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September 9, 2009 (Agenda)

September 9, 2009
 Agenda Item 7

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

**Preliminary Municipal Services Review/Sphere of Influence Updates
 West County Sub-regional**

Dear Commissioners:

BACKGROUND

What are Municipal Service Reviews

Municipal Service Reviews (MSRs) provide an assessment of the ability of local government agencies (i.e., counties, cities, special districts) to effectively and efficiently provide services to residents and users. The form and content of the MSR is provided for in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

The purpose of MSRs is to provide information to the Commission to use in updating spheres of influence (SOIs) and considering future boundary changes for each local agency. LAFCO is not required to initiate boundary or SOI changes as part of service reviews. LAFCO, local agencies and the public may subsequently use the MSRs together with additional studies, where necessary, to pursue changes in jurisdictional boundaries, including annexations, reorganizations, district formations, consolidations, and in considering the extension of municipal services outside an agency's jurisdictional boundaries.

Government Code section 56375(a) gives LAFCO the power to initiate certain types of boundary changes consistent with MSRs and SOI studies. These boundary changes include:

- Consolidation of districts (joining two or more districts into a single successor district)
- Dissolution (termination of a district and its corporate powers)
- Merger (termination of a district by merging that district with a city)
- Establishing a subsidiary district (i.e., a city council becomes the board of directors of a district)
- Forming a new district or districts
- A reorganization that includes any of the above

State Law Requirements

The CKH requires LAFCO to update the SOI for each local agency under its jurisdiction every five years, as needed; and that an MSR be prepared prior to or in conjunction with the SOI update.

Government Code section 56430 requires that service reviews include an analysis and written statement of determinations with respect to various factors, including growth and population; present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies; financial ability of agencies to provide services; opportunities for shared facilities; government and operational efficiencies, and other factors related to service delivery.

MSRs/SOI Updates in Contra Costa County

In February 2006, the Commission approved an updated MSR/SOI workplan that provides for a phased approach to completing baseline MSRs/SOI updates for the 19 cities and remaining special districts using a team of consultants and LAFCO staff. The approach involves a combination of countywide, sub-regional, and agency specific reviews.

To date, LAFCO has completed baseline countywide reviews covering healthcare, water/wastewater, fire and emergency services and reclamation services. In addition, the Commission completed the first sub-regional MSR covering primarily city services (east county); and several agency-specific MSRs. In September, the Commission will be asked to take action on the second sub-regional MSR covering primarily cities (central county).

On September 9, the Commission will hold a workshop and receive an overview of the West County Sub-regional MSR/SOI Updates, covering five cities and two special districts.

DISCUSSION

The West County Sub-regional MSR focuses on the services provided by the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo, Kensington Police Protection & Community Services District (CSD) and Crockett CSD. The MSR report focuses on the local agencies and their ability to provide municipal services (excluding those services previously covered under the countywide MSRs). The preliminary report includes the State-required determinations, along with preliminary governance structure and SOI options and recommendations.

At the workshop on September 9, the MSR consultant will present an overview of the preliminary determinations, governance and SOI options and recommendations. The Commission will be asked to provide initial comments and direct the project team to release the Public Review Draft report for circulation and consideration by the Commission in November 2009.

RECOMMENDATIONS

1. Receive the staff report and consultant presentation,
2. Provide comments to the project team,
3. Direct the project team to release the Public Review Draft report, and
4. Schedule a public hearing for November 18, 2009 to consider the West County Sub-regional MSR/SOI Updates.

Respectfully submitted,

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