revenue neutrality committee or at the end of the 90-day negotiating period, the LAFCO Executive Officer will certify that agreement regarding revenue neutrality has been reached or has not been reached.
- If agreement has been reached, ratification by resolution of the County Board of Supervisors and by letter from an authorized representative of the incorporation proponents are submitted to LAFCO staff for inclusion in the CFA, staff report and recommendations.
- If no agreement regarding the proposed terms and conditions for revenue neutrality is reached within the 90-day negotiating period, LAFCO staff will draft proposed terms and conditions for use in the CFA and for recommendation to the Commission at its public hearing.

## *Standards*

The provisions of revenue neutrality agreements negotiated pursuant to this policy shall adhere to the following standards:

- 1) Revenue neutrality agreements shall be based on the county cost and revenues for the most recent prior fiscal year, for which data are available, provided that the data are not more than one fiscal year old. Only identifiable and recurring revenues and expenditures should be evaluated for the purposes of determining revenue neutrality. Anticipated or projected revenue growth should not be included.
- 2) Expenditures for services transferred to a new city should be evaluated on a “net cost” basis. Services funded on a cost recovery basis (e.g., current planning, building inspection) are by definition, revenue neutral and need not be included in the analysis.
- 3) Costs of capital improvements are not recurring costs and need not be included in the analysis, except by agreement of the parties. This provision is currently under review by the Commission
- 4) Countywide costs for regional services and administrative functions, which are required to support county governance of both incorporated and unincorporated areas, should not be included in defining services transferred to a new city.
- 5) Inflationary factors should not be included in the analysis of revenue neutrality provisions unless the resulting agreement provides for annual adjustment of mitigation payments based on actual data.
- 6) Restricted and unrestricted revenues should be evaluated separately. An agency may pay a portion of its annual revenue neutrality payment with restricted funds if both agencies agree and a legal exchange mechanism can be created.
- 7) Fees charged by the county for services to other jurisdictions (e.g., property tax administration) should be considered as an offsetting county revenue in the calculation of fiscal effects on the county.

## *Terms and Conditions*

Terms and conditions for implementation of revenue neutrality may include provisions for tax sharing agreements, lump-sum payments, payments over a fixed period of time, modification of incorporation boundaries or any terms and conditions permitted under §56886.

### ***Duration of Fiscal Impact Mitigation***

The term of mitigation payments may either be ongoing or limited to a specific number of years. Agreements that limit revenue neutrality payments should establish the terms of the payments using the following:

- 1) Determine the annual net revenue loss to the county and other affected agencies resulting from the proposed incorporation.
- 2) Determine a lump sum sufficient to yield in interest funds equal to the annual net revenue loss to the county and other affected agencies.
- 3) The duration of the mitigation payments will be calculated using the annual mitigation payment amount and inflation and discount rates by negotiation.

### ***Method of Annual Payment***

In instances in which revenue neutrality requires tax sharing or mitigation payments to the county, payment should be made as directly from the revenue source as permitted by State law.

### ***Effective Date of Incorporation***

The effective date of incorporation should be considered in revenue neutrality agreements. The effective date should be set to establish adequate initial account balances for the new city as it assumes service responsibilities, but should not otherwise conflict with the intent of fiscal neutrality.

### ***Environmental Review of Incorporation Proposals – CEQA***

Incorporations are projects subject to CEQA and require environmental review. LAFCO, as Lead Agency for an incorporation, must prepare the required documentation. The LAFCO Executive Officer is the Environmental Coordinator for LAFCO, and is responsible for the environmental review process.

#### **N. District Latent Powers**

Latent powers are those services, facilities, functions and/or powers authorized by the principal act under which the district was formed, but not currently exercised.

A proposal to provide a new or different function or class of service or the expansion of district latent powers must be made by resolution of application by the legislative body of a special district. Prior to submitting the resolution to LAFCO, the legislative body of the district shall conduct a public hearing. The resolution must include all of the information specified for a petition (§56700) and must include a plan for services pursuant to §56653. Pursuant to §56824.12, the plan for service must also include the following:

- 1) The total estimated cost to provide the new or different function or class of service;
- 2) The estimated cost of the new or different function or class of service to customers;
- 3) An identification of the existing providers and the potential fiscal impacts to the customers of the existing providers;
- 4) A plan for financing the new or different function or class of service; and
- 5) Alternatives for the establishment of the new or different function or class of service.

The Commission shall conduct a public hearing and shall review and approve or disapprove with or without amendments, wholly, partially or conditionally the proposal for the establishment of new or different function or class of service.

In approving a new or different function or class of service, LAFCO may restrict the provision of the new or different function or class of service to a geographically specific area within the district. If the Commission imposes this restriction, any subsequent extension or enlargement of the service area will be subject to LAFCO review.

There are no protest proceedings in conjunction with the establishment of a new or different function or class of service, or the extension or enlargement of the service area.

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE**  
**CENTRAL CONTRA COSTA 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, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of Central County water and wastewater services, including those provided by the Central Contra Costa Sanitary District (CCCSD) and adopted written determinations as required by Government Code §56430 on April 9, 2008; and

**WHEREAS**, CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within Central Contra Costa County; and

**WHEREAS**, CCCSD also provides wastewater treatment and disposal services for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county; and

**WHEREAS**, CCCSD's SOI extends beyond the District's service boundary and includes the cities of Concord and Clayton, areas adjacent to the District's eastern and western boundaries, including areas which are outside voter approved Urban Limit Lines, as well as some islands surrounded by the District; and

**WHEREAS**, CCCSD's SOI includes some areas located outside the voter approved Urban Limit Lines that are not developed or planned for development, and do not or will not have septic systems that could trigger public health and environmental concerns; and

**WHEREAS**, these areas will not need wastewater services from CCCSD, and it is therefore recommended they be removed from CCCSD's SOI; 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 public hearings held on February 13, March 12, and April 9, 2008; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Update and reduce the SOI for the Central Contra Costa Sanitary District as generally depicted on Exhibit A attached hereto.
2. Consider the criteria set forth in Government Code §56425(e) and determine 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. County and city plans include land uses and population growth that will need increased wastewater services and recycled water supplies. County and city policies support the provision of adequate wastewater service for businesses and residents, as well as the protection of public health and the environment. Although there are agricultural and open space lands within the District’s boundaries and SOI, wastewater services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI action.
  - b. *The present and probable need for public facilities and services in the area* – Population within the District is expected to increase by 20% over the next 23 years to 382,583. There will be an increased need for comprehensive wastewater services, including a reliable recycled water supply. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CCCSD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. The District has planned for capital needs based on projected growth and is implementing projects to extend the life of existing infrastructure and increase capacity where necessary. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by CCCSD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CCCSD was formed in 1946. The District collects service charges and receives a portion of the 1% property tax. Capital expansion is funded by new connection charges and capital contributions from Concord. Property owners within the area and ratepayers 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 CCCSD.
  - e. *Nature, location, extent, functions & classes of services to be provided* – CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within Central Contra Costa County. The District also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county.

Policy option:

- Consider annexing areas currently receiving service into the District's boundaries; in particular islands and those areas with health and safety concerns.
3. 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.
  4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

\*\*\*\*\*

PASSED AND ADOPTED THIS 11<sup>TH</sup> day of June 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

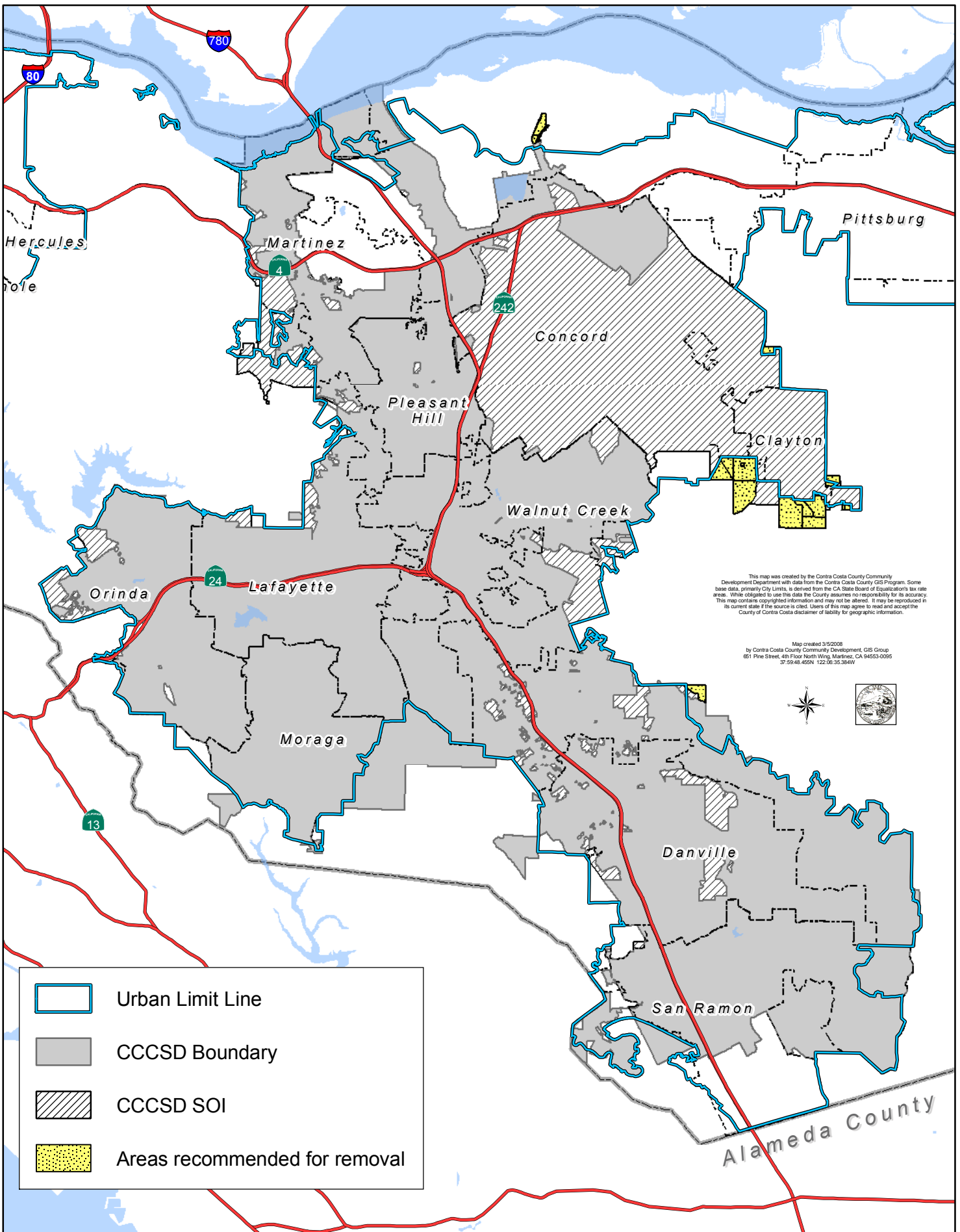
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

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

Dated: April 9, 2008

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# Central Contra Costa Sanitary District and SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE**  
**CONTRA COSTA WATER DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of Central County water and wastewater services, including those provided by the Contra Costa Water District (CCWD) and adopted written determinations as required by Government Code §56430 on April 9, 2008; and

**WHEREAS**, CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez, and the District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek; and

**WHEREAS**, CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch; and

**WHEREAS**, CCWD's SOI extends beyond the District's service boundary and includes the Veale Tract, which is outside the County Urban Limit Line approved by the voters in 2006; and

**WHEREAS**, the Veale Tract is designated as Delta Recreation and Resources with land uses such as agriculture, wildlife habitat, and low intensity recreational use; and

**WHEREAS**, this area will not need water service from CCWD, and it is therefore recommended it be removed from CCWD's SOI; 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 public hearings held on February 13, March 12, and April 9, 2008; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Update and reduce the SOI for the Contra Costa Water District as generally depicted on Exhibit A attached hereto.
2. Consider the criteria set forth in Government Code §56425(e) and determine 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. County and city plans include land uses and population growth that will need increased water service. County and city policies support the provision of adequate water service for businesses and residents. Although there are agricultural and open space lands within the District’s boundaries and SOI, water services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI action.
  - b. *The present and probable need for public facilities and services in the area* – Population within the District is expected to increase by 29% over the next 23 years to 650,000. There will be an increased need for comprehensive water services. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CCWD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. The District has planned for capital needs based on projected growth and is implementing projects to extend the life of existing infrastructure. CCWD’s contractual allotment of Central Valley Project water, the District’s primary source of water supply, does not change due to changes in the District’s boundaries or SOI; water deliveries are based on hydrologic conditions. CCWD bears the responsibility for ensuring adequate, reliable water supplies for the areas it has agreed to serve. Furthermore, the terms of CCWD’s contract involve additional requirements and review by various state and federal agencies. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by CCWD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CCWD was formed in 1936. The District collects service charges from existing users and fees for new development; the District also receives a portion of the 1% property tax. The District has entered into long-term debt obligations to fund various major facilities, including the Los Vaqueros Reservoir. Property owners within the area and ratepayers 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 CCWD.
  - e. *Nature, location, extent, functions & classes of services to be provided* – CCWD’s untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District’s treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District

(Oakley), and the City of Antioch. CCWD serves approximately 510,000 people within both service areas combined.

3. 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.
4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

\*\*\*\*\*

PASSED AND ADOPTED THIS 11<sup>TH</sup> day of June 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

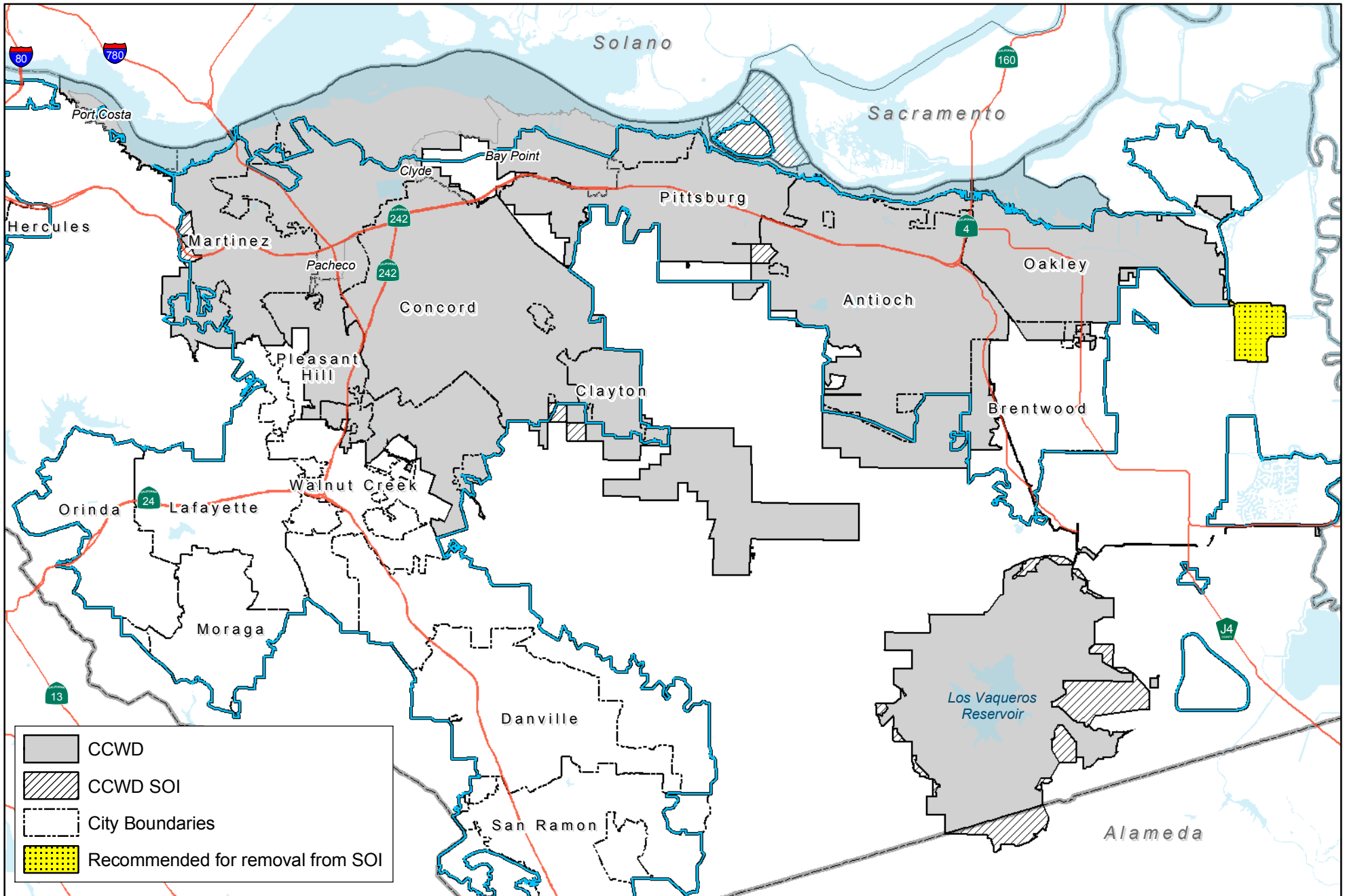
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

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

Dated: April 9, 2008

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# Contra Costa Water District and Sphere of Influence



- CCWD
- CCWD SOI
- City Boundaries
- Recommended for removal from SOI

Map created 11/28/2007  
 by Contra Costa County Community Development, GIS Group  
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095  
 37.59-48.455N 122.06-35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

