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November 18, 2009 (Agenda)

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

Reclamation District Sphere of Influence (SOI) Updates

Dear Members of the Commission:

This matter was continued from the July 8, August 12, and October 14, 2009 LAFCO meetings.

On July 8, the Commission accepted the Reclamation Services Municipal Service Review (MSR) report and made the required determinations. The MSR report addresses services provided by reclamation districts (RDs) 799, 800, 830, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137. The MSR report is available on the LAFCO website (www.contracostalafco.org).

On July 8, the Commission approved, in principle, the SOI and governance structure options as recommended by staff (see Attachment 1); and directed staff to prepare the SOI resolutions for consideration in August.

On August 12, the Commission continued discussion of SOIs and voted to form a committee to further discuss RD boundary and service issues. Commissioners Federal Glover and Mary Piepho were appointed to the committee. The Commission suggested that the committee meet with Dante Nomellini, Sr. and Dante Nomellini, Jr., who provide legal services to a number of RDs, and report back to LAFCO in October.

On August 27, the committee and LAFCO staff met with the Nomellinis. Subsequently, Mr. Nomellini, Jr. provided a summary of the key issues as presented to the Commission in October. In his letter, Mr. Nomellini discusses the potential effects of consolidations and dissolutions, noting efforts involved in forming (or reconstituting) an RD, and impacts to state and federal funding and disaster assistance. Mr. Nomellini also suggests that prior to consolidating or dissolving an RD, LAFCO should first consult with the affected landowners.

On October 14, the Commission discussed SOI options and recommendations, and directed LAFCO staff to schedule a refresher to revisit some of the key issues presented in the MSR report. At the November 18 LAFCO meeting, MSR's consultant Bruce Baracco will provide a refresher.

RECOMMENDATION

It is recommended that the Commission receive the presentation, and consider the SOI options and recommendations as presented in the attached table.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments:

1. Governance Structure and SOI Table

**RECLAMATION DISTRICT (RD) SPHERE OF INFLUENCE (SOI) AND
GOVERNANCE STRUCTURE (GS) OPTIONS AND RECOMMENDATIONS**

Agency	SOI Options	GS Options	Consultant Recommendations	LAFCO Staff Recommendations
RD 799 (Hotchkiss Tract)	<ol style="list-style-type: none"> 1. Reduce SOI in the western portion of the District to facilitate detachment of State-owned land (Dutch Slough Tidal Marsh Restoration Project) 2. Expand SOI to include Bethel Island 3. Retain existing coterminous SOI 	<ol style="list-style-type: none"> a. Detach State-owned land (436 acres) once the Jersey Island Road setback levee has been constructed b. Transfer responsibility for flood protection from BIMID to RD 799 	Reduce SOI in western portion of the District, between Jersey Island Road and Little Dutch Slough, to remove parcel in the Dutch Slough Tidal Marsh Restoration Project area.	Reduce SOI in western portion of the District, between Jersey Island Road and Little Dutch Slough, to remove parcel in the Dutch Slough Tidal Marsh Restoration Project area.
RD 800 (Byron Tract)	<ol style="list-style-type: none"> 4. Adjust SOI to add 80-acre agricultural parcel on the west side of the District that is within the dry land levee, and remove 200-acre agricultural parcel outside the levee system adjacent to Byron Highway and Clifton Court Road that does not need District services 5. Expand SOI to include 172-acre Pantages Bay property in anticipation of proposed residential project (292 single-family dwelling units) 6. Retain existing coterminous SOI 	<ol style="list-style-type: none"> c. Consolidate with adjacent RDs (e.g., 2024, 2117) d. Annex 80-acre parcel e. Detach a 200-acre parcel f. Annex the proposed Pantages Bay residential project area (292 single-family dwelling units) g. Transfer responsibility for flood protection from RD 800 to Discovery Bay CSD, as DBCSD provides flood control services in certain areas within its District (this would essentially result in dissolution of RD 800) h. Transfer responsibility for flood protection from DBCSD to RD 800 to consolidate services i. Consolidate Discovery Bay Drainage and Maintenance District and RD 800 	Expand SOI to include an 80-acre parcel where the District currently provide service outside its bounds, and reduce SOI by 200 acres to remove a parcel that does not need District services.	Expand SOI to include an 80-acre parcel where the District currently provide service outside its bounds, and reduce SOI by 200 acres to remove a parcel that does not need District services.
RD 830 (Jersey Island)	<ol style="list-style-type: none"> 7. Retain existing coterminous SOI 	None identified.	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2024 (Orwood/ Palm Tracts)	<ol style="list-style-type: none"> 8. Expand SOI to include Veale Tract in anticipation of future consolidation with RD 2065 9. Retain existing coterminous SOI 	<ol style="list-style-type: none"> j. Consolidate with RD 2065 	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2025 (Holland Tract)	<ol style="list-style-type: none"> 10. Expand SOI to facilitate a future consolidation of RD 2025, RD 2026, RD 756 and RD 2028 11. Retain existing coterminous SOI 	<ol style="list-style-type: none"> k. Consolidate RD 2025 and RD 2026 - Contra Costa County and RD 756 (Bouldin Island) and RD 2028 (Bacon Island) – San Joaquin County with RD 2025 being the successor agency 	Retain existing coterminous SOI.	Retain existing coterminous SOI.

Agency	SOI Options	GS Options	Consultant Recommendations	LAFCO Staff Recommendations
RD 2026 (Webb Tract)	12. Adopt a zero SOI to signal consolidation with RD 2025, 2026, 756 and 2028 13. Retain existing coterminous SOI	l. Consolidate RDs 2025, 2026, 756 and 2028 with RD 2025 being the successor agency	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2059 (Bradford Island)	14. Adopt a zero SOI to signal consolidation with RD 830 and/or RD 2026 15. Retain existing coterminous SOI	n. Consolidate with RD 830 and/or RD 2026	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2065 (Veale Tract)	16. Expand SOI to the west to allow for future annexation 17. Adopt a zero SOI signaling future consolidation 18. Retain existing coterminous SOI	o. Annex properties to the west that benefit from District services (overlap with Knightsen Town CSD) p. Consolidate with RD 799 and/or RD 2024 q. Collaborate with KTCSD	Retain existing coterminous SOI and require the District to explore expansion of SOI/boundary to the west. This District is required to report back to LAFCO within 12 months regarding status.	Designate coterminous SOI as “provisional.” Require the District to report back to LAFCO within 12 months regarding potential SOI expansion.
RD 2090 (Quimby Island)	19. Adopt a zero SOI to signal consolidation with RD 2027 or RD 2025 20. Retain existing coterminous SOI	r. Consolidate with RD 2027 (San Joaquin County) or RD 2025	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2117 (Coney Island)	21. Adopt a zero SOI to signal consolidation with RD 1 and 2 22. Retain existing coterminous SOI	s. Consolidate with RD 1 and 2 (single RD in San Joaquin County)	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2121 (Bixler Tract)	23. Adopt a zero SOI in anticipation of a future consolidation or dissolution 24. Retain existing coterminous SOI	t. Consolidate with RD 2024 u. Consolidate with RD 2065 v. Dissolution	Adopt zero SOI to allow initiation of dissolution.	Adopt zero SOI to allow initiation of dissolution. LAFCO staff to work with RD 2121 staff to initiate dissolution.
RD 2122 (Winter Island)	25. Retain existing coterminous SOI	None identified	Retain existing coterminous SOI.	Retain existing coterminous SOI.
RD 2137	26. Adopt a zero SOI to signal future dissolution, consolidation or establishment of a subsidiary district to the City of Oakley 27. Expand SOI to include the Burroughs property 28. Retain existing coterminous SOI	w. Dissolution x. Consolidate with RD 799 y. Annex the Burroughs parcel z. Establish a subsidiary district to the City of Oakley and construct a new set back levee	Adopt zero SOI to allow initiation of dissolution.	Adopt zero SOI to allow initiation of dissolution. LAFCO staff to work with RD 2137 staff to initiate dissolution.
Other	29. Adopt a zero SOI for all RDs to signal future countywide consolidation	aa. Consolidate all RDs in Contra Costa County	Not recommended	Encourage reclamation districts to discuss countywide consolidation.
	30. No SOI action needed	bb. Pursue regional functional consolidation	No recommendation	Encourage reclamation districts to discuss regional functional consolidation.