



Lou Ann Texeira  
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**

DATE/TIME: Wednesday, January 8, 2020, 1:30 PM

PLACE: Board of Supervisors Chambers  
651 Pine Street, Martinez, CA 94553

**NOTICE IS HEREBY GIVEN** that the Commission will hear and consider oral or written testimony presented by any affected agency or any interested person who wishes to appear. Proponents and opponents, or their representatives, are expected to attend the hearings. From time to time, the Chair may announce time limits and direct the focus of public comment for any given proposal.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by LAFCO to a majority of the members of the Commission less than 72 hours prior to that meeting will be available for public inspection in the office at 40 Muir Road, First Floor, Martinez, CA, during normal business hours as well as at the LAFCO meeting.

All matters listed under CONSENT ITEMS are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

For agenda items not requiring a formal public hearing, the Chair will ask for public comments. For formal public hearings the Chair will announce the opening and closing of the public hearing.

If you wish to speak, please complete a speaker's card and approach the podium; speak clearly into the microphone, start by stating your name and address for the record.

### **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 attend meetings who contact the LAFCO office at least 24 hours before the meeting, at 925-313-7133. An assistive listening device is available upon advance request.

**As a courtesy, please silence your cell phones during the meeting.**

## **JANUARY 8, 2020 CONTRA COSTA LAFCO AGENDA**

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. **Selection of 2020 Chair and Vice Chair and Recognition of Outgoing Chair**
5. Approval of Minutes for the December 11, 2019 regular LAFCO meetings
6. Public Comment Period (please observe a 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.

### **BUSINESS ITEMS**

7. ***Fiscal Year (FY) 2020-21 Budget Schedule/Work Plan Preview*** – provide input on the FY 2020-21 proposed budget schedule and work plan preview
8. ***Fiscal Year 2019-20 2<sup>nd</sup> Quarter Budget Report*** – receive FY 2019-20 2<sup>nd</sup> quarter budget report
9. ***Census 2020*** – consider adopting a resolution in support of the 2020 Census partnership

### **CORRESPONDENCE**

10. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)

### **INFORMATIONAL ITEMS**

11. Commissioner Comments and Announcements
12. Staff Announcements
  - CALAFCO Updates
  - Pending Projects
  - Newspaper Articles

### **CLOSED SESSION**

#### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: Executive Officer

#### **CONFERENCE WITH LABOR NEGOTIATOR**

Agency negotiators: LAFCO Chair and Vice Chair

Unrepresented employee: Executive Officer

### **ADJOURNMENT**

*Next regular LAFCO meeting February 12, 2020 at 1:30 pm.*

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



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Candace Andersen  
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Donald A. Blubaugh  
Public Member

Tom Butt  
City Member

Igor Skaredoff  
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

Sean Wright  
City Member

January 8, 2020 (Agenda)

January 8, 2020  
Agenda Item 4

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

Selection of Commission Officers for 2020

Dear Members of the Commission:

The selection of officers for the Contra Costa LAFCO is described in Section 1.4 of the Commission Handbook, which provides for the following:

- The members of the Commission shall elect a Chair and Vice Chair at the first meeting of the Commission held in January of each year or as soon thereafter as practicable.
- The Chair and Vice Chair shall serve for one-year terms, or until their successors are elected, whichever occurs later.
- Officers shall be selected from the categories of members in the following order:

County Member 1  
Public Member  
Special District Member 1  
City Member 1  
County Member 2  
Special District Member 2  
City Member 2

In 2019, City Member Tom Butt served as Chair and County Member Andersen served as Vice Chair.

**RECOMMENDATION** – Per the Commission’s policy, it is recommended that the Commission select a County Member as Chair and a Special District Member as Vice Chair to serve until January 2021.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**DRAFT MEETING MINUTES**  
**December 11, 2019**

January 8, 2020  
Agenda Item 5

**1. Welcome, Call to Order and Roll Call**

Chair Butt called the regular meeting of November 13, 2019 to order at 1:30 PM.  
The following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Tom Butt, Chair	Diane Burgis	Lou Ann Texeira, Executive Officer
Candace Andersen, Vice Chair	Stan Caldwell	Mary Ann Mason, Commission Counsel
Don Blubaugh	Chuck Lewis	Kate Sibley, Interim Clerk
Federal Glover	Sean Wright	
Mike McGill		
Rob Schroder		
Igor Skaredoff		

**2. Pledge of Allegiance**

Chair Butt led the Pledge of Allegiance.

**3. Adoption of Agenda**

Chair Butt asked if there were any requests to modify the agenda; there were no requests.  
Upon motion by Commissioner McGill and second by Commissioner Blubaugh, the Commission unanimously, by a 7-0 vote, adopted the agenda as submitted:

**VOTE:**

YES:	<u>Andersen, Blubaugh, Butt, Glover, McGill, Schroder, Skaredoff</u>
NOES:	<u>NONE</u>
ABSENT:	<u>NONE</u>
ABSTAIN:	<u>NONE</u>

**4. Approval of Minutes**

Upon motion by Commissioner McGill and second by Commissioner Skaredoff, the November 13, 2019 meeting minutes were approved by a 6-0 vote, with Commissioner Blubaugh abstaining.

**VOTE:**

AYES:	<u>Andersen, Butt, Glover, McGill, Schroder, Skaredoff</u>
NOES:	<u>NONE</u>
ABSENT:	<u>NONE</u>
ABSTAIN:	<u>Blubaugh</u>

**5. Public Comments**

Chair Butt invited members of the audience to provide public comment. No public comments were received.

**6. Special Presentation – 2020 Census and Impacts on Redistricting Effort**

Kristine Solseng, Principal Planner, Contra Costa County Department of Conservation & Development, presented information on the plans for and critical necessity of the 2020 Census. She requested that the Commission consider a resolution in support of a full Census effort.

**DRAFT**

## **OUT OF AGENCY SERVICE REQUESTS**

7. **LAFCO 19-07 – City of Martinez – Birch Street** – consider a request by the City of Martinez to extend municipal water service outside its jurisdictional boundary to one parcel - APN 375-192-009 (0.11+ acre) located at the southeasterly end of Birch Street in unincorporated Martinez; and consider related actions per the California Environmental Quality Act (CEQA).

Upon motion by Commissioner Glover and second by Commissioner Blubaugh, the Commission unanimously, by a 7-0 vote, and with no discussion, approved extending Out of Agency (OAS) water service.

### **VOTE:**

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Schroder, Skaredoff  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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

8. **LAFCO 18-10 – Laurel Place II Annexation to the City of Concord** – consider landowner's request for extension of time to submit to LAFCO an annexation application.

Upon motion by Commissioner McGill and second by Commissioner Blubaugh, the Commission unanimously, by a 7-0 vote, and with no discussion, approved extending the time allotted for submitting an annexation application to LAFCO to August 7, 2020.

### **VOTE:**

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Schroder, Skaredoff  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

## **BUSINESS ITEMS**

9. **FY 2017-18 Financial Audit** – receive and file the FY 2017-18 financial audit.

Upon motion by Commissioner Andersen and second by Commissioner Glover, the Commission unanimously, by a 7-0 vote, received and filed the FY 2017-18 financial audit.

### **VOTE:**

AYES: Andersen, Blubaugh, Butt, Glover, McGill, Schroder, Skaredoff  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

## **CORRESPONDENCE**

10. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)

## **INFORMATIONAL ITEMS**

11. **Commissioner Comments and Announcements**

**DRAFT**

- Commissioner Butt reminded Commissioners that the Executive Officer's performance review is on today's agenda.
- Commissioner Blubaugh thanked the Commissioners for his reappointment to LAFCO for another four-year term.
- Commissioner McGill announced that he attended the CALAFCO Legislative Committee meeting on November 15, participated in a CALAFCO Board meeting call on November 21, and will attend the CALAFCO Board meeting on December 13, a CALAFCO U course on January 13 and a Legislative Committee meeting on January 17.
- Commissioner Skaredoff thanked Executive Officer Texeira for her guidance and assistance through the recent application for out of agency water service to Carquinez Strait Regional Shoreline.

**12. Staff Announcements**

- CALAFCO Event calendar was presented
- Pending Projects
- Newspaper Articles

**CLOSED SESSION**

At 1:58 p.m., Commissioners adjourned to Closed Session to discuss Executive Officer Texeira's performance review.

At 2:10 p.m., Commissioners reconvened and the Chair reported that the Commission will provide direction to staff.

The meeting adjourned at 2:11 pm.

Final Minutes Approved by the Commission January 8, 2020

**VOTE:**

AYES:

NOES:

ABSENT:

ABSTAIN:

**ADJOURNMENT**

*The next regular LAFCO meeting is January 8, 2020, at 1:30 pm.*

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

**DRAFT**



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January 8, 2020 (Agenda)

January 8, 2020  
Agenda Item 7

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

**Fiscal Year 2020-21 Budget Schedule and Work Plan Preview**

Dear Members of the Commission:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes a specific process for preparing and adopting LAFCO's budget. Government Code §56381 provides that the Commission shall annually adopt a proposed budget by May 1 and final budget by June 15, following noticed public hearings.

**WORK PLAN PREVIEW:** In conjunction with the proposed budget, the Commission establishes an annual work plan which includes a summary of recent activities/accomplishments and upcoming goals/objectives, such as preparing Municipal Service Reviews (MSRs)/Sphere of Influence (SOI) updates, updating the Commission's policies and procedures, and other projects and activities.

In September 2017, the Commission participated in a strategic planning session and discussed accomplishments and priorities including MSRs, island annexations, terms and conditions, and policies and procedures. The Commission also reviewed its annual work plan, goals, legislation, and the future of Contra Costa LAFCO (relocation, staffing plan, etc.). Updates on these activities are provided below.

**MSRs/SOI Updates** - LAFCO law provides that every five years the Commission shall, as necessary, review and update each SOI [Gov. Code §56425(g)]. The statute also provides that in order to prepare and update an SOI, the Commission shall conduct an MSR.

In 2013, the Commission completed its inaugural round of MSRs/SOI updates and initiated 2<sup>nd</sup> round MSRs. To date, the following 2<sup>nd</sup> round MSRs/SOI updates are complete:

- June 2014 - Water/wastewater covering eight cities, 19 special districts, and private water companies
- November 2015 - Reclamation services covering 14 special districts
- October 2016 – Fire/EMS covering three cities and eight special districts
- January 2018 – Healthcare services covering three special districts and Contra Costa County health services
- June 2019 – “City Services” covering all 19 cities and four community services districts (CSDs)

As part of the FY 2019-20 work plan and budget, the Commission approved preparing a 2<sup>nd</sup> round MSR covering “*Parks & Recreation Services*” (i.e., all 19 cities, four CSDs, three parks & rec districts, eight county services areas (CSAs), one regional park district). The FY 2019-20 budget also includes funding to initiate another 2<sup>nd</sup> round MSR to be determined by the Commission.

The “*Parks & Recreation*” MSR is underway and we expect to release the Public Review Draft in late summer 2020. Regarding the second MSR to be initiated in FY 2020-21, potential candidates include county service areas (CSAs), cemetery, mosquito & vector control, and resource conservation – see attached MSR status report (Attachment 1).

LAFCO relies on consultants to assist with the MSRs. Typically, LAFCO staff issues a request for proposals, reviews and screens proposals, conducts interviews with help from other LAFCO professionals, and makes a recommendation to the Commission. This process typically takes 2-3 months. Over the years, Contra Costa LAFCO has received proposals from various consulting firms, many of whom, LAFCO has utilized to assist with the MSRs/SOI updates and special studies. In an effort to streamline this process, LAFCO staff recommends establishing an “on-call” prequalified list of MSR/special study consultants upon which to rely for assistance (see Attachment 2).

**Policies and Procedures Updates** – In the past several years, the Commission made progress updating its policies and procedures, and adopted new procedures for the following changes of organization: city annexations/detachments, district annexations/detachments, district mergers, establishment of subsidiary districts, LAFCO-initiated proposals, new or different services, district dissolution, district formation, district consolidation, city consolidation, disincorporation, reorganization and out of agency service. Contra Costa LAFCO now has procedures for each type of change of organization. In addition, the Commission updated its Legislative Platform and updated its policies and procedures relating to *Rules and Procedures*, *CALAFCO*, *Roster of Cities and Special Districts*, *City Annexations and Detachments*, *District Annexations and Detachments*, and *Agricultural & Open Space Preservation*.

In 2019, the Commission updated its policies relating to LAFCO meeting minutes and island provisions. Next in the queue are policies and procedures relating to the following:

- ✚ Disadvantaged Unincorporated Communities (DUCs)
- ✚ Sphere of Influence
- ✚ Records Retention
- ✚ Processing Multi County Boundary Change

**Growing Contra Costa LAFCO** – Over the past several years, staff discussed with the Commission growing Contra Costa LAFCO. The discussion focused on adding an Analyst position and relocating the LAFCO office.

**Staffing** - In April 2019, the Commission approved a revised staffing plan increasing LAFCO staff from 2 full-time employees (FTEs) to 2.5 FTEs including one full-time Executive Officer, one full-time Analyst and one half-time Executive Assistant/LAFCO Clerk (“EA”). Also, LAFCO contracts for other services including environmental planning, GIS/mapping, legal, webmaster, financial auditing, MSRs and special studies. Currently, LAFCO has one full-time Executive Officer and on-call staff (Kate Sibley). We recently initiated a recruitment for the part-time EA position.



Also, in reviewing the LAFCO staffing plan, we think it would be beneficial to expand the Analyst job description to include some of the EA duties to provide additional staffing flexibility (see Attachment 3). A number of LAFCOs use a similar position including Nevada, Solano and Yuba.

**Office Relocation** - In July 2019, the LAFCO office relocated from 651 Pine Street in Martinez to 40 Muir Road in Martinez. The new office is ideal!

**Other Items of Interest** – LAFCO staff is currently working on other activities including the following:

- 2<sup>nd</sup> round Parks & Recreation Services MSR/SOI updates
- Proposed FY 2020-21 budget
- Updates to the LAFCO Directory of Local Agencies
- Ongoing litigation (Los Medanos Community Healthcare District)
- Processing incoming applications
- Commissioner terms – In November 2019, the Commission reappointed its two public members (regular and alternate). This year, the County Board of Supervisors will consider one LAFCO appointment (alternate member); the City Selection Committee will consider one LAFCO appointment (regular member); and the Independent Special District Selection Committee will consider one appointment (regular member). LAFCO staff will conduct the election for the special district seat.

It would be beneficial to hear from the Commission as to priorities and other items of interest in anticipation of preparing the FY 2020-21 LAFCO budget.

**RECOMMENDATIONS:**

1. Provide input regarding a possible second 2<sup>nd</sup> round MSR in FY 2020-21;
2. Approve an “on-call” list of MSR/special study consultants;
3. Approve edits to the LAFCO Analyst job description; and
4. Provide other input as desired.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

**Attachments**

1. Contra Costa LAFCO MSR/SOI Status Report
2. Proposed “On-Call” List of MSR/Special Study Consultants
3. Proposed Edits to LAFCO Analyst Job Description

c: All Contra Costa County Cities  
All Contra Costa County Special Districts  
Contra Costa County Administrator  
Contra Costa County Auditor-Controller

# CONTRA COSTA LAFCO

## Status of Municipal Service Reviews (MSRs)/Sphere of Influence (SOI) Updates January 8, 2020

Local Agency	Prior MSR/SOI Update	Next MSR/SOI Update
<b><u>Cities</u></b>		
*City of Antioch	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Brentwood	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Clayton	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Concord	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*Town of Danville	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of El Cerrito	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Hercules	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Lafayette	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Martinez	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*Town of Moraga	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Oakley	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Orinda	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Pinole	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Pittsburg	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Pleasant Hill	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Richmond	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of San Pablo	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of San Ramon	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*City of Walnut Creek	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
<b><u>Cemetery Districts</u></b>		
Alamo-Lafayette Cemetery District	MSR/SOI <i>retained</i> (2010);	TBD
Byron-Brentwood-Knighten-Union Cemetery District	MSR/SOI <i>retained</i> (2010);	TBD
<b><u>Community Services Districts</u></b>		
*Crockett CSD	MSR/SOI <i>retained</i> SOI (2019)	Parks & Recreation (2020)
*Diablo CSD	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*Dublin San Ramon CSD	MSR (2014)	TBD
*Kensington Police Protection & CSD	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*Town of Discovery Bay CSD	MSR/SOI <i>retained</i> (2019)	Parks & Recreation (2020)
*Town of Knighten CSD	MSR/SOI <i>retained</i> SOI (June 2014)	TBD
<b><u>County Service Areas</u></b>		
CSA D-2 (Drainage - Walnut Creek)	MSR/ <i>retained</i> SOI (2013)	TBD
*CSA EM-1 (Countywide – Emergency Medical)	MSR (2016); SOI <i>retained</i> SOI (2016)	TBD
CSA L-100 (Countywide - Streetlighting)	MSR/SOI “zero” (2013)	TBD
CSA LIB-2 (Library - Rancho El Sobrante)	MSR/SOI <i>retained</i> SOI (2013)	TBD
CSA LIB-10 (Library - City of Pinole)	MSR/SOI <i>retained</i> SOI (2013)	TBD
CSA LIB-12 (Library - Town of Moraga)	MSR/SOI <i>retained</i> SOI (2013)	TBD
CSA LIB-13 (Library - cities of Concord and Walnut Creek)	MSR/SOI <i>expanded</i> SOI (2013)	TBD
CSA M-1 (Misc Services - Delta Ferry)	MSR/ <i>retained</i> SOI (2013)	TBD
CSA M-16 (Misc Services – Community of Clyde)	MSR/SOI <i>retained</i> (2010)	Parks & Recreation (2020)

Local Agency	Prior MSR/SOI Update	Next MSR/SOI Update
CSA M-17 (Misc Services - Tara Hills, Montlavin Manor, West Contra Costa)	MSR/SOI <i>retained</i> (2010)	Parks & Recreation (2020)
CSA M-20 (Misc Services - View Pointe Subdivision)	MSR/SOI <i>retained</i> (2013)	TBD
CSA M-23 (Misc Services - San Ramon, Blackhawk, Danville)	MSR/SOI <i>retained</i> (2013)	TBD
CSA M-28 (Misc Services – Bethel Island)	MSR/SOI “zero” SOI (2014)	TBD
*CSA M-29 (Misc Services – San Ramon, Dougherty Valley)	MSR/SOI <i>retained</i> (2010); MSR (2011)	Parks & Recreation (2020)
*CSA M-30 (Misc Services – Alamo)	MSR/SOI <i>affirmed SOI</i> (2010)	Parks & Recreation (2020)
CSA M-31 (TDM Services – Pleasant Hill)	MSR/SOI <i>expanded SOI</i> (2013)	TBD
CSA P-2 (Police – Zone A – Blackhawk, Zone B - Alamo)	MSR/SOI (2011); <b>SOI update pending</b>	TBD
CSA P-5 (Police Protection – Roundhill)	MSR/SOI (2011); <b>SOI update pending</b>	TBD
CSA P-6 (Police Protection – Unincorporated Area)	MSR/SOI (2011); <b>SOI update pending</b>	TBD
CSA R-4 (Recreation – Moraga)	MSR/SOI (2010); <i>retained SOI</i> (2013)	Parks & Recreation (2020)
CSA R-7A (Recreation – Alamo)	MSR/SOI (2010); SOI update/expansion (2012)	Parks & Recreation (2020)
CSA R-9A (Recreation - El Sobrante)	MSR/SOI <i>retained</i> (2010)	Parks & Recreation (2020)
CSA R-10 (Recreation – Rodeo)	MSR/SOI <i>retained</i> (2010)	Parks & Recreation (2020)
CSA RD-4 (Roads - Bethel Island)	MSR/SOI <i>retained</i> (2008)	TBD
CSA T-1 (Transit – San Ramon) (formed 2006)	MSR/SOI <i>provisional SOI</i> (2013)	TBD
<b><u>Fire/EMS</u></b>		TBD
*Contra Costa County Fire Protection District	MSR/SOI (2016); <b>SOI update pending</b>	
*Crockett-Carquinez Fire Protection District	MSR/SOI (2016); <b>SOI update pending</b>	TBD
*East Contra Costa Fire Protection District	MSR/SOI (2016); <i>provisional</i> (2016)	TBD
*Kensington Fire Protection District	MSR/SOI (2016); <b>SOI update pending</b>	TBD
*Moraga-Orinda Fire Protection District	MSR/SOI (2016); <i>retained</i>	TBD
*Rodeo-Hercules Fire Protection District	MSR/SOI (2016); <i>provisional</i>	TBD
*San Ramon Valley Fire Protection District	MSR/SOI (2016); <i>retained</i> (2016)	TBD
<b><u>Health Care Districts (HCDs)</u></b>		TBD
*Los Medanos Community HCD	MSR/SOI <i>retained</i> (2018)	
*Concord-Pleasant Hill HCD (formerly Mt. Diablo HCD)	MSR/SOI <i>retained</i> (2018)	TBD
*West Contra Costa HCD	MSR/SOI <i>retained</i> (2018)	TBD
<b><u>Irrigation</u></b>		
Byron-Bethany Irrigation District	MSR (2014)	TBD
*East Contra Costa Irrigation District	MSR/SOI <i>retained</i> (May 2014)	TBD
<b><u>Mosquito Abatement</u></b>		
Contra Costa Mosquito and Vector Control District	MSR/SOI <i>retained</i> (2010); SOI	TBD

Local Agency	Prior MSR/SOI Update	Next MSR/SOI Update
<b><u>Municipal Improvement</u></b> *Bethel Island Municipal Improvement District	MSR/SOI <i>retained</i> (2015)	TBD
<b><u>Municipal Utility</u></b> East Bay MUD	MSR (2014)	TBD
<b><u>Reclamation Districts (RD)</u></b> *RD 799 (Hotchkiss Tract)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 800 (Byron Tract)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 830 (Jersey Island)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2024 (Orwood and Palm Tracts)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2025 (Holland Tract)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2026 (Webb Tract)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2059 (Bradford Island)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2065 (Veale Tract)	Adopted coterminous SOI (2015)	TBD
*RD 2090 (Quimby Island)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2117 (Coney Island)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2122 (Winter Island)	MSR/SOI <i>retained</i> (2015)	TBD
*RD 2137	MSR/SOI <i>retained</i> (2015)	TBD
<b><u>Park &amp; Recreation</u></b> Ambrose Rec & Park District	MSR/SOI <i>retained</i> (2010)	Parks & Recreation (2020)
*East Bay Regional Park District	MSR (2010)	Parks & Recreation (2020)
*Green Valley Rec & Park District	MSR/SOI <i>reduced</i> (2009)	Parks & Recreation (2020)
Pleasant Hill Rec & Park District	MSR/SOI <i>expanded/reduced</i> (2010)	Parks & Recreation (2020)
<b><u>Resource Conservation</u></b> Contra Costa Resource Conservation District	MSR/SOI <i>retained</i> (2010)	TBD
<b><u>Wastewater</u></b> *Byron Sanitary District	MSR/SOI <i>expanded</i> (2014)	TBD
*Central Contra Costa Sanitary District	MSR/SOI <i>expanded</i> (2014)	TBD
*County Sanitation District 6 (Alhambra Valley)	MSR/SOI “zero” (2014)	TBD
*Delta Diablo Sanitary District	MSR/SOI <i>reduced</i> (2014);	TBD
*Ironhouse Sanitary District	MSR/SOI <i>expanded</i> (2014)	TBD
*Mt. View Sanitary District	MSR/SOI <i>retained</i> (2014)	TBD
*Rodeo Sanitary District	MSR/SOI <i>retained</i> (2014)	TBD
*Stege Sanitary District	MSR/SOI <i>retained</i> (2014)	TBD
*West County Wastewater District	MSR/SOI <i>retained</i> (2014)	TBD
<b><u>Water</u></b> Castle Rock County Water District	MSR/SOI “zero” (2014)	TBD
*Contra Costa Water District	MSR/SOI <i>reduced/ expanded</i> (2014)	TBD
*Diablo Water District	MSR/SOI <i>expanded</i> (2014)	TBD

\* Indicates the agency was reviewed in more than one MSR (e.g., 1<sup>st</sup> and 2<sup>nd</sup> round, subregional, service specific, etc.)

## PROPOSED "ON-CALL" PRE-QUALIFIED CONTRA COSTA LAFCO MUNICIPAL SERVICES REVIEW/SPECIAL STUDY CONSULTANTS

Company	Contact	Address	City, State, Zip	Phone	E-mail
Berkson Associates	Richard Berkson	34 Terrace Avenue	San Anselmo, CA 94960	510-612-6906	<a href="mailto:richard@berksonassociates.com">richard@berksonassociates.com</a>
E Mulberg & Associates	Elliot Mulberg	PO Box 582931	Elk Grove, CA 95758	916-217-8393	<a href="mailto:elliot@emulberg.com">elliot@emulberg.com</a>
Economic & Planning Systems	Walter Kieser	One Kaiser Plaza, Ste 1410	Oakland, CA 94612	510-841-9190	<a href="mailto:wkieser@epsys.com">wkieser@epsys.com</a>
Harvey M. Rose Associates, LLC	Fred Brousseau	1390 Market St, Ste 1150	San Francisco, CA 94102	415-552-9292	<a href="mailto:info@harveyrose.com">info@harveyrose.com</a>
Lamphier Gregory	Nat Taylor	1944 Embarcadero	Oakland, CA 94606	510-535-6690	<a href="mailto:ntaylor@lamphier-gregory.com">ntaylor@lamphier-gregory.com</a>
Management Partners	Arne Croce	2107 North First Street, Ste 470	San Jose, CA 95131	408-437-5400	<a href="mailto:abelknap@managementpartners.com">abelknap@managementpartners.com</a>
Municipal Resource Group LLC	Mike Oliver	675 Hartz Ave, Ste 300	Danville, CA 94526	866-774-3222	<a href="mailto:moliver@municipalresourcegroup.com">moliver@municipalresourcegroup.com</a>
Planwest Partners Inc.	George Williamson	1125 16 <sup>th</sup> St, Ste 200	Arcata, CA 95521	707-825-8260	<a href="mailto:georgew@planwestpartners.com">georgew@planwestpartners.com</a>
Policy Consulting Associates	Jennifer Stephenson	5050 Laguna Blvd, Ste 112-711	Elk Grove CA 95758	310-936-2639 310-773-6306	<a href="mailto:info@pcateam.com">info@pcateam.com</a>
Project Resource Specialists	Harry Ehrlich	PO Box 2247	Borrego Springs, CA 92004		<a href="mailto:Ehrlichprs@gmail.com">Ehrlichprs@gmail.com</a>
QK	Jerome Keene	PO Box 3699	Visalia, CA 93278	559-733-0440	<a href="mailto:jerome.keene@qkinc.com">jerome.keene@qkinc.com</a>
RSG, Inc.	Jim Simon	17872 Gillette, Ste 350	Irvine, CA 92614	714-316-2120	<a href="mailto:jsimon@webrsg.com">jsimon@webrsg.com</a>
SWALE Inc.	Kateri Harrison	111 Bank St, #202	Grass Valley, CA 95945	530-559-7823	<a href="mailto:harrison@swaleinc.com">harrison@swaleinc.com</a>

## **CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO) ANALYST I / ANALYST II**

### **DEFINITION:**

Under direction of the LAFCO Executive Officer, the LAFCO Analyst provides analytical, technical, financial, and administrative staff support services for Contra Costa LAFCO. The position involves data collection and analysis, report preparation, public contact, and other related duties as required. The position is appointed by the LAFCO Executive Officer, is “at will,” and exempt from FLSA overtime.

### **CHARACTERISTICS:**

The LAFCO Analyst works as a member of the LAFCO team of three employees and provides review and analysis of LAFCO applications; serves as project manager to implement the LAFCO work program; assists with complex studies; and provides administrative assistance to the Executive Officer. The Analyst is expected to exercise considerable initiative and judgement in performing the duties of the position.

The position is further distinguished by regular contact with government officials and staff, members of the Commission, all levels of local, regional and state government, representatives of business and community organizations, and the public.

The LAFCO Analyst should display a professional and positive attitude; be a self-starter who is resourceful and a problem-solver; knowledgeable about local government and LAFCO law; and experienced working with elected boards, councils and/or commissions. Familiarity with Contra Costa County and its jurisdictions is desirable.

### **MINIMUM QUALIFICATIONS:**

The desired knowledge, skills and abilities would typically be acquired through possession of a Bachelor's degree in Public Administration, Public Policy, Political Science, City/Regional/Urban Planning, or a closely related field; and a minimum of two years of professional experience (Level I), or a minimum of four years of professional experience (Level II) in public administration, public policy, land use planning or a closely related field that demonstrates the ability to perform the typical tasks and acquire the knowledge, skills and abilities described below. Based on the level of experience and education, the Analyst position will be filled at either Level I or Level II.

### **TYPICAL TASKS:**

- Conduct research and collect data that is complex and specialized in nature; perform basic (Level I) to intermediate (Level II) qualitative and quantitative analysis
- Prepare staff reports for the Commission and related documents (e.g., spreadsheets, tables, charts, graphs, etc.)
- Assist with special studies and reports
- Serve as project manager for assigned studies, programs and projects
- Provide technical assistance to the Executive Officer involving land use planning, environmental review, financial and data management, legislation and other technical matters under LAFCO's purview
- Review, analyze and process LAFCO applications
- Assist with administrative functions and general office duties (e.g., budget, fee schedules/forms, contracts, surveys, policies/procedures, application processing, agenda preparation and notification, LAFCO finances, etc.); and clerk LAFCO meetings as needed

- Respond to inquiries and provide information and technical assistance to the public, local agencies and others
- Organize work, set priorities and meet critical deadlines
- Interact with local, regional and State government agencies, representatives of business and community organizations, and the general public
- Make presentations relating to LAFCO projects, programs and proposals

## **KNOWLEDGE, SKILLS AND ABILITIES:**

### **Knowledge:**

- LAFCO law, purposes, role and functions
- Role and functions of local agencies, and specifically counties, cities and special districts
- Public administration, urban and regional planning principles and practices, and environmental assessment and protection
- Modern office procedures, practices, systems, and computer applications including Microsoft Office and GIS; and map reading
- Analysis and statistical methods; public finance; budgeting; public infrastructure; and interagency relationships
- Communication techniques required for gathering, evaluating and transmitting information

### **Skills/Abilities:**

- Provide critical thinking and objective reporting
- Prepare clear and concise reports, correspondence, and other written material
- Organize and manage projects and programs effectively and efficiently
- Establish and maintain effective working relationships with other LAFCO staff, LAFCO Commissioners, other governmental agencies, applicants and the public
- Exercise sound independent judgment in performing assignments
- Demonstrate honesty and integrity in all interactions
- Represent LAFCO and/or act as LAFCO spokesperson as directed
- Maintain accurate records and files
- Work independently

**WORKING CONDITIONS:** Most of the duties of the Analyst position are performed in an office environment, which include sitting/standing at a desk; using a computer, telephone and other office equipment; lifting and moving objects typically under 25 pounds; and traveling with or without others to project sites and outside meetings and conferences.





CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

40 Muir Road, 1st Floor • Martinez, CA 94553

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(925) 313-7133

Lou Ann Teixeira  
Executive Officer

**MEMBERS**

Candace Andersen  
County Member

Donald A. Blubaugh  
Public Member

Tom Butt  
City Member

Igor Skaredoff  
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

Sean Wright  
City Member

January 8, 2020

January 8, 2020  
Agenda Item 8

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

**Second Quarter Budget Report - Fiscal Year 2019-20**

Dear Members of the Commission:

This is the second quarter budget report for FY 2019-20, which compares adopted and actual expenses and revenues for the period July 1, 2019 through December 31, 2019.

The LAFCO operating budget includes the following components: salaries/benefits, services/supplies, a contingency/reserve fund, Other Post-Employment Benefits (OPEB) Trust and retirement pre-funding account. The budget is based on the “bottom line,” which allows for variation within line item accounts provided the overall balance remains positive. Funds may not be drawn from the contingency/reserve without Commission approval.

LAFCO’s budget is funded primarily by the County, cities and independent special districts, with each group paying one-third of the LAFCO budget. The city and district shares are prorated based on general revenues reported to the State Controller’s Office. LAFCO also receives revenue through application fees and interest earnings.

**DISCUSSION**

On June 12, 2019, LAFCO adopted its final FY 2019-20 budget with total appropriations of \$1,080,493, which includes an \$80,000 contingency/reserve fund, a contribution of \$40,000 to fund the OPEB liability, and a contribution of \$30,000 to pre-fund LAFCO’s retirement account with the Contra Costa County Employees’ Retirement Association (CCCERA).

With 50% of the fiscal year elapsed, the Commission’s second quarter total expenditures are \$317,362 or 30% of total appropriations. The Commission budgeted \$530,435 in *salaries/benefits* for FY 2019-20; at the end of the second quarter, actual expenses total \$205,682 or 39% of the budgeted amount. The Commission budgeted \$380,058 in *services/supplies*; and at the end of the second quarter, actual expenses total \$111,680 or 30%. The \$40,000 payment toward the OPEB liability is reflected in the second quarter budget report; the \$30,000 CCCERA liability payment is not yet reflected.



The primary sources of revenues are local agency contributions, application fees, and available fund balance. Total revenues received during the second quarter are \$1,077,871 (including fund balance) or 99.8% of projected revenues.

Other sources of revenue include application fees, interest earnings and fund balance. Regarding application fees, FY 2019-20 application activity is lower than FY 2018-19 activity. During the first two quarters of FY 2019-20, LAFCO received five new applications, compared to 10 new applications received during the first two quarters of FY 2018-19.

Regarding interest earnings, LAFCO is currently receiving some investment earnings through the OPEB trust account, which remains in that account.

Finally, when available, we budget available fund balance to offset agency contributions. The FY 2019-20 budget includes \$170,000 in budgeted fund balance.

A summary of second quarter expenditures and revenues is presented in the table below.

<b>Account</b>	<b>FY 2019-20 Final Budget</b>	<b>Second Quarter Actuals</b>
Salaries & Benefits	\$ 530,435	\$ 205,682
Services & Supplies	380,058	111,680
Fixed Assets	20,000	0
Contingency/Reserve	80,000	0
OPEB Trust	40,000	40,000
CCCERA Pre-Fund	30,000	0
<b>Total Appropriations</b>	<b>\$1,080,493</b>	<b>\$ 317,362</b>
Agency Contributions	\$ 885,493	\$ 885,493
Application/Other Revenue	25,000	22,379
Interest Earnings	-	\$ 907,871 -
Fund Balance	170,000	170,000
<b>Total Revenues</b>	<b>\$1,080,493</b>	<b>\$1,077,871</b>

No budget adjustments are recommended at this time. LAFCO staff will continue to closely monitor the budget, and keep the Commission apprised.

### **RECOMMENDATION**

It is recommended that the Commission receive the FY 2019-20 second quarter budget report.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

40 Muir Road, 1st Floor • Martinez, CA 94553

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January 8, 2020 (Agenda)

January 8, 2020  
Agenda Item 9

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

**Census 2020**

Dear Members of the Commission:

On December 11, 2019, Kristine Solseng, Principal Planner with Contra Costa County Department of Conservation & Development, provided LAFCO with an overview of the 2020 Census. The overview covered efforts to ensure a complete count, hard to count populations, redistricting, outreach efforts and timelines. The presentation material is available online at <http://contracostalafco.org/meetings-and-public-hearings/>.

California receives nearly \$77 billion in federal funding that relies, in part, on census data. A complete and accurate count of California's population is essential.

LAFCOs also have a vested interest in a complete and accurate count given our role in balancing the competing needs in California for efficient services, affordable housing, economic opportunity and conservation of natural resources.

The County, cities and other local agencies in Contra Costa County have adopted resolutions and proclamations supporting the 2020 Census partnerships and efforts.

In recognition of the importance of the 2020 U.S. Census and in support of efforts to ensure a complete, fair, and accurate count of all Californians, it is recommended that the Commission adopt a resolution declaring LAFCO's support for the 2020 census partnership.

**RECOMMENDATION** – Adopt the attached resolution, with any amendments as desired, supporting the 2020 Census partnerships and efforts.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attached – LAFCO Resolution – Support for the 2020 Census Partnerships

**RESOLUTION NO. 2020-01**  
**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**DECLARING SUPPORT FOR THE 2020 CENSUS PARTNERSHIP**

**WHEREAS**, the U.S. Census Bureau is required by Article I, Section 2 of the U.S. Constitution to conduct an accurate count of the population every 10 years; the next enumeration will be April 1, 2020 and will be the first to rely heavily on online responses; and

**WHEREAS**, the primary and perpetual challenge facing the U.S. Census Bureau is the undercount of certain population groups; that challenge is amplified in California, given the size of the state and the diversity of communities. California has a large percentage of individuals that are considered traditionally hard to count. These diverse communities and demographic populations are at risk of being missed in the 2020 Census; and

**WHEREAS**, California receives nearly \$77 billion in federal funding that relies, in part, on census data. A complete and accurate count of California's population is essential. The data collected by the decennial Census determines the number of seats each state has in the U.S. House of Representatives and is used to distribute billions of dollars in federal funds to state and local governments. The data is also used in the redistricting of state legislatures, county boards of supervisors and city councils. The decennial census is a massive undertaking that requires cross-sector collaboration and partnership to achieve a complete and accurate count; and

**WHEREAS**, California's leaders have dedicated a historic amount of funding and resources to ensure every Californian is counted once, only once and in the right place. This includes coordination between tribal, city, county, state governments, community-based organizations, education, and many more; and

**WHEREAS**, U.S. Census Bureau is facing several challenges with Census 2020, including constrained fiscal environment, rapidly changing use of technology, declining response rates, increasingly diverse and mobile population, thus support from partners and stakeholders is critical. California kicked-off its outreach and engagement efforts in April 2019 for the 2020 Census.

**NOW, THEREFORE BE IT RESOLVED**, that the Contra Costa Local Agency Formation Commission recognizes the importance of the 2020 U.S. Census and supports efforts to ensure a complete, fair, and accurate count of all Californians.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of January 2020.

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

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Chair, Contra Costa LAFCO

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

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Lou Ann Texeira, Executive Officer

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**PENDING PROPOSALS – January 8, 2020**

January 8, 2020  
Agenda Item 12b

LAFCO APPLICATION	RECEIVED	STATUS
LAFCO No. 10-09 - Town of Discovery Bay Community Services District (DBCSD) sphere of influence (SOI) Amendment (Newport Pointe): proposed SOI expansion of 20± acres bounded by Bixler Road, Newport Drive and Newport Cove	July 2010	Currently incomplete
LAFCO No. 10-10 - DBCSD Annexation (Newport Pointe): proposed annexation of 20± acres to supply water/sewer services to a 67-unit single family residential development	July 2010	Currently incomplete
LAFCO No. 13-04 - Bayo Vista Housing Authority Annexation to Rodeo Sanitary District: proposed annexation of 33± acres located south of San Pablo Avenue at the northeastern edge of the District's boundary	Feb 2013	Continued from 11/12/14 meeting
LAFCO No. 14-05 - Reorganization 186 (Magee Ranch/SummerHill): proposed annexations to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) of 402± acres; 9 parcels total to CCCSD (8 parcels) and EBMUD (7 parcels)	June 2014	Removed from Commission's calendar pending further notice
LAFCO No. 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	May 2016	Currently incomplete
LAFCO No. 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	May 2016	Currently incomplete
LAFCO No. 19-08 - West County Wastewater District (WCWD) Annex 320 Urban Tilth Annexation (323 Brookside Drive) – proposed annexation of 3.1± acres (APN 408-201-017)	Oct 2019	Under review

# **Dueling Hospitals Lawsuit Drags On**

By: Terrence Vestal  
Inyo Register Managing Editor  
Thursday, December 12, 2019  
MAMMOTH LAKES, CA

Northern Inyo Healthcare District and the Inyo Local Agency Formation Commission (LAFCO) are working on submitting briefs and other filings regarding a lawsuit against Mammoth Hospital over a physical therapy clinic in Bishop that is run by Mammoth.

LAFCO is an independent agency charged with ensuring orderly government formation and serves the city of Bishop and more than 25 special districts in Inyo County, including NIHD. The five-member LAFCO board includes representation from the Inyo County Board of Supervisors, the Bishop City Council and the general public.

LAFCO and NIHD filed the suit in August 2015, alleging that Mammoth Hospital is unlawfully providing health care in Inyo County by “contracting to operate and/or operating the Bishop Physical Therapy Clinic and the Mammoth Orthopedic Institute” at 162 S. Main St. in Bishop.

“We think there is about \$5 million a year in orthopedics that is going up to Mammoth,” NIHD CEO Dr. Kevin Flanigan said Tuesday. “That’s draining the tax revenue of NIHD. We offer as good or better services with our surgeons, diagnostic imaging, three new operating rooms and great rehab services. It’s not like we don’t offer the services.”

## **San Francisco Chronicle**

# **New City Manager Could Be Appointed Tuesday**

Bay City News Service

Published 9:10 pm PST, Sunday, December 15, 2019

RICHMOND (BCN)

The Richmond City Council on Tuesday could approve hiring a new city manager.

The council, in closed session, could approve a three-year contract with Laura Snideman, now assistant city manager of Fairfield. The contract as offered would give Snideman an initial base salary of \$255,000 a year (about \$343,000 in total compensation), to start Jan. 27. If the appointment is made, it would be announced shortly after the regular public meeting begins.

Snideman would succeed interim City Manager Steven Falk, who started work in August following the firing of Carlos Martinez in July. Falk had been the city manager in Lafayette for 23 years before his resignation in September 2018 over philosophical differences over the city's plans for housing development.

Snideman has been assistant city manager in Fairfield since 2014. Before that, she served briefly as executive officer of LAFCO (Local Agency Formation Commission) of Napa County. She worked from 2009 to 2013 in Half Moon Bay, first as administrative officer and then for three years as city manager.

Tuesday's meeting begins at 5 p.m. (closed session) and 6:30 p.m. (regular meeting) in the Community Services Building, 440 Civic Center Plaza in Richmond.

## East Bay Times

# Terraces of Lafayette project returns for another round

**Lafayette's contentious Terraces plan, which dates back to 2011, is subject of Jan. 21 joint commission meeting.**



The proposed 22-acre site for the Terraces of Lafayette, a 315-apartment complex is photographed in Lafayette, Calif., on Thursday, Aug. 22, 2019. (Anda Chu/Bay Area News Group)

By [Jon Kawamoto](#) | [jkawamoto@bayareanewsgroup.com](mailto:jkawamoto@bayareanewsgroup.com) | Bay Area News Group

PUBLISHED: December 23, 2019 at 9:52 am | UPDATED: **December 24, 2019** at 3:12 pm

**LAFAYETTE** — A controversial proposal to build 315 apartment units in this city will be back on the table early next year.

On Jan. 21, 2020, the Lafayette Planning Commission and the Transportation & Circulation Commission are scheduled to discuss the project's potential traffic impacts and transit-related issues at a joint meeting.

Meanwhile, the city's staff report on the so-called Terraces of Lafayette project and a traffic impact study will be published on the city website no later than Jan. 7, according to a city press release.

Since it was initially proposed in March 2011, the Terraces plan by the O'Brien Land Co. has been marked by controversy.

It has been the subject of 20 public hearings, a lawsuit, a state court ruling and a failed referendum called Measure L that sought voter approval of a compromise plan of 44 houses instead of apartments. The property covers 22 acres off Deer Hill and Pleasant Valley roads near Highway 24.

Bryan Wenter, an attorney for O'Brien Land Co., said in an October interview that the "project is 90 percent of the way or more to the goal line." He also acknowledged an appeal to the Lafayette City Council "is virtually a certainty."

Michael Griffiths of grassroots Save Lafayette said the group has "always opposed the Terraces" and now will "have to see what transpires." Save Lafayette filed the lawsuit against the project and led opposition to Measure L.

Wenter has said any approval of the plan shouldn't lead to a referendum because the company is only seeking a use permit for the Terraces.

"As a matter of law, that would be an invalid referendum and it would not go anywhere," Wenter said. "There is no possibility of a valid referendum here."

Wenter also said 20 percent of the Terraces units — 63 in all — would be designated as low-income units.

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### **If you're interested**

For more information about Terraces, including the environmental impact report, go to the city's website at [www.lovelafayette.org/Terraces](http://www.lovelafayette.org/Terraces).

The city said that inquiries and comments should be sent to Luke Connolly at [lconnolly@ci.lafayette.ca.us](mailto:lconnolly@ci.lafayette.ca.us) and to Planning Director Greg Wolff at [gwolff@ci.lafayette.ca.us](mailto:gwolff@ci.lafayette.ca.us).

City offices will be closed for the holidays from Dec. 23 through Jan. 1, 2020, and will reopen on Jan. 2, 2020.