



Lou Ann Teixeira
Executive Officer

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August 10, 2011 (Agenda)

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

August 10, 2011
 Agenda Item 8

Law Enforcement Services Sphere of Influence Updates

Dear Commissioners:

SUMMARY

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), LAFCO must adopt a sphere of influence (SOI) for each city and special district. The SOI serves as the ultimate planning boundary for a local agency. In accordance with the CKH Act, effective SOIs may discourage urban sprawl by preventing service duplications, overlapping service areas and premature conversion of agricultural and open space lands to urban uses.

LAFCOs are mandated to review and update SOIs at least every five years, as necessary. In order to prepare and update the SOIs, LAFCO must prepare a municipal service review (MSR). Contra Costa LAFCO has adopted an MSR work plan that employs a combination of service-specific (countywide), sub-regional and agency-specific reviews.

In August 2010, LAFCO embarked on a countywide review of law enforcement services. This MSR focuses on services provided by the 19 cities in Contra Costa County; Contra Costa County Office of the Sheriff; County Service Areas (CSAs) M-29, M-30, P-2, P-5 and P-6; and Diablo Community Service District (CSD) and Kensington Police Protection & CSD.

The firm of Baracco and Associates was hired to prepare the MSR report. In April 2011, the Commission held a workshop at which time the MSR consultant presented an overview of the *Law Enforcement Services MSR* report. At the workshop, the Commissioners provided preliminary input regarding the MSR report. Subsequently, a Public Review Draft MSR report was circulated for public comment. The MSR report, along with comments, will be presented to the Commission on August 10 for consideration and approval. The MSR report is available on the LAFCO website at www.contracostalafco.org.

The MSR report includes a review of services, recommended determinations, and governance and SOI options. The MSR serves as a basis for the SOI updates and future boundary changes.

At this time, the Commission is asked to consider the SOI updates for several of the local agencies covered in this MSR report. The attached table (Exhibit 1) presents a summary of the governance/SOI options included in the MSR report, along with recommendations, as discussed below and in the MSR report.

DISCUSSION

The following summarizes the governance and SOI options for the cities and special districts covered in the *Law Enforcement Services MSR*. Details and analysis regarding these options are presented in the MSR report.

CITIES

City of Antioch - The MSR report identified a number of unincorporated islands in six cities, including Antioch. Most of these islands qualify for the streamlined annexation procedures under Government Code Section 56375.3 because they are developed and less than 150 acres in size. Islands present long-term service challenges. Generally, areas within an island require additional effort to maintain service levels, and can cause customer confusion with regard to service provision. It is generally recommended that these islands be annexed to cities to reduce or eliminate duplication of services, including law enforcement.

The MSR report identifies four unincorporated islands within the Antioch city limits where the Sheriff's Office (SO) provides service: 1) Contra Costa County Fairgrounds located at West 10th Street and L Street. The Fair contracts with the SO for law enforcement services during the fair, and contracts with a security company for private events throughout the year; 2) a 78-acre parcel located east of Somersville Road and James Donlon Boulevard and site of the former Contra Costa Sanitary Landfill; 3) a 108-acre area bounded by 18th Street and the Burlington Northern Santa Fe railroad tracks in the Wilbur Avenue area. This area is inhabited, has significant infrastructure issues, minimal code and law enforcement, and was the location of the 2009 Jaycee Dugard kidnapping case; and 4) a 196-acre parcel surrounded by the City of Antioch on three sides and the City of Pittsburg on the fourth side, and is part of the Somersville Road Corridor Focus Area.

Recommendations: The City is encouraged to annex unincorporated islands and pockets to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2010 in conjunction with the *East County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Brentwood – The MSR identifies one unincorporated island within the City limits. This is a 140-acre island located where Lone Tree Way intersects with Virginia Drive west of Brentwood Boulevard. This area is expected to annex to the City upon development.

Recommendations: The City is encouraged to annex this island to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2008 in conjunction with the *East County Sub-regional MSR*; no further changes to the City's SOI are proposed at this time.

City of Clayton – The MSR report identified no unincorporated islands within the City limits.

Recommendation: The City's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Concord – The MSR report identified one unincorporated island within the City, the 189-acre Ayers Ranch located north of Concord Boulevard and east of Bailey Road. This area is primarily developed with suburban density residential dwelling along with some residential ranchettes. Because the area exceeds 150 acres, it is not currently a candidate for the streamlined annexation procedures under Government Code Section 56375.3. Any future annexation of this area will require consent by a majority of the landowners/

registered voters within the island. City, County and LAFCO staff are currently working on possible annexation of portions of this island.

Recommendations: The City is encouraged to annex this island to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

Town of Danville - The MSR report identified no unincorporated islands with the Town limits.

Recommendation: The Town's SOI was reviewed in conjunction with the *Central County Sub-regional MSR*. The SOI update is currently pending the Town's completion of its General Plan update and ongoing discussions with the County and the City of San Ramon regarding the Tassajara Valley.

City of El Cerrito - The MSR report identified no unincorporated islands with the City limits. However, the MSR report noted that an area along Vista Heights Road east of the Mira Vista Country Club is within the El Cerrito SOI but is within the Richmond city limits, but not within Richmond's SOI. The MSR consultant recommends that this area be removed from the El Cerrito SOI.

It should also be noted that this area is only accessible through El Cerrito as Wildcat Canyon Regional Park lies immediately east. This area is partly served by El Cerrito and special district service providers. El Cerrito could also provide service to this area.

Recommendation: It is recommended that the cities of El Cerrito and Richmond discuss boundary/SOI and service issues in this area and report back to LAFCO within six months with a recommendation. The City of El Cerrito's SOI was last updated in 2009 in conjunction with the *West County Sub-regional MSR*. At that time, LAFCO retained the existing SOI.

City of Hercules - The MSR report identified no unincorporated islands with the City limits.

Recommendation: The City's SOI was last updated in 2009 in conjunction with the *West County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Lafayette - The MSR report identified no unincorporated islands with the City limits.

Recommendation: The City's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Martinez - The MSR report identified no unincorporated islands with the City limits, although it was noted that there are pockets of unincorporated development interspersed with City territory.

Recommendations: The City is encouraged to annex unincorporated pockets, as appropriate, in order to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

Town of Moraga - The MSR report identified no unincorporated islands with the Town limits.

Recommendation: The Town's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Oakley - There are no unincorporated islands within the City limits. The MSR report notes that the City's SOI includes an area along the south side of Dutch Slough and the west side of Sandmound Slough with existing residential, commercial and agricultural uses. This area is part of the East Cypress Corridor Specific Plan (Areas I, II and III). Area III includes the Sandmound area. In 2005, the City submitted three annexation proposals to LAFCO to annex Areas I, II and III. LAFCO approved the annexation of Areas I and II. The City withdrew the annexation proposal for Area III due to opposition by the residents. Area III is within the City's SOI and the City of Oakley is the logical provider of services including law enforcement. Until and unless this area annexes to the City, it will present service challenges to Contra Costa County.

Recommendations: The City is encouraged to consider annexing Area III to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2008 in conjunction with the *East County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Orinda - The MSR report identified no unincorporated islands with the City limits.

Recommendation: The City's SOI (and coterminous boundary) was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Pinole – The MSR report identifies two areas outside the City's boundaries but within its SOI, which are located between Richmond and Pinole and are largely built out with older single-family residences. These areas are classified as 'unincorporated islands' and include the Bayview/Montalvin Manor/Tara Hills area totaling 822± acres and a 2010 population of 9,756. This is an unincorporated island with the Pinole city limits on three sides and the Richmond city limit on the fourth side.

The other area includes a portion of El Sobrante, located on the east side of I-80 of which the northern portion (north of Manor Road) is within the Pinole SOI. The remainder of the El Sobrante CDP is within the Richmond SOI. This area contains 240± acres and an estimated population of 1,740. El Sobrante is an unincorporated island with Richmond on three sides and Pinole on the fourth side.

Neither of these unincorporated islands qualifies for the streamlined annexation procedures under Government Code Section 56375.3 because they are more than 150 acres in size and therefore, will require consent of a majority of the landowners/registered voters.

The City of Pinole notes concerns relating to the land use (i.e., primarily low density residential), limited revenue sources, and costs associated with extending service to these areas.

Recommendation: It is recommended that the cities of Pinole and Richmond discuss the various boundary/SOI and service issues identified in the MSR report and report back to LAFCO within six months with recommendations. The City of Pinole's SOI was last updated in 2009 in conjunction with the *West County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Pittsburg The MSR report identified no unincorporated islands with the City limits.

Recommendation: The City's SOI was last updated in 2009 in conjunction with the *East County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Pleasant Hill – The MSR report notes that there are two unincorporated islands within the City's boundaries, including a 5-acre area on the east side of Alhambra Avenue surrounded on the north and east by

Pleasant Hill and on the south and west by Martinez; and a 37-acre island east of the Contra Costa County Club House near the intersection of Paso Nogal and Golf Club Road. Both of these islands meet the 150 acre size limitation and qualify for the streamlined annexation procedures under Government Code Section 56375.3.

Recommendations: The City is encouraged to annex unincorporated islands in order to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of Richmond – The MSR report notes that there are no unincorporated islands within the City limits that are less than 150 acres. The North Richmond area is substantially surrounded by the City, but exceeds the 150 acre size limitation to qualify for the streamlined annexation procedures under Government Code Section 56375.3. North Richmond consists of 900± acres and has a 2010 population of 7,717.

The City of Richmond has illogical boundaries which bisect unincorporated communities, including East Richmond Heights and El Sobrante, and surround incorporated cities including the City of San Pablo and the City of El Cerrito (on two sides).

Recommendation: It is recommended that the City of Richmond annex North Richmond. Further, it is recommended that the City of Richmond discuss with the cities of El Cerrito, Pinole and San Pablo the various boundary/SOI and service issues identified in the MSR report and report back to LAFCO within six months with recommendations. The City of Richmond's SOI was last updated in 2009 in conjunction with the *West County Sub-regional MSR*.

City of San Pablo – The MSR report notes that the City has two unincorporated communities within its SOI: Rollingwood and a majority of North Arlington. Both are unincorporated islands and qualify for the streamlined annexation procedures under Government Code Section 56375.3 because they are less than 150 acres in size.

Law enforcement services to Rollingwood and North Arlington are provided by the County. Land uses within these areas are consistent with urban development, and are primarily residential with some commercial and institutional uses. Rollingwood consists of 132± acres and is surrounded by San Pablo on the south and west, and by Richmond on the north and east; the 2010 population for Rollingwood was 2,969. North Arlington consists of 96± acres and is surrounded by San Pablo on the north and west, and by Richmond on the south and east. A portion of the North Arlington area is within the boundaries of the City of Richmond but not within Richmond's SOI. These boundaries divide the community. North Arlington is adjacent to Alvarado Park to the south and open space to the east and includes territory that is outside the countywide Urban Limit Line.

Recommendation: It is recommended that the City of San Pablo discuss with the City of Richmond the various boundary/SOI and service issues identified in the MSR report and report back to LAFCO within six months with recommendations. The City of San Pablo's SOI was last updated in 2009 in conjunction with the *West County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

City of San Ramon - The MSR report identified no unincorporated islands with the City limits.

Recommendation: The City's SOI was reviewed in conjunction with the *Central County Sub-regional MSR*. The SOI update is currently pending ongoing discussions with the County and the Town of Danville regarding the Tassajara Valley.

City of Walnut Creek – The MSR report notes that the City's SOI encompasses six adjacent unincorporated areas on the edges of the City and four unincorporated islands fully surrounded by the City. These represent significant unincorporated islands and unincorporated pockets, some of which can be classified as urban communities. Within the Walnut Creek SOI are nine separate areas, most of which are developed with low-density single-family residential uses. These areas are inhabited (more than 12 registered voters) and are essentially continuations of existing neighborhoods already within the City and include the following: 1) San Miguel; 2) Walnut Boulevard-Shady Glen Road Area; 3) Shell Ridge; 4) Contra Costa Centre; 5) Acalanes Ridge; 6) Reliez Valley; 7) Saranap; 8) Castle Hill; 9) North Gate; and 10) Springbrook Road.

The composite population of these nine areas is approximately 16,500. Law enforcement services to these areas are provided by the County Sheriff's Office.

Two of the unincorporated islands (i.e., Walnut Boulevard-Shady Glen Road and Springbrook Road areas) qualify for the streamlined annexation procedures under Government Code Section 56375.3 as they are less than 150 acres in size. The other islands exceed this threshold and will require consent of a majority of the landowners/registered voters in order to annex to the City.

Recommendations: The City is encouraged to annex unincorporated islands and pockets to provide logical and orderly boundaries and enhance the delivery of municipal services. The City's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the City's SOI are proposed at this time.

COUNTY SERVICE AREAS (CSAs)

The MSR report includes a review of five CSAs that essentially serve as financing mechanisms for enhanced law enforcement services in specific geographic areas. CSAs are dependent districts, and the County Board of Supervisors serves as the governing body for the CSAs.

Administration of the CSAs varies, as described in the MSR report. CSAs P-2/Zone A (Blackhawk) and Zone B (Alamo), P-5 (Roundhill) and P-6 (unincorporated County except Kensington) are administered by the County; and CSAs M-29 and M-30 are administered by cities. Some CSAs provide financing for additional services beyond law enforcement, as discussed in the MSR report. All of the County-administered CSAs [P-2/Zones A and B, P-5, and P-6 (Discovery Bay only)], utilize some type of advisory body.

All of the CSAs currently have SOIs which are coterminous with their service boundaries. The boundary and SOI options for the CSAs are summarized below. Details and analysis regarding these options are presented in the MSR report.

CSA P-2 includes three distinct areas: Blackhawk (Zone A), Alamo (Zone B), and an unincorporated area adjacent to the Town of Danville (no designated Zone). CSA P-2 is funded through the 1% property tax allocation and through special assessments. Properties within CSA P-2 are also within the countywide police services district (CSA P-6) which is also funded through the 1% property tax and through special assessments (zones).

The following governance measures have been identified for CSA P-2:

1. The boundary for CSA P-2 in the Blackhawk/Camino Tassajara area consists of 4.3 square miles. This portion of CSA P-2 is within the larger Blackhawk-Camino Tassajara Census Designated Place (CDP), which is 7.1 square miles. Consideration should be given to increasing the CSA P-2 SOI to coincide with the Blackhawk-Camino Tassajara CDP.
2. The boundary for CSA P-2 in the Alamo area (Zone B) consists of 6.5 square miles. This portion of CSA P-2 is within the larger Alamo CDP which is 9.7 square miles. A portion of Alamo (Roundhill) is served by a separate district (CSA P-5). Consideration should be given to including all of Alamo into one CSA – either expanding P-2/Zone B’s boundary/SOI to include Roundhill (P-5), or removing Zone B from P-2’s boundary/SOI and adding to P-5’s boundary/SOI.
3. The third geographic area within CSA P-2 is located on the west side of Danville and is a 0.65 square mile (417-acre) area comprising primarily the Las Trampas Regional Wilderness. This area is uninhabited and generates approximately \$7,000 per year in CSA P-2 property tax revenue. Consideration should be given to removing this area from the CSA P-2’s SOI/boundary.
4. The SO, in conjunction with the Contra Costa County Assessor, should insure that all properties (both residential and commercial) within CSA P-2/Zone A are being assessed for Zone A special taxes.

Recommendations: The County is encouraged to review the property tax allocations and special assessments for CSAs P-2, P-5, P-6, M-29 and M-30 for gaps and overlaps and make the appropriate adjustments. (Refer to the MSR for details.) The County is encouraged to discuss including all of Alamo into one CSA (P-2 or P-5) and report back to LAFCO within six months with a recommendation.

CSA P-5 funds enhanced law enforcement services to the unincorporated Roundhill area located within the Alamo community. CSA P-5 is funded through the 1% property tax allocation and through special assessments. Properties within CSA P-5 are also within the countywide district (CSA P-6).

The MSR identifies the following boundary/SOI option for CSA P-5:

1. Consideration should be given to including all of Alamo into one CSA – either expanding P-2/Zone B’s boundary/SOI to include Roundhill (P-5), or removing Zone B from P-2’s boundary/SOI and adding to P-5’s boundary/SOI.

Recommendations: The County is encouraged to review the property tax allocations and special assessments for CSAs P-2, P-6, P-6, M-29 and M-30 for gaps and overlaps and make the appropriate adjustments. The County is encouraged to discuss including all of Alamo into one CSA and report back to LAFCO within six months with a recommendation.

CSA P-6 is a countywide district and includes all of the unincorporated County except Kensington, which is served by the Kensington Police Protection & Community Services District. CSA P-6 is funded through the 1% property tax allocation and through special assessments (zones). There are currently 111 zones that have been formed in conjunction with new development.

The MSR report identifies a number of governance and boundary issues related to CSA P-6, including the following:

1. The SO, in conjunction with County GIS should precisely map (by metes and bounds) each of the 111 Zones within the District;
2. Tax Rate Area (TRA) 85065 in Kensington should be revamped to eliminate the CSA P-6 allocation as part of the basic 1% Property Tax;
3. Within the City of San Ramon portion of CSA M-29, the affected TRAs need to be revamped to eliminate the CSA P-6 allocation as part of the basic 1% Property Tax;
4. CSA P-6 maps should be corrected to remove CSA P-6 from the unincorporated portion of CSA M-29;
5. Properties within CSA M-30 (which receive their law enforcement services from the Town of Danville) pay property taxes (a portion of which is allocated to CSA P-6) and are assessed a CSA P-6 special tax (along with 15 parcels that are in the Town limits). Both the TRA allocation and the special tax should be eliminated from these properties;
6. Existing Zones that consist of four parcels or less should be eliminated after paying a total of \$1,000 in assessment fees;
7. The SO and the Board of Supervisors should consider establishing P-6 Advisory Committees in areas that receive 'enhanced' police services from CSA P-6 funding (East Richmond Heights, North Richmond, and Bay Point) similar to the P-6 Advisory Committee established in Discovery Bay; and
8. Those CSA P-6 areas that are within a P-6 Zone and are generating sufficient funds to warrant a Resident Deputy (Bethel Island and Norris Canyon) should petition the SO and the Board of Supervisors to add this service.

Recommendation: The County is encouraged to discuss these recommendations and report back to LAFCO within six months with its recommendation.

CSA M-29 is administered by the City of San Ramon. The District provides financing for facilities and services in the Dougherty Valley Specific Plan area, a portion of which lies within the City of San Ramon and a portion in the unincorporated County. City services eligible to receive CSA M-29 funds include internal road maintenance, street landscaping, park maintenance, open space maintenance, flood control, community facilities maintenance, city administration overhead charge, and police services. CSA M-29 is funded through the 1% property tax allocation and through special assessments.

The MSR identifies the following governance issues for CSA M-29:

1. Until Dougherty Valley reaches build-out, it is likely that the revenues generated by CSA M-29 will not be sufficient to account for all the costs attributed to CSA M-29. Deficits have been averaging around \$1.8 million per year over the past two fiscal years. The City of San Ramon should request, and the Board of Supervisors as the Board of Directors for CSA CM-29, should consider payment of this debt out of existing CSA M-29 reserves, which had an available fund balance of \$6.28 million as of June 30, 2010.
2. Two inconsistencies have been identified with respect to tax rate areas (TRA's) as described in the MSR report. The County is encouraged to review the property tax allocations and special assessments for CSAs P-2, P-6, P-6, M-29 and M-30 for gaps and overlaps and make the appropriate adjustments.

Recommendation: The City of San Ramon and the County are encouraged to discuss these recommendations and report back to LAFCO within six months with its recommendation.

CSA M-30 is administered by the Town of Danville. The District provides financing for facilities and services for a portion of the Alamo Springs subdivision. A portion of the subdivision lies within the Town of Danville (11 lots, two of which are vacant) and a portion in the unincorporated County (42 lots, 16 of which are vacant). The territory within the CSA boundary includes only the unincorporated area. Town services

eligible to receive CSA M-30 funds include parks and recreation, street maintenance, landscaping, and law enforcement. CSA M-30 is funded through the 1% property tax allocation and through special assessments. Pursuant to an agreement between the Town and the County, the area is to remain unincorporated. However, the Town is the logical service provider to the area, and access to the subdivision is through the Town.

The MSR identifies the following governance and SOI options for CSA M-30:

1. Residents within CSA M-30 are within two other police protection special districts: CSA P-2/Zone B and CSA P-6. Further, they receive services from the Town of Danville. In terms of governance, service and financial impact, CSA M-30 should be dissolved, thereby detaching from CSA P-2/Zone B, CSA P-6 and CSA R-7, and annexed to the Town of Danville (who is the current provider of municipal services to CSA M-30).
2. In order to simplify the overlapping governance, boundary and fiscal issues associated with CSA M-30, a zero SOI is recommended. This will help facilitate a future boundary change to correct the service and boundary overlaps.

Recommendation: The Town of Danville and the County are encouraged to discuss these recommendations and report back to LAFCO within six months with its recommendation.

INDEPENDENT SPECIAL DISTRICTS

Diablo Community Services District (DCSD) provides road and drainage maintenance, multi-use trail maintenance, and police/security services to the unincorporated community of Diablo. The District contracts with the SO for police services. DCSD is funded through the 1% property tax allocation and special assessments.

The MSR report identified no boundary or services issues within the District.

Recommendation: The District's SOI was last updated in 2009 in conjunction with the *Central County Sub-regional MSR*; no changes to the District's SOI are proposed at this time.

Kensington Police Protection and Community Services District (KPPCSD) provides law enforcement, park and recreation, and solid waste collection services to the unincorporated community of Kensington. The District is funded through the 1% property tax allocation and special taxes/assessments.

The MSR report notes that consolidation of Kensington Fire Protection District (KFPD) and KPPCSD was identified in two previous LAFCO MSRs – *Fire and Emergency Services* and *West County Sub-Regional*. At the time these two MSRs were prepared, the KPPCSD was experiencing significant fiscal issues. Subsequently, KPPCSD successfully passed a special tax to remedy (at least in the short-term) their fiscal crisis. Consolidation of these two districts is still a governance/boundary option. However, until such time as the residents of Kensington are unwilling to fund high-level police and fire protection services, the *status quo* should remain.

It is also noted that the Kensington Community is within the SOI of the City of El Cerrito, and that KPPCSD has the option of contracting for police services from El Cerrito, similar to the KFPD currently contracting with El Cerrito for fire protection services.

Recommendation: The District's SOI was last updated in 2009 in conjunction with the *West County Sub-regional MSR*; no changes to the District's SOI are proposed at this time.

Environmental Analysis

The MSR is a study and determinations are Categorical Exempt under §15306, Class 6 of the California Environmental Quality Act (CEQA) Guidelines. However, some SOI updates may be subject to CEQA. The recommended SOI updates propose no changes to the existing SOIs and qualify for the General Rule exemption under §15061(b)(3) of the CEQA Guidelines. However, should the Commission decide to adopt certain SOI changes that would significantly amend an SOI, then such action may require LAFCO to serve as Lead Agency for the purposes of compliance with CEQA and for completing an Initial Study and resulting CEQA document.

OPTIONS AND RECOMMENDATION

Option I

1. Approve SOI updates per the LAFCO staff recommendations as shown on the attached table,
2. Direct LAFCO staff to prepare the LAFCO resolutions based on the Commission's actions, and
3. As Lead Agency, determine that the SOI updates, as recommended by LAFCO staff, are exempt pursuant to §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, and

Option II

Adopt alternative SOI updates as desired and provide direction to LAFCO staff as appropriate.

Option III

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

RECOMMENDED ACTION:

Approve Option 1

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachment 1 – Boundary, Governance and SOI Options/Recommendations Table

LAW ENFORCEMENT MSR BOUNDARY, GOVERNANCE AND SPHERE OF INFLUENCE (SOI) OPTIONS AND RECOMMENDATIONS

Agency	SOI Options	Governance/Boundary Options	Consultant Recommendations	LAFCO Staff Recommendations
City of Antioch	Retain existing SOI	Encourage the City to annex unincorporated islands and pockets to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI; encourage the City to annex unincorporated islands and pockets.	Retain existing SOI; encourage the City to annex unincorporated islands and pockets.
City of Brentwood	Retain existing SOI	Encourage the City to annex its unincorporated island to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI; encourage City to annex unincorporated island.	Retain existing SOI; encourage the City to annex unincorporated island.
City of Clayton	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Concord	Retain existing SOI	Encourage the City to annex its unincorporated island to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI; encourage the City to annex the unincorporated island.	Retain existing SOI; encourage the City to annex unincorporated island.
Town of Danville	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of El Cerrito	1. Defer SOI update 2. Retain existing SOI	The MSR report notes an area along Vista Heights Road east of the Mira Vista Country Club that is within the El Cerrito SOI and within the Richmond city limits, but not within Richmond's SOI.	Remove this area from the El Cerrito SOI.	Staff recommends that the cities of El Cerrito and Richmond discuss boundary/SOI and service issues in this area and report back to LAFCO within six months with a recommendation.
City of Hercules	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Lafayette	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Martinez	Retain existing SOI	Encourage the City to annex unincorporated pockets, as appropriate, in order to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI; encourage the City to annex unincorporated pockets.	Retain existing SOI; encourage the City to annex unincorporated pockets.
Town of Moraga	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Oakley	Retain existing SOI	Encourage the City to annex Area III to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI	Retain existing SOI; encourage the City to annex Area III.
City of Orinda	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Pinole	1. Retain existing SOI 2. Defer SOI update	Encourage the City to annex unincorporated islands to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI	Retain existing SOI. Staff recommends that the cities of Pinole and Richmond discuss the boundary/SOI and service issues identified in the MSR report and report back to LAFCO within six months with recommendations.

Agency	SOI Options	Governance/Boundary Options	Consultant Recommendations	LAFCO Staff Recommendations
City of Pittsburg	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Pleasant Hill	Retain existing SOI	Encourage the City to annex unincorporated islands to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI	Retain existing SOI; encourage the City to annex unincorporated islands.
City of Richmond	1. Defer SOI update 2. Retain existing SOI	The MSR report identified various boundary irregularities.	Retain existing SOI	Staff recommends that the City of Richmond annex North Richmond; and that the cities of Richmond, El Cerrito, Pinole and San Pablo discuss the boundary/SOI and service issues identified in the MSR report and report back to LAFCO within six months with recommendations.
City of San Pablo	1. Retain existing SOI 2. Defer SOI update	The MSR report identified various boundary irregularities.	Retain existing SOI	Staff recommends that the cities of San Pablo and Richmond discuss the boundary/SOI and service issues identified in the MSR report and report back to LAFCO within six months with recommendations.
City of San Ramon	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
City of Walnut Creek	Retain existing SOI	The MSR report identified various boundary irregularities and islands. The City is encouraged to annex unincorporated islands to provide logical and orderly boundaries and enhance the delivery of municipal services.	Retain existing SOI	Retain existing SOI; encourage the City to annex unincorporated islands and pockets.
CSA P-2	1. Defer SOI update 2. Retain existing SOI	The MSR report identified various boundary and governance issues.	Increase SOI for P-2 to include all of the Blackhawk-Camino Tassajara CDP and the Alamo CDP (total of 16.7 square miles); expand P-2/Zone B SOI to include P-5 (Roundhill); remove the P-2/No Zone area from the P-2 SOI.	Staff recommends that the Commission defer the SOI update, and that the County review the boundary/governance issues identified in the MSR report and report back to LAFCO within six months with recommendations.
CSA P-5	1. Defer SOI update 2. Retain existing SOI	The MSR report identified boundary and governance issues.	Expand the P-5 (Roundhill) SOI to include the Alamo CDP; and eliminate P-2 in the Alamo area.	Staff recommends that the Commission defer the SOI update, and that the County review the boundary/governance issues identified in the MSR report and report back to LAFCO within six months with recommendations.

Agency	SOI Options	Governance/Boundary Options	Consultant Recommendations	LAFCO Staff Recommendations
CSA P-6	<ol style="list-style-type: none"> 1. Defer SOI update 2. Retain existing SOI 	The MSR report identified various boundary and governance issues.	Eliminate the P-6 share of the 1% basic property tax allocation from TRAs in Kensington, San Ramon, and M-30; provide detailed mapping for the P-6 zones; streamline the zones by eliminating minor subdivisions; establish advisory committees for communities that receive enhanced services; and add enhanced services to those zones generating sufficient funds.	Staff recommends that the Commission defer the SOI update, and that the County review the boundary/governance issues identified in the MSR report and report back to LAFCO within six months with recommendations.
CSA M-29	Retain existing SOI	The MSR report identified boundary and governance issues.	Require M-29 to reimburse the City of San Ramon for the full costs of services; and revamp the TRAs affecting M-29, both city and unincorporated portions.	Staff recommends that the County and the City of San Ramon discuss the boundary/service issues identified in the MSR report and report back to LAFCO within six months with recommendations.
CSA M-30	<ol style="list-style-type: none"> 1. Defer SOI update 2. Adopt a zero SOI 3. Retain existing SOI 	The MSR report identified boundary and governance issues.	Adopt a zero SOI as the first step in annexing M-30 to the Town of Danville.	Staff recommends that the Commission defer the SOI update, and that the County and the Town of Danville discuss the service/boundary issues identified in the MSR report and report back to LAFCO within six months with recommendations.
Diablo CSD	Retain existing SOI	None identified	Retain existing SOI	Retain existing SOI
Kensington Police Protection & CSD (KPPCSD)	Retain existing SOI	<p>The MSR report notes that consolidation of Kensington Fire Protection District and KPPCSD was identified in two previous LAFCO MSRs.</p> <p>The MSR report also identifies contracting for police services with the City of El Cerrito as a governance option.</p>	Retain existing SOI	Retain existing SOI