



Lou Ann Teixeira  
Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
40 Muir Road, 1st Floor • Martinez, CA 94553  
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(925) 313-7133

## **NOTICE AND AGENDA FOR REGULAR MEETING**

Wednesday, August 10, 2022, 1:30 PM  
\*\*\* BY TELECONFERENCE ONLY \*\*\*

As permitted by Government Code section 54953(e), this meeting will be held by Zoom and teleconference. No physical location will be available for this meeting.

### **PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS**

Please click the link below to join the webinar:

<https://cccounty-us.zoom.us/j/86090387588?pwd=WnI4cGQ4UXdkbms4bVkwV0x4STlxQT09>

Passcode: 931932

Or Telephone:

Dial:

USA 214 765 0478 US Toll

USA 888 278 0254 US Toll-free

Conference code: 220394

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**PUBLIC COMMENT:** The Commission will consider all verbal and written comments received. Comments may be emailed to [LouAnn.Teixeira@lafco.cccounty.us](mailto:LouAnn.Teixeira@lafco.cccounty.us) or by U.S. mail to Contra Costa LAFCO at 40 Muir Road 1<sup>st</sup> Floor, Martinez, CA 94553. Please indicate the agenda item number, if any. If you want your comments read into the record, please indicate so in the subject line. For public hearings, the Chair will announce the opening and closing of the public hearing. The Chair will call for verbal public comments.

### **NOTICE TO THE PUBLIC**

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

#### **Campaign Contribution Disclosure**

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

#### **Notice of Intent to Waive Protest Proceedings**

In the case of a change of organization consisting of an annexation or detachment, or a reorganization consisting solely of annexations or detachments, or both, or the formation of a county service area, it is the intent of the Commission to waive subsequent protest and election proceedings provided that appropriate mailed notice has been given to landowners and registered voters within the affected territory pursuant to Gov. Code sections 56157 and 56663, and no written opposition from affected landowner or voters to the proposal is received before the conclusion of the commission proceedings on the proposal.

#### **American Disabilities Act Compliance**

LAFCO will provide reasonable accommodations for persons with disabilities planning to join the meeting. Please contact the LAFCO office at least 48 hours before the meeting at 925-313-7133.

## AUGUST 10, 2022 CONTRA COSTA LAFCO AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes of the June 8, 2022 regular LAFCO meeting
4. Public Comment Period (please observe three-minute time limit): Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.

### TELECONFERENCING

5. ***Resolution Authorizing Teleconference Meetings Pursuant to Assembly Bill 361*** – discuss future meeting format and adopt a resolution authorizing LAFCO to conduct teleconference meetings per Gov. Code §54953(e) and make related findings

### SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

6. ***LAFCO 21-15 - Dissolution of County Service Area (CSA) R-10 – Results of Protest Hearing*** – on June 8, 2022, the Commission approved dissolution of CSA R-10 subject to a protest hearing. On July 13<sup>th</sup> a protest hearing was conducted by the LAFCO Executive Officer. On August 10<sup>th</sup>, the Commission will receive the results of the protest hearing.
7. ***LAFCO 21-17 – Dissolution of CSA R-9*** – receive update and consider initiating dissolution of CSA R-9 comprising 3.1± square miles serving unincorporated El Sobrante Valley including parts of Richmond ***Public Hearing Continued from November 10, 2021***
8. ***LAFCO 21-16 – Annexation to City of Concord and Detachment from CSA P-6 – Laurel Place IV, Subdivision 9495*** - consider annexation to City of Concord and detachment from CSA P-6 (3.6± acres) of eight parcels (APNs 117-040-123 thru –130) located at 5175 Laurel Drive in unincorporated Concord and consider making determinations and findings as a responsible agency under CEQA ***Public Hearing***
9. ***LAFCO 21-09 – Annexation to East Bay Municipal Utility District (EBMUD) – Lark Lane*** – consider annexing to EBMUD one parcel (APN 198-230-017) totaling 18.38± acres located at 285 Lark Lane (Alamo) and consider a categorical exemption under the California Environmental Quality Act (CEQA) ***Public Hearing***
10. ***LAFCO 22-03 – SOI Amendment – EBMUD – Thomas Property*** – consider expanding EBMUD’s SOI (32± acres) to include two parcels (APNs 365-23-037/-038) located at 4949 Happy Valley Road (unincorporated Lafayette) and consider a categorical exemption under CEQA. ***Continue Public Hearing to September 14, 2022 at 1:30 pm***

### BUSINESS ITEMS

11. ***Contra Costa Mosquito & Vector Control District (CCMVCD) and Contra Costa Resource Conservation District (CCRCD) Public Review Municipal Services Review (MSR)/SOI Updates (2<sup>nd</sup> Round)*** – receive an overview of the Public Review CCMVCD/CCRCD Draft MSR, receive public comments, and provide input. ***Public Hearing***
12. ***LAFCO Fee Schedule Update*** – consider amending the LAFCO fee schedule to establish a \$4,200 fee for processing and review of out-of-agency fire protection services by contract - ***Public Hearing***
13. ***LAFCO 20-08 - Bay’s Edge Subdivision - Request for Extension*** – consider request for extension of time
14. ***Contract Extension – SWALE, Inc*** - consider approving a one-year contract extension with SWALE, Inc. which provides environmental planning services to Contra Costa LAFCO
15. ***CALAFCO 2022 Annual Conference Material, Call for Board of Directors Nominations and Voting Delegates*** –appoint voting delegate(s) and provide direction regarding nominations
16. ***Legislative Update and Position Letter*** - receive legislative update and position letter

## **INFORMATIONAL ITEMS**

17. *Current and Potential Applications* - update on current and potential applications – information only
18. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)
19. Commissioner Comments and Announcements
20. Staff Announcements/CALAFCO Updates/Newspaper Articles

## **ADJOURNMENT**

*Next regular LAFCO meeting September 14, 2022 at 1:30 pm.*

LAFCO STAFF REPORTS AVAILABLE AT [http://www.contracostalafco.org/meeting\\_archive.htm](http://www.contracostalafco.org/meeting_archive.htm)

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**DRAFT MEETING MINUTES**  
**June 8, 2022**

**August 10, 2022**  
**Agenda Item 3**

**1. Welcome and Call to Order; Roll Call (Agenda Items 1&2)**

Chair Schroder called the regular meeting of June 8, 2022, to order at 1:30 p.m.  
The following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Rob Schroder, Chair	Stan Caldwell (Absent)	Lou Ann Texeira, Executive Officer
Federal Glover, Vice Chair	Chuck Lewis	Tom Geiger, Commission Counsel
Candace Andersen	Diane Burgis (Absent)	Sherrie Weis, LAFCO Clerk
Don Blubaugh	Edi Birsan (Absent)	
Patricia Bristow		
Tom Butt		
Mike McGill		

Announcement: Pursuant to Governor Newsom’s Executive Order and local county health orders issued to address the COVID 19 pandemic, the Commission meeting is being held via Zoom videoconference. The public may listen to the meeting telephonically and comment by calling in to the teleconference meeting per the instructions on page 1 of the agenda. As required by the Brown Act, all votes taken this afternoon will be done by a roll call vote of the attending Commissioners participating via teleconference.

**3. Recognition of Outgoing Commissioner and Welcome New Commissioner**

The Commission bid farewell to Commissioner Skaredoff and welcomed new Commissioner Bristow.

**4. Approval of Minutes**

Upon motion by Commissioner Blubaugh and second by Commissioner Andersen, the Commission unanimously, by a 7-0 vote approved the April 13, 2022, meeting minutes.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

**5. Public Comments**

Chair Schroder invited members of the audience to provide public comment. There were no speakers.

**TELECONFERENCING**

**6. *Future LAFCO Meeting Format and Resolution Authorizing Teleconference Meetings Pursuant to Assembly Bill 361* – adopt a resolution authorizing LAFCO to conduct teleconference meetings under Gov. Code §54953(e) and making related findings.**

Following Commissioner comments and upon a motion by Commissioner McGill and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, adopted Resolution No. 2022-04 allowing Contra Costa LAFCO to conduct teleconference meetings pursuant to GC section 54953(e) and make related findings.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

## **OUT OF AGENCY SERVICE REQUESTS**

7. ***LAFCO 22-02 – City of Concord – Out of Agency Service Request*** – consider a request by the City of Concord to extend municipal wastewater services outside its jurisdictional boundary to property located at 1965 Ayers Road (0.5+ acres) (APN 116-091-025) in unincorporated Concord, and consider related actions per the California Environmental Quality Act (CEQA)

Following Commissioners comments and upon a motion by Commissioner Glover and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote, adopted Resolution No. 22-02 approving the extension of out of agency wastewater service to 1965 Ayers Road (0.5+ acres) (APN 116-091-025).

VOTE:  
AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder  
NOES: None  
ABSENT: None  
ABSTAIN: None

## **SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION**

8. ***Dissolution of County Service Area (CSA) R-10*** – approve dissolution of CSA R-10 comprising 7.37+ square miles and serving unincorporated Rodeo; and consider a categorical exemption under CEQA ***Public Hearing – Continued from February 9, 2022 and April 13, 2022 LAFCO Meetings***

Chair Schroder open and closed the public hearing, there were no public speakers.

Following Commissioners comments and upon a motion by Commissioner Glover and second by Commissioner Andersen, unanimously, by a 7-0 vote, adopted a resolution approving dissolution of CSA R-10 and setting forth the Commission’s terms, conditions, findings, and determinations.

VOTE:  
AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder  
NOES: None  
ABSENT: None  
ABSTAIN: None

9. ***LAFCO 21-08 – SOI Amendment – East Bay Municipal Utility District (EBMUD) – Lark Lane – Alamo*** consider expanding EBMUD’s SOI to include one parcel (198-230-017) totaling 18.38+ acres located at 285 Lark Lane in unincorporated Alamo and consider a categorical exemption under CEQA ***Public Hearing***

Chair Schroder open and closed the public hearing, there were no public speakers.

Following Commissioners comments and upon a motion by Commissioner Glover and second by Commissioner Andersen, unanimously, by a 7-0 vote, adopted Resolution 21-08 approving the proposed EBMUD SOI expansion of 18.38+ acres and determining that the SOI expansion is exempt from CEQA.

VOTE:  
AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder  
NOES: None  
ABSENT: None  
ABSTAIN: None

10. **LAFCO 21-14 – Annexations to Contra Costa Water District (CCWD) and Delta Diablo (DD) – Evora Road Self Storage** – consider annexing to CCWD and DD three parcels (APNs 098-220-015/-018/-019) totaling 7.75± acres located on Evora Road in unincorporated Bay Point; and consider making determinations and findings as a responsible agency under CEQA **Public Hearing**

Chair Schroder open and closed the public hearing, there were no public speakers.

Following Commissioner comments, and upon a motion by Commissioner Glover and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, adopted Resolution 21-14 making CEQA findings and approving the proposal, to be known as *Annexations to Contra Costa Water District and Delta Diablo – Evora Road Self-Storage Project*.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

**BUSINESS ITEMS**

11. **LAFCO 18-06 – Chang Property Reorganization: Annexations to City of San Ramon, Central Contra Costa Sanitary District, and EBMUD and Detachment from County Service Area P-6** – receive update regarding the open space easement and consider a request for extension of time

Following Commissioner comments, and upon a motion by Commissioner Andersen and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, approved an extension of time to file the Certificate of Completion to December 31, 2022 to complete the open space easement with the City of San Ramon and the resource agencies.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

12. **FY 2022-23 Final Budget** – consider approving the final budget & work plan for FY 2022-23 **Public Hearing**

Chair Schroder open and closed the public hearing, there were no public speakers.

Following Commissioner comments, and upon a motion by Commissioner Blubaugh and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, adopted the *FY 2022-23 Final Budget* and authorized staff to distribute the *FY 2022-23 Final Budget* to the County, cities and independent special districts as required by Government Code §56381.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

13. ***Municipal Service Reviews*** – authorize staff to execute a contract with Swale, Inc and Baracco Associates (subcontractor) to prepare a third round MSR/SOI updates covering wastewater services

Following Commissioner comments, and upon a motion by Commissioner Andersen and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, authorized the LAFCO Executive Officer to execute a contract with Swale, Inc. with Baracco & Associates as subcontractor, to prepare the 3<sup>rd</sup> round wastewater services MSRs/SOI updates covering seven cities and 13 districts with a project budget not to exceed \$110,000.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

14. ***Policy, Procedures, and Application Form - Fire Protection Services Contract Gov Code §56134*** – consider approving LAFCO policy, procedures, and application form relating to fire service contracts

Following Commissioner comments, and upon a motion by Commissioner Blubaugh and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, 1) Approved amendment to LAFCO Commissioner Handbook Section 2.1, Policies and Standards to include a reference to GC §56134; 2) Adopted procedures pertaining to OAS fire service contracts; and 3) Approved a new LAFCO application/questionnaire specific to OAS fire service contracts.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

15. ***Request to Transfer Jurisdiction from Alameda LAFCO to Contra Costa LAFCO*** - consider assuming jurisdiction and authorizing staff to send a request to Alameda LAFCO to transfer jurisdiction to consider a proposed sphere of influence amendment and corresponding annexation to EBMUD. The subject property is located at 4949 Happy Valley Road in unincorporated Lafayette

Following Commissioner comments, and upon a motion by Commissioner Andersen and second by Commissioner Blubaugh, the Commission, unanimously, by a 7-0 vote, agreed to assume exclusive jurisdiction for these proposals and authorize LAFCO staff to send a letter to Alameda LAFCO requesting a transfer of jurisdiction in conjunction with these proposals.

VOTE:

AYES: Andersen, Blubaugh, Bristow, Butt, Glover, McGill, Schroder

NOES: None

ABSENT: None

ABSTAIN: None

## **INFORMATIONAL ITEMS**

### **16. *Pending Applications* - receive an update on pending proposals**

Informational item – no action needed

### **17. *Correspondence from Contra Costa County Employee's Retirement Association (CCCERA)***

### **18. *Commissioner Comments and Announcements***

Commissioner McGill updated the Commission on CALAFCO's activities:

- Commissioner McGill is up for reelection to the CALAFCO Board October 2022, he will apply for reelection.
- April 22, 2022 – CALAFCO Board meeting
- April 29, 2022 – CALAFCO Legislative Committee meeting -unable to attend
- June 9, 2022 – CALAFCO Annual Conference Program Committee
- June 17, 2022 – CALAFCO Legislative Committee meeting
- July 22, 2022 – CALAFCO Board meeting
- July 29, 2022 – CALAFCO Legislative Committee meeting

### **19. *Staff Announcements***

Executive Officer updates:

- Contra Costa Mosquito & Vector Control District and Contra Costa Resource Conservation District MSRs are underway and will be presented to the Commission for public review at the August 8, 2022 meeting.
- Working with several potential applicants on annexations.
- Information will be sent out for the CALAFCO Annual Conference, October 19-21, Newport Beach

The meeting adjourned at 2:20 p.m.

Final Minutes Approved by the Commission July 13, 2022

## **ADJOURNMENT**

*The next regular LAFCO meeting is July 13, 2022, at 1:30 pm.*

By \_\_\_\_\_  
Executive Officer



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

Candace Andersen  
*County Member*

Donald A. Blubaugh  
*Public Member*

Tom Butt  
*City Member*

Patricia Bristow  
*Special District Member*

Federal Glover  
*County Member*

Michael R. McGill  
*Special District Member*

Rob Schroder  
*City Member*

**ALTERNATE MEMBERS**

Diane Burgis  
*County Member*

Stanley Caldwell  
*Special District Member*

Charles R. Lewis, IV  
*Public Member*

Edi Birsan  
*City Member*

August 10, 2022

**August 10, 2022  
 Agenda Item 5**

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

**Adoption of Resolution 2022-05 (AB 361) and Discuss  
 Format of Future Commission Meetings**

Dear Members of the Commission:

Since June 2020, Contra Costa LAFCO has conducted its public meetings via Zoom/teleconference, consistent with the Governor’s Executive Orders allowing teleconferencing and AB 361, which authorizes teleconferencing without following the non-emergency teleconferencing rules in the Brown Act. The Commission has adopted a resolution at each LAFCO meeting authorizing LAFCO to conduct teleconference meetings.

In April 2022, the Commission discussed format options for future LAFCO meetings, including virtual/teleconference meetings, in-person meetings, and hybrid meetings (both virtual/teleconference and in-person). The Commission expressed a preference for the hybrid format.

In May, LAFCO staff met with the County Information Technology and Clerk of the Board staff in the Board of Supervisor Chambers. At that time, we were informed that the hybrid format will require Commissioners and LAFCO staff attending in-person meetings in the Board Chambers to bring their own device (i.e., I-Pad, laptop, phone) in order to Zoom/teleconference into the meeting.

At its June 8, 2022, meeting, the Commission approved a resolution authorizing LAFCO to continue conducting teleconference meetings under Government Code section 54953(e). Commissioners indicated that because of the rise in Covid-19 cases dues to variants, the question of whether to continue meeting remotely would be revisited at each meeting.

**RECOMMENDATIONS:** 1) Adopt Resolution No. 2022-05 authorizing LAFCO to conduct teleconference meetings under Government Code §54953(e) and make related findings; and 2) discuss and provide direction regarding LAFCO’s future meeting format.

Sincerely,

LOU ANN TEXEIRA  
 EXECUTIVE OFFICER

Attachment – AB 361 – LAFCO Resolution 2022-05

**RESOLUTION NO. 2022-05**

**A RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION  
COMMISSION AUTHORIZING TELECONFERENCE MEETINGS UNDER  
GOVERNMENT CODE SECTION 54953(e) (ASSEMBLY BILL 361)**

**Recitals**

- A. On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Government Code (GC) §8550 et seq.
- B. On March 10, 2020, the Contra Costa County Board of Supervisors found that due to the introduction of COVID-19 in the County, conditions of disaster or extreme peril to the safety of persons and property had arisen, commencing on March 3, 2020. Based on these conditions, pursuant to GC §8630, the Board of Supervisors adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout Contra Costa County.
- C. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended the teleconferencing rules set forth in the California Open Meeting law, GC §54950 et seq. (the Brown Act), provided certain requirements were met and followed.
- D. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Brown Act and further provided that those provisions would remain suspended through September 30, 2021.
- E. On September 16, 2021, Governor Newsom signed Assembly Bill (AB) 361, which provides that under GC §54953(e), a legislative body subject to the Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in GC §54953(b)(3) if a proclaimed state of emergency exists and state or local officials have imposed or recommended measures to promote social distancing.
- F. On July 5, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings that include recommended measures to promote social distancing.
- G. Among the Health Officer's recommendations: (1) on-line meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19; (2) if a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended when possible to give those at higher risk of an/or higher concern about COVID-19 an alternative to participating in person; (3) a written safety protocol should be developed and followed, and it is recommended that the protocol require social distancing – i.e., six feet of separation between attendees – and face masking of all attendees; (4) seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.
- H. Because of the prevalence of COVID-19 variants in the Bay Area, case rates and COVID-19 hospitalizations remain high in the County.
- I. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Contra Costa Local Agency Formation Commission (LAFCO) intends to invoke the provisions of AB 361 related to teleconferencing.

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission resolves as follows:

1. LAFCO finds that: the state of emergency proclaimed by Governor Newsom on March 4, 2020, is currently in effect; and the Contra Costa County Health Officer has strongly recommended that public meetings be held by teleconferencing as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.
2. As authorized by AB 361, LAFCO will use teleconferencing for its meetings in accordance with the provisions of GC §54953(e).
3. The Executive Officer is authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance with GC §54953(e) and all other applicable provisions of the Brown Act.

PASSED AND ADOPTED on August 10, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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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: August 10, 2022

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Lou Ann Texeira, Executive Officer



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

- |   |  |
|---|--|
| <b>Candace Andersen</b><br><i>County Member</i>           | <b>Federal Glover</b><br><i>County Member</i>              |
| <b>Donald A. Blubaugh</b><br><i>Public Member</i>         | <b>Michael R. McGill</b><br><i>Special District Member</i> |
| <b>Tom Butt</b><br><i>City Member</i>                     | <b>Rob Schroder</b><br><i>City Member</i>                  |
| <b>Patricia Bristow</b><br><i>Special District Member</i> |  |

**ALTERNATE MEMBERS**

- |   |
|---|
| <b>Diane Burgis</b><br><i>County Member</i>               |
| <b>Stanley Caldwell</b><br><i>Special District Member</i> |
| <b>Charles R. Lewis, IV</b><br><i>Public Member</i>       |
| <b>Edi Birsan</b><br><i>City Member</i>                   |

August 10, 2022 (Agenda)

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

**August 10, 2022  
 Agenda Item 6**

**Results of Protest Hearing  
 Dissolution of County Service Area R-10**

Dear Commissioners:

CSA R-10 was formed in 1987 to provide recreation services. CSA R-10 serves the unincorporated Rodeo community. In January 1995, the County and John Swett Unified School District (JSUSD) entered into a 50-year lease agreement which provides for lease of JSUSD’s real property and facilities (i.e., Lefty Gomez Community Center, two baseball fields, two tennis courts, a playground, picnic and BBQ areas, and a concession stand) to the County. CSA R-10 has struggled financially over the years and facilities are in poor condition.

In August 2021, Contra Costa LAFCO completed its 2<sup>nd</sup> round *Parks & Recreation Services Municipal Services Review* (MSR) and Sphere of Influence (SOI) updates. The MSR covered all 19 cities, three parks & recreation districts, one regional park district, four community services districts, and eight County Service Areas (CSAs), including CSA R-10. Consistent with the recommendations presented in the MSR, the Commission adopted a zero SOI for CSA R-10 in November 2021 signalling future dissolution of this district.

The MSR noted that CSA R-10 facilities, including the Lefty Gomez facility, are in poor condition and in need of significant investment. Considerable infrastructure needs exist, however, there is currently no available funding.

In May 2022, the JSUSD terminated its lease agreement with Contra Costa County and entered into a lease agreement with the Rodeo Baseball Association (RBA) for the use of the Lefty Gomez facility. The new lease agreement will provide planned, organized, and regularly scheduled recreational activities for the Rodeo community and surrounding areas. The RBA will also have access to the community center. The lease agreement provides that the RBA maintain the premises and provide repairs as needed; pay for utilities; provide its own janitorial services; make improvements, alterations and fixtures; and other standard provisions.

Following several public hearings, on June 8, 2022, LAFCO Commissioners approved the dissolution of CSA R-10 subject to a protest hearing. Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the LAFCO Executive Officer conducted the protest hearing, the purpose of which was to receive written protests from affected landowners/registered voters regarding the proposal and determine whether a majority protest exists. The subject area (Rodeo) is “inhabited” as the area contains 12 or more registered voters. Because the area is inhabited, the Commission is required to take one of the following actions following conclusion of the protest hearing:

- **Order the reorganization** if written protests are filed by less than 25% of registered voters or landowners owning less than 25% of the assessed value of land within the subject area; or
- **Order the reorganization subject to an election** if at least 25% but less than 50% of voters, or at least 25% of landowners owning 25% or more of the assessed value of land file written protests; or
- **Terminate the proceedings** if a majority of voters in the subject area file written protests.

The protest hearing was properly noticed and held on Wednesday, July 13, 2022, at 1:30 p.m. via Zoom/teleconference. The hearing was conducted by the LAFCO Executive Officer, who is delegated the authority to conduct the protest hearing on behalf of the Commission.

Following the protest hearing, written protests are to be counted. The LAFCO Executive Officer reports that no written protests were filed.

### **RECOMMENDATION**

It is recommended that the Commission receive the results of the protest hearing, find that there are insufficient protests to order an election or terminate the LAFCO proceedings, and order the dissolution of CSA R-10 per the Executive Officer’s Determination (attached).

Sincerely,

Lou Ann Texeira  
Executive Officer

Attachment – Executive Officer’s Determination

c: Distribution List

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

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**DETERMINATION OF THE EXECUTIVE OFFICER OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION FINDING THERE ARE INSUFFICIENT WRITTEN PROTESTS TO ORDER AN ELECTION OR TERMINATE THE PROCEEDINGS RELATING TO DISSOLUTION OF COUNTY SERVICE AREA R-10 AND ORDER OF THE COMMISSION DISSOLVING CSA R-10 (LAFCO 21-15)**

1. This action is taken pursuant to the Cortese Knox Hertzberg Local Government Reorganization Act (Government Code §56000 et seq.) and policies of the Contra Costa Local Agency Formation Commission (Commission).

2. Proceedings for dissolution of County Service Area (CSA) R-10 were initiated by Contra Costa LAFCO on November 10, 2021 based on findings in the 2021 2<sup>nd</sup> Round Parks & Recreation Services Municipal Services Review which included lack of funding and the need for significant investment to address CSA R-10 facility and infrastructure needs.

3. On June 8, 2022, the Commission adopted a resolution making determinations and approving the dissolution subject to certain conditions. A true copy of the resolution containing the terms and conditions of the Commission's approval of the dissolution proposal is attached hereto and incorporated by this reference.

4. Acting on delegated authority from State law and the Commission, the Executive Officer, on July 13, 2022, conducted a properly noticed public hearing to receive protests filed against the dissolution, and following the conclusion of the hearing, the Executive Officer determined that no written protests were filed.

5. Finding there are insufficient protests to order an election or terminate the LAFCO proceedings, Contra Costa LAFCO hereby orders the dissolution of CSA R-10 subject to the terms and conditions contained within the Commission's resolution adopted on June 8, 2022.

This order is made on and is effective as of August 10, 2022.

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Lou Ann Texeira, Executive Officer  
Contra Costa Local Agency Formation Commission

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

August 10, 2022 (Agenda)

August 10, 2022  
Agenda Item 7

*LAFCO Initiation of Dissolution of County Service Area R-9*

SYNOPSIS

In June 2021, Contra Costa LAFCO completed its 2<sup>nd</sup> round *Parks & Recreation Services Municipal Services Review* (MSR) and Sphere of Influence (SOI) updates. The MSR covered all 19 cities, three parks & recreation districts, one regional park district, four community services districts, and eight County Service Areas (CSAs) including CSA R-9. Consistent with the recommendations in the MSR, the Commission adopted a zero SOI for CSA R-9 in June 2021 signalling future dissolution of this district.

In November 2021, the Commission considered initiating dissolution of CSA R-9, but deferred action for 6-9 months at the request of County Supervisor John Gioia and pending an update on the status of R-9. Supervisor Gioia reports that the working group exploring a parcel tax for parks in El Sobrante recently resumed meeting. Supervisor Gioia requests an additional extension of six months to continue these discussions.

DISCUSSION

**Background:** CSA R-9 was formed in 1974 to provide park and recreation services to the unincorporated El Sobrante community (Exhibit A). Since formation, there were five detachments from and three annexations to R-9. The R-9 service area is approximately 3.1± square miles with an estimated population of 15,639 (2020).

CSA R-9 is almost entirely within the City of Richmond's SOI with a small portion in the north that lies within the City of Pinole's SOI, and an island to the southwest which lies within the City of San Pablo's SOI. There are no disadvantaged communities within CSA R-9.

Within R-9 is the Children's Reading Garden located at the El Sobrante library. The Reading Garden was built with one-time park dedication fees and designed to have minimal maintenance. The Reading Garden is maintained by volunteers and the Library. R-9 has no money and no funding source to fund maintenance of the Children's Reading Garden. Park improvements in El Sobrante have been funded with one time park dedication funds collected on new development. The County reports that reliance on volunteer community members to maintain the Reading Garden is not sustainable due to liability and accountability issues. Further, the Reading Garden is 0.1± acres and does not provide sufficient capacity to meet current or future demands. There are limited opportunities for shared facilities given R-9's lack of resources.

Regarding financial ability of the district to provide services, R-9 lacks a secure source of revenue. Planned expenditures are expected to exceed revenues, which means maintenance and other expenses may need to be partially deferred. Two past attempts to pass assessments in 1985 and 1998 failed.

The MSR identified two SOI options for R-9: 1) retain the existing coterminous SOI, or 2) adopt a zero SOI signaling future dissolution of R-9 whereby the County would be the successor agency. County staff indicates that R-9 park maintenance duties could shift to the County Landscape & Lighting District.

In accordance with the MSR consultant and LAFCO staff recommendations, the Commission adopted a zero SOI as R-9 is not providing services and has no secure revenue source.

**Commission Proceedings** – A dissolution may be initiated by LAFCO if it is consistent with a recommendation or conclusions of a study prepared pursuant to GC §§56378, 56425, or 56430, and LAFCO makes determinations specified in §56881(b). Sections 56378, 56425, and 56430 require LAFCO to study existing agencies, make determinations regarding SOIs and conduct MSRs.

Section 56881(b) requires LAFCO to make both of the following determinations with regard to the proposed dissolution:

- (1) Public service costs of a proposal that the commission is authorizing are likely to be less than or substantially similar to the costs of alternate means of providing the service.
- (2) A change of organization or reorganization that is authorized by the commission promotes public access and accountability for community service needs and financial resources.

Before LAFCO can dissolve a district, LAFCO must hold a public hearing. Should the Commission initiate dissolution of CSA R-9 today, a public hearing will be held at the next available LAFCO meeting.

#### ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider approving one of the following options:

- Option 1** Adopt a resolution initiating dissolution of CSA R-9 (Attachment 2) and direct staff to proceed with dissolution proceedings to be considered by the Commission at a future LAFCO meeting.
- Option 2** Defer adopting a resolution initiating dissolution of CSA R-9 and request an update within six months regarding the status of CSA R-9 including future funding options.
- Option 3** Do not adopt a resolution initiating dissolution of CSA R-9.
- Option 4** If the Commission needs more information, CONTINUE this matter to a future meeting.

**RECOMMENDED ACTION: Option 2**

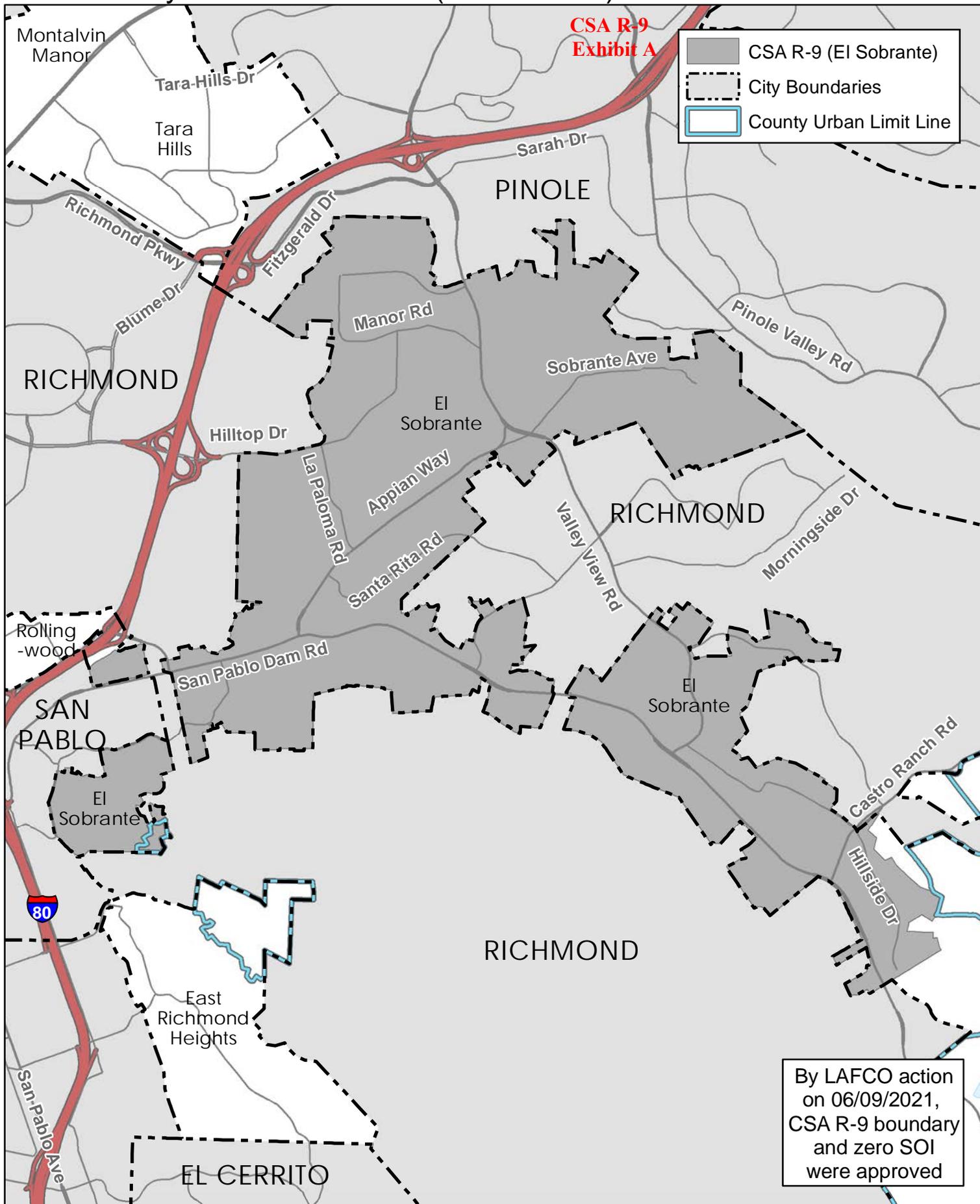
\_\_\_\_\_  
LOU ANN TEXEIRA, EXECUTIVE OFFICER  
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Attachment:  
LAFCO Draft Resolution Initiating Dissolution of CSA R-9

Exhibit:  
LAFCO Map of CSA R-9

c: Distribution

# County Service Area R-9 (El Sobrante) and Coterminus SOI



By LAFCO action on 06/09/2021, CSA R-9 boundary and zero SOI were approved

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION  
COMMISSION TO INITIATE PROCEEDINGS FOR DISSOLUTION OF  
COUNTY SERVICE AREA (CSA) R-9**

**WHEREAS**, the Commission desires to initiate a proposal pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (CKH Act), commencing with section 56000 of the California Government Code (GC), to dissolve County Service Area (CSA) R-9 and appoint Contra Costa County as successor agency to wind up the affairs of CSA R-9 pursuant to GC §57451(b); and

**WHEREAS**, in accordance with GC §56375(a)(3), LAFCO may initiate a dissolution if it is consistent with a recommendation or conclusion of a study prepared pursuant to GC §56378, 56425 or 56430, and LAFCO makes the determinations specified in §56881(b); and

**WHEREAS**, on June 9, 2021, the Commission adopted determinations contained in the *2<sup>nd</sup> Round Parks & Recreation Services Municipal Services Review* and adopted a zero sphere of influence (SOI) signaling future dissolution of CSA R-9; and

**WHEREAS**, dissolution of CSA R-9 is consistent with the findings and recommendations contained in the *2<sup>nd</sup> Round Parks & Recreation Services Municipal Services Review*; and

**WHEREAS**, this proposed dissolution is being initiated because the district lacks a secure source of revenue and prior attempts to pass assessments have failed; planned expenditures are expected to exceed revenues; and facility maintenance and other expenses are at risk; and

**WHEREAS**, pursuant to GC §57451(b), for the purpose of winding up the affairs of a dissolved district, if the territory of a dissolved district is located entirely within the unincorporated territory of a single county, the county is the successor; and

**WHEREAS**, pursuant to GC §56886, terms and conditions relating to the proposed dissolution and appointment of Contra Costa County as the successor agency to wind up the affairs of the R-9 will be developed as part of LAFCO's proposal; and

**WHEREAS** a map of the affected territory is set forth in Exhibit A, attached hereto and by reference incorporated herein; and

**WHEREAS**, LAFCO will be the lead agency for purposes of the California Environmental Quality Act (CEQA), and the proposed dissolution will be exempt under §15320 of the CEQA Guidelines as a change in organization of a local agency.

**NOW, THEREFORE**, this resolution is hereby adopted by Contra Costa LAFCO to: (1) initiate proceedings for dissolution of CSA R-9; (2) appoint Contra Costa County as successor agency to wind up the affairs of R-9 in the manner provided by the CKH Act; and (3) designate the LAFCO Executive Officer as the contact person for this proposal.

PASSED AND ADOPTED this 10<sup>th</sup> day of August 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

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: August 10, 2022

---

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

August 10, 2022 (Agenda)

August 10, 2022  
Agenda Item 8

LAFCO 21-16 Laurel Place IV – Subdivision 9495 - Annexation to City of Concord and Corresponding Detachment from County Service Area (CSA) P-6

APPLICANT Chicken Farm Associates, LLC, Landowner/Applicant

SYNOPSIS This is an application to annex eight parcels (APNs 117-040-123 thru -130) to the City of Concord and detach these parcels from CSA P-6. The parcels total 3.6± acres and are located at 5175 Laurel Drive in unincorporated Concord (Ayers Ranch) - see Exhibit A.

The applicant constructed eight single-family residential homes on the subject property as approved by Contra Costa County. All eight homes were sold and are occupied. The annexation/detachment is in accordance with the City's pre-annexation agreement and LAFCO's conditions of approval for out-of-agency wastewater service in August 2020.

DISCUSSION

Government Code (GC) §56668 sets forth factors that the Commission must consider in evaluating a proposed boundary change as discussed below. In the Commission's review, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

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

The subject area proposed is within the SOI of the City of Concord.

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

The subject property is a small infill area comprised of eight lots with eight single family homes, which have been sold and are occupied.

The County General Plan designation for the site is Single-Family Residential - Low Density and the County's zoning is R-15 Single Family Residential (lot size 15,000 sq. ft. minimum). The City of Concord rezoned the property RR-20 (Rural Residential) and the City's General Plan designation is LDR (Low Density Residential). The subject area is located within the voter approved Urban Limit Line.

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

The project site is zoned for single-family residential development and is surrounded by single-family residential development to the east, west, north and south. The subject area contains no prime farmland, land covered under a Williamson Act Land Conservation agreement, or any designated open space.

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

The subject and surrounding areas are generally flat with no significant natural features.

5. **Population:**

The average household size in the City of Concord is 2.76 and the average family size is 3.32. The estimated population for the eight single family homes is approximately 22-27 people. (Data source: US Census Bureau American Community Survey 2020 5-year estimates). The subject area currently has 10 registered voters; thus, the subject area is, by statute, considered uninhabited.

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

In its review of a proposal, LAFCO must consider the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional

council of governments. All eight homes were sold at market rate and will add to the City's housing stock.

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

If a proposal for a change of organization or reorganization is submitted, the applicant must submit a plan for providing services within the affected territory (Gov. Code §56653). The plan for services is included with the application. The plan must include all the following information and any additional information required by the Commission or the Executive Officer:

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

The subject area is currently served by various local agencies including, but not limited to, Contra Costa County, Contra Costa Fire Protection District, and Contra Costa Water District (CCWD).

The City of Concord provides wastewater services to the subject area pursuant to an out-of-agency service agreement approved by LAFCO on August 12, 2020.

The infrastructure serving the subdivision includes an 8-inch main, two sewer manholes, and eight laterals and clean-outs. The project is estimated to generate approximately 270 gallons of wastewater per day per home. The landowner is responsible for the initial capital costs; and future operations and maintenance costs are the responsibility of the individual homeowners. The homeowner's association has assumed responsibility for maintenance of the private sewer system.

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

The subject area is within the service boundary of CCWD. CCWD's boundary encompasses 220± square miles in central and eastern Contra Costa County. 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.

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

The subject area is within tax rate area 79036. The assessed value for the subject area is \$1,515,540 (2021-22 roll). The territory being annexed is liable for all authorized or existing taxes and bonded debt comparable to properties presently within the annexing agencies.

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

In 2019, Contra Costa County, as Lead Agency, prepared and approved an Initial Study/Mitigated Negative Declaration (MND) in conjunction with the Laurel Place IV subdivision. The environmental factors potentially affected by this project include Aesthetics, Biological Resources, Geology/Soils, Utilities/Services Systems, Cultural Resources, Air Quality, and Tribal Cultural Resources. The County's MND notes that although the project could have a significant effect on the environment, there will be no significant effects because revisions in the project have been made or agreed to by the project proponent.

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

All landowners and registered voters within the proposal area and within 300 feet of the exterior boundaries of the area(s) were sent notice of this LAFCO hearing.

According to County Elections, there are currently 10 registered voters in the subject area; thus, the subject area is, by statute, considered uninhabited. A pre-annexation agreement was signed and recorded by the developer and disclosed to the affected homeowners. Therefore, if the Commission approves the annexation/detachment, the Commission must waive the protest hearing (Gov. Code §56662) as no affected landowners have filed a protest as of this writing.

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

The subject area is within the City of Concord's SOI. A map and legal description for the proposed annexation/detachment have been received and are subject to final approval by the County Surveyor.

**13. Environmental Justice:**

LAFCO is required to consider the extent to which proposals for changes of organization or reorganization will promote environmental justice. As defined by statute, "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. The proposed annexation/detachment is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

**14. Disadvantaged Communities:**

In accordance with State legislation, local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County Department of Conservation and Development, the subject area does not meet the criteria of a DUC.

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

As of this writing, LAFCO has received no objection from any affected local agency, landowner, or registered voter within the subject area. If no objection is received from any affected party prior to the conclusion of the hearing on August 10<sup>th</sup>, the Commission must waive the protest hearing.

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

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to GC §§56668(g) and 65080. The Commission may also *consider the regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or sub regional basis* (GC §56668.5). Regarding these sections, LAFCO looks at consistency of the proposal with the regional transportation and other regional plans affecting the Bay Area.

SB 375, a landmark state law, requires California's regions to adopt plans and policies to reduce the generation of greenhouse gases (GHG), primarily from transportation. To implement SB 375, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), in July 2013, adopted *Plan Bay Area* as the "Regional Transportation Plan and Sustainable Communities Strategy" for the San Francisco Bay Area through 2040. This plan focused on where the region is expected to grow and how development patterns and the transportation network can work

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

#### ALTERNATIVES FOR COMMISSION ACTION

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

**Option 1** Approve the annexation/detachment as proposed.

- A. Find that, as a Responsible Agency under the California Environmental Quality Act (CEQA), LAFCO has considered the environmental effects of the *Laurel Place IV* project as shown in Contra Costa County's Initial Study/Mitigated Negative Declaration, and finds that all changes or alterations in the project that avoid or substantially lessen its environmental effects are within the responsibility and jurisdiction of the County and not LAFCO, and that these changes have been, or can and should be, adopted by the County as the lead agency.
- B. Adopt this report, approve LAFCO Resolution No. 21-16 (Attachment 1), and approve the proposal, to be known as *Laurel Place IV, Subdivision 9495 - Annexation to City of Concord/Detachment from CSA P-6*, subject to the terms and conditions in Resolution No. 21-16.

**Option 2** Adopt this report and DENY the proposal.

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

**RECOMMENDED ACTION: Approve Option 1**

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

#### Exhibit

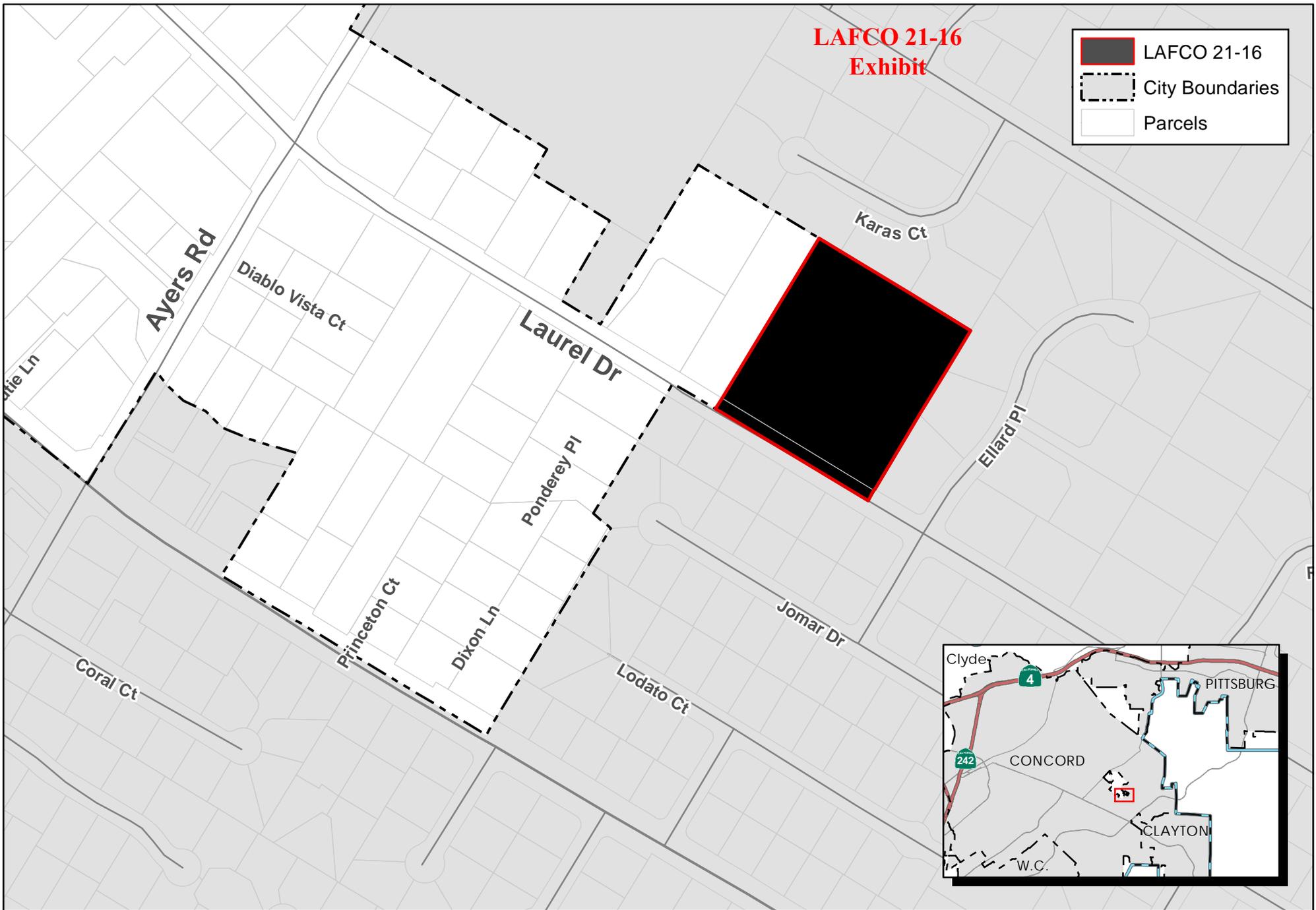
Annexation Map

#### Attachment

Draft LAFCO Resolution 21-16

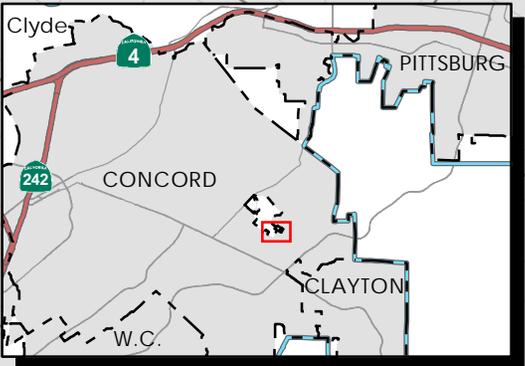
- c: Dan Freeman, President, Chicken Farm Associates, LLC  
Rick Rosenbaum, Lenox Homes  
Mitra Abkenari, City of Concord

# LAFCO 21-16 Laurel Place IV - Annexation to City of Concord and Detachment from CSA P-6



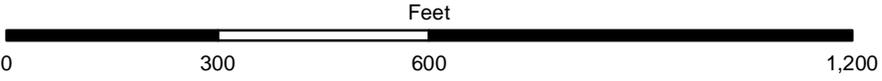
**LAFCO 21-16  
Exhibit**

	LAFCO 21-16
	City Boundaries
	Parcels



Map created 7/1/2022  
 by Contra Costa County Department of  
 Conservation and Development, GIS Group  
 30 Muir Road, Martinez, CA 94553  
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development 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.



**RESOLUTION NO. 21-16**

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING ANNEXATION TO CITY OF  
CONCORD AND DETACHMENT FROM COUNTY SERVICE AREA (CSA) P-6  
LAUREL PLACE IV, SUBDIVISION 9495**

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

**WHEREAS**, the Executive Officer has examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; and

**WHEREAS**, at the time and in the manner required by law the Executive Officer gave notice of the Commission's consideration of the proposal; and

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

**WHEREAS**, at a public hearing held on August 10, 2022, the Commission heard, discussed, and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental documents and determinations, applicable General and Specific Plans, consistency with the sphere of influence, contiguity with the City and district boundaries, and related factors and information including those contained in Gov. Code §56668; and

**WHEREAS**, information satisfactory to the Commission has been presented that no affected landowners/registered voters within the subject area object to the proposal; and

**WHEREAS**, the applicant has delivered to LAFCO an executed indemnification agreement proving for the applicant to indemnify LAFCO against any expenses arising from any legal actions to challenge the annexation; and

**WHEREAS**, the Local Agency Formation Commission determines the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Contra Costa County.

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

1. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, considered the environmental effects of the project as shown in Contra Costa County's Initial Study/Mitigated Negative Declaration. The Commission finds that all changes or alterations in the project that avoid or substantially lessen its significant environmental effects are within the responsibility and

Contra Costa LAFCO  
Resolution No. 21-16

jurisdiction of the County and not LAFCO, and that these changes have been, or can and should be, adopted by the County as the lead agency.

2. Annexation to the City of Concord and detachment from CSA P-6 of 3.6± acres are hereby approved.
3. The subject proposal is assigned the distinctive short-form designation:  
**LAUREL PLACE IV, SUBDIVISION 9495 - ANNEXATION TO CITY OF CONCORD AND DETACHMENT FROM CSA P-6**
4. The boundary of the affected territory is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject territory is liable for any authorized or existing taxes, charges, and assessments comparable to properties within the annexing agency.
6. The subject territory is uninhabited.
7. No affected landowners or registered within the subject area object to the proposal, and the conducting authority (protest) proceedings are hereby waived.
8. All subsequent proceedings in connection with this annexation/detachment shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

\*\*\*\*\*

PASSED AND ADOPTED THIS 10<sup>th</sup> day of August 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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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.*

Dated: August 10, 2022

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Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

August 10, 2022 (Agenda)

August 10, 2022  
Agenda Item 9

LAFCO 21-09 Annexation to East Bay Municipal Utility District (EBMUD) – 285 Lark Lane - Alamo  
APPLICANT Taso Tsakos, Managing Member, EBH South Avenue Owner, LLC, Owner/Applicant

SYNOPSIS The applicant proposes to annex one parcel (APN 198-230-017) to EBMUD. The parcels total 18.38± acres and is located at 285 Lark Lane in unincorporated Alamo-see attached map (Exhibit A).

The purpose of the proposal is to allow for the extension of municipal water service to facilitate development of one single-family home. The landowner reports that numerous attempts at local well drilling were unsuccessful. The proposed development is consistent with the County's land use designations as described below.

In February 2022, the EBMUD New Business Manager provided LAFCO with a letter indicating that water service to the subject property will be available contingent upon evidence of annexation to EBMUD and compliance with EBMUD's regulations.

BACKGROUND

In September 2021, the landowner applied to Contra Costa LAFCO to expand EBMUD's sphere of influence (SOI) and annex the subject property to EBMUD. Included with the application was a request that Alameda LAFCO transfer jurisdiction to Contra Costa LAFCO to process these applications. Alameda is the principal county for LAFCO proceedings related to EBMUD matters. The "principal county" for LAFCO proceedings is the county having the greatest portion of the assessed value, as shown on the last equalized assessment roll, of all taxable property within the district. [Government Code (GC) §56066].

On November 10, 2021, the Commission authorized staff to send a request to Alameda LAFCO to transfer jurisdiction to Contra Costa LAFCO. On January 13, 2022, Alameda LAFCO approved the request.

On June 8, 2022, Contra Costa LAFCO approved the SOI expansion. On August 10, 2022, the Commission will be asked to approve the corresponding annexation as described below.

DISCUSSION

Government Code (GC) §56668 sets forth factors that the Commission must consider in evaluating a proposed boundary change as discussed below. In the Commission's review, no single factor is determinative. In reaching a decision, each is to be evaluated within the context of the overall proposal.

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

The parcel proposed for annexation is within EBMUD's SOI as approved by the Commission on June 8, 2022. EBMUD staff does not oppose the proposed annexation.

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

The project property is vacant undeveloped land. The planned land use is construction of a single-family home which is consistent with the County land use designations. The County General Plan designation for the subject parcel is *Agricultural Land (AL)* and the zoning designation is *General Agricultural* five acre minimum (A-2). The parcel is inside the Contra Costa County Urban Limit Line.

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

The subject parcel does not meet the LAFCO definitions of "prime agricultural land" (GC §56064) or "agricultural" land" (GC §56016), and the parcel is vacant with no current agricultural activity. The

subject parcel is not under an active Williamson Act contract. There are lands under Williamson Act contracts south and southwest of the subject parcel.

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

The subject parcel is located in the unincorporated community of Alamo. The subject parcel is gently sloped at the easter end of the parcel with a slope density of approximately 20%. The general topography of the area is hillside primarily above 500 feet. The surrounding areas are similar to the subject parcel. The area to the east is lower in elevation, and the area to the west rises more steeply than the annexation area. Land cover in the area consists of native grass, trees, and shrubs.

**5. Population:**

The estimated population increase is approximately 2.9 people based on the US Census Bureau 5-year estimates (2016-2020) or three persons per one new dwelling unit.

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

In its review of a proposal, LAFCO must consider the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. The proposed annexation will have no effect on regional housing needs.

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

In conjunction with an annexation application, the applicant must submit a plan for providing services within the affected territory (Gov. Code §56653). The plan for services is available in the LAFCO office. The plan shall include all of the following information and any additional information required by the Commission or the LAFCO Executive Officer:

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

The annexation area is currently within the service boundaries of various local agencies including, but not limited to, Contra Costa County, Central Contra Costa Sanitary District, San Ramon Valley Fire Protection District, Alamo Lafayette Cemetery District, various school districts, and other local and regional agencies.

The proposal before the Commission is annexation of one parcel to EBMUD to support one proposed single-family home.

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

Pursuant to the CKH, LAFCO must consider the timely and available supply of water in conjunction with a boundary change proposal. Contra Costa LAFCO policies state that any proposal for a change of organization that includes the provision of water service shall include information relating to water supply, storage, treatment, distribution, and waste recovery; as well as adequacy of services, facilities, and improvements to be provided and financed by the agency responsible for the provision of such services, facilities and improvements.

The proposal includes annexation to EBMUD for the provision of water services. EBMUD provides potable water services and limited wastewater collection and treatment services in portions of the District's service area. The EBMUD service area is approximately 332 square miles (Contra Costa and Alameda counties). EBMUD provides potable water to approximately 1.4 million people within the two-county service area. Within Contra Costa County, EBMUD provides water service to a 225± square mile service area, serving an estimated 522,000 residents.

EBMUD's water supply is distributed through a collection system consisting of aqueducts, reservoirs, and other components. The primary source of water for EBMUD is the Mokelumne River; this watershed accounts for 90 percent of EBMUD's water supply. EBMUD's existing water rights allow the delivery of up to 325 mgd or approximately 364,037 acre-feet per year of water from the Mokelumne River.

EBMUD's water rights are subject to variability, particularly during dry and multiple dry years. The availability of the Mokelumne River runoff is subject to senior water rights of other users, downstream fishery flow requirements, and other Mokelumne River water uses. Given the variability, EBMUD indicates that supplemental water supply sources are needed to meet future water demand during extended periods of drought.

The Freeport Regional Water Facility is a regional water supply project that provides supplemental water supply to EBMUD during dry years, as part of the Central Valley Project (CVP), a federal water management program. During periods of drought, EBMUD receives CVP water from its Freeport Regional Water Facility to augment its water supply. The U.S. Bureau of Reclamation (USBR) provides supplemental water supply during dry and multiple dry years to ensure the reliability of EBMUD's water supply. In conjunction with the request to annex the property, EBMUD must seek approval from the USBR for inclusion. Furthermore, the District may be required to obtain approval to update the District's Place-in-Use with the California Water Resources Control Board (SWRCB). To initiate the review and approval process with the USBR and SWRCB, the landowner must enter into an agreement with EBMUD to reimburse the District for all fees levied by these agencies.

Based on potential development one new single-family dwelling unit, the estimated demand for service is approximately 300 gallons per day. Water will be pumped from the existing 8-inch EBMUD water main on South Avenue. No additional public/EBMUD infrastructure is needed to serve the subject property. EBMUD staff provided a will serve letter indicating that municipal water service will be available following annexation.

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

The annexation area is within tax rate area 66077. The assessed value for the annexation area is \$709,227 (2021-22 roll). The territory being annexed shall be liable for all authorized or existing taxes and bonded debt comparable to properties presently within the annexing agencies.

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

The proposed annexation of the subject parcel is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §§15303(a) and (d).

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

According to County Elections, there are fewer than 12 registered voters on the subject property; thus, the area proposed for annexation is, by statute, considered uninhabited. The property

owner/applicant consents to the proposed annexation. Therefore, if the Commission approves the annexation, the Commission may waive the protest hearing (Gov. Code §56662).

All landowners and registered voters within the proposal area(s) and within 300 feet of the exterior boundary of the subject parcel were sent notice of the LAFCO hearing.

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

The property proposed for annexation is within EBMUD's SOI. A map and legal description to implement the proposed annexation were received and are subject to final approval by the County Surveyor.

**13. Environmental Justice:**

LAFCO is required to consider the extent to which proposals for changes of organization or reorganization will promote environmental justice. As defined by statute, "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. The proposed annexation is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

**14. Disadvantaged Communities:**

In accordance with State legislation, local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/ amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County Department of Conservation and Development, the annexation area does not meet the criteria of a DUC.

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

As of this writing, no comments were received from other affected agencies or parties.

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

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to GC §65080 [GC §56668(g)]. Further, the Commission may consider the regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or sub regional basis (GC §56668.5). Regarding these sections, LAFCO looks at consistency of the proposal with the regional transportation and other regional plans affecting the Bay Area.

SB 375, a landmark state law, requires California's regions to adopt plans and policies to reduce the generation of greenhouse gases (GHG), primarily from transportation. To implement SB 375, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), in July 2013, adopted Plan Bay Area as the "*Regional Transportation Plan and Sustainable Communities Strategy*" for the San Francisco Bay Area through 2040. *Plan Bay Area* focuses on where the region is expected to grow and how development patterns and the transportation network can work together to reduce GHG emissions. The Plan's key goals are to reduce GHG emissions by specified amounts; and plan sufficient housing for the region's projected population over the next 25 years.

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

#### ALTERNATIVES FOR COMMISSION ACTION

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

#### RECOMMENDED ACTION: Approve Option 1

**Option 1** Approve the annexation as proposed.

- A. Find that the project is exempt from CEQA pursuant to §§15303(a) and (d) of the CEQA Guidelines.
- B. Adopt this report, approve LAFCO Resolution No. 21-09 (Attachment 1), and approve the proposal, to be known as *Annexation to East Bay Municipal Utility District (EBMUD) – 285 Lark Lane - Alamo* subject to the terms and conditions in Resolution No. 21-09.

**Option 2** Adopt this report and DENY the proposal.

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

#### RECOMMENDED ACTION: Approve Option 1

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

#### Attachment

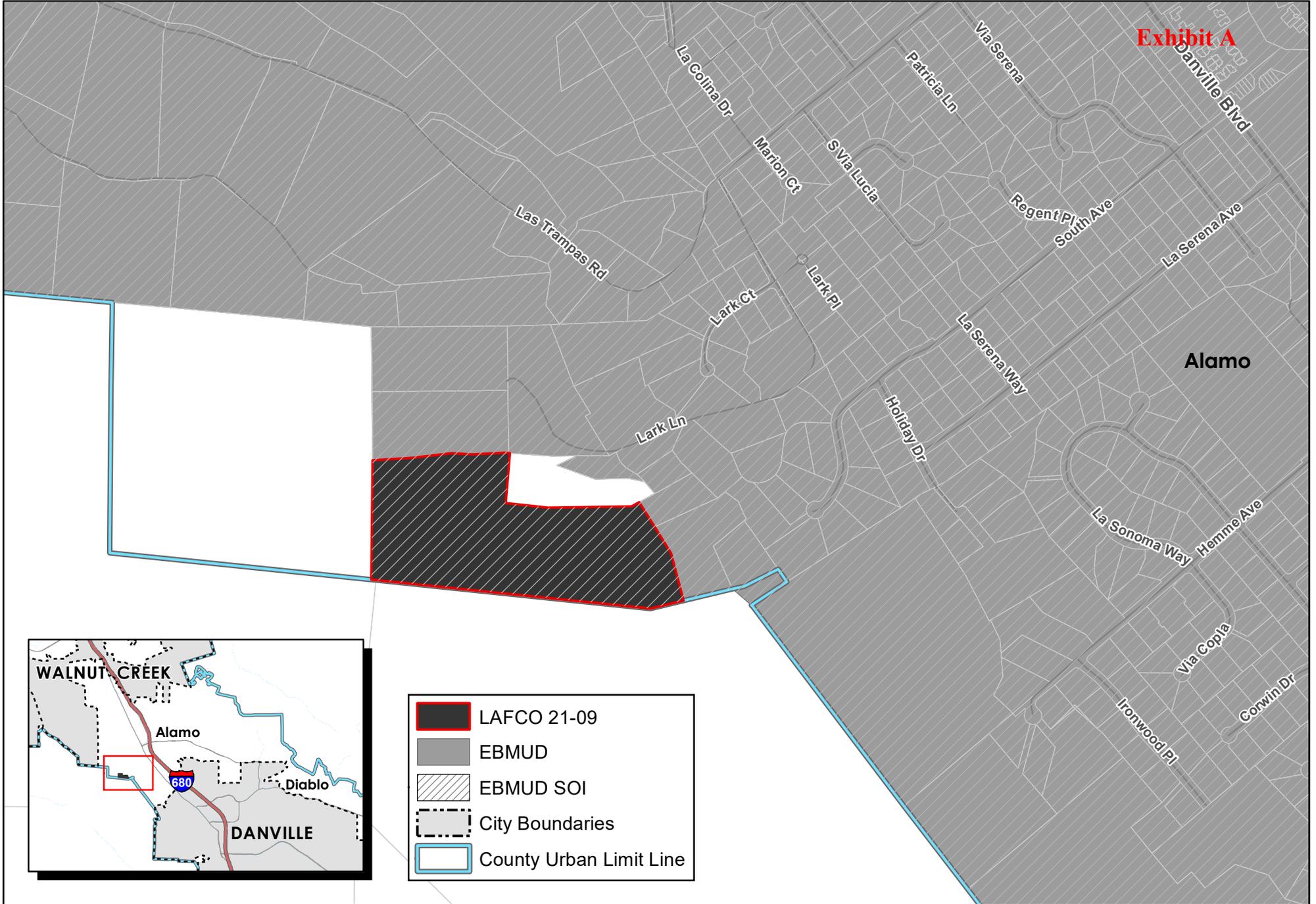
Draft LAFCO Resolution 21-09

#### Exhibit

Annexation Map – 285 Lark Lane

c: Taso Tsakos, Managing Member, EBH South Avenue Owner, LLC, Owner/Applicant  
Jack Flynn, EBMUD  
John Mellar, Aliquot Engineers

# LAFCO No. 21-09 Annexation to East Bay Municipal Utility District (EBMUD) - 285 Lark Lane, Alamo



**RESOLUTION NO. 21-09**

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING  
ANNEXATION TO EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD)  
285 LARK LANE - ALAMO**

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

**WHEREAS**, the Executive Officer examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; and

**WHEREAS**, at the time and in the manner required by law, the Executive Officer gave notice of the Commission's consideration of the proposal; and

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

**WHEREAS**, at a public hearing held on August 10, 2022, the Commission heard, discussed, and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendations, the environmental document and determinations, applicable General and Specific Plans, consistency with the sphere of influence, and related factors and information including those contained in Gov. Code §56668; and

**WHEREAS**, information satisfactory to the Commission was presented that no affected landowners/registered voters within the subject area object to the proposal; and

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

**WHEREAS**, the Local Agency Formation Commission determines the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Contra Costa County.

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

1. The Commission finds that the annexation to EBMUD is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15300(a) and (d).
2. Annexation to East Bay Municipal Utility District of one parcel (APN 198-230-017) totaling 18.38± acres located at 285 Lark Lane in Alamo is approved.

3. The subject proposal is assigned the distinctive short-form designation:  
**ANNEXATION TO EAST BAY MUNICIPAL UTILITY DISTRICT – 285 LARK LANE  
ALAMO**
4. The boundary of the subject area is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject area is liable for any authorized or existing taxes, charges, and assessments currently being levies on comparable properties within the annexing agency.
6. The subject area is uninhabited.
7. No affected landowners or registered voters within the subject area object to the proposal, and the conducting authority (protest) proceedings are hereby waived.
8. Water service is conditioned upon EBMUD receiving acceptance for inclusion of the annexed area from the United States Bureau of Reclamation (USBR), pursuant to the requirements in EBMUD’s contract with USBR for supplemental water supply from the Central Valley Project.
9. All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

\*\*\*\*\*

PASSED AND ADOPTED THIS 10<sup>th</sup> day of August 2022, 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.*

Dated: August 10, 2022

---

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

August 10, 2022 (Agenda)

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

**August 10, 2022**  
**Agenda Item 10**

**East Bay Municipal Utility District (EBMUD) Sphere of Influence (SOI) Amendment  
4949 Happy Valley Road, Lafayette (unincorporated)**

**CONTINUE PUBLIC HEARING TO SEPTEMBER 14, 2022, AT 1:30 P.M.**

Dear Members of the Commission:

The above referenced SOI amendment was noticed for the August 10, 2022 LAFCO meeting in anticipation of the Commission being able to consider the matter.

The application is to expand EBMUD's SOI by 32± acres. The subject area includes two parcels (APNs 365-230-037/-038) located at 4949 Happy Valley Road in unincorporated Lafayette. The applicant also submitted a corresponding application to annex the parcels to EBMUD.

The purpose of the proposal is to allow for the extension of municipal water service to support an existing vineyard, livestock, one existing single-family home (APN -037), and one proposed single-family home (APN -038). The landowner indicates the need for municipal water due to high levels of boron in the well water as confirmed in a letter from Contra Costa Environmental Health Services. The application also included a "will serve" letter from EBMUD.

In June 2022, Contra Costa LAFCO submitted a request to Alameda LAFCO for transfer of jurisdiction, which Alameda LAFCO approved on July 14, 2022.

EBMUD staff recently expressed concerns regarding compliance with EBMUD regulations and with the physical extension of water service to the subject property due to access and lack of infrastructure in the area. EBMUD staff requests that the matter be continued.

It is recommended that this matter be continued to the September 14, 2022 LAFCO meeting at 1:30 p.m. in order to obtain additional information from EBMUD staff.

Sincerely,

LOU ANN TEXEIRA  
Executive Officer



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

<b>Candace Andersen</b> <i>County Member</i>	<b>Federal Glover</b> <i>County Member</i>
<b>Donald A. Blubaugh</b> <i>Public Member</i>	<b>Michael R. McGill</b> <i>Special District Member</i>
<b>Tom Butt</b> <i>City Member</i>	<b>Rob Schroder</b> <i>City Member</i>
<b>Patricia Bristow</b> <i>Special District Member</i>	

**ALTERNATE MEMBERS**

<b>Diane Burgis</b> <i>County Member</i>
<b>Stanley Caldwell</b> <i>Special District Member</i>
<b>Charles R. Lewis, IV</b> <i>Public Member</i>
<b>Edi Birsan</b> <i>City Member</i>

August 10, 2022 (Agenda)

**August 10, 2022  
 Agenda Item 11**

Contra Costa Local Agency Formation Commission (LAFCO)  
 40 Muir Road, 1<sup>st</sup> Floor  
 Martinez, CA 94553

**2<sup>nd</sup> Round Contra Costa Resource Conservation District and Mosquito & Vector Control District -  
 Municipal Services Review Public Review Report**

Dear Members of the Commission:

**BACKGROUND:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) requires that every five years the Commission shall, as necessary, review and update each sphere of influence (SOI); and that in conjunction with the SOI update, the commission shall conduct a municipal service review (MSR).

MSRs provide an assessment of the range and adequacy of municipal services provided in the County and provides the basis for making LAFCO determination relating to *growth & population projections, location/characteristics of disadvantaged communities, capacity of public facilities, services and infrastructure, financial ability of agencies to provide services, opportunities for shared facilities, accountability, governance structure and operational efficiencies*, and other factors relating to efficient and effective service delivery. The MSR culminates in updating the SOIs for the subject agencies.

The MSR is an important tool for LAFCO in fulfilling its legislative mandate to coordinate the efficient and logical development of local government agencies and services.

Contra Costa LAFCO continues its work on MSRs having completed 2<sup>nd</sup> round reviews of water and wastewater services (2014), reclamation services (2015), fire/EMS (2016), healthcare services (2018), “city services” (2019), parks & recreation services (2021), and cemetery services (2021).

**SUMMARY:** In November 2021, LAFCO initiated its 2<sup>nd</sup> round MSR covering Contra Costa Mosquito & Vector Control District (CCMVCD) and Contra Costa Resource Conservation District (CCRCD) both of which are countywide districts (Attachments 1 and 2). This 2<sup>nd</sup> round MSR focuses on the following:

- ✚ Updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators); and staffing/management
- ✚ Capacity of public services, programs, and facilities; and service to disadvantaged communities
- ✚ Shared services/facilities and collaboration
- ✚ Accountability, structure, and efficiencies
- ✚ Governance structure options
- ✚ Other metrics specific to these services as identified by LAFCO staff and the consultant team

**The MSR Process** - Economic & Planning Systems, Inc. was hired to prepare the MSR report.

To date, the MSR process has entailed the following:

- + November 2021 – Kick-off
- + February 2022 – Data collection/verification, complete analyses and presentation of findings
- + April 2022 – present Administrative Draft to LAFCO staff
- + April-June 2022 Fact check with districts
- + June-July 2022 – Deliver Public Review MSR to LAFCO staff
- + August 2022 - Release Public Review MSR
- + August 10, 2022 – Present Public Review MSR to the Commission (Public Hearing)

Both districts were cooperative and helpful in providing information to the MSR team.

The Public Review MSR was released on July 21, 2022 and posted on the LAFCO website (<http://contracostalafco.org/agencies/municipal-service-reviews/>). Local agencies and interested parties were notified of the availability of the report and 30-day public comment period, which ends on August 17, 2022. Local agencies are encouraged to place the Public Review MSR on their City Council/Board agendas for public discussion and input.

On August 10<sup>th</sup>, LAFCO will hold the first of two public hearings on the Public Review MSR. At the hearing, the MSR consultants will present a summary of the MSR report and major findings. Following the presentation and LAFCO staff report, the Commission will receive public comment and provide comment and direction. No final action on the Public Review report will be taken on August 10<sup>th</sup>. To date, LAFCO has received no written comments.

The Commission will be asked to set a public hearing for November 9, 2022, at which time the Commission will be asked to accept the Final MSR report, adopt the required MSR and SOI determinations, and update the SOIs for the two districts.

#### **RECOMMENDATIONS:**

1. Receive the staff report and consultants' presentation,
2. Open the public hearing and receive comments,
3. Close the public hearing and provide comments and direction to the MSR consultants and LAFCO staff, and
4. Direct LAFCO staff to set a public hearing for November 9, 2022, at which time the Commission will be asked to accept the Final MSR, make the required determinations, and update SOIs.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

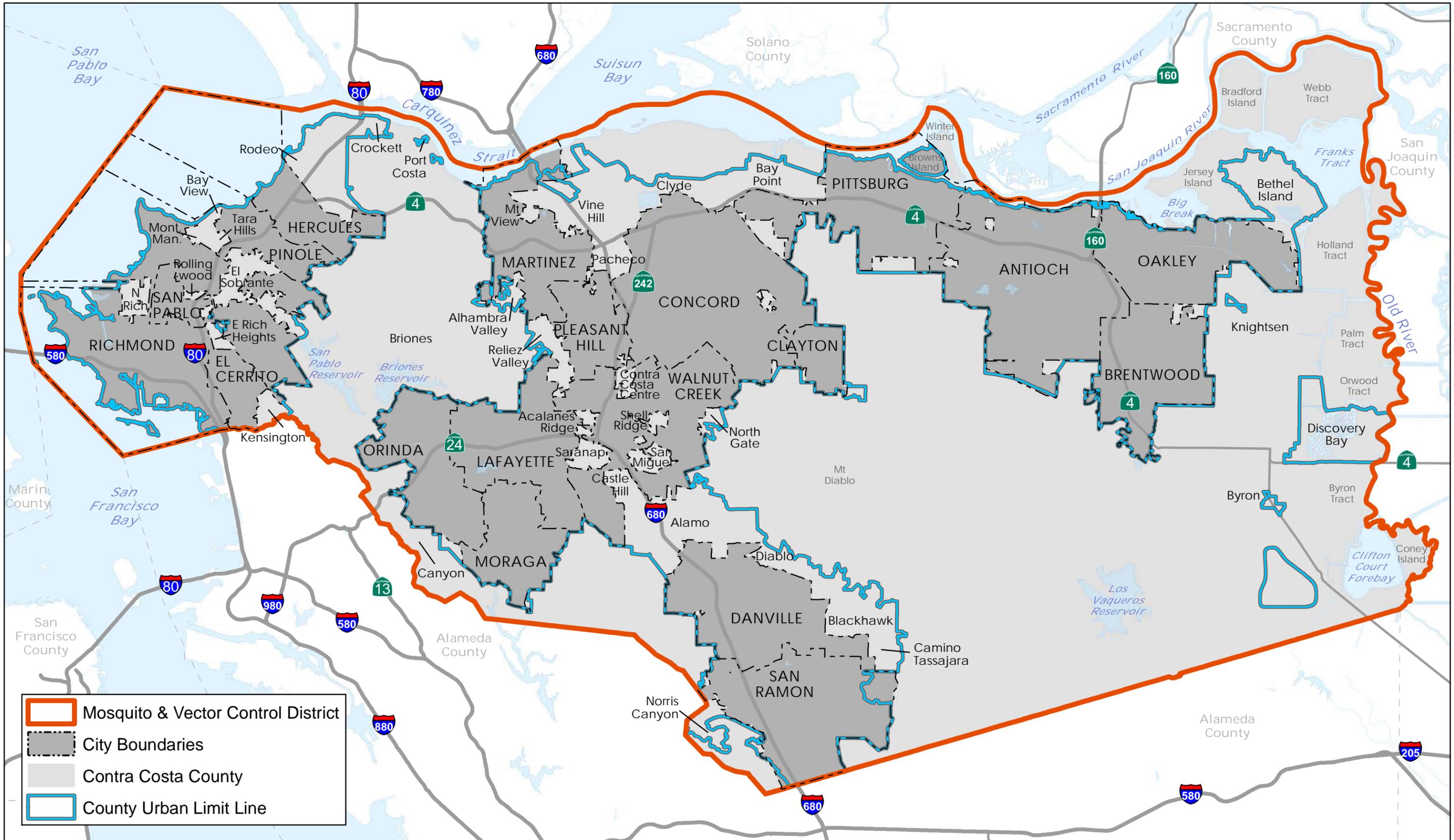
Exhibits:

- A. Contra Costa Mosquito & Vector Control District – Map
- B. Contra Costa Resource Conservation District – Map

c: Distribution

# Mosquito & Vector Control District and Coterminous SOI

Exhibit A



- Mosquito & Vector Control District
- City Boundaries
- Contra Costa County
- County Urban Limit Line

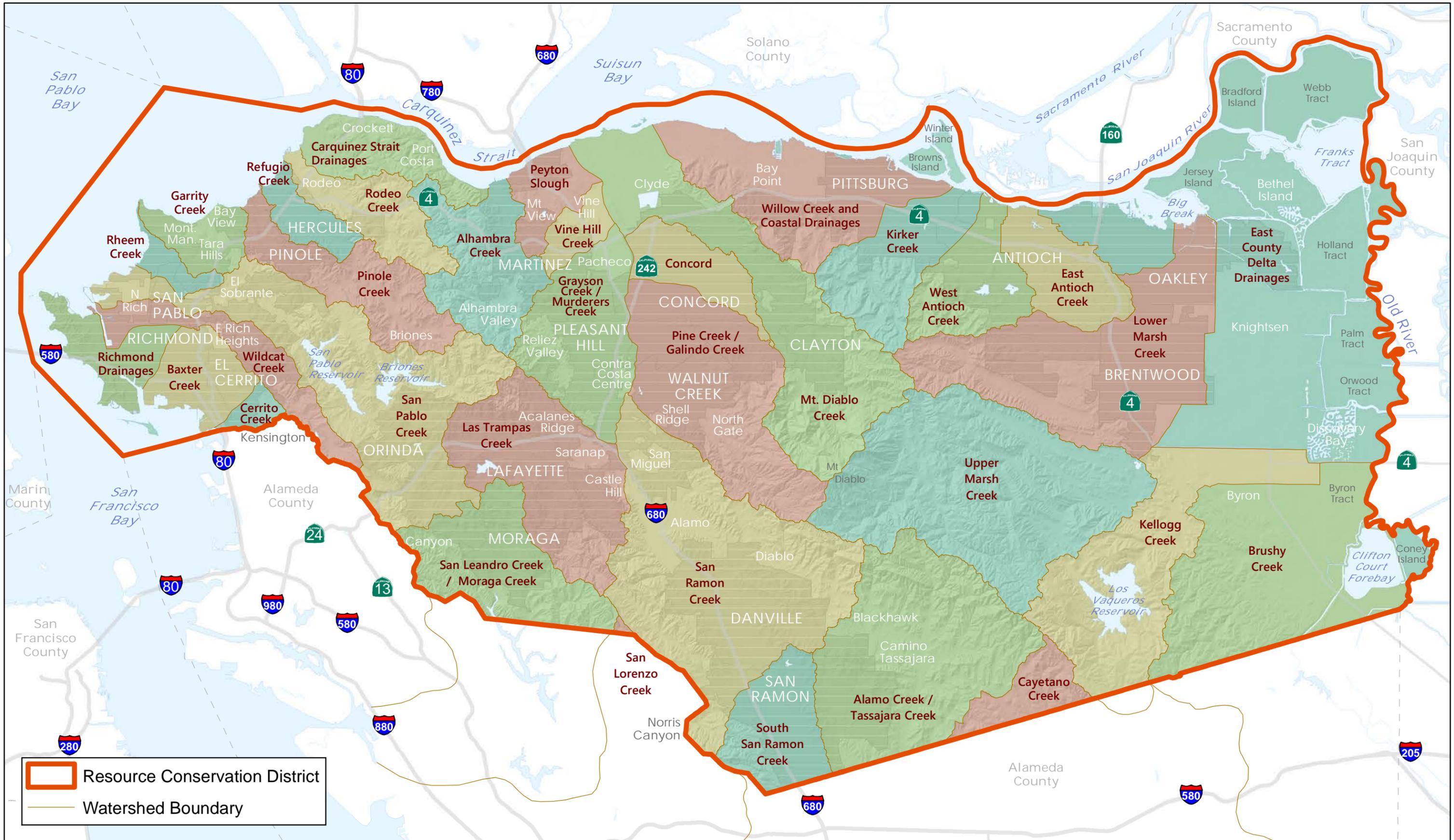
Map created 04/21/2022  
by Contra Costa County Department of  
Conservation and Development, GIS Group  
30 Muir Road, Martinez, CA 94553  
37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development 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.



# Resource Conservation District and Coterminous SOI

Exhibit B



 Resource Conservation District  
 Watershed Boundary

Map created 04/21/2022  
by Contra Costa County Department of  
Conservation and Development, GIS Group  
30 Muir Road, Martinez, CA 94553  
37:59:41.791N 122:07:03.756W

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Lou Ann Teixeira  
 Executive Officer

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Edi Birsan  
*City Member*

August 10, 2022 (Agenda)

**August 10, 2022  
 Agenda Item 12**

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

**LAFCO Fee Schedule Update**

Dear Members of the Commission:

Local Agency Formation Commissions (LAFCOs) are authorized to establish fee schedules for costs associated with administering their regulatory and planning duties under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This includes processing applications for boundary changes and related LAFCO actions. State law specifies that LAFCO’s fees shall not exceed the “estimated reasonable costs” of LAFCO proceedings.

Contra Costa LAFCO’s fee schedule was last reviewed and updated in October 2015. Prior fee adjustments were modest to moderate. At this time, a comprehensive fee schedule update is not needed as the Contra Costa LAFCO fees still allow LAFCO to recover its costs of providing services. However, in conjunction with the recent addition of a new LAFCO application form, policies, and procedures relating to LAFCO’s review of contracts to exercise new or extended fire protection services outside a public agency’s jurisdictional boundaries (Gov. Code §56134), a new processing fee is needed for LAFCO to recover its reasonable costs of reviewing fire protection service contracts. Staff recommends that LAFCO adopt a \$4,200 processing fee for review of these applications. This processing fee includes the cost of bringing these contracts to the Commission for its review and approval.

Gov. Code §66016 provides that “prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, a local agency shall hold at least one open and public meeting.” Also, the proposed amended LAFCO fee schedule must be adopted by resolution (Attachment 1).

**RECOMMENDATION:** Staff recommends that LAFCO hold a public hearing on the proposed fire protection services contract review processing fee and following the public hearing, that the Commission approve the resolution updating the *LAFCO Schedule of Processing Fees and Deposits* to add the processing fee to the LAFCO fee schedule (Attachment 2)

Sincerely,

LOU ANN TEXEIRA, EXECUTIVE OFFICER

**Attachments**

1. Draft Resolution to Adopt Updated Schedule of Processing Fees and Deposits
2. Proposed Amendment to LAFCO Schedule of Processing Fees and Deposits

**RESOLUTION NO. 2022-06**

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
ADOPTING AN UPDATED LAFCO SCHEDULE OF PROCESSING FEES AND DEPOSITS

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code) authorizes the Contra Costa Local Agency Formation Commission to adopt a schedule of fees and deposits; and

**WHEREAS**, State law specifies that LAFCO’s fees shall not exceed the estimated reasonable costs of LAFCO proceedings; and

**WHEREAS**, the Commission has an adopted fee schedule as provided by law; and

**WHEREAS**, the LAFCO fee schedule was last updated in 2015; and

**WHEREAS**, at a noticed public hearing on August 10, 2022, the Commission reviewed and considered an updated fee schedule to include a new fee for processing and review of out-of-agency fire protection contracts pursuant to Government Code §56134; and

**WHEREAS**, pursuant to Government Code §66016, prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, a local agency shall hold at least one open and public meeting, at which oral or written presentations can be made, as part of a regularly scheduled meeting; and

**WHEREAS**, the Commission has heard and considered all oral and written comments provided on the updated fee schedule; and

**WHEREAS**, the adoption and setting of fees are not projects under the California Environmental Quality Act under Regulations Code Section 15273(a).

**NOW, THEREFORE, the COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The proposed updated fee schedule shown as Attachment 1 is hereby approved.
2. The effective date of the updated LAFCO fee schedule is August 10, 2022.

\*\*\*\*\*

PASSED AND ADOPTED THIS 10<sup>th</sup> day of August 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

Contra Costa LAFCO  
Resolution No. 2022-06

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

Dated: August 10, 2022

---

Lou Ann Texeira, Executive Officer

**Attachment 2**

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO)  
SCHEDULE OF PROCESSING FEES AND DEPOSITS  
(Effective ~~August 10, 2022~~ October 15, 2015)**

**Change of Organization (e.g., annexation, detachment, etc.):**

-Does not require protest proceeding	\$3,915
-Requires, or may require, protest proceeding	\$6,530

**District Formation:** \$8,470

**Other District Actions (i.e., dissolution/merger/consolidation/establishing subsidiary district:** \$5,690

**Reorganization:** (two or more changes of organization within a single proposal) Change of Organization fee plus 20%

**Addition/Deletion of Power(s) for Special District:** \$3,380

**Incorporation/Disincorporation:** \$25,000

**Concurrent review of corresponding sphere(s) with change of organization or reorganization:** \$2,060

**Sphere of Influence Amendment/Revision:** \$4,810

**Transfer of Jurisdiction to another LAFCO:** (payable to principal LAFCO) \$300

**Request for Reconsideration:** \$2,500

**Request for Extension of Time to Complete Proceedings** \$770

**Out-of-Agency Service Review:** \$3,400

Requests for out-of-agency service approval in anticipation of a future annexation may be assessed additional fees per LAFCO policy

**Out of Agency Fire Protection Service Review – Fire Protection Contract** \$4,200

**OTHER FEES**

**Environmental Review (LAFCO as Lead Agency)**

<i>Categorical Exemption</i>		\$ 200
<i>Negative Declaration</i>	<i>Actual Cost with advance deposit of</i>	\$ 500
<i>EIR Preparation</i>	<i>Actual Cost with advance deposit of</i>	\$2,500

*Review Lead Agency's EIR* \$3,000

*Review Lead Agency's Negative Declaration* \$1,500

**Special Meeting/Workshop Fee:** Actual Cost

**Special Study Fee** Actual Cost

**SCHEDULE OF PROCESSING FEES (Effective August 10, 2022-October 15, 2015) – Page 2**

<b><u>Outside/Special Consultant Fee:</u></b>		Actual Cost
<b><u>Outside/Special Legal Fee:</u></b>		Actual Cost
<b><u>Hearing Notice Fee</u></b> (mailing and publication pursuant to Gov. Code 56157):		Actual Cost
<b><u>Notices of Determination per Public Resources Code 21089 &amp; Fish &amp; Game Code 711.4</u></b> (filed with Contra Costa County Clerk)**:		
<i>Filing as a Responsible Agency (required of most LAFCO actions)</i>		\$ 50
<i>For specific information regarding filing fees for Negative Declarations or Environmental Impact Reports, please refer to California Department of Fish &amp; Wildlife</i>		
<b><u>**Deposit to Review map and legal description:</u></b> (Check payable to Contra Costa County Surveyor)		\$1,200
<b><u>Comprehensive Fiscal Analysis:</u></b>	<i>Actual Cost with advance deposit of</i>	\$5,000
<b><u>State Controller’s Review of Comprehensive Fiscal Analysis:</u></b>		Actual Cost
<b><u>Municipal Service Review</u></b>	<i>Actual cost with advance deposit of</i>	\$5,000
<b><u>Duplication of Meeting Record</u></b> (i.e., CD, transcription)		Actual Cost
LAFCO meeting records and audio recordings of meeting are available online		
<b><u>Document Copying:</u></b> (less than 20 pages \$.25/page)		\$ 25
LAFCO records are available electronically at no cost		
<b><u>**Contra Costa County Elections fees (i.e., review petitions, provide voter lists, etc.):</u></b>		Per the County Election Division’s Fee Schedule
<b><u>**State Board of Equalization (SBE) Fee:</u></b>		Per the SBE Fee Schedule

**Payments & Refunds:** Fees are due with application submittal. No application shall be deemed filed until processing fees are deposited. Application processing fees are typically non-refundable.

Checks made payable to Contra Costa LAFCO and/or Contra Costa County offices must be business checks or money orders; personal checks will not be accepted. \*\*Fees paid to entities other than Contra Costa LAFCO.

**Waiver Provision:** The Commission may waive or alter fees in special circumstances [Gov. Code §56383(d)]. A proposal previously denied and resubmitted shall be accompanied by new fees unless changes, as determined by LAFCO staff, are minor.

**Previously Paid Fees:** If any fee requirement has been previously met, please submit a copy of the appropriate documentation (e.g., fee receipt from Contra Costa County Clerk’s Office)

*The fee schedule is administered in accordance with Government Code §56383.*

8/10/22



Lou Ann Texeira  
Executive Officer

**MEMBERS**

Candace Andersen  
*County Member*

Donald A. Blubaugh  
*Public Member*

Tom Butt  
*City Member*

Patricia Bristow  
*Special District Member*

Federal Glover  
*County Member*

Michael R. McGill  
*Special District Member*

Rob Schroder  
*City Member*

**ALTERNATE MEMBERS**

Diane Burgis  
*County Member*

Stanley Caldwell  
*Special District Member*

Charles R. Lewis, IV  
*Public Member*

Edi Birsan  
*City Member*

**August 10, 2022  
Agenda Item 13**

August 10, 2022 (Agenda)

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

**Request for Extension of Time – City of Martinez**

Dear Members of the Commission:

On April 14, 2021, the Commission approved the extension of out of agency water service (OAS) by the City of Martinez to serve two parcels (APNs 375-311-001/-003) totaling 1.49± acres. The subject area is located at the intersection of Howe Road and Sycamore Street in unincorporated Martinez (Mt. View area). The extension of City water service will support the *Bay's Edge Subdivision* and construction of a 30-unit multifamily project.

The Commission's approval of the City's extension of OAS in April 2021, included a condition that the City apply to LAFCO to annex the parcels to the City by August 31, 2022. The LAFCO condition is in accordance with the Cortese Knox Hertzberg Local Government Reorganization Act and with Contra Costa LAFCO's local policies. The subject parcels are contiguous to the City boundary, within the City's sphere of influence, and within the County Urban Limit Line.

To date, the landowner and City have taken the following actions in support of a future annexation:

- The landowner filed a general plan amendment, rezoning, and annexation application with the City (March 31, 2021).
- City staff reviewed the current general plan and zoning designations and determined that the City will rely on the pending General Plan Update to accommodate residential densities that are adequate to support the project site. The City anticipates adopting its General Plan Update by the end of 2022.
- Regarding pre-zoning, the City will rely on the existing M-29-P rezoning district (i.e., maximum density of 29 dwelling units per acre) to support the project site. No additional pre-zoning action is required at this time.
- In November 2021, the landowner and City executed and recorded a Deferred Annexation Agreement for the project.
- On July 11, 2022, the City issued a construction permit for the frontage improvements on Howe Road and water system for the project.

The City and landowner are making progress on the project; however, additional time is need for a General Plan amendment and for the City to prepare and submit the LAFCO annexation application. The City submitted a letter (attached) requesting a time extension to August 31, 2023 to complete the required tasks.

**RECOMMENDATION:** It is recommended that the Commission approve the City’s request for a one-year extension of time to August 31, 2023 to allow the City to complete the General Plan amendment and submit an annexation application to LAFCO.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attachment – Letter from City of Martinez

c: Hector Rojas, Planning Manager, City of Martinez  
Khalil Yowakim, Senior Civil Engineer, City of Martinez  
Michael Arikat, Millennium Properties



August 1, 2022

Lou Ann Texeira, Executive Officer  
Contra Costa LAFCO  
40 Muir Road, 1<sup>st</sup> Floor  
Martinez, CA. 94553

**Subject: Bay's Edge Project Annexation (City File Nos. D0118 and D0149)**

Ms. Texeira,

On April 14, 2021, the Contra Costa LAFCO adopted Resolution No. 20-08, authorizing the City of Martinez ("City") to provide out-of-agency water service to "Bay's Edge", a 30-unit multifamily project on a 1.49-acre site (APNs 375-311-001 and -003) at the intersection of Howe Road and Sycamore Street in unincorporated Contra Costa County ("County"). Resolution No. 20-08 provides that LAFCO's approval of out-of-agency water service is effective following receipt of an executed and recorded deferred annexation agreement and executed indemnification agreement which will allow the landowner to file the final map for the project with the County, subject to the following commitments by the landowner and the City:

1. The landowner shall within thirty (30) days of LAFCO's approval file with the city applications for general plan amendment, pre-zoning, and annexation of the subject territory to the City, and shall process those applications to completion.
2. The City commits to submit to LAFCO an annexation application of the subject territory to the City, along with application annexation fees, by August 31, 2022, in the event the entirety of Mt. View is not annexed to the City prior to that date.

This letter is to formally request a 12-month extension on the deadline for the City to submit the annexation application to LAFCO as stipulated in #2 above. The following is a summary of actions the landowner and City have taken to date in support of the future annexation:

1. On March 31, 2021, the landowner filed a general plan amendment, pre-zoning, and annexation application with the City (City File Nos. D0118 and D0149).

2. On June 14, 2021, the City reviewed the Bay's Edge Project Initial Study/Mitigated Negative Declaration Addendum prepared by the County and concurred that it is appropriate.
3. On November 18, 2021, the City determined the following with respect to the general plan amendment:
  - a. The existing General Plan land use map (revised April 18, 2018, per Resolution 011-17) designates the project site as "R 0-6". While this designation allows residential development, it does not accommodate the proposed 20.4 dwelling units per acre proposed by the project.
  - b. The August 2022 revised draft "General Plan 2035" designates the project site as "Residential Very High (RVH)". This designation allows multifamily housing at residential densities between 20.1 and 30.0 dwelling units per acre.
  - c. The City will rely on the pending General Plan Update to accommodate residential densities that are adequate to support the project site at the time it annexes to the City.
  - d. No additional action is required at this time with regard to a general plan amendment for the project. The City anticipates adopting its General Plan Update sometime before the end of this year. Upon adoption of the General Plan Update, the project density will be consistent with the Martinez General Plan.
4. On November 18, 2021, the City determined the following with respect to the pre-zoning:
  - a. The City Council adopted Ordinance No. 955 on September 16, 1981 to pre-zone the project site and environs to "Multiple Family Residential (M-29-P)". The M-29-P pre-zoning district allows a maximum density of 29 dwelling units per acre.
  - b. The City will rely on the existing M-29-P pre-zoning district to support the project site at the time it annexes to the City.
  - c. No additional action is required at this time with regard to a pre-zoning for the project.
5. On November 11, 2021, the landowner and City executed the Deferred Annexation Agreement for the project. The agreement was recorded on November 18, 2021 (DOC-2021-0319919).

6. On July 11, 2022, the City issued a construction permit for the frontage improvements on Howe Road and water system for the project.

I hope this letter provides sufficient information to support the requested 12 month extension to August 31, 2023. Please contact me should you have any questions or require additional information regarding this request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hector Rojas', with a stylized flourish at the end.

Hector Rojas, AICP  
Planning Manager  
City of Martinez



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

<b>Candace Andersen</b> <i>County Member</i>	<b>Federal Glover</b> <i>County Member</i>
<b>Donald A. Blubaugh</b> <i>Public Member</i>	<b>Michael R. McGill</b> <i>Special District Member</i>
<b>Tom Butt</b> <i>City Member</i>	<b>Rob Schroder</b> <i>City Member</i>
<b>Patricia Bristow</b> <i>Special District Member</i>	

**ALTERNATE MEMBERS**

<b>Diane Burgis</b> <i>County Member</i>
<b>Stanley Caldwell</b> <i>Special District Member</i>
<b>Charles R. Lewis, IV</b> <i>Public Member</i>
<b>Edi Birsan</b> <i>City Member</i>

August 10, 2022 (Agenda)

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

**August 10, 2022  
 Agenda Item 14**

**Contract Extension – SWALE, Inc.**

Dear Commissioners:

In September 2020, Contra Costa LAFCO entered into a contract with SWALE, Inc., with Baracco Associates as subcontractor, for “as-needed” environmental planning services. Under the contract, Kateri Harrison (SWALE founder), land-use planner, ecologist, and natural resource manager, and Bruce Baracco (Baracco and Associates), Principal Planner, provide support to Contra Costa LAFCO as follows:

- Review and provide comments on LAFCO applications and projects
- Review and provide comments on environmental documents prepared by outside agencies
- Assist with preparing environmental documents for LAFCO projects
- Assist with development of new, and reviews existing, LAFCO policies and procedures
- Attend LAFCO hearings, meetings with applicants, and other meetings as needed

The team is familiar with projects and issues in Contra Costa County, has extensive experience working LAFCOs and local agencies, and has considerable environmental experience. LAFCO requires additional environmental planning services. Given the firm’s exemplary work and familiarity with Contra Costa LAFCO issues, staff recommends an extension of the current contract, as provided for in the FY 2022-23 budget.

**RECOMMENDATION:** Authorize LAFCO staff to execute a contract extension with SWALE, Inc., with Baracco Associates as subcontractor, to extend the term of the contract through July 31, 2023. The contract amendment also includes the addition of \$9,000 to the contract amount. The FY 2022-23 budget includes funding for as-needed contract planning services.

Sincerely,

Lou Ann Texeira  
 Executive Officer

Attachment

C: SWALE Inc.  
 Baracco and Associates  
 County Auditor-Controller

PO Number: \_\_\_\_\_

**AGREEMENT AMENDMENT**

The 1<sup>st</sup> day of September 1, 2020 contract by and between the Contra Costa Local Agency Formation Commission (LAFCO) and SWALE, Inc. (Contractor) is amended as follows:

The contract term is from September 1, 2020 through **July 30, 2023**.

All other terms and conditions of the contract remain in effect.

IN WITNESS WHEREOF, the parties have executed this amendment as of August 10, 2022.

CONTRA COSTA LAFCO

CONTRACTOR  
SWALE, Inc.

By: \_\_\_\_\_  
LAFCO Executive Officer

By: \_\_\_\_\_

Taxpayer ID#: \_\_\_\_\_

APPROVED AS TO FORM

\_\_\_\_\_  
LAFCO Legal Counsel

I hereby certify under penalty of perjury that the Executive Officer of the Contra Costa LAFCO was duly authorized to execute this document on behalf of the Contra Costa LAFCO by a majority vote of the Commission on August 10, 2022.

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Contra Costa LAFCO Clerk



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

<b>Candace Andersen</b> <i>County Member</i>	<b>Federal Glover</b> <i>County Member</i>
<b>Donald A. Blubaugh</b> <i>Public Member</i>	<b>Michael R. McGill</b> <i>Special District Member</i>
<b>Tom Butt</b> <i>City Member</i>	<b>Rob Schroder</b> <i>City Member</i>
<b>Patricia Bristow</b> <i>Special District Member</i>	

**ALTERNATE MEMBERS**

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<b>Stanley Caldwell</b> <i>Special District Member</i>
<b>Charles R. Lewis, IV</b> <i>Public Member</i>
<b>Edi Birsan</b> <i>City Member</i>

August 10, 2022 (Agenda)

**August 10, 2022  
 Agenda Item 15**

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

**CALAFCO Annual Conference, Call for Board Member Nominations,  
 And Achievement Award Nominations**

Dear Commissioners:

**CALAFCO Annual Conference** - The annual CALAFCO conference will be held October 19-21, 2022 at the Hyatt Regency Newport Beach John Wayne Airport. Conference and registration information is attached (Attachment 1), and conference updates are posted on the CALAFCO website at [www.calafco.org](http://www.calafco.org).

**CALAFCO Achievement Awards** - Each year, prior to the annual conference, CALAFCO calls for Achievement Award nominations (Attachment 2). These awards recognize outstanding achievements by dedicated and committed individuals and/or organizations throughout the State. The deadline for award nominations is **August 12, 2022**. This year’s ceremony will be held on October 20<sup>th</sup> at the Hyatt Regency Newport Beach during the awards banquet.

**Nominations for CALAFCO Board of Directors** - Nominations are now open for seats on the CALAFCO Board of Directors (Attachment 3). There are eight seats up for election this Fall - two from each of the four regions. The Coastal Region seats include a County Member and a District Member. The election will be conducted during the Regional Caucuses on Thursday, October 20, 2022. The deadline for Board nominations is **September 19, 2022 at 5:00 pm**.

Commissioner McGill currently serves on the CALAFCO Board representing the Coastal Region and also serves on the CALAFCO Legislative Committee. Commissioner McGill seeks reappointment to the CALAFCO Board.

**Designation of Voting Delegate** - The CALAFCO bylaws require that each LAFCO designate a voting delegate to vote on behalf of their Commission. The voting delegate may be a commissioner, alternate commissioner, or executive officer. Voting delegates must be designated by **September 19, 2022**.

**Recommendations:** Advise as to any Board and/or Achievement Award nominations, appoint a voting delegate and alternate, and direct staff to forward the information to CALAFCO.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attachment 1 – CALAFCO Conference Announcement  
Attachment 2 – CALAFCO Achievement Awards Nomination Packet  
Attachment 3 – CALAFCO Board Nomination Packet



# Announcing The 2022 CALAFCO Annual Conference

Attachment 1



Hosted by CALAFCO

## October 19 - 21

Hyatt Regency, Newport Beach  
Conveniently located near the John Wayne Airport

### Relevant & Diverse General & Breakout Session Topics

- Everything you ever wanted to know about Municipal Service Reviews but were afraid to ask.
- All about Fire, Fire Districts, and Fire Service Impacts
- Recruitment and Succession Planning
- Avoiding Conflicts of Interest and Other legal pitfalls
- Grand Juries and LAFCOs – Why Can't We Be Friends?
- The Definitive Session on Pensions – LAFCO's two-fold Responsibility to Take Care of Its Own and Review Agencies
- How commission meetings can go wrong
- Legislative Update

*Please note that the Program is still under development and topics are subject to change.*

### Special Highlights

#### LAFCo 101 & More

An introduction (and more) to LAFCo and LAFCo law for Commissioners, Staff, and anyone interested in learning more about LAFCo

*Wednesday morning*

#### Mobile Workshop

*"It's a Shore Thing:  
Navigating Municipal  
Service Delivery within  
Coastal Areas"*

A mobile workshop on multi-agency collaboration that starts with a 2 hour harbor boat ride to Marina Park Community Center for lunch and presentations.  
*(Limited to 85)*

*Wednesday morning*

## We can't wait to see you!

### Invaluable Networking Opportunities for Reconnection!

- Regional Roundtable discussions on current regional LAFCo issues
- Extended roundtable discussion for LAFCo legal counsel
- Networking breakfasts and extended breaks
- Welcome Reception Wednesday
- Thursday Pre-dinner Reception & breaks with Sponsors
- Awards Banquet Thursday

### Hyatt Regency Newport Beach at the John Wayne Airport



Make your reservations now at the **Hyatt Regency** at the special CALAFCO rate of \$194 (excludes tax and fees).

**Reservations must be made by 9/19/22 to qualify for the Group Rate.**

TO MAKE HOTEL RESERVATIONS, PLEASE VISIT: <https://www.hyatt.com/en-US/group-booking/SNARJ/G-CALF> or call directly at (800) 233-1234 and reference CALAFCO event.

Visit [www.calafco.org](http://www.calafco.org) for more Conference details or call us at 916-442-6536.

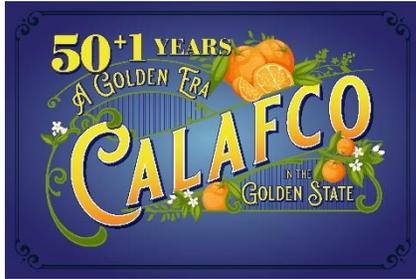
## Registration is now open!

For more information, visit  
[www.calafco.org](http://www.calafco.org)



# CALAFCO 2022 ANNUAL CONFERENCE REGISTRATION FORM

## OCTOBER 19 – 21 IN NEWPORT BEACH



**For Registration by Check**  
 To pay with credit cards please visit [www.calafco.org](http://www.calafco.org)  
**REGISTRATION DEADLINE IS SEPTEMBER 29, 2022**

LAFCo	_____
Received	_____
Check #	_____

**Please submit one form for each person registering**

FIRST NAME \_\_\_\_\_ LAST NAME \_\_\_\_\_

NAME ON NAMETAG \_\_\_\_\_

LAFCO/ORGANIZATION \_\_\_\_\_ POSITION \_\_\_\_\_

GUEST NAME (For guest/spouse registration) \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE # \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

EMERGENCY CONTACT NAME: \_\_\_\_\_

PHONE # \_\_\_\_\_

### CONFERENCE REGISTRATION RATES

	EARLY BIRD FEE Received By July 31	STANDARD FEE Received Aug. 1- 31	LATE FEE Received Sept. 1 - 29
Member – Full Conference	\$565	\$595	\$615
Non-member – Full Conference	\$675	\$705	\$725
Guest/Spouse^ – All Meals	\$305	\$335	\$355
Guest/Spouse^ – Wed Reception/Thu Banquet Only	\$195	\$225	\$245
Member – One Day ( Wed Thur Fri)	\$385	\$415	\$435
Non-Member – One Day ( Wed Thur Fri)	\$495	\$525	\$545
Mobile Workshop – Wednesday	\$ 60	\$ 60	\$ 60
Attorney MCLE Credit (LAFCo counsel only)	\$ 50	\$ 50	\$ 50
LAFCo 101 (No charge for those with full conference registration. \$50 for all others.)	\$ 50	\$ 50	\$ 50
<b>TOTAL REGISTRATION RATE DUE</b>			<b>\$</b>

^Guests at meals must purchase their meal. Conference registration meals are not transferrable to guests.

**Payment must accompany registration, and must be RECEIVED by the applicable deadlines to qualify for discounts. NO EXCEPTIONS.**

Mail completed forms, and check made payable to “CALAFCO” to:

**CALAFCO**  
**1020 12<sup>th</sup> Street, Suite 222**  
**Sacramento, CA 95814**

**ROOMS STARTING AT \$194 PER NIGHT IF BOOKED BEFORE SEPTEMBER 19, 2022.**

**TO MAKE HOTEL RESERVATIONS, PLEASE VISIT:**  
<https://www.hyatt.com/en-US/group-booking/SNARJ/G-CALF> or call directly at (800) 233-1234 and reference CALAFCO event.

### CANCELLATION AND REFUND POLICY

1. Registrations are considered complete upon receipt of fees.
2. Cancellation requests made in writing and received by **September 29, 2022** are fully refunded, less transaction & handling fees.\*
3. Credits are not issued for any cancellations.
4. Registration fees are transferable to another person not already registered provided the request is received in writing.\* Deadline to transfer registrations is October 10, 2022.
5. Registration fees for guests and special events are not transferable but are fully refundable, less transaction & handling fees\*, if written requests are received by **September 29, 2022.**
6. Cancellation requests must be submitted by e-mail to [info@calafco.org](mailto:info@calafco.org).
7. Cancellation requests made after September 29, 2022 are not eligible for a refund.

\*\$30 handling fee applies.



# 2022 CALAFCO ANNUAL CONFERENCE MOBILE WORKSHOP

## IT'S A SHORE THING: NAVIGATING MUNICIPAL SERVICE DELIVERY WITHIN COASTAL AREAS

**WEDNESDAY, OCTOBER 19 • 7:45 am - 1:00 pm**

**BUS BOARDS IN FRONT OF HOTEL AT 7:45 AM**

We begin with a 2-hour harbor cruise that highlights various projects involving multi-agency collaboration. After our cruise, we will travel to Marina Park Community Center where we will have lunch and hear from a panel of local agency representatives on their challenges to collaborate in support of providing efficient and effective services to coastal residents.

Attire is flat, closed toe shoes. Dress in layers. You can register and pay online or complete the registration form and pay by check. All information on the Workshop can be found at [www.calafco.org](http://www.calafco.org).

This Workshop will include the history, features and jurisdiction of the Harbor and will showcase several projects that involve multi-agency collaboration and processes. Our luncheon panel will include representatives from the City of Newport Beach, Capistrano Bay CSD and South Coast Water District. They will talk about their challenges to provide services within a coastal community and the efforts of multi-agency collaboration to support efficient and effective service delivery.

**\$60 per person includes lunch**  
*(Limited to the first 85 registrations)*

**Deadline to register is September 29, 2022.**

Registration fees are refundable (less \$30) if request is received in writing no later than September 29, 2022.

**\*\*Please note that pets are not allowed.\*\***



**CALAFCO | (916) 442-6536 | WWW.CALAFCO.ORG | INFO@CALAFCO.ORG**

**Sponsored in part by Imperial LAFCo,  
Orange LAFCo, City of Newport Beach and  
Davey's Locker Whale Watching.**



**Date:** June 8, 2022

**To:** CALAFCO Members  
LAFCo Commissioners and Staff  
Other Interested Organizations

**From:** Blake Inscore, Committee Chair  
CALAFCO Achievement Awards Committee  
CALAFCO Board of Directors



**Subject: 2022 CALAFCO Achievement Award Nominations Period Open**

**Deadline: 5:00 p.m., Friday, August 12, 2022**

On behalf of the Association, I am pleased to announce that the nomination period for the 2022 CALAFCO Achievement Awards is now open!

Each year, CALAFCO is honored to recognize outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at its Annual Conference Achievement Awards Ceremony. This year's ceremony will be held on October 20 at the Hyatt Regency Newport Beach John Wayne Airport, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who have gone *above and beyond* over the last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined.

Before submitting a nomination, *please carefully review the nomination instructions and the criteria for each award as incomplete nominations, and nominations that do not adhere to the submission guidelines, will not be considered by the Committee.*

#### ACHIEVEMENT AWARDS NOMINATION PROCEDURE:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations *will not be considered by the Committee.*
3. Nominations *must be submitted with a completed nomination form.* Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be *limited to no more than 250 words in length.* Nomination *Summaries* must be *limited to no more than 1,000 words or 2 pages in length maximum.* You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. ***Limit supporting documentation to no more than 3 pages.*** If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount ***will not be considered by the Committee.***
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, August 12, 2022.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer  
[slucas@buttecounty.net](mailto:slucas@buttecounty.net)

*You may contact Steve Lucas, CALAFCO Executive Officer, at [slucas@buttecounty.net](mailto:slucas@buttecounty.net) or (530) 538-7784 with any questions.*

### Members of the 2022 CALAFCO Board of Directors Awards Committee

**Board Members:**

<i>Blake Inscore, Committee Chair (Del Norte LAFCo, North Region)</i>	<a href="mailto:binscore@calafco.org">binscore@calafco.org</a>
<i>Debra Lake (Humboldt LAFCo, Northern Region)</i>	<a href="mailto:dlake@calafco.org">dlake@calafco.org</a>
<i>Daniel Parra (Fresno LAFCo, Central Region)</i>	<a href="mailto:dparra@calafco.org">dparra@calafco.org</a>
<i>Shane Stark (Santa Barbara LAFCo, Coastal Region)</i>	<a href="mailto:mmohler@calafco.org">mmohler@calafco.org</a>
<i>Acquanetta Warren (San Bernardino LAFCo, Southern Region)</i>	<a href="mailto:awarren@calafco.org">awarren@calafco.org</a>

**Regional Officer Members:**

<i>José Henriquez, CALAFCO Deputy Executive Officer (Central Region)</i>	<a href="mailto:henriquezj@saccounty.net">henriquezj@saccounty.net</a>
<i>Steve Lucas, CALAFCO Executive Officer (Northern Region)</i>	<a href="mailto:slucas@buttecounty.net">slucas@buttecounty.net</a>
<i>Dawn Longoria, CALAFCO Deputy Executive Officer (Coastal Region)</i>	<a href="mailto:dlongori@napa.lafco.ca.gov">dlongori@napa.lafco.ca.gov</a>
<i>Gary Thompson, CALAFCO Deputy Executive Officer (Southern Region)</i>	<a href="mailto:gthompson@lafco.org">gthompson@lafco.org</a>

**Included as attachments:**

- 2022 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients





## **Achievement Award Nomination Form**

**NOMINEE** - Person or Agency Being Nominated

Name:

Organization:

Address:

Phone:

E-mail:

**NOMINATION CATEGORY** (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Mike Gotch Excellence in Public Service (choose one category below)
  - Protection of agricultural and open space lands and prevention of sprawl*
  - Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Lifetime Achievement Award

**NOMINATION SUBMITTED BY:**

Name:

Organization:

Address:

Phone:

E-mail:



**2022 Achievement Award Nominations  
Due by Friday, August 12, 2022 at 5:00 p.m.**

**EXECUTIVE SUMMARY**

In no more than 250 words, summarize why this recipient is the most deserving of this award.



**2022 Achievement Award Nominations**  
**Due by Friday, August 12, 2022 at 5:00 p.m.**

**NOMINATION SUMMARY**

Please indicate the reasons why this person or agency deserves to be recognized (this section must be no more than 1,000 words or 2 pages maximum).



## **CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA**

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are now open and being accepted until **5:00 p.m., Friday, August 12, 2022** in the following categories:

### **OUTSTANDING CALAFCO VOLUNTEER**

#### Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

#### Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

#### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

### **OUTSTANDING CALAFCO ASSOCIATE MEMBER**

#### Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

#### Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and

solutions that affect LAFCo statewide as an Associate Member.

8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

## **OUTSTANDING COMMISSIONER**

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

## **OUTSTANDING LAFCo PROFESSIONAL**

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.

4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

## **LIFETIME ACHIEVEMENT AWARD**

### Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

### Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

## **LEGISLATOR OF THE YEAR**

### Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

### Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

## **MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARD**

### Award Summary:

Awarded to an individual, group or agency for actions that rise above expected or common functions or actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCos or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has the following two distinct categories, each focusing on specific areas of the LAFCo mission:

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

### Award categories:

#### **Protection of agricultural and open space lands and prevention of sprawl**

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

#### **Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services**

Includes the development and implementation of innovate support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

### Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

### Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.



## **PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS**

### **2020 – 2021** (2 year period due to the pandemic)

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Outstanding Associate Member	<b>Planwest Partners</b>
Outstanding Commissioner	<b>Olin Woods</b> , Yolo LAFCo
Outstanding LAFCo Professional	<b>Crystal Craig</b> , Riverside LAFCo
Mike Gotch Protection of Ag and Open Space Lands & Prevention of Urban Sprawl	<b>Napa LAFCo</b>
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Yolo LAFCo</b>
Lifetime Achievement Award	<b>Jerry Glabach</b> , Los Angeles LAFCo

### **2019**

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Distinguished Service Award	<b>Charley Wilson</b> , Orange LAFCo
Most Effective Commission	<b>Contra Costa LAFCo</b>
Outstanding Commissioner	<b>Jim DeMartini</b> , Stanislaus LAFCo
Outstanding LAFCo Professional	<b>David Church</b> , San Luis Obispo LAFCo
Project of the Year	<b>Orange LAFCo</b> , for <i>San Juan Capistrano Utilities MSR</i>
Government Leadership Award	<b>CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo</b> , for <i>Sativa Water District Butte LAFCo</i>
Mike Gotch Courage & Innovation in Local Government Leadership Award	
Legislator of the Year	<b>Assembly Member Mike Gipson</b>
Lifetime Achievement Award	<b>John Benoit</b> , various LAFCos, <b>Jurg Heuberger</b> , Imperial LAFCo

### **2018**

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Distinguished Service Award	<b>John Withers</b> , Orange LAFCo
Most Effective Commission	<b>Santa Clara LAFCo</b>
Outstanding Commissioner	<b>Margie Mohler</b> , Napa LAFCo
Outstanding LAFCo Professional	<b>George Williamson</b> , Del Norte LAFCo
Outstanding LAFCo Clerk	<b>Elizabeth Valdez</b> , Riverside LAFCo
Outstanding CALAFCO Associate Member	<b>Best Best &amp; Krieger</b>
Project of the Year	<b>Lake LAFCo</b> , water services consolidation
Government Leadership Award	<b>City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board, Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center</b> for East Porterville water supply project
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Mike Ott</b> , San Diego LAFCo
Legislator of the Year	<b>Assembly Member Anna Caballero</b>
Lifetime Achievement Award	<b>Pat McCormick</b> , Santa Cruz LAFCo, <b>George Spiliotis</b> , Riverside LAFCo

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**2017**

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Most Effective Commission	<b>Los Angeles LAFCo</b>
Outstanding CALAFCo Member	<b>Sblend Sblendorio</b> , Alameda LAFCo
Outstanding Commissioner	<b>John Marchand</b> , Alameda LAFCo
Outstanding LAFCo Professional	<b>Paul Novak</b> , Los Angeles LAFCo
Outstanding LAFCo Clerk	<b>Richelle Beltran</b> , Ventura LAFCo
Outstanding CALAFCo Associate Member Project of the Year	<b>Policy Consulting Associates</b> <b>County Services MSR</b> , Butte LAFCo, and <b>Santa Rosa Annexation</b> , Sonoma LAFCo
Government Leadership Award Lifetime Achievement Award	<b>San Luis Obispo County Public Works Dept.</b> <b>Kathy Rollings McDonald</b> (San Bernardino)

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**2016**

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Distinguished Service Award	<b>Peter Brundage</b> , Sacramento LAFCo
Most Effective Commission	<b>San Luis Obispo LAFCo</b>
Outstanding CALAFCo Member	<b>John Leopold</b> , Santa Cruz LAFCo
Outstanding Commissioner	<b>Don Tatzin</b> , Contra Costa LAFCo
Outstanding LAFCo Professional	<b>Steve Lucas</b> , Butte LAFCo
Outstanding LAFCo Clerk	<b>Cheryl Carter-Benjamin</b> , Orange LAFCo
Project of the Year	<b>Countywide Water Study</b> , (Marin LAFCo)
Government Leadership Award Lifetime Achievement Award	<b>Southern Region of CALAFCo</b> <b>Bob Braitman</b> (retired Executive Officer)

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**2015**

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Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Yuba County Water Agency</b>
Distinguished Service Award	<b>Mary Jane Griego</b> , Yuba LAFCo
Most Effective Commission	<b>Butte LAFCo</b>
Outstanding CALAFCo Member	<b>Marjorie Blom</b> , formerly of Stanislaus LAFCo
Outstanding Commissioner	<b>Matthew Beekman</b> , formerly of Stanislaus LAFCo
Outstanding LAFCo Professional	<b>Sam Martinez</b> , San Bernardino LAFCo
Outstanding LAFCo Clerk	<b>Terri Tuck</b> , Yolo LAFCo
Project of the Year	<b>Formation of the Ventura County Waterworks District No. 38</b> (Ventura LAFCo) and <b>2015 San Diego County Health Care Services five-year sphere of influence and service review report</b> (San Diego LAFCo)
Government Leadership Award	<b>The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency</b>
CALAFCo Associate Member of the Year Legislators of the Year Award Lifetime Achievement Award	<b>Michael Colantuono</b> of Colantuono, Highsmith & Whatley <b>Assembly member Chad Mayes</b> <b>Jim Chapman</b> (Lassen LAFCo) and <b>Chris Tooker</b> (formerly of Sacramento LAFCo)

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**2014**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year

**David Church**, San Luis Obispo LAFCo  
**Kate McKenna**, Monterey LAFCo  
**Santa Clara LAFCo**  
**Stephen Lucas**, Butte LAFCo  
**Paul Norsell**, Nevada LAFCo  
**Kate McKenna**, Monterey LAFCo  
**Paige Hensley**, Yuba LAFCo  
**LAFCo Procedures Guide: 50<sup>th</sup> Year Special Edition**,  
San Diego LAFCo

Government Leadership Award  
  
Legislators of the Year Award  
Lifetime Achievement Award

**Orange County Water District, City of Anaheim, Irvine Ranch  
Water District, and Yorba Linda Water District**  
**Assembly member Katcho Achadjian**  
**Susan Wilson**, Orange LAFCo

### **2013**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
LAFCo Outstanding LAFCo Clerk  
Project of the Year

**Simón Salinas**, Commissioner, Monterey LAFCo  
**Roseanne Chamberlain**, Amador LAFCo  
**Stanislaus LAFCo**  
**Harry Ehrlich**, San Diego LAFCo  
**Jerry Gladbach**, Los Angeles LAFCo  
**Lou Ann Texeira**, Contra Costa  
**Kate Sibley**, Contra Costa LAFCo  
**Plan for Agricultural Preservation**, Stanislaus LAFCo

Government Leadership Award  
  
Legislators of the Year Award  
Lifetime Achievement Award

**Orange County LAFCo Community Islands Taskforce**,  
Orange LAFCo  
**Senators Bill Emmerson and Richard Roth**  
**H. Peter Faye**, Yolo LAFCo; **Henry Pellissier**, Los Angeles  
LAFCo; **Carl Leverenz**, Butte LAFCo; **Susan Vicklund-Wilson**,  
Santa Clara LAFCo.

### **2012**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member  
  
Outstanding Commissioner  
LAFCo Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year

**Bill Chiat**, CALAFCO Executive Director  
**Marty McClelland**, Commissioner, Humboldt LAFCo  
**Sonoma LAFCo**  
**Stephen A. Souza**, Commissioner, Yolo LAFCo and  
CALAFCO Board of Directors  
**Sherwood Darington**, Monterey  
**Carole Cooper**, Sonoma LAFCo  
**Gwenna MacDonald**, Lassen LAFCo  
**Countywide Service Review & SOI Update**, Santa Clara  
LAFCo  
**North Orange County Coalition of Cities**, Orange LAFCo  
**P. Scott Browne**, Legal Counsel LAFCos

Government Leadership Award  
Lifetime Achievement Award

**2011**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
LAFCo Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

**Martin Tuttle**, Deputy Director for Planning, Caltrans  
**Mike McKeever**, Executive Director, SACOG  
**Carl Leverenz**, Commissioner and Chair, Butte  
**San Bernardino LAFCo**  
**Keene Simonds**, Executive Officer, Napa LAFCo  
**Louis R. Calcagno**, Monterey LAFCo  
**June Savala**, Deputy Executive Officer, Los Angeles LAFCo  
**Debbie Shubert**, Ventura LAFCo

**Cortese-Knox-Hertzberg Definitions Revision**  
Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper,  
and George Spiliotis

**Contra Costa Sanitary District**  
**Elsinore Water District and Elsinore Valley Municipal Water  
District**

**2010**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award

Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Special Achievement

**Helen Thompson**, Commissioner, Yolo LAFCo

**Kathleen Rollings-McDonald**, Executive Officer, San  
Bernardino LAFCo  
**Bob Braitman**, Executive Officer, Santa Barbara LAFCo

**Tulare LAFCo**

**Roger Anderson, Ph.D.**, CALAFCO Chair, Santa Cruz LAFCo

**George Lange**, Ventura LAFCo

**Harry Ehrlich**, Government Consultant, San Diego LAFCo

**Candie Fleming**, Fresno LAFCo

**Butte LAFCo**

Sewer Commission - Oroville Region Municipal Service  
Review

**Nipomo Community Services District** and the **County of San  
Luis Obispo**

**Chris Tooker**, Sacramento LAFCo and CALAFCO Board of  
Directors

**2009**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member

Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

**Paul Hood**, Executive Officer, San Luis Obispo LAFCo

**William Zumwalt**, Executive Officer, Kings LAFCo  
**Napa LAFCo**

**Susan Vicklund Wilson**, CALAFCO Vice Chair  
**Jerry Gladbach**, CALAFCO Treasurer

**Larry M. Fortune**, Fresno LAFCo

**Pat McCormick**, Santa Cruz LAFCo Executive Officer

**Emmanuel Abello**, Santa Clara LAFCo

**Orange LAFCo** Boundary Report

**Cities of Amador City, Jackson, Lone, Plymouth & Sutter**

**Creek; Amador County; Amador Water Agency; Pine Grove CSD – Countywide MSR Project**

**Assembly Member Jim Silva**

Legislator of the Year Award

**2008**

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Distinguished Service Award

**Peter M. Detwiler**, Senate Local Government Committee  
Chief Consultant

Most Effective Commission

**Yuba LAFCo**

Outstanding Commissioner

**Dennis Hansberger**, San Bernardino LAFCo

Outstanding LAFCo Professional

**Michael Ott**, San Diego LAFCo Executive Officer  
**Martha Poyatos**, San Mateo Executive Officer

Outstanding LAFCo Clerk

**Wilda Turner**, Los Angeles LAFCo

Project of the Year

**Kings LAFCo**  
City and Community District MSR and SOI Update

Government Leadership Award

**San Bernardino Board of Supervisors**

Legislator of the Year Award

**Assembly Member Anna M. Caballero**

**2007**

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Outstanding CALAFCo Member

**Kathy Long**, Board Chair, Ventura LAFCo

Distinguished Service Award

**William D. Smith**, San Diego Legal

Counsel Most Effective Commission

**Santa Clara LAFCo**

Outstanding Commissioner

**Gayle Uilkema**, Contra Costa LAFCo

Outstanding LAFCo Professional

**Joyce Crosthwaite**, Orange LAFCo Executive Officer

Outstanding LAFCo Clerk

**Debby Chamberlin**, San Bernardino LAFCo

Project of the Year

**San Bernardino LAFCo and City of Fontana**  
Islands Annexation Program

Government Leadership Award

**City of Fontana - Islands Annexation Program**

Lifetime Achievement

**John T. "Jack" Knox**

**2006**

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Outstanding CALAFCo Member

**Everett Millais**, CALAFCo Executive Officer and Executive  
Officer of Ventura LAFCo

Distinguished Service Award

**Clark Alsop**, CALAFCo Legal Counsel

Most Effective Commission Award

**Alameda LAFCo**

Outstanding Commissioner Award

**Ted Grandsen**, Ventura LAFCo  
**Chris Tooker**, Sacramento LAFCo

Outstanding LAFCo Professional Award

**Larry Calemine**, Los Angeles LAFCo Executive Officer

Outstanding LAFCo Clerk Award

**Janice Bryson**, San Diego LAFCo  
**Marilyn Flemmer**, Sacramento LAFCo

Project of the Year Award

**Sacramento Municipal Utility District** Sphere of Influence  
Amendment and Annexation; **Sacramento LAFCo**

Outstanding Government Leadership Award

**Cities of Porterville, Tulare, and Visalia and Tulare LAFCo**  
Island Annexation Program

Legislator of the Year Award

**Senator Christine Kehoe**

**2005**

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Outstanding CALAFCo Member

**Peter Herzog**, CALAFCo Board, Orange LAFCo

Distinguished Service Award

**Elizabeth Castro Kemper**, Yolo LAFCo

Most Effective Commission Award

**Ventura LAFCo**

Outstanding Commissioner Award	<b>Art Aseltine</b> , Yuba LAFCo <b>Henri Pellissier</b> , Los Angeles LAFCo
Outstanding LAFCo Professional Award	<b>Bruce Baracco</b> , San Joaquin LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Diego LAFCo</b> MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	<b>Sacramento Area Council of Governments (SACOG)</b>

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## 2004

Outstanding CALAFCO Member	<b>Scott Harvey</b> , CALAFCO Executive Director
Distinguished Service Award	<b>Julie Howard</b> , Shasta LAFCo
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Commissioner Award	<b>Edith Johnsen</b> , Monterey LAFCo
Outstanding LAFCo Professional Award	<b>David Kindig</b> , Santa Cruz LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b> Nipomo CSD SOI Update, MSR, and EIR

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## 2003

Outstanding CALAFCO Member	<b>Michael P. Ryan</b> , CALAFCO Board Member
Distinguished Service Award	<b>Henri F. Pellissier</b> , Los Angeles LAFCo
Most Effective Commission Award	<b>San Luis Obispo LAFCo</b>
Outstanding Commissioner Award	<b>Bob Salazar</b> , El Dorado LAFCo
Outstanding LAFCo Professional Award	<b>Shirley Anderson</b> , San Diego LAFCo
Outstanding LAFCo Clerk Award	<b>Lori Fleck</b> , Siskiyou LAFCo
Project of the Year Award	<b>Napa LAFCo</b> Comprehensive Water Service Study
Special Achievement Award	<b>James M. Roddy</b>

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## 2002

Outstanding CALAFCO Member	<b>Ken Lee</b> , CALAFCo Legislative Committee Chair
Most Effective Commission Award	<b>San Diego LAFCo</b> Outstanding
Commissioner Award	<b>Ed Snively</b> , Imperial LAFCo
Outstanding LAFCo Professional Award	<b>Paul Hood</b> , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b>
Outstanding Government Leadership Award	<b>Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins</b>

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## 2001

Outstanding CALAFCO Member	<b>SR Jones</b> , CALAFCO Executive Officer
Distinguished Service Award	<b>David Martin</b> , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	<b>H. Peter Faye</b> , Yolo LAFCo
Outstanding LAFCo Professional Award	<b>Ingrid Hansen</b> , San Diego LAFCo
Project of the Year Award	<b>Santa Barbara LAFCo</b>
Outstanding Government Leadership Award	<b>Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council</b>
Legislator of the Year Award	<b>Senator Jack O'Connell</b>

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## 2000

Outstanding CALAFCO Member  
Distinguished Service Award

**Ron Wootton**, CALAFCO Board Chair  
**Ben Williams**, Commission on Local Governance for the  
21st Century

Most Effective Commission Award  
Outstanding Commissioner  
Outstanding LAFCo Professional Award  
Outstanding LAFCo Clerk Award  
Project of the Year Award  
Legislator of the Year Award

**Yolo LAFCo**  
**Rich Gordon**, San Mateo LAFCo  
**Annamaria Perrella**, Contra Costa LAFCo  
**Susan Stahmann**, El Dorado LAFCo  
**San Diego LAFCo**  
**Robert Hertzberg**, Assembly Member

### **1999**

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Distinguished Service Award  
Most Effective Commission Award  
Outstanding Executive Officer Award  
Outstanding LAFCo Clerk Award  
Most Creative Solution to a Multi-  
Jurisdictional Problem  
Outstanding Government Leadership Award  
Legislator of the Year Award

**Marilyn Ann Flemmer-Rodgers**, Sacramento LAFCo  
**Orange LAFCo**  
**Don Graff**, Alameda LAFCo  
**Dory Adams**, Marin LAFCo  
**San Diego LAFCo**  
**Assembly Member John Longville**  
**Assembly Member Robert Hertzberg**

### **1998**

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Outstanding CALAFCO Member  
Distinguished Service Award  
Most Effective Commission Award  
Outstanding Executive Officer Award  
Outstanding Staff Analysis  
  
Outstanding Government Leadership Award

**Dana Smith**, Orange LAFCo  
**Marvin Panter**, Fresno LAFCo  
**San Diego LAFCo**  
**George Spiliotis**, Riverside LAFCo  
**Joe Convery**, San Diego LAFCo  
**Joyce Crosthwaite**, Orange LAFCo  
**Santa Clara County Planning Department**

### **1997**

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Most Effective Commission Award  
Outstanding Executive Officer Award  
Outstanding Staff Analysis  
Outstanding Government Leadership Award  
Most Creative Solution to a Multi-  
Jurisdictional Problem  
Legislator of the Year Award

**Orange LAFCo**  
**George Finney**, Tulare LAFCo  
**Annamaria Perrella**, Contra Costa LAFCo  
**South County Issues Discussion Group**  
**Alameda LAFCo and Contra Costa LAFCo**  
  
**Assembly Member Tom Torlakson**





June 1, 2022

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Jo MacKenzie, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors



**RE: Nominations for 2022/2023 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	SOUTHERN REGION	NORTHERN REGION	COASTAL REGION
County Member District Member	City Member Public Member	City Member Public Member	County Member District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

**MONDAY, SEPTEMBER 19, 2022 at 5:00 PM**

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently being held virtually and the rest being held at alternate sites around the state.

Board seats are for a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 20, 2022 at the Hyatt Regency John Wayne Airport in Newport Beach, California.

*Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Résumé Form or provide the specified information in another format other than a résumé.*



**Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than Monday, September 19, 2022 at 5:00 p.m.**

Returning the nomination form prior to that deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Forms and materials may either be emailed to [info@calafco.org](mailto:info@calafco.org) or mailed to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, California 95814

Nominations received by the September 19th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 4, 2022, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 19, 2022, with completed absentee ballots returned by 5:00 p.m. on Friday, October 14, 2022.**

#### NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **June 1** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 19** – Completed Nomination packet due
- **September 19** – Request for an absentee/electronic ballot due
- **September 19** – Voting delegate name due to CALAFCO
- **October 4** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 4** – Distribution of requested absentee/electronic ballots.
- **October 14** – Absentee ballots due to CALAFCO
- **October 20** - Elections

If you have any questions about the election process, please contact me at [jmackenzie@calafco.org](mailto:jmackenzie@calafco.org) or by calling 760-743-7969. You may also contact CALAFCO Executive Director René LaRoche at [rlaroche@calafco.org](mailto:rlaroche@calafco.org) or by calling 916-442-6536.

Members of the 2022/2023 CALAFCO Election Committee are:

Jo MacKenzie, Chair  
[jmackenzie@calafco.org](mailto:jmackenzie@calafco.org)

San Diego LAFCo (Southern Region)  
760-743-7969

Bill Connelly  
[bconnelly@calafco.org](mailto:bconnelly@calafco.org)

Butte LAFCo (Northern Region)  
530-538-6834

Margie Mohler  
[mmohler@calafco.org](mailto:mmohler@calafco.org)

Napa LAFCo (Coastal Region)  
707-287-6911

Daniel Parra  
[dparra@calafco.org](mailto:dparra@calafco.org)

Fresno LAFCo (Central Region)  
559-834-3113

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

*I sincerely hope that you will consider joining us!*

## **Board of Directors Nomination and Election Procedures and Forms**

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

### **1. APPOINTMENT OF AN ELECTION COMMITTEE:**

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

### **2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:**

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFCoS listed by region.
  - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."
  - iv. The names of the Election Committee members and the name of their LAFCo, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
  - v. The email address and physical address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
  - vii. The specific date by which all voting delegate names are due.
  - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

**Key Timeframes for  
Nominations Process**

Days*	
120	Nomination announcement
30	Nomination deadline
14	Committee report released

\*Days prior to annual membership meeting

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

### **3. THE ELECTION COMMITTEE:**

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned regional officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the regional officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a regional officer from a region other than their own, as assigned by the Executive Director
- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

### **4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING**

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

**5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:**

- a. The Presiding Officer shall:
  - i. Review the election procedure with the membership of their region.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    - 1. For city member.
    - 2. For county member.
    - 3. For public member.
    - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a “Candidates Forum”. Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
    - 1. Name the nominees and offices for which they are nominated.
    - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
  - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
    - 1. Poll the LAFCos in good standing by written ballot.
    - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.

3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
  4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFCos in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
  2. The nominee receiving the majority of votes cast is elected.
  3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
  4. In case of tie votes:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

## **6. ADDITIONAL PROCEDURES**

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

## **7. LOSS OF ELECTION IN HOME LAFCO**

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

## **8. FILLING BOARD VACANCIES**

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

# CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Gary Thompson  
Riverside LAFCo  
gthompson@lafco.org

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Dawn Longoria  
Napa LAFCo  
dlongori@napa.lafco.ca.gov

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** José Henriquez  
Sacramento LAFCo  
henriquezj@saccounty.net

## CURRENT BOARD MEMBERS AND TERMS

<b>NAME</b>	<b>REGION</b>	<b>TYPE &amp; TERM</b>
Bill Connelly, <b>Vice Chair</b>	Butte <i>Northern</i>	County (2023)
Blake Inscore	Del Norte <i>North</i>	City (2022)
Gay Jones	Sacramento <i>Central</i>	District (2022)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Chris Lopez	Monterey <i>Coastal</i>	County (2022)
Daron McDaniel	Merced <i>Central</i>	County (2022)
Michael McGill	Contra Costa <i>Coastal</i>	District (2022)
Derek McGregor	Orange <i>Southern</i>	Public (2022)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Margie Mohler, <b>Treasurer</b>	Napa <i>Coastal</i>	City (2023)
<b>Anita Paque, Chair</b>	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2022)
Acquanetta Warren, <b>Secretary</b>	San Bernardino <i>Southern</i>	City (2022)

**Board of Directors**

**2022/2023 Nominations Form**

***Nomination to the CALAFCO Board of Directors***

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_ LAFCo Chair

\_\_\_\_\_ Date

**NOTICE OF DEADLINE**

Nominations must be received by **September 19, 2022 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to:

CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

Or email to: [info@calafco.org](mailto:info@calafco.org)

Date Received

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS



**Board of Directors**  
**2022/2023 Candidate Résumé Form**  
**(Complete both pages)**

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

Category (please check one):  City  County  Special District  Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nominations must be received by **September 19, 2022 at 5:00 p.m.** to be considered by the Election Committee.

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CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

Or email to: [info@calafco.org](mailto:info@calafco.org)



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

**Candace Andersen**  
*County Member*

**Donald A. Blubaugh**  
*Public Member*

**Tom Butt**  
*City Member*

**Patricia Bristow**  
*Special District Member*

**Federal Glover**  
*County Member*

**Michael R. McGill**  
*Special District Member*

**Rob Schroder**  
*City Member*

**ALTERNATE MEMBERS**

**Diane Burgis**  
*County Member*

**Stanley Caldwell**  
*Special District Member*

**Charles R. Lewis, IV**  
*Public Member*

**Edi Birsan**  
*City Member*

**August 10, 2022**  
**Agenda Item 16**

August 10, 2022

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

**Legislative Report - Update and Position Letter**

Dear Members of the Commission:

The California State Legislature is scheduled to adjourn on August 31, 2022. This year, CALAFCO sponsored two bills: the annual omnibus bill (**AB 2957**) which proposes minor corrections/edits to the LAFCO law, and **SB 938** (Hertzberg) relating to protest provisions. In addition, CALAFCO is tracking four “Priority 1” bills- SB 739 – *Private Golf Course: Conversion to Housing* (oppose unless amended), and SB 1490, SB 1491 and SB 1492 - *Validating Acts* (support) which were signed by the Governor. “Priority 2” and “Priority 3” bills are also shown on the CALAFCO Daily Legislative Report (Attachment 1).

We are pleased to report that both CALAFCO bills - AB 2957 and SB 938 - were signed by the Governor.

Following our June 8, 2022 LAFCO meeting, CALAFCO issued an urgent call for legislative action requesting that each LAFCO send a letter of support for the SB 938 (protest proceedings). Contra Costa LAFCO’s legislative policy provides LAFCO with flexibility to respond to urgent legislation that affects LAFCO. The policy provides that in “*situations when proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer, in consultation with the LAFCO Chair (or Vice Chair in the absence of the Chair), is authorized to provide written or email comments communicating the Commission’s position if the position is consistent with the adopted legislative policies of the Commission. The Chair or Vice Chair would review the letter or email prior to it being submitted. The Executive Officer will forward the email or letter to the Commission as soon as possible. The item will be placed on the next regular LAFCO meeting agenda as either “informational” or for discussion purposes.*”

In accordance with our local policies, LAFCO staff worked with the LAFCO Chair and submitted a letter of support for SB 938 (Attachment 2).

**RECOMMENDATION** – Informational item – no action needed

Sincerely,

LOU ANN TEXEIRA  
 EXECUTIVE OFFICER

Attachments

1. CALAFCO Daily Legislative Report
2. Letter of Support – SB 938

## CALAFCO Daily Legislative Report as of Wednesday, August 03, 2022

### **[AB 1195](#) (Garcia, Cristina D) Limited Eligibility and Appointment Program: lists.**

**Current Text:** Amended: 5/18/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 5/18/2022

**Status:** 8/2/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #168 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

Current law specifically grants the Department of Human Resources the powers, duties, and authority necessary to operate the state civil service system in accordance with Article VII of the California Constitution, the Government Code, the merit principle, and applicable rules duly adopted by the State Personnel Board. Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill would, notwithstanding those provisions, require the department to, upon request of the appointing power, provide the appointing power a LEAP referral list without combining that list with a parallel list and would authorize the appointing power to select and hire any individual from that a referral list to fill any vacancy.

**Attachments:**

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

**CALAFCO Comments:** As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving

them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

UPDATE AS OF 2/10/22 - According to the author's office, the author is not intending to move the bill forward at this time. CALAFCO will continue to WATCH and monitor the bill. As a result, the bill was downgraded from a P-1 to a P-3.

GUTTED AND AMENDED on 5/18/2022 to remove previous verbiage regarding water. The bill now addresses the State Department of Human Resources and the Limited Eligibility and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Downgraded to Watch, from Watch with Concerns. Changed priority to "None."

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## 1

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### **AB 2957 (Committee on Local Government) Local government: reorganization.**

**Current Text:** Chaptered: 6/21/2022 [html](#) [pdf](#)

**Introduced:** 3/2/2022

**Last Amended:** 4/18/2022

**Status:** 6/21/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 37, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory. Current law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified. This bill would define the term "successor agency," for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district.

**Attachments:**

[LAFCo Support letter template](#)

[CALAFCO Support letter](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the annual Omnibus bill sponsored by CALAFCO. As introduced it makes 3 minor, technical non-substantive changes in CKH: (1) Replaces "to be completed and in existence" with "take effect" under GCS 56102; (2) Adds GCS 56078.5: "Successor Agency" means

the local agency the Commission designates to wind up the affairs of a dissolved district; and (3) Replaces "proposals" with "applications" within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2).

CALAFCO support letter and LAFCo support letter template are in the attachments section.

April 18, 2022 bill amended with additional changes requested by CALAFCO. Amendments include grammatical changes, the correction of a PUC citation in GC Sec 56133(e)(5) from 9604 to 224.3, the extension of the sunset date within R&T Section 99(b)(8)(B) to January 1, 2028, and it renumbers remaining provisions as needed due to the above changes.

**SB 739 (Cortese D) Private golf courses: conversion to housing.**

**Current Text:** Amended: 6/13/2022 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Last Amended:** 6/13/2022

**Status:** 6/20/2022-Re-referred to Coms. on NAT. RES. and H. & C.D. pursuant to Assembly Rule 96.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize a development proponent to submit an application to convert land that was previously used as a golf course to market-rate and affordable housing and would provide that the application is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. In this regard, the bill would require a development subject to the provisions to be located on a site that was used as a golf course, but has been closed for at least 5 years before the effective date of these provisions and would require that the development include at least 600 housing units. The bill would require the development to dedicate at least 30% of the new housing units to lower income households and persons and families of moderate income, as specified. By requiring local governments to approve development applications submitted under these provisions, the bill would impose a state-mandated local program.

**Attachments:**

[SB 738 - Author's Fact Sheet](#)

**Position:** Oppose unless amended

**Subject:** Ag/Open Space Protection, Annexation Proceedings, Growth Management, Housing, LAFCo Administration, Municipal Services, Planning, Sustainable Community Plans

**CALAFCO Comments:** SB 739 was gutted and amended on June 13th and now seeks to add provisions to the Government Code to allow for a rapid, and ministerial, conversion of golf courses that have been closed for at least 5 years to housing developments of at least 600 units. As proposed, the bill is to be in effect until January 1, 2030, authorizes a development proponent to submit an application and receive streamlined, ministerial approvals of both county CUPs and the LAFCo process to speed development. Additionally, while not expressly called out in the bill, it contains provisions that address contracting requirements which discuss high rise developments; the implication being that high rise developments of at least 600 housing units would have to be ministerially approved on all levels. CALAFCO is currently in discussions with the author's office.

The Fact Sheet can be found in the attachments section.

**SB 938 (Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/8/2022

**Last Amended:** 6/9/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 89, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there

is a local agency formation commission (commission) that oversees these changes of organization and reorganization. Current law authorizes a commission to dissolve an inactive district if specified conditions are satisfied. This bill would also authorize a commission to initiate a proposal for the dissolution of a district, as described, if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act. The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies.

**Attachments:**

[SB 938 Senate Floor Alert](#)

[SB 938 CALAFCO Support Letter dated 5-25-2022](#)

[SB 938 LAFCo support letter template](#)

[SB 938 CALAFCO Support letter](#)

[SB 938 CALAFCO Fact Sheet](#)

[SB 938 Author Fact Sheet](#)

**Position:** Sponsor

**Subject:** CKH General Procedures, Other

**CALAFCO Comments:** CALAFCO is the sponsor of this bill. SB 839 represents a collaborative three-year effort (by an 18-member working group) to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. In response to a recommendation made in the 2017 Little Hoover Commission report (Special Districts: Improving Oversight and Transparency), CALAFCO initiated a working group of stakeholders in early 2019 to discuss the protest process for dissolutions of special districts.

The bill's current format (dated 2/8/22) represents the restructuring of existing protest provisions scattered throughout CKH. There have been some minor technical language added for clarifications. These changes are all minor in nature (by legislative standards).

The bill will be amended to reflect the newly designed process that codifies the ability for LAFCo to initiate a district dissolution at 25% protest threshold. The conditions under which this can occur include one or more of the following, any/all of which must be documented via determinations in a Municipal Service Review (MSR):

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies;
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending;
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to;
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis;
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency's recent annual audits show chronic issues with the agency's fiscal controls and the agency has taken no action to remediate the issues.

The proposed process is:

1. LAFCo to present the MSR in a 21-day noticed public hearing. At that time the LAFCo may choose to adopt a resolution of intent to dissolve the district. The resolution shall contain a minimum 12-month remediation period.
2. The district will have a minimum of 12 months to remediate the deficiencies.
3. Half-way through the remediation period, the district shall provide LAFCo a written report on the progress of their remediation efforts. The report is to be placed on a LAFCo meeting agenda and presented at that LAFCo meeting.

4. At the conclusion of the remediation period, LAFCo conducts another 21-day noticed public hearing to determine if district has remedied deficiencies. If the district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped. If not, commission adopts a resolution making determinations to dissolve the district.
5. Standard 30-day reconsideration period.
6. Protest proceedings at 25% threshold can be noticed with a required 60-day protest period.
7. Protest hearing is held and amount of qualified protests determined based on 25% threshold. LAFCo either orders dissolution, election, or termination.

As this bill - when amended - adds requirements for LAFCOs and districts, it will likely be keyed fiscal (for now it is not). An author fact sheet and CALAFCO fact sheet are posted in our attachments section as well as the CALAFCO Support letter and LAFCo support letter template.

**SB 1490 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 94, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the First Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the first of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

**SB 1491 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 95, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Second Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the second of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

**SB 1492 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 96, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Third Validating Act of 2022, which would validate the organization, boundaries,

acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the third of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

**AB 1640 (Ward D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.**

**Current Text:** Amended: 5/19/2022 [html](#) [pdf](#)

**Introduced:** 1/12/2022

**Last Amended:** 5/19/2022

**Status:** 8/2/2022-In committee: Referred to suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

**Attachments:**

[AB 1640, CALAFCO Letter of Support - March 2022](#)

[AB 1640 Author Fact](#)

**Position:** Support

**Subject:** Climate Change

**CALAFCO Comments:** This bill is a follow up and very similar to AB 897 (2021). The bill would authorize eligible entities, as defined (including LAFCo), to establish and participate in a regional climate network, as defined. The bill would authorize a regional climate network to engage in activities to address climate change, as specified. Further, it requires a regional climate network to develop a regional climate adaptation and resilience action plan and to submit the plan to OPR for review, comments, and certification. The bill would require OPR to: (1) encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks; (2) develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks by 7-1-23; and (3) provide technical assistance to regions seeking to establish a regional climate network, facilitate coordination between regions, and encourage regions to incorporate as many eligible entities into one network as feasible.

The difference between this bill and AB 897 is this bill removes requirements for OPR to develop guidelines and establish standards and required content for a regional climate adaptation and resilience action plan (to be produced by the network), and removes some specified technical support requirements by OPR. Those requirements were covered in SB 170, a budget trailer bill from 2021.

The bill is author-sponsored and keyed fiscal. An author fact sheet is included in our attachments area, as well as the CALAFCO Support letter.

Amended 3/23/2022 to provide that regional climate networks MAY be developed rather than the former requirement. Minor clean ups of other superfluous language.

Amended 5/19/2022 to remove the deadline for OPR to develop and publish guidelines for eligible

entities to establish regional climate networks, removed an exemption to cover multiple counties when population was greater than 2 million people, removed requirements for membership and biennial reports to OPR.

**[AB 1773](#) (Patterson R) Williamson Act: subvention payments: appropriation.**

**Current Text:** Introduced: 2/3/2022 [html](#) [pdf](#)

**Introduced:** 2/3/2022

**Status:** 5/19/2022-In committee: Held under submission.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Current law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2022–23 fiscal year, would appropriate an additional \$40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes.

**Attachments:**

[AB 1773 CALAFCO Letter of Support - March 2022](#)

[AB 1773 Author Fact Sheet](#)

**Position:** Support

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** AB 1773 resurrects funding the Williamson Act for the 2022-2023 budget year. The Williamson Act was created to preserve open space and conserve agricultural land. For many years, the state funded the Act at around \$35-\$40 million per year. This funding ceased during the recession, and has not been reinstated since. AB 1773 would allocate \$40 million from the General Fund to the Williamson Act for the purpose of subvention payments.

The bill is author-sponsored, has a general-fund appropriation, and is keyed fiscal. An author fact sheet is posted in our attachments section, along with the CALAFCO Support letter.

**[AB 1944](#) (Lee D) Local government: open and public meetings.**

**Current Text:** Amended: 5/25/2022 [html](#) [pdf](#)

**Introduced:** 2/10/2022

**Last Amended:** 5/25/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

**Attachments:**

[AB 1944 Author Fact Sheet](#)

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill would delete the requirement that an individual participating in a Brown Act meeting remotely from a non-public location must disclose the address of the location. If the governing body chooses to allow for remote participation, it must also provide video streaming and offer public comment via video or phone.

The bill is author sponsored and keyed fiscal. The author's fact sheet is posted in our attachments area.

Amended 5/25/2022 to add that for this provision to apply, no less than a quorum of members of the legislative body must participate from a single physical location that is identified on the agenda, open to the public, and situated within the boundaries of the legislative body.

**AB 2081 (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.**

**Current Text:** Amended: 5/12/2022 [html](#) [pdf](#)

**Introduced:** 2/14/2022

**Last Amended:** 5/12/2022

**Status:** 6/21/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Calendar:**

8/4/2022 #77 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Current law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to approve such an application. This bill, among other things, would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2027.

**Attachments:**

[AB 2081 CALAFCO Oppose Letter, dated 5-26-2022](#)

[AB 2081 CALAFCO Oppose 03-16-2022](#)

[AB 2081 Author Fact Sheet](#)

**Position:** Oppose

**Subject:** Water

**CALAFCO Comments:** This bill extends the sunset date created in AB 1361 (2017). Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, under specified circumstances, to apply to the applicable LAFCo to provide this service of water to Indian lands, as defined, that are not within the district and requires the LAFCo to approve such an application. This bill extends the sunset date from January 1, 2023 to January 1, 2025.

CALAFCO opposed AB 1361 in 2017 as the process requires LAFCo to approve the extension of service, requires the district to extend the service, and does not require annexation upon extension of service. CALAFCO reached out to the author's office requesting information as to the reason for the extension and we have not been given a reason.

The bill is keyed fiscal. An author fact sheet is included in the attachments area, as well as the CALAFCO letter in opposition.

**AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 6/30/2022 [html](#) [pdf](#)

**Introduced:** 2/17/2022

**Last Amended:** 6/30/2022

**Status:** 8/2/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #223 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill authorizes the use of teleconferencing without noticing and making available to the public teleconferencing locations if a quorum of the members of the legislative body participate in person from a singular location that is noticed and open to the public and require the legislative body to offer public comment via video or phone.

CALAFCO reached out to the author's office for information and we've not yet heard back. The bill is not keyed fiscal.

**[AB 2647](#) (Levine D) Local government: open meetings.**

**Current Text:** Amended: 8/1/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 8/1/2022

**Status:** 8/1/2022-Read second time and amended. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #152 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board less than 72 hours before a meeting available for public inspection, as specified, at a public office or location that the agency designates. Current law also requires the local agency to list the address of the office or location on the agenda for all meetings of the legislative body of the agency. Current law authorizes a local agency to post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill seeks to amend the law to make clear that writings that have been distributed to a majority of a local legislative body less than 72 hours before a meeting can be posted online in order to satisfy the law.

Amended on April 19, 2022, to add a provision that agendas will note the physical location from which hard copies of such post-agenda documents can be retrieved.

The bill is sponsored by the League of Cities and is not keyed fiscal.

**SB 852 (Dodd D) Climate resilience districts: formation: funding mechanisms.**

**Current Text:** Amended: 6/6/2022 [html](#) [pdf](#)

**Introduced:** 1/18/2022

**Last Amended:** 6/6/2022

**Status:** 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (June 27). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapted
1st House				2nd House							

**Calendar:**

8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

**Summary:**

Would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, unless the district is specified as otherwise. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill would establish project priorities and would authorize districts to establish additional priorities.

**Attachments:**

[SB 852 Author Fact Sheet](#)

**Position:** Watch

**Subject:** Special District Principle Acts

**CALAFCO Comments:** This bill creates the Climate Resilience Districts Act. The bill completely bypasses LAFCo in the formation and oversight of these new districts because the districts are primarily being created as a funding mechanism for local climate resilience projects (as a TIF or tax increment finance district - for which LAFCos also have no involvement).

The bill authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill authorizes a district created pursuant to these provisions to have boundaries that are identical to the boundaries of the participating entities or within the boundaries of the participating entities. The bill also authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the district. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. It requires 95% of monies collected to fund eligible projects, and 5% for district administration. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually.

Section 62304 details the formation process, Section 62305 addresses the district's governance structure, and 62307 outlines the powers of the district.

This bill is sponsored by the Local Government Commission and is keyed fiscal. A fact sheet is included in our attachments section.

Amended 5/18/2022 to impose requirements on projects undertaken or financed by a district, including requiring a district to obtain an enforceable commitment from the developer that contractors and subcontractors performing the work use a skilled and trained workforce, and would expand the crime of perjury to these certifications.

**SB 1100 (Cortese D) Open meetings: orderly conduct.**

**Current Text:** Amended: 6/6/2022 [html](#) [pdf](#)

**Introduced:** 2/16/2022

**Last Amended:** 6/6/2022

**Status:** 8/1/2022-Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #37 SENATE UNFINISHED BUSINESS

**Summary:**

Current law requires every agenda for regular meetings of a local agency to provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body. Current law authorizes the legislative body to adopt reasonable regulations to ensure that the intent of the provisions relating to this public comment requirement is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting to remove an individual for disrupting the meeting.

**Attachments:**

[SB 1100 - CALAFCO Letter of Support](#)

[SB 1100 Author Fact Sheet](#)

**Position:** Support

**Subject:** Brown Act

**CALAFCO Comments:** This bill would authorize the removal of an individual from a public meeting who is "willfully interrupting" the meeting after a warning and a request to stop their behavior. "Willfull interrupting" is defined as intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law.

The bill is author-sponsored and keyed fiscal. An author fact sheet is posted in our attachments section.

The CALAFCO support letter is in the attachments section.

**SB 1449 (Caballero D) Office of Planning and Research: grant program: annexation of unincorporated areas.**

**Current Text:** Amended: 4/19/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 4/19/2022

**Status:** 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 29). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

**Summary:**

Would require the Office of Planning and Research to, upon appropriation by the Legislature, establish the Unincorporated Area Annexation Incentive Program, authorizing the office to issue a grant to a city for the purpose of funding infrastructure projects related to the proposed or completed annexation of a substantially surrounded unincorporated area, as defined, subject to approval by the Director of State Planning after the city submits an application containing specified information. The bill would require the office to match, on a dollar-for-dollar basis, any dollar contribution a city makes toward a project funded by the program, subject to a maximum funding threshold as determined by the director. The bill would, by September 1, 2023, require the office to develop guidelines, and consult with various local representatives to prepare those guidelines, for purposes of implementing the program, and would provide that the guidelines are not subject to the rulemaking requirements of the Administrative Procedure Act.

**Attachments:**

[SB 1449 - CALAFCO Letter of Support](#)

**Position:** Support

**Subject:** Annexation Proceedings

**CALAFCO Comments:** This is currently a spot bill. According to the author's office, they are working on state funding to incentivize annexation of inhabited territory (when the VLF was taken away, so too was any financial incentive to annex inhabited territory). For many years bills have been run to reinstate funding, none of which have ever successfully passed. There is no other information available on this bill at this time. CALAFCO will continue conversations with the author's office as this is an important topic for LAFCos. (The bill will remain a P-3 until amended.)

Amended 3/16/2022 to remove spot holder language, add definitions and other language tying to CKH, and add language more specific to a grant program.

LAFCos added in to assist OPR develop the program guidelines.

The CALAFCO letter of support can be found in the attachments section.

**[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.**

**Current Text:** Amended: 7/14/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 7/14/2021

**Status:** 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

**Attachments:**

[CALAFCO Support July 2021](#)

[AB 897 Fact Sheet](#)

**Position:** Support

**Subject:** Climate Change

**CALAFCO Comments:** As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

2/24/22 UPDATE: It appears this bill is being replaced with AB 1640 (Ward, Mullin, etc.). CALAFCO will keep this bill on Watch and follow the new bill.

**AB 903 (Frazier D) Los Medanos Community Healthcare District.**

**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 4/19/2021

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. 2 YEAR on 7/14/2021)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of

funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

**Position:** Watch

**CALAFCO Comments:** This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

2022 UPDATE: Given Member Frazier is no longer in the Assembly and the appellate court overturned the lower court's decision, it is likely the bill will not move forward. CALAFCO will retain WACTH on the bill.

**AB 975 (Rivas, Luz D) Political Reform Act of 1974: filing requirements and gifts.**

**Current Text:** Amended: 6/16/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 6/16/2022

**Status:** 6/28/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #100 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

The Political Reform Act of 1974 generally requires elected officials, candidates for elective offices, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other persons and entities, to file periodic campaign statements and certain reports concerning campaign finances and related matters. Current law permits a report or statement that has been on file for at least two years to be retained by a filing officer as a copy on microfilm or other space-saving materials and, after the Secretary of State certifies an online filing and disclosure system, as an electronic copy. This bill would permit a filing officer to retain a report or statement filed in a paper format as a copy on microfilm or other space-saving materials or as an electronic copy, as specified, without a two-year waiting period. The bill would also permit a filing officer to retain a report or statement as an electronic copy before the Secretary of State certifies an online filing and disclosure system.

**Position:** Watch

**Subject:** FPPC

**CALAFCO Comments:** As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include

candidates (prior text was office holders).

UPDATE AS OF 2/24/22 - The author's office indicates they are moving forward with the bill this year and are planning amendments. They are not clear what those amendments will be so CALAFCO will retain a WATCH position on the bill.

**AB 1757 (Haney D) Groundwater sustainability agency.**

**Current Text:** Amended: 5/10/2022 [html](#) [pdf](#)

**Introduced:** 2/2/2022

**Last Amended:** 5/10/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. N.R. & W. on 6/1/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin. Current law governs the formation of a groundwater sustainability agency. This bill would authorize a conservation district overlying a groundwater basin in this state to decide to become a groundwater sustainability agency for that basin and would make the law governing the formation of a groundwater sustainability agency applicable to that district.

**Position:** Watch

**Subject:** Water

**AB 2041 (Garcia, Eduardo D) California Safe Drinking Water Act: primary drinking water standards: compliance.**

**Current Text:** Amended: 4/18/2022 [html](#) [pdf](#)

**Introduced:** 2/14/2022

**Last Amended:** 4/18/2022

**Status:** 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

Desk	Policy	Dead	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Specifically, the bill would require the state board to determine which public water system may not be able to comply with the primary drinking water standard without receiving financial assistance and develop a compliance plan, including a financial plan to assist that public water system in complying with the primary drinking water standard. The bill would also require the state board, if a public water system is in violation of the primary drinking water standard after the compliance period, to take into consideration whether or not the public water system implemented the compliance plan.

**Attachments:**

[AB 2041 Author Fact Sheet](#)

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** This bill would require the SWRCB to take specified actions if the SWRCB adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include,

among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.

CALAFCO reached out to the author's office for information on the bill and has not heard back. The bill is keyed fiscal. An author fact sheet is attached.

**AB 2201 (Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.**

**Current Text:** Amended: 6/22/2022 [html](#) [pdf](#)

**Introduced:** 2/15/2022

**Last Amended:** 6/22/2022

**Status:** 6/30/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 3. Noes 1.) (June 29). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/8/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:**

Would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** 2/15/2022: As introduced, a spot holder.

3/17/2022: As amended, this bill now seeks to add a new section into the Water Code that would require, after July 1, 2023, designated extraction facilities to procure permits from the Department of Water Resources (DWR.) Extraction facilities are defined as those located in a basin that has already been designated by DWR as subject to critical overdraft conditions. It would also define times when permits are not needed, including for "de minimis extractors" (as defined by Section 10721), for replacement extractors, when drinking water is needed by a water system for public health purposes, for habitat and wetlands conservation, for photovoltaic or wind energy generation when less than 75 acre feet of groundwater is needed annually, when required by an approved CEQA document, and for facilities constructed to ensure a sustain water supply to consolidated public water systems. This bill would also require groundwater sustainability agencies (GSAs) to develop a process for the issuance of groundwater extraction permits which considers demonstrations of need, adherence to a groundwater sustainability plan, a showing that the extraction will not contribute to an undesirable result, and other procedural requirements. Additionally, the bill would require notification to all groundwater users within one mile of the proposed groundwater extraction facility, and to the DWR when the proposed extraction is within one mile of a disadvantaged community or a domestic well user, and other procedural steps. Also allows those GSAs in a basin not designated as subject to critical conditions of overdraft to adopt an ordinance that establishes their own process, in accordance with this section, for the issuance of groundwater extraction permits, and allows imposition of fees as long as they do not exceed reasonable agency costs. DWR shall provide technical assistance to assist GSA implement this section. This bill would further amend Water Code Section 10728 to require annual reports by GSA to include information regarding the number, location, and volume of water encompassed by permits issued under this section.

Unfunded mandate, now reimbursements provided. Keyed: fiscal.

Amended 4/27/2022 to removes all provisions regarding groundwater extraction facilities, adds in provisions regarding local agencies, which are defined as cities, counties, districts, agencies, or other entities with the authority to issue a permit for a a new groundwater well or for an alteration to an existing well.

**AB 2442 (Rivas, Robert D) California Disaster Assistance Act: climate change.**

**Current Text:** Amended: 8/1/2022 [html](#) [pdf](#)

**Introduced:** 2/17/2022

**Last Amended:** 8/1/2022

**Status:** 8/1/2022-Read second time and amended. Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
1st House				2nd House							

**Calendar:**

8/8/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:**

The California Disaster Assistance Act requires the Director of Emergency Services to authorize the replacement of a damaged or destroyed facility, whenever a local agency and the director determine that the general public and state interest will be better served by replacing a damaged or destroyed facility with a facility that will more adequately serve the present and future public needs than would be accomplished merely by repairing or restoring the damaged or destroyed facility. Current law also authorizes the director to implement mitigation measures when the director determines that the measures are cost effective and substantially reduce the risk of future damage, hardship, loss, or suffering in any area where a state of emergency has been proclaimed by the Governor. This bill would specify that mitigation measures for climate change and disasters related to climate, may include, but are not limited to, measures that reduce emissions of greenhouse gases and investments in natural infrastructure, as defined, including, but not limited to, the preservation of open space, improved forest management, and wildfire risk reduction measures.

**Position:** Watch

**Subject:** Ag/Open Space Protection

**CALAFCO Comments:** Seeks to add climate change to California Disaster Assistance Act and adds, as noted cost effective mitigation measures, the preservation of open space, improved forest management and wildfire risk reduction measures, and other investments in natural infrastructure (in line with definition of a "natural infrastructure" in GC Section 65302(g)(4)(C)(v).) Also would amend GC Sec 65302 to require General Plans to include "a set of measures designed to reduce emissions of greenhouse gases resulting in climate change, and natural features and ecosystem processes in or near identified at-risk areas threatened by the impacts attributable."

**SB 12 (McGuire D) Local government: planning and zoning: wildfires.**

**Current Text:** Amended: 6/6/2022 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 6/6/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. H. & C.D. on 5/24/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
1st House				2nd House							

**Summary:**

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a housing element and a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. Current law requires the housing element to be revised according to a specific schedule. Current law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse

**Position:** Watch

**Subject:** Growth Management, Planning

**CALAFCO Comments:** UPDATE 2/24/22: According to the author's office, they do plan to move this bill forward in 2022 and no other details are available at this time.

**SB 418 (Laird D) Pajaro Valley Health Care District.**

**Current Text:** Chaptered: 2/4/2022 [html](#) [pdf](#)

**Introduced:** 2/12/2021

**Last Amended:** 1/24/2022

**Status:** 2/4/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	<b>Chaptered</b>
1st House				2nd House							

**Summary:**

Would create the Pajaro Valley Health Care District, as specified, except that the bill would authorize the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors.

**Position:** Watch

**Subject:** Special District Principle Acts

**CALAFCO Comments:** Gut and amended on 1/14/22, this bill forms the Pajaro Valley Health Care District within Santa Cruz and Monterey counties. The formation, done by special legislation, bypasses the LAFCo process, with language explicitly stating upon formation, LAFCo shall have authority. The bill requires that within 5 years of the date of the first meeting of the Board of Directors of the district, the board of directors shall divide the district into zones. The bill would require the district to notify Santa Cruz LAFCo when the district, or any other entity, acquires the Watsonville Community Hospital. The bill requires the LAFCo to order the dissolution of the district if the hospital has not been acquired by January 1, 2024 through a streamlined process, and requires the district to notify LAFCo if the district sells the Watsonville Community Hospital to another entity or stops providing health care services at the facility, requiring the LAFCo to dissolve the district under those circumstances in a streamlined process.

Given the hospital has filed bankruptcy and this is the only hospital in the area and serves disadvantaged communities and employs a large number of people in the area, the bill has an urgency clause.

Several amendments were added on 1/24/22 by the ALGC and SGFC all contained within Section 32498.7.

CALAFCO worked closely with the author's office, Santa Cruz County lobbyist and the Santa Cruz and Monterey LAFCos on this bill. We have requested further amendments which the Senator has agreed to take in a follow-up bill this year. Those amendments include requiring Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 3 years, Santa Cruz LAFCo conducting a special study on the district after 3 years, and representation from both counties on the governing board.

The bill is sponsored by the Pajaro Valley Healthcare District Project and is not keyed fiscal.

**SB 969 (Laird D) Pajaro Valley Health Care District.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/10/2022

**Last Amended:** 3/2/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 90, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	<b>Chaptered</b>
1st House				2nd House							

**Summary:**

Current law creates the Pajaro Valley Health Care District, as specified, and authorizes the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors. Current law requires, within 5 years of the date of the first meeting of the Board of Directors of the Pajaro Valley Health Care

District, the board of directors to divide the district into zones and number the zones consecutively. Existing law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Existing law requires the district to notify the County of Santa Cruz local agency formation commission (LAFCO) when the district, or any other entity, acquires the Watsonville Community Hospital. Existing law requires the LAFCO to dissolve the district under certain circumstances. This bill would require the LAFCO to develop and determine a sphere of influence for the district within one year of the district's date of formation, and to conduct a municipal service review regarding health care provision in the district by December 31, 2025, and by December 31 every 5 years thereafter.

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** This bill is a follow up to SB 418 (Laird) and contains some of the amendments requested by CALAFCO and Monterey and Santa Cruz LAFCos. As introduced the bill requires Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 2 years, Santa Cruz LAFCo conducting a Municipal Service Review on the district every 5 years with the first being conducted by 12-31-25. Our final requested amendment, ensuring representation from both counties on the governing board, is still being worked on and not reflected in the introduced version of the bill.

**[SB 1405](#) ([Ochoa Bogh R](#)) **Community service districts: Lake Arrowhead Community Service District: covenants, conditions, and restrictions: enforcement.****

**Current Text:** Amended: 4/18/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 4/18/2022

**Status:** 6/20/2022-From consent calendar on motion of Assembly Member Seyarto. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #34 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:**

Would authorize the Lake Arrowhead Community Services District to enforce all or part of the covenants, conditions, and restrictions for tracts within that district, and to assume the duties of the Arrowhead Woods Architectural Committee for those tracts, as provided. This bill contains other related provisions.

**Position:** Watch

**Subject:** Other

**[SB 1425](#) ([Stern D](#)) **Open-space element: updates.****

**Current Text:** Amended: 4/18/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 4/18/2022

**Status:** 6/30/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/4/2022 #69 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:**

Would require every city and county to review and update its local open-space plan by January 1, 2026. The bill would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element. By imposing additional duties on local officials, the bill would create a state-mandated local program.

**Position:** Watch

**Subject:** Other

**[SB 1489](#) ([Committee on Governance and Finance](#)) **Local Government Omnibus Act of 2022.****

**Current Text:** Amended: 6/20/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Last Amended:** 6/20/2022

**Status:** 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 8. Noes 0.) (June 29). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

**Summary:**

Current law, including the Professional Land Surveyors' Act, the Mello-Roos Community Facilities Act of 1982, the Subdivision Map Act, provisions relating to official maps of counties and cities, and provisions relating to maps of certain special assessment districts, prescribe requirements for the identification, storage, access, and preservation of maps. This bill would revise requirements for storage, access, and preservation of maps, in connection with the above-described laws, to authorize alternative methods by which maps may be identified, kept safe and reproducible, and to which they may be referred, and would generally eliminate the requirement that they be fastened and stored in books.

**Position:** Watch

**CALAFCO Comments:** This is the Senate Governance & Finance Committee annual omnibus bill.

Total Measures: 29

Total Tracking Forms: 29

8/3/2022 1:48:55 PM

## CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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Lou Ann Teixeira  
Executive Officer

## MEMBERS

Candace Andersen  
County Member

Donald A. Blubaugh  
Public Member

Tom Butt  
City Member

Patricia Bristow  
Special District Member

Federal Glover  
County Member

Michael R. McGill  
Special District Member

Rob Schroder  
City Member

## ALTERNATE MEMBERS

Diane Burgis  
County Member

Stanley Caldwell  
Special District Member

Charles R. Lewis, IV  
Public Member

Edi Birsan  
City Member

June 24, 2022

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

Re: **REQUEST FOR SIGNATURE - SB 938** (Hertzberg): The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("The Act"): Protest Proceedings: Procedural Consolidation

Dear Governor Newsom:

The Contra Costa Local Agency Formation Commission respectfully **requests your signature on Senate Bill 938** by Senate Majority Leader Emeritus Hertzberg. The California Association of Local Agency Formation Commissions (CALAFCO) is the sponsor of this important measure, which unanimously passed both the Senate and Assembly and has broad stakeholder support. **SB 938** represents a collaborative three-year effort to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a Local Agency Formation Commission (LAFCo) may initiate dissolution of a district at the 25% protest threshold.

The statutes related to protest provisions and the disparate protest thresholds established for LAFCo-initiated actions (10%) and all other initiated actions (25%) make addressing necessary and appropriate special district consolidations and dissolutions considerably more difficult when initiated by a LAFCo. Further, they serve as a deterrent for LAFCo to initiate action, even if meaningful efficiencies in the provision of public services could be achieved or if a district is failing to meet its statutory requirements. A statewide study conducted by CALAFCO in 2018 found that the 10% protest threshold was the second-most common deterrent for LAFCos initiating action (the first being the lack of funding).

In response to a recommendation made in the 2017 Little Hoover Commission report after a year-long study (*Special Districts: Improving Oversight and Transparency*), CALAFCO initiated a working group of stakeholders in early 2019 to examine the protest process for consolidations and dissolutions of special districts. After three years of work (delayed due to the pandemic), the working group came to consensus on the redraft of existing protest statutes and a new process that allows LAFCos to initiate dissolution of a district at the 25% protest threshold under specific circumstances.

**The overarching goal of these changes is to ensure that LAFCos have the tools they need to carry out their statutory obligations to ensure orderly and functioning local government services and to create greater consistency in the statute.** The specific circumstances under which a dissolution may be initiated are more than reasonable and the subsequent process includes three noticed public hearings, a minimum 12-month

remediation period, and a 60-day protest period, all of which are extremely practical. Additionally, the proposed process for LAFCo-initiated actions at the 25% protest threshold applies only to dissolutions, making the scope of use exceptionally narrow.

The 18-member working group consisted of a broad group of stakeholder representatives from CALAFCO (including Executive Officers and legal counsel), the California Special Districts Association (CSDA) (including board members and staff from water, resource conservation, and fire protection districts, as well as legal counsel), a shared CALAFCO-CSDA Board member, and representatives from the League of California Cities, California State Association of Counties (CSAC), and the Senate Governance and Finance and Assembly Local Government Committees. CALAFCO greatly appreciates the working group participants for their hard work and dedication to this endeavor.

**SB 938** makes much needed and long-awaited improvements to The Act through the restructure and clarification of existing protest provisions, and addition of a fair and appropriate process that offers LAFCos additional tools necessary to effectively fulfill their statutory obligations.

The Contra Costa LAFCo appreciates your most positive consideration of **SB 938** when it comes before you for action.

Sincerely,



Rob Schroder, Chair  
Contra Costa LAFCO

cc: The Honorable Robert Hertzberg, California State Senate  
Ms. Ronda Paschal, Deputy Legislative Secretary to the Governor  
Ms. René LaRoche, Executive Director, CALAFCO



Lou Ann Texeira  
 Executive Officer

**MEMBERS**

<b>Candace Andersen</b> <i>County Member</i>	<b>Federal Glover</b> <i>County Member</i>
<b>Donald A. Blubaugh</b> <i>Public Member</i>	<b>Michael R. McGill</b> <i>Special District Member</i>
<b>Tom Butt</b> <i>City Member</i>	<b>Rob Schroder</b> <i>City Member</i>
<b>Igor Skaredoff</b> <i>Special District Member</i>	

**ALTERNATE MEMBERS**

<b>Diane Burgis</b> <i>County Member</i>
<b>Stanley Caldwell</b> <i>Special District Member</i>
<b>Charles R. Lewis, IV</b> <i>Public Member</i>
<b>Edi Birsan</b> <i>City Member</i>

August 10, 2022

**August 10, 2022  
 Agenda Item 17**

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

**Current and Potential LAFCO Applications**

Dear Members of the Commission:

**SUMMARY**

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

**DISCUSSION**

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

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

**Current Proposals – Approved and Awaiting Completion**

**✚ Chang Property Reorganization (LAFCO 18-06)**

This is an application filed by the landowner to annex 66.92± acres to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) and detach the same area from County Service Area (CSA) P-6. The subject area is located at the intersection of Crow Canyon and Bollinger Canyon Roads in unincorporated San Ramon. The Commission approved the boundary reorganization in

August 2017 with conditions. One of the conditions has not yet been met. The applicant has requested and received several extensions of time with the current extension to July 9, 2022. At the June 8, 2022 LAFCO meeting, the Commission approved a time extension to December 31, 2022 to complete the easement.

### **Current Applications – Under Review**

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

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

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

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

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

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

#### **+ Annexation to City of Concord and Detachment from CSA P-6 – Akins (LAFCO 22-01)**

On June 9, 2021, LAFCO approved extension of out of agency wastewater service by the City of Concord to the Akins property located in unincorporated Concord (Ayers Ranch). LAFCO's approval was conditioned on a commitment from the landowners to submit to LAFCO an application to annex the subject parcel to the City of Concord by *May 31, 2022*. An annexation application was filed with LAFCO on April 26, 2022 pursuant to LAFCO's condition. The annexation application is currently under review.

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

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

#### **+ Out of Agency Service – City of Martinez – 2567 Reliez Valley Rd – Martinez**

This is an application filed by the City of Martinez to extend water service to the subject parcel. The application is currently under review.

## **Potential Applications**

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

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

**RECOMMENDATION** – Informational item – no actions required.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attachment – Current Applications Table

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
CURRENT APPLICATIONS – August 10, 2022**

**Attachment**

<b>File #</b>	<b>APPLICATION NAME/LOCATION</b>	<b>APPLICATION SUMMARY</b>	<b>STATUS</b>
16-06	Tassajara Parks Project: proposed annexations to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) to support development of 125 residential lots and related improvements. On July 13, 2021, the County Board of Supervisors certified the project EIR, amend the ULL, executed a land preservation agreement, and acted on various discretionary project approvals.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
16-07	Tassajara Parks Project: proposed SOI expansions to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to amend the SOIs for CCCSD and EBMUD in anticipation of annexation.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
21-05	Faria Southwest Hills Reorganization: proposed annexations to City of Pittsburg, CCWD and DD of 606± acres located southwest of the City of Pittsburg	Application submitted in June 2021 by City of Pittsburg to annex 606± acres to the City, Contra Costa Water District (CCWD) and Delta Diablo (DD) and detach from County Service Area (CSA) P-6 to support hillside estate development of up to 1,500 units.	Application is currently incomplete. <i>Notices of Incomplete Application</i> issued on 7/21/21 and 1/28/22. The project is currently being litigated.
22-01	Annexation to City of Concord - Akins	Application submitted in April 2022 by the landowners to annex one parcel (1.42± acres) and detach from CSA P-6	Currently under review
22-04	Annexation to EBMUD – Thomas Property (Happy Valley Road, Lafayette)	Application submitted in May 2022 by the landowners to annex 35± acres to EBMUD	Currently under review
21-17	Dissolution of County Service Area (CSA) R-9	LAFCO initiated dissolution of CSA R-9	Pending



## **AGENDA**

### **RETIREMENT BOARD MEETING**

REGULAR MEETING  
June 8, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 819 9929 4948, Passcode: 857635, or via the web at:

<https://us06web.zoom.us/j/81999294948?pwd=SVp4R2hmL2NWeUdRYWowNmt5SDR5dz09>  
Passcode: 857635

Persons who wish to address the Board of Retirement during public comment may call in during the meeting by dialing the phone number and passcode above. Access via Zoom is also available at the weblink above. To indicate you wish to speak during public comment, please select \*9 on your phone or “raise your hand” in the Zoom app.

Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Comments will be received in real time via telephone or Zoom, subject to a three-minute time limit per speaker.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Accept comments from the public.
4. Approve the following routine items:
  - a. Certifications of membership.
  - b. Service and disability allowances.
  - c. Death benefits.
  - d. Investment liquidity report.
5. Accept the following routine items:
  - a. Disability applications and authorize subpoenas as required.
  - b. Investment asset allocation report.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

**CLOSED SESSION**

6. The Board will go into closed session pursuant to Govt. Code Section 54957 to consider recommendations from the medical advisor and/or staff regarding the following disability retirement applications:

<u>Member</u>	<u>Type Sought</u>	<u>Recommendation</u>
a. Marc Weber	Service Connected	Service Connected
b. Teresa Carrillo	Non-Service Connected	Non-Service Connected

7. CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)

Agency designated representative:  
Gail Strohl, Chief Executive Officer

Unrepresented Employees: All CCCERA unrepresented positions

**OPEN SESSION**

8. Consider and take possible action to authorize the CEO to execute a Dissolving and Successor Districts Agreement.
9. Pension administration system project update:  
a. Update from staff  
b. Presentation from Segal  
c. Presentation from Sagitec
10. Consider and take possible action to amend the Declining Employer Payroll Actuarial Funding Policy.
11. Consider and take possible action to authorize the CEO to execute a contract with Koff & Associates for a total compensation study for unrepresented employees.
12. Presentation of 2021 CCCERA budget vs. actual expenses report.
13. Consider authorizing the attendance of Board:  
a. Southern California Institutional Forum, Markets Group, July 21, 2022, Marina Del Ray, CA.  
b. NASRA Annual Conference, August 8-10, Long Beach, CA.  
c. 2022 Public Pension Funding Forum, NCPERS, August 21-23, 2022, Los Angeles, CA.  
d. 21<sup>st</sup> Annual Compliance & Ethics Institute, SCCE, October 16-19, 2022, Phoenix, AZ or October 17-19, 2022, Virtual.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

14. Miscellaneous
  - a. Staff Report
  - b. Outside Professionals' Report
  - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



## **AGENDA**

### **RETIREMENT BOARD MEETING**

REGULAR MEETING

June 22, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 840 3924 9151, Passcode: 585541, or via the web at:

<https://us06web.zoom.us/j/84039249151?pwd=VkJEbkQ4Yyt3cjBZeXptbzgyRm9pQT09>

Passcode: 585541

Persons who wish to address the Board of Retirement during public comment may call in during the meeting by dialing the phone number and passcode above. Access via Zoom is also available at the weblink above. To indicate you wish to speak during public comment, please select \*9 on your phone or “raise your hand” in the Zoom app.

Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Comments will be received in real time via telephone or Zoom, subject to a three-minute time limit per speaker.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Accept comments from the public.
4. Approve minutes from the May 25, 2022 meeting.
5. Presentation from Brown Armstrong on the audit of the December 31, 2021 financial statements.
6. Blockchain and cryptocurrency education from Verus.
7. Presentation of Annual Funding Plan.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

8. Consider and take possible action to authorize the Board to conduct teleconference meetings under Government Code section 54953 (e) and to make related findings.
9. Legislative update.
10. Report from Audit Committee Chair on June 8, 2022 Audit Committee meeting.
11. Consider authorizing the attendance of Board:
  - a. CALAPRS Principles of Pension Governance, August 29-September 1, 2022, Tiburon, CA.
  - b. 2022 Public Funds Forum, Value Edge Advisors, September 6-8, 2022, Laguna Beach, CA.
  - c. 2022 Public Pension Financial Forum (P2F2), October 23-26, 2022, Philadelphia, PA. (Note: Conflict with meeting)
12. Miscellaneous
  - a. Staff Report
  - b. Outside Professionals' Report
  - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



## **AGENDA**

### **RETIREMENT BOARD MEETING**

REGULAR MEETING

July 13, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 879 7523 7719, Passcode: 428077, or via the web at:

<https://us06web.zoom.us/j/87975237719?pwd=NHJDdml2SXBSdUIORFR2cVNnQ1Y3UT09>

Passcode: 428077

Persons who wish to address the Board of Retirement during public comment may call in during the meeting by dialing the phone number and passcode above. Access via Zoom is also available at the weblink above. To indicate you wish to speak during public comment, please select \*9 on your phone or “raise your hand” in the Zoom app.

Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Comments will be received in real time via telephone or Zoom, subject to a three-minute time limit per speaker.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Board Reorganization:
  - a. Election of Chair (Gordon, incumbent).
  - b. Election of Vice-Chair (MacDonald, incumbent).
  - c. Election of Secretary (Holcombe, incumbent).
4. Accept comments from the public.
5. Approve minutes from the June 8, 2022 meeting.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

6. Approve the following routine items:
  - a. Certifications of membership.
  - b. Service and disability allowances.
  - c. Death benefits.
  - d. Investment liquidity report.
  
7. Accept the following routine items:
  - a. Disability applications and authorize subpoenas as required.
  - b. Investment asset allocation report.

**CLOSED SESSION**

8. The Board will go into closed session pursuant to Govt. Code Section 54957 to consider recommendations from the medical advisor and/or staff regarding the following disability retirement applications:

<u>Member</u>	<u>Type Sought</u>	<u>Recommendation</u>
a. Herman Barnes	Service Connected	Service Connected
b. Isaac Cortes	Service Connected	Service Connected
c. William Fiore	Service Connected	Service Connected
d. Leah Marchese	Service Connected	Service Connected

9. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:
  - a. *Nowicki v. CCCERA, et al.*, Contra Costa County Superior Court, Case No. C17-01266
  - b. *Wilmot v. CCCERA, et al.*, Contra Costa County Superior Court, Case No. N22-0302
  - c. *CCCERA, et al. v. Valeant Pharms. Int'l, Inc., et al.*, United States District Court, New Jersey (3:17-cv-12088)
  
10. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(2) to confer with legal counsel regarding potential litigation (one case).
  
11. CONFERENCE WITH LABOR NEGOTIATOR  
(Government Code Section 54957.6)

Agency designated representative:  
Joe Wiley, CCCERA's Chief Negotiator

Unrepresented Employee: Chief Executive Officer

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

**OPEN SESSION**

12. Consider and take possible action to adopt the contribution rates for the period July 1, 2022 – June 30, 2023 for the Contra Costa County Fire Protection District.
13. Consider and take possible action to add CCCERA staffing:
  - a. Cancel the Administrative/Human Resources Manager classification (currently vacant), establish classifications for Human Resources Manager and Administrative Services Manager; change the Administrative/Human Resources Supervisor classification to Human Resources Coordinator; and
  - b. Amend Attachment A of Resolution 2022-1 with the updated position information.
14. Consider and take possible action to authorize the Board to conduct teleconference meetings under Government Code section 54953 (e) and to make related findings.
15. Consider authorizing the attendance of Board:
  - a. IFEBP Trustees Masters Program, October 22-23, 2022, Las Vegas, NV.
  - b. IFEBP 68<sup>th</sup> Annual Employee Benefits Conference, October 23-26, Las Vegas, NV. (Note: Conflict with meeting)
16. Miscellaneous
  - a. Staff Report
  - b. Outside Professionals' Report
  - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



## **AGENDA**

### **RETIREMENT BOARD MEETING**

REGULAR MEETING  
July 27, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 824 8038 1382, Passcode: 788397, or via the web at:

<https://us06web.zoom.us/j/82480381382?pwd=d1g2ci9CZi9JVzJXdxDFZGkyS3hmQT09>

Passcode: 788397

Persons who wish to address the Board of Retirement during public comment may call in during the meeting by dialing the phone number and passcode above. Access via Zoom is also available at the weblink above. To indicate you wish to speak during public comment, please select \*9 on your phone or “raise your hand” in the Zoom app.

Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Comments will be received in real time via telephone or Zoom, subject to a three-minute time limit per speaker.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Appoint audit committee members.
4. Accept comments from the public.
5. Approve minutes from the June 22, 2022 meeting.
6. Pension administration system project update from Segal.
7. Consider and take possible action to adopt Board of Retirement Resolution No. 2022-2, Investment Asset Allocation Targets and Ranges.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

8. Update on real estate and private equity commitments.
9. Consider and take possible action to adopt Board of Retirement Resolution 2022-3 to increase the salary of the Chief Executive Officer by \$10,000 per year and provide a one-time lump sum payment of \$10,000 effective July 14, 2022.
10. Consider and take possible action to amend Attachment A of Resolution 2022-1 to reflect the new CEO monthly base salary effective July 14, 2022.
11. Consider authorizing the attendance of Board:
  - a. SACRS Board of Directors and Program Committee Meetings, August 22-23, 2022, Los Angeles, CA.
12. Miscellaneous
  - a. Staff Report
  - b. Outside Professionals' Report
  - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

# Does California have enough water for lots of new homes? Yes, experts say, despite drought



California officials have increasingly strict rules on water usage during the latest drought. But they also have plans to allow for more homebuilding. (Robert Gauthier/Los Angeles Times)

By [Liam Dillon](#) Staff Writer  
May 31, 2022 5 AM PT

To some, it defies common sense. California is once again in the middle of a punishing drought with state leaders telling people to take shorter showers and do fewer loads of laundry to conserve water. Yet at the same time, many of the same elected officials, pledging to solve the housing crisis, are pushing for the construction of millions of new homes.

“It’s the first question I’d always get,” said Jeffrey Kightlinger, who until last year ran the Metropolitan Water District of Southern California, the agency that delivers the water ultimately used by half the state’s population. “How in the world are you approving new housing when we’re running out of water?”

The answer, according to Kightlinger and other experts, is that there’s plenty of water available for new Californians if the 60-year trend of residents using less continues and accelerates into the future.

Case in point: Angelenos use 44% less water per person annually than they did four decades ago, according to the Los Angeles Department of Water and Power.

Some of the changes that have freed up additional water supplies in the past, and could continue to free up water, go unnoticed by many people. New development almost always includes more water-efficient faucets, toilets, appliances and showers than older homes.

Other efforts, such as building wastewater recycling plants to increase water supply, might be costly, but are needed to adapt to more severe droughts with the warming climate.

The landscaping must change too. Think fewer lush lawns and grassy median strips and more gardens filled with native plants.

“The reality is we use water so inefficiently and so poorly, there’s so much opportunity to change that,” said Newsha Ajami, chief development officer for research at the Lawrence Berkeley National Laboratory. “A lot of that opportunity we can use to house people.”



## [California could shrink water use in cities by 30% or more, study finds](#)

Most of California's water isn't used by people going about their daily lives at home or work. About 80% of water use statewide is for agriculture, with the rest for houses and businesses.

Of that remaining 20%, nearly half goes toward watering lawns and landscapes, washing cars or sidewalks, or filling pools and spas.

In the past, the state's population grew in tandem with water use. But that changed starting in the 1960s. Between 1967 and 2016, California's economy increased fivefold and the population doubled, yet water use rose by only 13%, [according to a new study by the Pacific Institute](#), a Bay Area think tank.

In more recent years, the shift has been even more startling. Since 2007, both total and per capita water use in the state has declined substantially. Total urban water use in 2016 was at levels not seen since the early 1990s, the report found.

"California has seen a major decoupling of water use and growth," said Heather Cooley, the Pacific Institute's research director and the report's lead author. "We are using water more efficiently. Those efforts have been incredibly effective."

Nevertheless, the report found that Californians still waste a lot of water. It determined that [the state could further reduce use by more than 30% in cities and suburbs](#) by investing in measures to use water more efficiently.

This means switching out grass lawns for native plants, upgrading leaky pipes and old appliances, recycling wastewater, and capturing stormwater to replenish aquifers.

"We can dramatically reduce our water use while still accommodating growth through efficiency improvements," Cooley said.

Some small rural and remote coastal areas will find it harder to have sufficient water supplies as droughts persist and climate change makes the state more arid. Central Valley farming towns [have seen their wells run dry](#) in recent years. Central Coast towns [have prohibitions on new housing](#) because of the lack of water.

But experts said these circumstances do not apply in urban areas of the state with broader and more diverse options for water.

When he was campaigning for office four years ago, Gov. Gavin Newsom [called for the development of 3.5 million new homes by 2025](#) to address the shortage at the root of the state's affordability problems. Housing construction [has been stagnant](#), and Newsom [has largely abandoned that promise](#). But his housing department has set a new goal for [the building of 2.5 million homes over the next eight years](#) to meet California's needs.

### [\*\*Newsom says he's done a good job fixing California's housing crisis. Facts say otherwise\*\*](#)

State leaders not only are planning for a lot more housing but want to concentrate growth in major metropolitan areas. The reason has largely been framed in terms of reducing greenhouse gas emissions. California's climate regulators say that [the state will not meet its goals for cutting carbon pollution](#) unless residents drive less, necessitating that people live closer to where they work and shop.

Denser development also saves water because it has less outdoor landscaping than single-family home subdivisions.

Combining water savings with more compact growth patterns allows for a lot more people without stressing supply. A [separate Pacific Institute study from last year](#) found that the Bay Area could add more than 2 million jobs and homes over the next 50 years, accommodating nearly 7 million more people, and offset all water use from the larger population through that strategy.



### [\*\*To survive drought, parts of SoCal must cut water use by 35%. The new limit: 80 gallons a day\*\*](#)

Yet the disconnect between elected officials [pressing Californians to cut water use in their daily routines](#) and arguing for more homes can still be jarring. What is needed in the short term and years from now is different, said Ellen Hanak, director of the Public Policy Institute of California's Water Policy Center.

People may need to tighten their water-usage belts during droughts while policymakers increase access to more resilient water supplies such as wastewater recycling, she said.

"There's long-term conservation ethic and there's being super careful during a drought," Hanak said. "And when we're talking about planning for housing, we're talking about the long term."

Kightlinger, the former Southern California water executive, had a ready response when people asked him about building new housing.

"I said, 'Your kids got to live somewhere,'" Kightlinger said. "If we do it efficiently and smartly, we can manage this."

# Board Votes to Move Forward with Sprawl Development on Jersey Island

- [June 2, 2022](#)
- [Climate Change](#), [Contra Costa County](#), [Natural Landscapes](#)

On May 3, the Ironhouse Sanitary District Board of Directors passed a resolution approving the Jersey Island development proposal to move forward. As a result, Montezuma Water, the developer, will pursue inclusion of Jersey Island into the City of Oakley's Sphere of Influence (SOI) over the next year. This is just the first step towards annexation of Jersey Island into the City of Oakley—a multi-year process—which would be necessary for the existing proposal (including 450 single family homes, a hotel, a sports and rec center, and a wild animal park) to move forward. **Ultimately, Oakley residents will have to vote to extend the city's Urban Limit Line—a boundary that marks the outer limit beyond which urban development will not be allowed—to allow for annexation.**

At the May meeting, Leah Castella with the Ironhouse Sanitary District clarified that taking the next step in seeking to include Jersey Island in Oakley's SOI allows for future provision of services, whether that be extensive infrastructure development necessary for the development proposal, or provision of basic services to support low-impact parks and recreation uses. Additionally, the Board Members thoughtfully deliberated in the meeting and raised many valid concerns, including:

- Director Lowrey voiced her concerns about flood impacts at the site
- Director Zirkle (the only vote against) shared his concerns about the significant traffic impacts this project would have and the infrastructure and service requirements of this development
- Director Lauritzen plainly stated “I’m not a fan of the project at all” and shared his experiences and concerns about building in a flood zone

Even with these concerns and unanswered questions, the Board of Directors saw more value in moving forward with entitling the site rather than starting the process from scratch, resulting in the conditional approval of the proposed new use.

Gearing up to the May Board meeting, Greenbelt Alliance met individually with Ironhouse Sanitary District Board Members, Supervisor Burgis, County staff, the Montezuma team, and other stakeholders to share information on the risks this sprawl development poses to climate goals, economic viability, and public safety. While we are disappointed with the outcome of the most recent meeting, we will continue to advocate for more appropriate land uses on Jersey Island in the year ahead.

## What's At Stake

Like many sprawl developments, the proposed project includes greenwashed language to describe potential site elements, such as “habitat refuge”, “specialty agriculture”, “mitigation”, and “clean energy”, but a deeper dive into the proposal tells a much different story.



**JERSEY ISLAND**  
 CONTRA COSTA COUNTY | CALIFORNIA  
 MONTEZUMA WATER LLC | 20-123  
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Source: [Meeting on Potential New Use Decision October 27, 2021](#)

This proposed development includes 450 new single-family homes along the waterfront of Jersey Island. Placing homes on an island with minimal access to jobs and no transit connectivity will increase vehicle miles traveled (VMT) and associated greenhouse gas emissions (GHGs). Locating homes here will set the County back on both climate mitigation goals and sea level rise adaptation. Simultaneously, without adequate protection from flooding and sea level rise, the long-term safety of residents will be threatened and will likely require costly protection measures from climate hazards in the near future.

Jersey Island's largely undeveloped natural lands and its location adjacent to the Big Break Regional Shoreline have made it a haven for many of the Bay Area's native avian and aquatic species.

The interior and northeast portion of the proposal shows roughly 800 acres of “wildlife and habitat refuge” including “significant visitor opportunities, including Safari tours of the rehabilitation and re-wilding centers and overnight stays with the animals.”

Greenbelt Alliance knows the value of habitat and restoration to restore natural systems and rebuild the Bay Area’s vital coastal ecosystems—but the existing development proposal does not reflect these values. Instead, it would introduce exotic non-native species to the island and further disrupt the essential habitat of existing species through development, increased traffic, and ecosystem disruption from new invasive species.

This is not the climate-smart development that Contra Costa County needs. Proceeding with this development will increase climate-related risks at the detriment of existing natural assets the area’s habitat, carbon sequestration, and associated ecosystem services provide.

## **Project History**

On October 27, 2021, the proposal was presented to the Ironhouse Sanitary District (ISD) Board of Directors. They entered into an agreement with Montezuma Water LLC to consider new uses for Jersey Island in 2019. Jersey Island, located between Oakley and Bethel Island on the San Joaquin River, is currently owned and operated by the Ironhouse Sanitary District. The District uses the island for agriculture and grazing activities that use recycled water from the wastewater treatment plant to support production of over 2,000 tons of hay per year and support 2,200 head of cattle ([ISD](#)). Jersey Island is also the site of pipe infrastructure that transports recycled water from the wastewater treatment plant to an outflow in the San Joaquin River ([Board Report](#)).

The ISD issued a Request for Proposals (RFP) in 2018 to seek a partnership to consider alternative uses of Jersey Island. At that time, the ISD was motivated to issue an RFP because operation costs of the island (primarily levee maintenance and cattle operations) exceeded revenues. The ISD was also concerned about the liability of the levees and recognized in their RFP document that “most of Jersey Island is [4 to 18 feet] below sea level” and acknowledged that “climate change and associated sea level rise will significantly exacerbate this condition and place additional cost pressure on levee maintenance” ([Board Report](#)). In other words, the ISD is considering this new development to maximize revenue while also transferring liability for levee maintenance and sea level rise threats to the new inhabitants.

This proposed development may aid ISD’s near-term balance sheets, but it will come at an even greater cost to taxpayers and new residents as the adverse impacts pile up. Instead, we suggest ISD revisit the proposal to partner with East Bay Regional Parks District (EBRPD) to further develop Jersey Island’s recreational and habitat uses, which would conform with the County’s existing zoning, not require an extension of the [Urban Limit Line](#), and provide increased recreational amenities and access to the Delta without putting people, and infrastructure, at risk of climate impacts.