



Lou Ann Texeira
Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
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NOTICE AND AGENDA FOR REGULAR MEETING

Wednesday, June 9, 2021, 1:30 PM

***** BY TELECONFERENCE ONLY *****

Consistent with the California Governor's Executive Order N-29-20 this meeting will be held by Zoom and teleconference. No physical location will be available for this meeting.

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

To join the meeting click: <https://cccounty-us.zoom.us/j/95768795211>

Or call in at the number below. **As a courtesy to the other participants, please mute your device when not speaking.**

USA 214-765-0478

USA 888-278-0254 (US Toll Free)

Conference code: **525510**

LAFCO meetings are audio recorded and posted online at <http://contracostalafco.org/meetings-and-public-hearings/>. Audio recordings are available the day following the LAFCO meeting. LAFCO meeting materials and staff reports are available online at <http://contracostalafco.org/meetings-and-public-hearings/>.

PUBLIC COMMENT: The Commission will consider all verbal and written comments received. Comments may be emailed to LouAnn.Teixeira@lafco.cccounty.us or by U.S. mail to Contra Costa LAFCO at 40 Muir Road 1st 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.

JUNE 9, 2021 CONTRA COSTA LAFCO AGENDA

1. Call to Order
2. Roll Call
3. Adoption of Agenda
4. Approval of Minutes for the April 14, 2021 regular LAFCO meeting
5. 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.

OUT OF AGENCY SERVICE REQUESTS

6. ***LAFCO 21-01 – 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 1974 Ayers Road (1.6± acres) (APN 116-092-007) in unincorporated Concord (Ayers Ranch), and consider related actions per the California Environmental Quality Act (CEQA)

SPHERE OF INFLUENCE AMENDMENTS/CHANGES OF ORGANIZATION

7. ***LAFCO 20-07 – Loral Place II – Subdivision 9389 – Annexation to City of Concord*** – consider approving an annexation to the City of Concord and related actions per CEQA. The subject area comprises 3.58± acres and includes seven parcels (APNs 116-063-026 thru -032) and is located at Myrtle Drive and Bailey Road in unincorporated Concord (Ayers Ranch).
Public Hearing

MUNICIPAL SERVICE REVIEWS (MSRs)/SPHERE OF INFLUENCE (SOI) UPDATES

8. ***“Parks & Recreation Services” MSR/SOI Updates (2nd Round)*** – consider accepting the Final MSR report, making the required MSR and SOI determinations, updating SOIs for the Park & Recreation districts and county services areas covered in the MSR report, and taking related actions under CEQA ***Public Hearing***
9. ***“Cemetery Services” MSR/SOI Updates (2nd Round)*** – receive overview of Public Review Draft MSR and public comments and provide input. The MSR covers two cemetery districts ***Public Hearing***

BUSINESS ITEMS

10. ***Fiscal Year 2021-22 Final Budget/Work Plan*** - consider approving final budget/work plan ***Public Hearing***
11. ***LAFCO 18-06 – Chang Property Reorganization: Annexations to City of San Ramon, Central Contra Costa Sanitary District, and East Bay Municipal Utility District and Detachment from County Service Area P-6*** – consider landowner’s request for extension of time to complete the boundary reorganization
12. ***SDRMA 2021 Board Election Update*** – informational update – no action by the Commission will be taken

CORRESPONDENCE

13. Correspondence from Contra Costa County Employees’ Retirement Association (CCCERA)

INFORMATIONAL ITEMS

14. Commissioner Comments and Announcements
15. Staff Announcements (CALAFCO Updates, Pending Projects, Newspaper Articles)

ADJOURNMENT: *Today’s LAFCO meeting is adjourned in memory of Sharon Anderson who served as LAFCO Legal Counsel for over 11 years. Sharon was a brilliant attorney, a thoughtful and generous person, and a quick wit. She will be dearly missed by family, friends, and her County and LAFCO families.*

Next regular LAFCO meeting July 14, 2021 at 1:30 pm.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
DRAFT MEETING MINUTES
April 14, 2021

June 9, 2021
Agenda Item 4

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

Chair Skaredoff called the regular meeting of April 14, 2021 to order at 1:30 p.m.
The following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Igor Skaredoff, Chair	Diane Burgis	Lou Ann Texeira, Executive Officer
Rob Schroder, Vice Chair	Stan Caldwell	Tom Geiger, Commission Counsel
Candace Andersen	Chuck Lewis	Sherrie Weis, LAFCO Clerk
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. Adoption of Agenda

Upon motion by Commissioner McGill and second by Commissioner Lewis, the Commission unanimously, by a 7-0 vote, adopted the agenda:

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

4. Approval of Minutes

Upon motion by Commissioner Andersen and second by Commissioner Burgis, the January 13, 2021 meeting minutes were unanimously, by a 7-0 vote, approved.

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

5. Public Comments

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

OUT OF AGENCY SERVICE REQUESTS

- 6. *LAFCO 20-08 – City of Martinez – Bay's Edge, Subdivision 9065***- consider a request by the City of Martinez to extend municipal water service outside its jurisdictional boundary to support development of 30 townhomes. The subject area includes two parcels (APNs 375-311-001/-003) located at 3128

Sycamore Street in unincorporated Martinez (Mt. View area). The Commission will also consider related actions per the California Environmental Quality Act (CEQA)

Chair Skaredoff called for public comments; there were no public speakers.

Upon motion by Commissioner McGill and second by Commissioner Lewis, the Commission, approved, by 6-1 vote, Option 1 the Approve the out of agency service as proposed with conditions of an annexation application with a specified time frame. 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.

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

Commissioner Blubaugh joined the meeting. He had been representing Contra Costa LAFCO at the Assembly Committee on Local Government, speaking in support of AB 903 (Frazier) Los Medanos Community Health Care District.

MUNICIPAL SERVICE REVIEWS (MSRs)/SOI UPDATES

7. ***“Parks & Recreation Services” MSR/SOI Updates (2nd Round)*** – receive overview of Public Review Draft MSR, public comments, and provide input. The MSR covers all 19 cities, four community services districts, three parks & recreation districts, one regional park district and eight county service areas ***Public Hearing***

Chair Skaredoff opened the Public Hearing.

Speaker 1 – Mr. Chelemedos – Representing residents of Reliez Valley Road Area – unincorporated Lafayette. He stated Parks and Recreation Districts should be aligned with city limits and school district boundaries. The residents of this area are funding the Pleasant Hill Park and Recreation District and not be served by the District.

Speaker 2 – Ms. Mason – Spoke regarding the Ambrose Recreation and Park District (ARPD) located in Bay Point. Ms. Mason requested ARPD be taken over by City of Pittsburg.

Chair Skaredoff closed the public hearing.

Upon motion by Commissioner McGill and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, provided direction to staff; accepted recommendations by staff and set next Public Hearing for June 9, 2021.

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

BUSINESS ITEMS

8. ***Fiscal Year 2021-22 Proposed Budget and Work Plan*** - consider approving the proposed budget and work plan for FY 2021-22 ***Public Hearing***

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

Commissioner McGill complimented Executive Officer Texeira for her ability to manage the budget throughout the year and prepare the proposed budget.

Upon motion by Commissioner McGill second by Commissioner Blubaugh, the Commission unanimously, by a 7-0 vote, adopted the Proposed Budget for FY 2021-22, and authorized staff to distribute the Proposed Budget to the County, cities and independent special districts as required by Government Code Section 56381, and schedule a public hearing for June 9, 2021 to adopt the Final FY 2021-22 LAFCO Budget.

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

9. ***Legislative Update and Position Letters*** – receive update and consider submitting position letters

Commissioner Blubaugh reported he attended the April 14, 2021 meeting of the Assembly Local Government Committee (ALGC) representing Contra Costa LAFCO regarding AB 903 (Frazier) Los Medanos Community Healthcare District (LMCHD). Commissioner Glover also attended the meeting representing Contra Costa County. The Bill passed and will now move on to another committee.

The Commission received the legislative update and provided direction to staff to submit letters in accordance with staff recommendations.

Upon motion by Commissioner McGill second by Commissioner Blubaugh, the Commission unanimously, by a 7-0 vote, provided direction to staff pursuant to staff recommendations.

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

10. ***Call for Nominations – 2021 Special Districts Risk Management Authority (SDRMA) Board of Directors*** receive SDRMA information and consider submitting a nomination

The Commissioner heard the report and accepted the information.

11. ***FY 2020-21 Third Quarter Budget Report*** - receive FY 2020-21 third quarter budget report.

Upon a motion by Commissioner Blubaugh and second by Commissioner Andersen, the Commission unanimously, by a 7-0 vote, received the FY 2020-21 third quarter budget report.

VOTE:

AYES: Andersen, Blubaugh, Burgis, Butt, McGill, Schroder, Skaredoff

NOES: NONE

ABSENT: Glover

ABSTAIN: NONE

12. ***Actuarial Evaluation – Post-Employment Medical Benefits Plan GASB 75 Supplemental Schedules - Reporting Period July 1, 2020 to June 30, 2021 – informational item – no action needed***
13. ***Update – Chang Property Reorganization – Annexations to the City of San Ramon, Central Contra Costa Sanitary District and East Bay Municipal Utility District and Detachment from County Service Area P-6 – informational item – no action needed***

Steve Savage of Toll Brothers, Inc. provided an update to the Commission.

CORRESPONDENCE

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

INFORMATIONAL ITEMS

15. ***Commissioner Comments and Announcements***

Commissioner McGill updated the Commission on CALAFCO 's activities

- January 21, 2021 – Board Retreat
- January 22, 2021 – Board of Directors Meeting
- February 19, 2021 – Legislative Committee Meeting
- March 26, 2021 – Executive Committee Meeting
- March 26, 2021 – Legislative Committee Meeting
- April 3, 2021 – Board of Directors Meeting

16. ***Staff Announcements***

- CALAFCO Updates
- Pending Projects
- Newspaper Articles

The meeting adjourned at 3:20 p.m.

Final Minutes Approved by the Commission June 9, 2021

VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

By _____

Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 9, 2021 (Agenda)

June 9, 2021
Agenda Item 6

LAFCO 21-01 City of Concord - Out of Agency Service Request (1974 Ayers Road)

SYNOPSIS

This is a request by the City of Concord to provide municipal wastewater service outside its jurisdictional boundary to one parcel located at 1974 Ayers Road in unincorporated Concord. The parcel (APN 116-092-007) is 1.6± acres as shown on Exhibit A.

Currently, there is one single family home on the subject parcel. The existing home has City wastewater service. The landowners plan to construct a second residential unit on the parcel and is currently processing a land use permit with Contra Costa County.

The County's General Plan designation for the parcel is Single Family Residential – Low Density and the County's zoning designation is R-20 (20,000 sq. ft. minimum). The City of Concord prezoned the property RR-20 (Rural Residential – 20,000 sq. ft. minimum), and the City's General Plan designation for the subject parcel is Rural Residential. Residential development surrounds the subject parcel to the north, south and west; the area to the east includes a portion of the decommissioned Concord Naval Weapons Station. The subject parcel is located within the City of Concord's sphere of influence (SOI) and within the City's Urban Limit Line.

DISCUSSION

Statutory Framework - The Government Code and local LAFCO policies regulate the extension of out of agency service. Government Code §56133 states that "*a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the Commission.*" LAFCO may authorize a city or district to provide new or extended services under specific circumstances: a) outside the agency's jurisdictional boundary but within its SOI in anticipation of a future annexation; or b) outside its jurisdictional boundary and outside its SOI in response to an existing or impending threat to the public health or safety.

LAFCO's Policy - The Commission's current policies regarding out of agency service are consistent with State law in that annexations to cities and special districts are generally preferred for providing municipal services. However, there may be situations where health and safety, emergency service, or other concerns warrant out of agency service. Historically, out of agency service is considered a temporary measure, typically in response to an existing or impending public health and safety threat (e.g., failing septic system, contaminated well), or in anticipation of a future annexation.

LAFCO policies contain the following provisions which are relevant to this proposal:

3) *Objective – Out of agency service is generally not intended to support new development.*

The out of agency service request is intended to serve one proposed new single-family unit.

4) *Out of Agency Service Policies: General Statements*

a) *Annexation to cities and special districts involving territory located within the affected agency's SOI is generally preferred to out of agency service.*

See #5 below.

b) *LAFCO will consider applicable MSRs and discourage out of agency service extensions that conflict with adopted MSR determinations or recommendations.*

The previous LAFCO MSRs recommended annexing properties that are receiving, or will require, City wastewater service, as appropriate.

5) Form of Request

Request in Anticipation of Annexation

An out of agency service application must be accompanied by a change of organization or reorganization application, including an approved tax sharing agreement, in order for LAFCO to determine that the out of agency service is in anticipation of a change of organization (i.e., annexation) within the next 12 months. This dual application requirement may be waived in certain situations by the Commission if compelling justification is provided. Circumstances which may warrant such a waiver include, but are not limited to, the following:

- *Lack of contiguity (e.g., city boundary) when the project was approved prior to 2011*
- *Service is only needed to serve a portion of a larger parcel, and annexation of the entire parcel is not desirable*
- *Other circumstances which are consistent with LAFCO statute and the policies of Contra Costa LAFCO*

If immediate annexation (i.e., within 12 months) is not a feasible alternative, then the extension of services may be approved in anticipation of a later annexation if the agency provides LAFCO with a resolution of intent to annex, as well as appropriate assurances (e.g., plan for annexation, deferred annexation agreement, etc.), which demonstrate that out of agency service is an intermediate step toward eventual annexation.

Given the subject property is contiguous to the City boundary, annexation of this property is possible. The landowner's preference is to annex the property to the City of Concord in conjunction with the Ayers Ranch island annexation by the year 2030. Annexation of this parcel will reduce the size of the Ayers Ranch island.

Analysis – As noted in the 2014 and 2008 *LAFCO Water/Wastewater Municipal Service Reviews* (MSRs), the City of Concord includes the Ayers Ranch area within its ultimate sewer service boundary. The Ayers Ranch area is a 183-acre unincorporated island within Concord's SOI. The City has historically extended sewer service to this area. More recently, and pursuant to State law, the City has requested LAFCO's approval to provide out of agency service. Some parcels in this area are experiencing issues with septic systems, including failure, and have requested municipal sewer service from the City on an individual basis. While a significant portion of the island is developed, there are vacant and under-developed properties in the area that will need municipal sewer service, including the subject property.

LAFCO placed the Ayers Ranch area within the City's SOI, signifying that the City is the logical, long-term service provider for this unincorporated island; and the MSRs recommend annexation of this area to the City of Concord. Annexation of the Ayers Ranch island, along with those unincorporated areas being served extra-territorially by the City, remains an important issue to resolve. In September 2015, the Concord City Council took an affirmative step and adopted Resolution No. 15-59 establishing a non-binding strategy to annex Ayers Ranch by the year 2030. This signals the City's intent to annex the area in the future.

Out of Agency Service Request by City of Concord – The City requests to provide out of agency sewer service to property located at 1974 Ayers Road unincorporated Concord. There is currently one existing single-family unit and one proposed new single-family unit on the subject parcel. The law permits LAFCO to authorize the City to extend services outside its jurisdictional boundary either in response to an existing or impending threat to the public health or safety, or in anticipation of an annexation. This request by the City to provide sewer service to the subject property is in anticipation of annexation, as the property is contiguous to the City boundary.

Regarding infrastructure needed to serve the property, a public sanitary sewer main is present in Ayers Road along the property frontage. Two to four inch (30-length) sanitary sewer laterals will be connected to the

existing 8-inch main and extended across Ayers Road to the subject property. It is estimated that one single family home will generate approximately 80-100 gallons of wastewater per day. The property owner is responsible for the capital costs; future operations and maintenance costs will be the responsibility of the individual homeowners.

Environmental Review – Contra Costa County, as Lead Agency, found the project exempt per section 15303(a) in accordance with the California Environmental Quality Act (CEQA).

ALTERNATIVES FOR COMMISSION ACTION

LAFCOs were formed for the primary purpose of promoting orderly development through the logical formation and determination of local agency boundaries and facilitating the efficient provision of public services. The CKH provides that LAFCO can approve or disapprove with or without amendments, wholly, partially, or conditionally, a proposal. The statute also provides LAFCO with broad discretion in terms of imposing terms and conditions. The following options and recommended terms and conditions are presented for the Commission's consideration.

Option 1 **Approve** the attached resolution approving the extension of out of agency wastewater service conditioned the following, including submittal of an annexation application.

- A. As Lead Agency, Contra Costa County found the project exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15303(a). The LAFCO Environmental Coordinator has reviewed the County's CEQA documentation and finds it adequate for LAFCO purposes.
- B. Authorize the City of Concord to extend sewer service outside its jurisdictional boundary to the 1.6± acre parcel (APN 116-092-007) located at 1974 Ayers Road in the Ayers Ranch area in unincorporated Contra Costa County subject to the following terms and conditions:
 - 1. Sewer infrastructure and service is limited to the existing single-family home and one proposed single-family home, and
 - 2. The City of Concord has delivered to LAFCO an executed and recorded deferred annexation agreement, and
 - 3. The City of Concord has delivered to LAFCO an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions to challenging the out of agency service, and
 - 4. A commitment from the landowners to submit to LAFCO an application to annex the subject parcel to the City of Concord, along with the applicable annexation fees, by May 31, 2022.

Option 2 **Approve** the attached resolution approving the extension of out of agency wastewater service conditioned on the following:

- A. As Lead Agency, Contra Costa County found the project exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15303(a). The LAFCO Environmental Coordinator has reviewed the County's CEQA documentation and finds it adequate for LAFCO purposes.
- B. Authorize the City of Concord to extend wastewater service outside its jurisdictional boundary to 1.6± acres (APN 116-092-007) located at 1974 Ayers Road in unincorporated Contra Costa County (Concord area) subject to the following terms and conditions:
 - 1. Sewer infrastructure and service is limited to the existing single-family home and one proposed single-family home, and

2. The City of Concord has delivered to LAFCO an executed and recorded deferred annexation agreement, and
3. The City of Concord has delivered to LAFCO an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions to challenging the out of agency service.

Option 3 **Deny** the request, thereby prohibiting the City of Concord from providing sewer service to the subject property.

Option 4 **Continue** this matter to a future meeting to obtain more information.

RECOMMENDATION

Option 1

LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LAFCO

Exhibit

- A. Map of Property (APN 116-092-007)

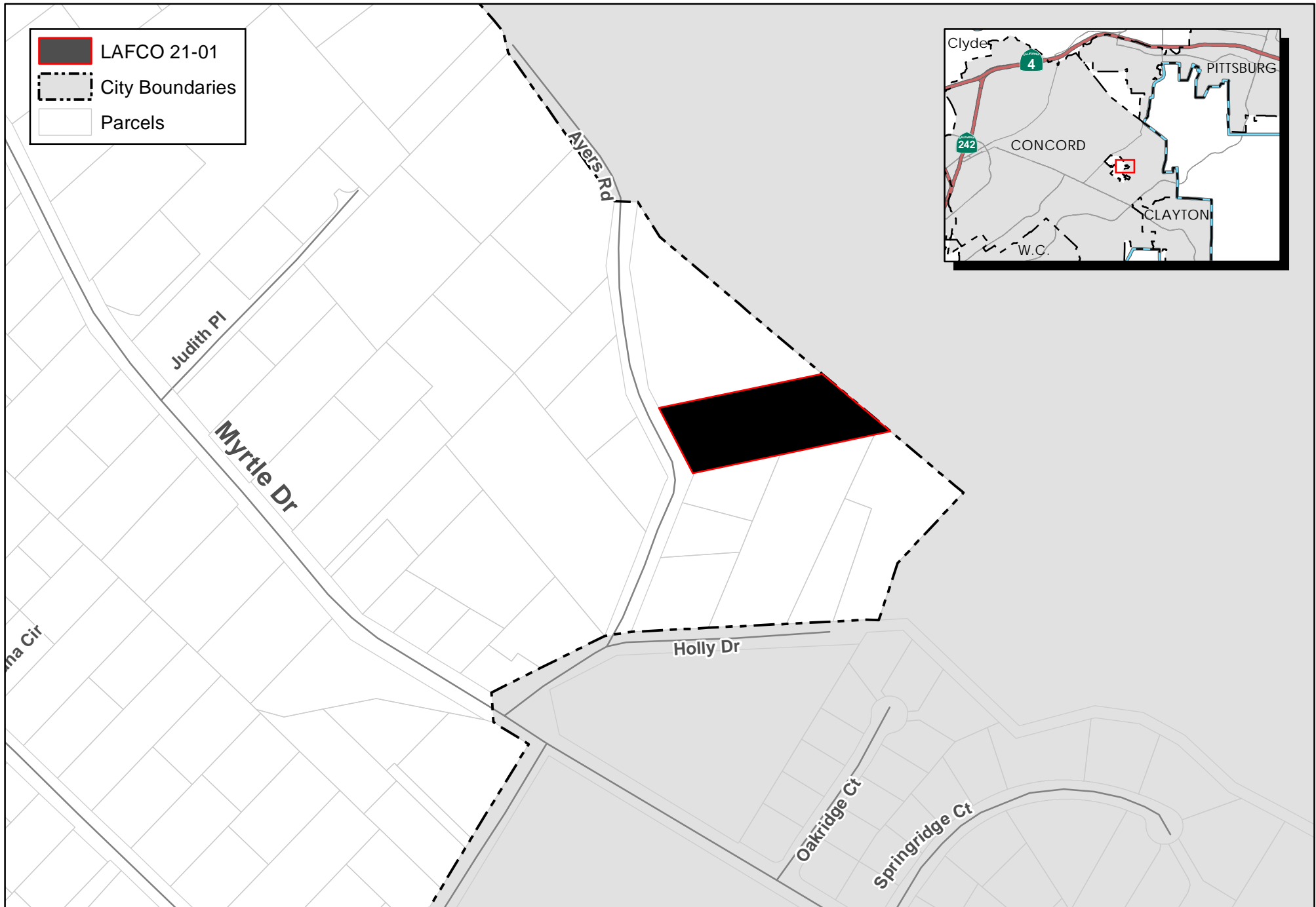
Attachment

1. LAFCO Resolution 21-01

c: Mitra Abkenari, City of Concord
Tony and Tiny Akins, Landowners

LAFCO 21-01 City of Concord - Out of Agency Service (1974 Ayers Rd)

Exhibit A



RESOLUTION NO. 21-01

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION AUTHORIZING THE CITY OF CONCORD TO PROVIDE
OUT-OF-AGENCY WATER SERVICE TO APN 116-092-007 (1974 AYERS ROAD)**

WHEREAS, the above-referenced request 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 California Government Code); and

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

WHEREAS, the Commission heard, discussed, and considered all oral and written testimony related to this request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, out of agency service approval is needed to provide wastewater services to the property in anticipation of a future annexation; and

WHEREAS, the City of Concord and the property owner have entered into a Deferred Annexation Agreement in support of the future annexation of the property to the City of Concord.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Contra Costa Local Agency Formation Commission as follows:

- A. Find that the project is exempt pursuant to section 15303(a) of the CEQA Guidelines, consistent with the determination of Contra Costa County, Lead Agency.
- B. Authorize the City of Concord to extend wastewater service outside its jurisdictional boundary to APN 116-092-007 located at 1974 Ayers Road in unincorporated Contra Costa County (Concord area) subject to the following terms and conditions:
 1. Wastewater infrastructure and service is limited to one additional single family residential unit on the subject parcel,
 2. The City of Concord has delivered to LAFCO an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions to challenging the out of agency service, and
 3. The City of Concord and the property owner have signed a deferred annexation agreement (DAA), and the DAA was recorded as prescribed by law and runs with the land so that future landowners have constructive notice that their property is encumbered by the DAA, and
 4. The landowner commits to submit to LAFCO an annexation application of the subject property along with application annexation fees, by May 31, 2022.
 5. Approval to extend City of Concord services beyond those specifically noted herein is withheld and is subject to future LAFCO review.

* * * * *

Contra Costa LAFCO
Resolution 21-01

PASSED AND ADOPTED THIS 9th day of June 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IGOR SKAREDOFF, 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: June 9, 2021

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT – Revised

June 9, 2021 (Agenda)

**June 9, 2021
Agenda Item 7**

LAFCO 20-07 Laurel Place II – Subdivision 9389 - Annexation to City of Concord and Corresponding Detachment from County Service Area (CSA) P-6

APPLICANT Laurel Ranch III, LLC, Applicant

SYNOPSIS This is an application to annex seven parcels (APNs 116-063-026 thru -032) to the City of Concord and detach the same parcels from CSA P-6. The parcels total 3.58± acres and are located at Myrtle Drive and Bailey Road in unincorporated Concord (Ayers Ranch) - see Exhibit A.

The applicant constructed seven single-family residential homes on the subject property as approved by Contra Costa County. The annexation/detachment is in accordance with the City's pre-annexation agreement and LAFCO's conditions of approval of out of agency wastewater service in August 2018.

Note: This staff report was revised on June 7, 2021 to reflect a corresponding detachment from CSA P-6.

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 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 seven lots upon which seven single family homes were constructed and are now 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 prezoned the property RR-20 (Rural Residential) and the City's General Plan designation is RR (Rural 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, and south; and Concord Naval Weapons Station land to the north. The subject area contains no prime farmland, land covered under a Williamson Act Land Conservation agreement, or 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 2.75 and the average family size is 3.28. The estimated population for the seven single family homes is approximately 20-23 people. (Data source: US Census Bureau American Community Survey, 5-year estimates 2015-2019). The subject area currently has seven registered voters; thus, the subject area is 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 seven 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 shall also submit a plan for providing services within the affected territory (Gov. Code §56653). The plan for services is included with the application. The plan shall 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 8, 2018.

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 \$6,228,409 (2020-21 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:

In 2016, Contra Costa County, as Lead Agency, prepared and approved an Initial Study/Mitigated Negative Declaration (IS/MND) in conjunction with the Laurel Place II project. The environmental factors potentially affected by this project include Biological Resources, Noise, Air Quality, and Geology and Soils. 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 the LAFCO hearing.

According to County Elections, there are currently six registered voters in the subject area; thus, the subject area is considered uninhabited. The affected property owners signed pre-annexation agreements and consent to the proposed annexation. Therefore, if the Commission approves the annexation/detachment, the Commission shall waive the protest hearing (Gov. Code §56662) as no affected landowners have filed a protest.

12. Boundaries and Lines of Assessment:

The subject area is within the City of Concord's SOI. A map and legal description to implement 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 June 9th, the Commission shall 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 Gov. Code §65080 [Gov. Code §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 (Gov. Code §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 to plan sufficient housing for the region's projected population over the next 25 years.

In July 2017, ABAG and MTC adopted Plan Bay Area 2040, which updates the 2013 Plan Bay Area and reaffirms the goals/targets identified in the earlier version. Plan Bay Area establishes "Priority Conservation Areas" (PCAs) and "Priority Development Areas" (PDAs) and focuses growth and development in nearly 200 PDAs. These existing neighborhoods are served by public transit and have been identified as appropriate for additional, compact development. The subject area is not within a PCA or a PDA; however, the proposed annexation/detachment does not appear to conflict with the regional transportation or growth plans.

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 reviewed and considered information contained in Contra Costa County's Initial Study/Mitigated Negative Declaration in conjunction with the *Laurel Place II* project, and finds that there are no direct or indirect environmental effects that would result from LAFCO's approval of the annexation/detachment; and therefore, no additional mitigation measures are required beyond those included in the CEQA documents prepared by Contra Costa County.
- B. Adopt this report, approve LAFCO Resolution No. 20-07 (Attachment 1), and approve the proposal, to be known as *Laurel Place II - Annexation to City of Concord and Corresponding Detachment from CSA P-6* subject to the following terms and conditions:
 1. The subject territory shall be liable for the continuation of any authorized or existing special taxes, assessments, and charges comparable to properties presently within the annexing agency.
 2. The applicant has delivered an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation/detachment.
 3. Find that the subject territory is uninhabited, and the subject landowner(s) do not object to the annexation/detachment; thus, the conducting authority proceedings are hereby waived.

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

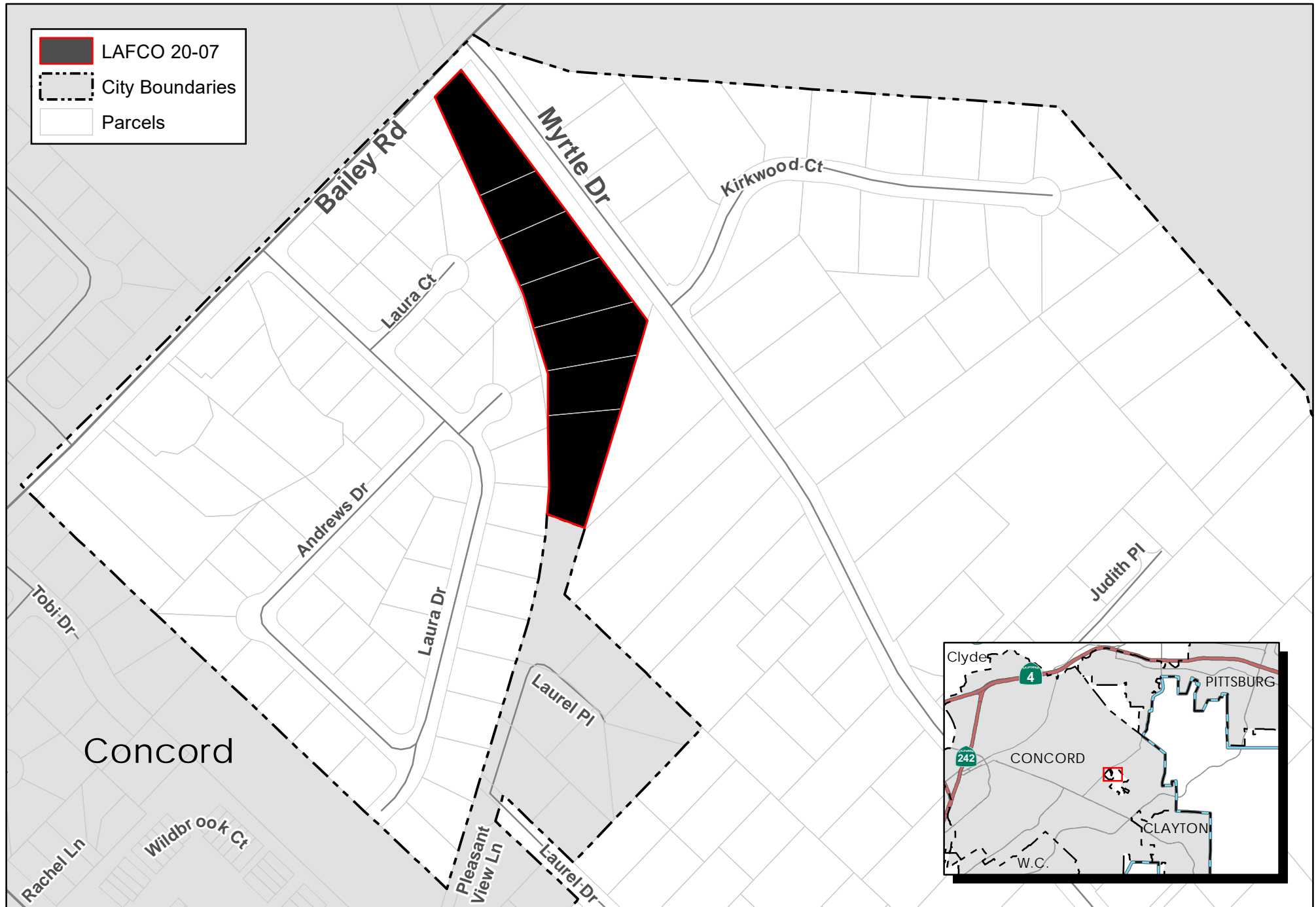
Annexation Map – Exhibit A

Attachment

1 – Draft LAFCO Resolution 20-07

c: Dan Freeman, President, Laurel Ranch III, LLC
Rick Rosenbaum, Lenox Homes
Mitra Abkenari, City of Concord

LAFCO 20-07 – Laurel Place II - Annexation to City of Concord and Detachment from County Service Area P-6



RESOLUTION NO. 20-07 - REVISED
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 II – SUBDIVISION 9389

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 has given 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 have been presented to and considered by the Commission; and

WHEREAS, at a public hearing held on June 9, 2021, 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 document or determination, applicable General and Specific Plans, consistency with the sphere of influence, contiguity with the District's boundary, 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 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. As a Responsible Agency under CEQA, the Commission has considered the information contained in the *Laurel Place II Initial Study/Mitigated Negative Declaration* as approved by Contra Costa County on September 19, 2017.
2. The applicant has delivered to LAFCO an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions to challenging the annexation/detachment, and
3. The annexation/detachment is hereby approved.

Contra Costa LAFCO
Resolution No. 20-07

4. The subject proposal is assigned the distinctive short-form designation:
LAUREL PLACE II – SUBDIVISION 9389 - ANNEXATION TO CITY OF CONCORD AND DETACHMENT FROM CSA P-6
5. 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.
6. The subject territory shall be liable for any authorized or existing taxes, charges, and assessments comparable to properties within the annexing agency.
7. The subject territory is uninhabited.
8. The proposal has 100% landowner consent, and the conducting authority (protest) proceedings are hereby waived.
9. 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 9th day of June 2021, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

IGOR SKAREDOFF, 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: June 9, 2021

Lou Ann Texeira, Executive Officer



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

e-mail: LouAnn.Teixeira@lafco.cccounty.us

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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

Edi Birsan
City Member

June 9, 2021 (Agenda)

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

**June 9, 2021
Agenda Item 8**

2nd Round “Parks & Recreation Services” Municipal Services Review and Sphere of Influence Updates

Dear Members of the Commission:

OVERVIEW AND PROCESS

In December 2019, Contra Costa LAFCO initiated its 2nd Round “*Parks & Recreation Services*” *Municipal Services Review (MSR)* and *Sphere of Influence (SOI)* updates. The effects of COVID impacted the LAFCO MSR process, but more importantly, all of the local agencies covered in this MSR which were adversely affected. The pandemic colored not only the timing of this MSR, but local agency services and programs, finances, facility/park maintenance, staffing, and more. The agencies showed creativity and resilience in their continued service to the public.

On April 14, 2021, the Commission received an overview of LAFCO’s Public Review Draft “*Parks & Recreation Services*” *Municipal Services Review (MSR)*, which covers all 19 cities, four community services districts (CSDs), three parks & recreation districts, one regional park district, and eight county service areas (CSAs).

The 2nd round “*Parks & Recreation Services*” 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; service to disadvantaged communities
- ✚ Shared services/facilities and collaboration
- ✚ Accountability, structure and efficiencies
- ✚ Governance structure options
- ✚ Metrics specific to parks & recreation services as identified by LAFCO staff and the consultant team

Economic & Planning Systems, Inc. and Berkson Associates prepared the MSR report. On April 1st, the *Public Review Draft MSR* report was released; and the public comments period ended on April 30th.

Following the April hearing, the consultants updated the MSR to reflect comments received by Commissioners, local agencies, and the public. One of the updates includes added information regarding regional, state and federal parklands and open space.

The *Final Draft MSR* was released on May 21st. On June 9th, the Commission will hold a public hearing at which time the consultants will provide an overview of the updates. The Commission will also receive public comment, and be asked to accept the Final MSR, make the required MSR and Sphere of Influence (SOI) determinations, and update the SOIs for the three parks & recreation districts and eight CSAs.

DISCUSSION

Municipal Service Review Determinations - In accordance with the MSR, LAFCO must prepare written determinations relating to the following factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any DUCs within or contiguous to the SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

The MSR report includes an analysis of each of these factors which are included in the following LAFCO resolutions: 1) comprehensive resolution covering global MSR determinations and MSR determinations for the 19 cities, four CSDs and EBRPD, and 2) separate MSR/SOI determinations resolutions for each of the three parks & recreation districts and eight CSAs.

Regarding the global MSR determinations, the following are noteworthy:

Growth & Population

- ✚ The number of Contra Costa County residents under age 18 is declining, while the number of residents age 55 and older is increasing. The demand for senior programs and services will continue to grow.
- ✚ Demand for park & recreation services and facilities is affected primarily by population growth, which will occur mainly in Antioch, Brentwood, Concord, Oakley, Pittsburg, and Richmond. Populations within the CSAs and CSDs is lower than the County average of 0.72% per year.

Location & characteristics of disadvantaged communities

- ✚ There are currently 16 disadvantaged communities in Contra Costa County which appear to have reasonable access to parkland and recreational facilities. However, agency revenues (i.e., property tax, user fees) in disadvantaged communities are strained.

Present and planned capacity of public facilities, adequacy of public services, and infrastructure

- ✚ Additional park acreage, particularly in high-growth areas, is needed within all districts except for PHRPD.
- ✚ Cities' developed park acreage per 1,000 residents ranges from a low of 0.88 acres per 1,000 residents to a high of 12.95, with an average of 3.70.

- ✚ In addition to neighborhood and community parkland, there are regional, state and federal parklands and open space throughout the County.

Financial ability of agencies to provide services

- ✚ Property taxes, assessments, and user/registration fees are the primary revenue sources for park and recreation services in Contra Costa County; only CSAs R-9 and R-10 do not receive property taxes or assessments.
- ✚ Some agencies do not apply a CPI adjustment to their assessments and should consider doing so.
- ✚ It is recommended that agencies regularly review and update their fee schedules.
- ✚ The County can improve and enhance transparency of its *Special Districts Budget* by providing a brief description of each CSA's purpose and details as to what projects/programs each CSA funds.

Status of, and opportunities for, shared facilities

- ✚ Park and recreation service providers share facilities extensively in Contra Costa County, and most commonly with school districts.
- ✚ The vast majority of cities utilize shared facilities through joint-use agreements.

Accountability for community service needs, including governmental structure and operational efficiencies

- ✚ All of the agencies reviewed demonstrated accountability in disclosure of information and cooperation with LAFCO during the MSR process.
- ✚ The vast majority of cities have a Parks & Recreation Commission or similar body which enhances accountability to community service needs.
- ✚ CSAs R-9 and R-10 lack or have weakened advisory boards.
- ✚ There is a lack of web presence with the CSAs.

Any other matter related to effective or efficient service delivery, as required by commission policy

- ✚ The length, severity, and long-term impacts of COVID on local agency services and funding continue to be uncertain. To date, the least affected agencies are those CSAs whose revenues come from property taxes and assessments and not user fees. Cities tend to be more affected since their revenues are more dependent on a broader range of revenues impacted by the pandemic.

Sphere of Influence (SOI) Updates – The requirement for LAFCOs to conduct MSRs was established by the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH) to acknowledge the importance of SOIs, and recognize that periodic SOI updates should be conducted on a five-year basis [Gov. Code §56425(g)], with the benefit of better information and data through MSRs [Gov. Code §56430(a)].

An SOI is defined as a “*plan for the probable physical boundaries and service area of a local agency, as determined by the commission.*” SOIs define the logical, long-term service boundary for an agency. SOIs can be the same, larger, or smaller than the existing local agency boundary. Contra Costa LAFCO uses various SOI designations including “zero,” which signals dissolution or consolidation of the local agency; “provisional” SOI, which delineates that a future restructuring or change of organization is needed; and “pending” SOI which indicates there are pending issues to resolve before updating the SOI.

The MSR culminates in updating the SOIs of the subject agencies covered in the MSR report. LAFCOs are required to make written determinations in accordance with Gov. Code §56425(e) when establishing, amending, or updating an SOI for any local agency that address the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.

2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any DUC with the existing SOI.

When updating the SOI for a district, LAFCO is also required to establish the nature, location, and extent of any functions or classes of services provided [Section 56425(i)].

The 2nd round *Parks & Recreation Services MSR* includes SOI options and recommendations for the three parks & recreation districts and eight CSAs as summarized below and in Attachment 1 - *SOI Options Table*. The city and CSD SOIs were updated in 2019 in conjunction with the “City Services” MSR. Also, Alameda LAFCO is the principal LAFCO for EBRPD and is responsible for updating the SOI for that district.

Agency	Recommendation
Ambrose RPD	Retain existing coterminous SOI
Green Valley RPD	Retain existing coterminous SOI on a provisional basis
Pleasant Hill RPD	Retain existing SOI
CSA M-16	Retain existing coterminous SOI
CSA M-17	Retain existing coterminous SOI
CSA M-29	Retain existing coterminous SOI
CSA M-30	Retain existing coterminous SOI
CSA R-4	Retain existing coterminous SOI
CSA R-7	Retain existing coterminous SOI
CSA R-9	Adopt a zero SOI
CSA R-10	Adopt a zero SOI

The consultants’ and LAFCO staff recommendations, as presented in the attached SOI Options Table are to maintain the existing SOIs for all the agencies listed above with the exception of GVRPD and CSAs R-9 and R-10. Below is a summary of findings and recommendations for the three parks & recreation districts and eight CSAs.

Ambrose RPD – ARPD was formed in 1946 and provides parks and recreation services to the unincorporated Bay Point community and to a portion of the City of Pittsburg, serving a population of 28,240. Bay Point is a disadvantaged community which comprises most of the District’s population.

ARPD operates 29± acres of parks, hosts special seasonal events, and coordinates recreational programs, including an aquatics program, exercise and fitness classes, and youth camps which represents a significant turnaround since the 2010 MSR. The District’s parks and facilities are in “moderate” condition with the exception of Ambrose Community Center and Park which is in “poor” condition. ARPD has cooperative relationships with other agencies including Contra Costa County, City of Pittsburg, and Mt. Diablo Unified School District. Recently, FEMA used the Community Center to administer vaccinations, and the District offered to house community members who were displaced by a fire. The Community Center is a cooling center during “normal hours/operation” but was closed during the pandemic.

ARPD revenue includes taxes and assessments (70%), charges for services/programs/facilities/events, and grants. COVID has affected the District's revenues. Capital projects are funded with park impact fees, property tax revenue, and grants. ARPD identified \$12 million in outstanding capital improvements. Because ARPD largely serves a disadvantaged community, it is unable to raise sufficient revenue to fund needed capital improvements. It is recommended that ARPD update its impact fees as they have not been updated in the past six years.

ARPD was engaged in the recent MSR and responsive to LAFCO staff and the MSR consultants. Since the 2010 MSR, the District made efforts to reduce costs and manage labor and maintenance expenditures; expand and improve programs and services; and made efforts to keep the cost of recreational programming accessible to all residents.

SOI Options and Recommendation: The MSR identified the three SOI options for ARPD 1) reduce SOI to match existing and future service area, 2) reduce SOI to remove overlaps with the City of Pittsburg; and 3) retain the existing coterminous SOI. The consultants and LAFCO staff recommend that the Commission retain the existing coterminous SOI for ARPD.

PHRPD – The District was formed in 1951 and serves the City of Pleasant Hill and unincorporated areas of Lafayette, Walnut Creek, Walden/Contra Costa Centre, and the Reliez Valley, with a population of 41,600. There is a disadvantaged community located within the service boundary of PHRPD (i.e., southern portion of Pleasant Hill and adjacent to Walnut Creek).

PHRPD manages 260± acres of active and passive parkland and open space along with several community facilities. The majority of the District's parks and facilities are in "very good" condition, with two parks and one facility rated as "poor". PHRPD offers robust programming in the following areas: preschool, youth, teen, adult classes, senior, sports, and special events. The District's website and seasonal publications of recreational programs and community events inform residents of the myriad of opportunities. PHRPD shares facilities with the Mt. Diablo Unified School District (i.e., softball fields at the middle and high schools, maintenance yard).

District revenues come primarily from taxes, assessments and charges for services, with a modest amount from grants and money/reserves/property. COVID has severely affected PHRPD's ability to offer recreational programming in the traditional sense. As nearly 50% of the District's operating revenues are from charges for service, this creates a financial vulnerability going forward. Also, the District's parcel tax of \$47 per parcel does not include a cost inflator; thus, the value of the annual parcel tax erodes over time.

Since the 2010 MSR was prepared, the passage of Measure E, a \$28 million general obligation bond, resulted in improvements throughout the PHRPD's service area, including new senior, teen and community centers, and upgrades to Pleasant Oaks Park.

The District's 5-year Capital Improvement Program Plan provides for nearly \$1.5 million in capital improvements, with the most extensive improvements planned for Pleasant Hill Park and the Rodgers Smith Park. The City of Pleasant Hill passes all parkland in-lieu fee revenue for new development to PHRPD for parkland acquisition and park improvements. However, a recent \$63.5 million bond measure (Measure A) did not pass in March 2020 and may affect the District's ability to fully implement its recent Master Plan.

PHRPD was engaged in the recent MSR and responsive to LAFCO staff and the MSR consultants. The District demonstrated accountability and transparency to its constituents and to LAFCO.

In conjunction with the *2010 Parks & Recreation Services MSR*, LAFCO expanded the District's SOI to include all areas within the City of Pleasant Hill's SOI, and reduced the SOI to remove cities of Lafayette and Walnut Creek areas with the exception of Lafayette immediately adjacent to Brookwood Park. The rationale was that PHRPD primarily provides recreation and park services to the City of Pleasant Hill and therefore, a more logical boundary for PHRPD would be an SOI that matches the City of Pleasant Hill's boundary. Further, there is service duplication in certain parts of the PHRPD where the cities of Lafayette and Walnut Creek also provide recreation and park services.

At the April 14, 2021 meeting, LAFCO received a letter from Reliez Valley residents requesting removal from PHRPD's service boundary given they more closely align with Lafayette (incorporated and unincorporated). Further, that the one PHRPD park located in their vicinity is in need of improvements. It should be noted that while LAFCO can modify a local agency's SOI, LAFCO cannot initiate annexation or detachment. Such boundary change requests must be submitted to LAFCO by application from either an affected local agency(ies), affected landowner(s), and/or affected registered voter(s).

In response to the residents' request, the Commission suggested forming a LAFCO subcommittee to further discuss with PHRPD and interested residents removal of this area from the PHRPD service boundary. Commissioners Blubaugh and Lewis volunteered to sit on the subcommittee.

SOI Options and Recommendation: The MSR identified one SOI option for PHRPD: retain the existing SOI. The consultants recommend that the Commission retain the existing SOI for PHRPD. However, LAFCO staff recommends deferring the SOI update subject to formation of the LAFCO subcommittee and subsequent discussions with affected parties.

GVPRD – The District was formed in 1949 and is located in the Town of Danville. GVRPD serves the Cameo Acres neighborhood and surrounding Danville and Alamo areas with a service population of approximately 1,200 residents. The District owns and operates a swimming pool, restrooms and changing areas, and a lawn area (1.2± acres). GVRPD offers swim lessons, swim team, and special events with approximately 100 members.

GVPRD was engaged in the recent MSR and responsive to LAFCO staff and the MSR consultants. The MSR notes several improvements the District made since the last MSR including completion of capital improvements and website enhancements.

Both prior and current MSRs note that GVRPD serves a small community with limited growth. Further that the district has limited resources and should improve transparency by posting on its website financial information (e.g., audits, budgets) and board meeting agendas and a meeting schedule.

COVID has significantly impacted the District's ability to provide services; and membership revenue is severely affected.

Prior MSRs included various public and private governance options including consolidating with another public agency (e.g., Town of Danville, EBRPD, CSA R-7, school district) or with a private organization such as a local pool association, or converting to a homeowner's association. However, there was no interest by the agencies in these options.

SOI Options and Recommendation: The MSR identified three SOI options for GVPRD 1) adopt a zero SOI signaling a future dissolution, 2) retain the existing coterminous SOI, and 3) retain the existing coterminous SOI on a provisional basis. The consultants and LAFCO staff recommend that the Commission

retain the existing coterminous SOI on a provisional basis conditioned on the District providing a status report to LAFCO within two years with updates on efforts to improve governance transparency, capital improvement planning, increased membership, and fiscal solvency.

CSA M-16 – CSA M-16 was formed in 1964 to fund public parks, recreation and landscaping in the unincorporated Clyde community, which is located three miles from downtown Concord. There are four parks in Clyde all of which are owned and maintained by the County. CSA M-16 does not provide recreational programming.

District funding comes from property tax. The most significant challenge for M-16 is underfunded deferred maintenance. The current level of funding is inadequate and there are significant capital needs which have not been addressed.

CSA M-16 previously had a citizen advisory committee; however, this committee is essentially dissolved as each of the seven seats is vacant.

County staff was engaged in the recent MSR and responsive to LAFCO and the MSR consultants. The County's Special District budget provides revenue and expenditure information. However, the Special District budget lacks information regarding the CSAs purposes and services. This is the case for all CSAs.

COVID has not significantly affected the County's ability to maintain the four parks within the District's boundary. The County's parks are open as of Fall of 2020.

SOI Options and Recommendation: The MSR identified one SOI option for CSA M-16: retain the existing coterminous SOI. The consultants and LAFCO staff recommend that the Commission retain the existing coterminous SOI for CSA M-16.

CSA M-17 – CSA M-17 was formed in 1965 (previously as R-1). The District owns and maintains two parks (11± acres), a ballfield, and a community center in west Contra Costa County (Tara Hills, Montalvin Manor, Bayview). The parks and facilities are in "moderate" condition.

District funding comes from property taxes and rental of the Community Center. The most significant challenge for M-17 is underfunded deferred maintenance. There are significant capital needs and insufficient funding. Also, the County anticipates that maintenance costs will increase.

CSA M-17 has a citizen advisory committee which is currently inactive.

COVID has not significantly affected the County's ability to maintain the two parks within the District's boundary. However, some features/amenities remain closed (e.g., water fountains, bathrooms, basketball courts, community center).

SOI Options and Recommendation: The MSR identified one SOI option for CSA M-17: retain the existing coterminous SOI. The consultants and LAFCO staff recommend that the Commission retain the existing coterminous SOI for CSA M-17.

CSA M-29 – The District was formed in 1996 to provide enhanced funding for various municipal services including funding for park and recreation facility maintenance within the Dougherty Valley Specific Plan area in the City of San Ramon.

CSA M-29 funding comes from charges for services and property taxes. The District funds are administered by the City of San Ramon Finance Division.

The City of San Ramon shares facilities with the San Ramon Valley Unified School District (SRVUSD) at every school site in San Ramon.

The City has a Parks and Community Services Commission that advises the City Council on matters related to park and recreation services. The Commission is comprised of seven members and a student commissioner—all residents of the City of San Ramon. Individuals from the unincorporated portion of the CSA may not sit on the Commission. In this way residents of the CSA are not represented as to funding and other decisions.

Funding provided through CSA M-29 has not been adversely affected by COVID.

SOI Options and Recommendation: The MSR identified one SOI option for CSA M-29: retain the existing coterminous SOI. The consultants and LAFCO staff recommend that the Commission retain the existing coterminous SOI for CSA M-29.

CSA M-30 – The District was formed in 1997 to provide enhanced funding for various municipal services including funding for park and recreation facility maintenance within the Alamo Springs area (Danville/Alamo) through the Town of Danville.

CSA M-30 revenue comes from an annual levy of assessments on the parcels located within M-30. Among the services funded, the Town uses CSA funds to provide park, recreation, and other services within Town limits. There are no park facilities within the CSA M-30 boundary. Both CSA M-30 and CSA R-7 contribute funding toward the maintenance of Hap Magee Ranch Park.

The Town's Parks & Leisure Services Commission advises the Town Council on acquiring, developing, and maintaining park and recreation facilities and providing leisure services and programs for Town residents. The Commission is comprised of seven members, plus one alternate and one youth representative. All Commissioners must be residents of the Town of Danville. Residents of the CSA do not sit on the Commission; thus, residents of the CSA are not represented as to funding and other decisions.

CSA M-30 is located within the boundary of CSA R-7. Consequently, residents of M-30 pay property taxes to CSA R-7 and an assessment to CSA M-30, yet there are no park facilities located within M-30.

The 2010 Parks & Recreation MSR provided several governance options including removing from CSA R-7 the area of overlap with CSA M-30, or consolidating the two CSAs. In 2010, LAFCO staff met with the County Supervisor, County Public Works staff, and the Alamo Municipal Advisory Council (MAC) to discuss these options; however, there was no interest in pursuing these options.

Funding provided through CSA M-30 has not been adversely affected by COVID.

SOI Options and Recommendation: The MSR identified two SOIs option for CSA M-30: 1) retain the existing coterminous SOI, and 2) adopt a zero SOI signaling future dissolution of consolidation with another agency. The consultants and LAFCO staff recommend that the Commission retain the existing coterminous SOI for CSA M-30.

CSA R-4 – The District was formed in 1971 prior to the incorporation of the Town of Moraga (1974). CSA R-4 provides funding for expanded operation and maintenance of park and recreation facilities and recreation programming within the District’s boundary which includes the Town of Moraga and the unincorporated area southeast of the Town.

There are currently seven parks in the Town of Moraga totaling 74± acres of active and passive parkland. There are no park facilities in the unincorporated area of R-4.

Funding for R-4 is from property taxes. The current level of funding is sufficient; however, financing maintenance of the large open space areas is challenging. CSA R-4 funds are administered by the Town’s Parks and Recreation Department.

The Town’s Park & Recreation Commission is responsible for reviewing the Master Plans for parks and making recommendations to the Town Council. The Commission is comprised of seven members, and all members of the Commission must be residents of the Town of Moraga. Residents of the unincorporated portion of the CSA do not sit on the Commission. In this way residents of the CSA are not represented as to funding and other decisions.

The Town shares facilities and collaborates with the Moraga School District and with EBRPD. The Town also occasionally plans special events with EBRPD.

CSA R-4 revenue has not been adversely affected by COVID.

SOI Options and Recommendation: The MSR identified four SOI options for CSA R-4: 1) retain the existing coterminous SOI, 2) adjust the SOI to remove the vacant unincorporated areas and expand SOI to include the entire Moraga bounds, 3) adjust the SOI to exclude the incorporated Town of Moraga, and 4) adopt a zero SOI signaling future dissolution of other boundary reorganization. The consultant and LAFCO staff recommend that the Commission retain the existing coterminous SOI for CSA R-4.

CSA R-7 – The District was formed in 1974 to fund parks, trails, recreation, landscaping and related facilities development, operation and maintenance for the unincorporated Alamo community. CSA R-7 also sponsors community events.

There are currently six parks in CSA R-7 totaling 31± acres of active and passive parkland. Two of the parks are shared with the SRVUSD. Most of these parks are reported to be in “very good” condition.

District funding for park maintenance comes primarily from property taxes and facility rentals. County staff and the Alamo MAC report that the current level of funding is adequate for services and maintenance.

The Alamo MAC reports that a significant challenge is establishing and supporting a successful recreation program due to insufficient registrations and inability to guarantee participation.

CSA R-7 shares facilities with the SRVUSD and shares maintenance costs at Hap Magee Ranch Park with the Town of Danville.

Accountability to the Alamo residents is achieved through the CSA’s eight-member MAC. The MAC acts as a sounding board for the community and voices local preferences to the County Board of Supervisors.

COVID has not significantly affected the County's ability to maintain CSA R-7 parks and facilities, and the County's parks are open as of Fall of 2020. Some features/amenities (i.e., such water fountains, bathrooms, basketball courts) remain closed. However, recreation programming and community events were severely affected by COVID.

SOI Options and Recommendation: The MSR identified four SOI options for CSA R-7: 1) retain existing coterminous SOI, 2) reduce SOI to exclude the CSA M-30 territory, 3) consolidate R-7 and M-30, and 4) expand SOI to include GVRPD signaling a future consolidation of these districts. The consultant and LAFCO staff recommend that the Commission retain the existing coterminous SOI for CSA R-7.

CSA R-9 – The District was formed in 1974 to fund park and recreation services in the unincorporated El Sobrante community.

Previously, R-9 maintained the Children's Reading Garden at the El Sobrante Library. However, this service is no longer being provided by R-9 as the District has no secure revenue source. Past attempts to pass an assessment have failed.

Maintenance of the Children's Reading Garden is now provided by volunteer community members and the library. Reliance on volunteers is not sustainable.

CSA R-9 has not been adversely affected by COVID.

SOI Options and Recommendation: The MSR includes two SOI options 1) retain existing coterminous SOI, and 2) adopt a zero SOI signaling a future dissolution whereby the County would be the successor agency. County staff indicates R-9 park maintenance duties could shift to the County Landscape & Lighting District. The consultant and LAFCO staff recommend that the Commission adopt a zero SOI as the District is not currently providing services and has no secure revenue source.

CSA R-10 - The District was formed in 1987 to fund park and recreation services and operation of the Lefty Gomez Community Center and baseball field in the unincorporated Rodeo community. Rodeo is a disadvantaged community. The recreation center and ballfield are owned by the John Swett Unified School District (JWUSD) and CSA R-10 provides funding for maintenance. The Rodeo Baseball Association provides some ballfield maintenance; however, County staff reports that the R-10 may lose this funding.

At a net cost to R-10 each year, the CSA maintains the recreation building and adjacent complex (11± acres). The facilities are in "poor" condition. The community desires recreational programming; however, the County identified significant infrastructure needs and there is no available funding. Further, the facility is not adequately sized to meet community needs. R-10 relies on facility rentals to generate revenue and has no other revenue source. Rental rates were reviewed and increased within the past year.

CSA R-10 previously had a citizen advisory committee; however, this committee is essentially dissolved as each of the five seats is vacant.

COVID has affected the County's ability to rent the District's facility, which is the primary source of revenue.

SOI Option and Recommendation: The MSR includes two SOI options: 1) retain the existing coterminous SOI, and 2) adopt a zero SOI signaling a future dissolution whereby the County would be the successor agency. County staff anticipates that maintenance of the outdoor/field areas can be provided by the County

Landscape & Lighting District - Zone 38. However, in the long-term, because the Lefty Gomez Community Center and the adjacent ballfields are located on a parcel owned by the JSUSD, the parcels may be returned to the School District. The consultant and LAFCO staff recommend that the Commission adopt a zero SOI as the District appears to be unsustainable.

ENVIRONMENTAL ANALYSIS

The MSR is a study, intended to serve as an informational tool to help LAFCO, local agencies and the public better understand the public service structure in Contra Costa County. The MSR study and determinations are Categorically Exempt under §15306, Class 6 of the California Environmental Quality Act (CEQA) Guidelines. The proposed LAFCO SOI updates are exempt under the General Rule exemption §15061(b)(3) of the CEQA Guidelines.

RECOMMENDATIONS

1. Receive the staff and consultants' presentation and open the public hearing to receive public comments;
2. After receiving public comments close the hearing;
3. Provide comments as desired;
4. Accept the 2nd round *Final Parks & Recreation MSR*;
5. Adopt the MSR/SOI determinations by resolutions attached hereto;
6. Determine that the MSR project is Categorically Exempt pursuant to §15306, Class 6 of the CEQA Guidelines;
7. Determine that the SOI updates are Categorically Exempt pursuant to §15061(b)(3) of the CEQA Guidelines; and
8. Appoint Commissioners Blubaugh and Lewis to a subcommittee to work with residents of the Reliez Valley and PHRPD on district boundary and service issues.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachment 1- Parks & Recreation SOI Options Table
Attachment 2 – MSR Resolution – Cities, CSDs and EBRPD
Attachment 3 – MSR and SOI Resolution - ARPD
Attachment 4 – MSR and SOI Resolution - GVRPD
Attachment 5 – MSR and SOI Resolution - PHRPD
Attachment 6 – MSR and SOI Resolution – CSA M-16
Attachment 7 – MSR and SOI Resolution – CSA M-17
Attachment 8 – MSR and SOI Resolution – CSA M-29
Attachment 9 – MSR and SOI Resolution – CSA M-30
Attachment 10 – MSR and SOI Resolution – CSA R-4
Attachment 11 – MSR and SOI Resolution – CSA R-7
Attachment 12 – MSR and SOI Resolution – CSA R-9
Attachment 13 – MSR and SOI Resolution – CSA R-10

PARKS & RECREATION SERVICES
SPHERE OF INFLUENCE (SOI) OPTIONS AND RECOMMENDATIONS

Agency	SOI Options	Summary of Consultants’ Comments	Consultant Recommendations	LAFCO Staff Recommendations
Ambrose Recreation & Park District (ARPD)	<ol style="list-style-type: none">1. Reduce SOI to match existing and future service area2. Reduce SOI to remove some of the overlap with the City of Pittsburg3. Retain existing coterminous SOI	<p>The SOI recommendation for ARPD in 2010 was to reduce the District’s SOI given its limited capacity to provide adequate public services and the likelihood that the neighboring cities of Concord and/or Pittsburg would annex portions of the ARPD service area. In May 2010, the Commission adopted a coterminous SOI for ARPD.</p> <p>The 2021 update finds the District more sustainable and accountable. Thus, retaining the existing coterminous SOI until such time that the cities of Concord and/or Pittsburg annex portions of the unincorporated areas within the ARPD service boundary. At that point, boundary changes to the ARPD boundary may be warranted to eliminate boundary overlaps with the cities.</p>	Option 3 - Retain existing coterminous SOI	Option 3 - Retain existing coterminous SOI
Green Valley Recreation & Park District (GVRPD)	<ol style="list-style-type: none">1. Adopt a zero SOI2. Retain existing coterminous SOI3. Retain existing coterminous SOI on a provisional basis	<p>The 2010 MSR identified two governance options: dissolve GVRPD and expand the SOI and annex the area to CSA R-7; and dissolve GVPRD and name the Town of Danville as the successor agency as GVPRD is fully within the Town’s boundary.</p> <p>While governance of GVRPD has improved since 2010, the District should improve transparency. Budget information and meeting agendas are not posted, and meeting minutes do not appear current.</p> <p>GVRPD’s assets are limited to a small swimming pool and surrounding lawn area located in a residential neighborhood. The District averages 100± member families per year. GVRPD sponsors community events but events are limited.</p>	Retain existing coterminous SOI on a provision basis with a report back to LAFCO within two years demonstrating full transparency with respect to governance, along with capital improvement planning, increased membership, and fiscal solvency.	Retain existing coterminous SOI on a provision basis with a report back to LAFCO within two years demonstrating full transparency with respect to governance, along with capital improvement planning, increased membership, and fiscal solvency.

Agency	SOI Options	Summary of Consultants' Comments	Consultant Recommendations	LAFCO Staff Recommendations
Pleasant Hill Recreation & Park District (PHRPD)	1. Retain existing SOI	<p>In 2010, LAFCO expanded the District's SOI to include all areas within the City of Pleasant Hill's SOI and reduced the SOI to remove cities of Lafayette and Walnut Creek areas with the exception of Lafayette immediately adjacent to Brookwood. The basis for the SOI changes was to eliminate duplication of services and provide for future extension of services in Pleasant Hill's SOI which include Reliez Valley.</p> <p>In conjunction with the 2019 <i>City Services MSR</i>, LAFCO reaffirmed the City of Lafayette's SOI. In response to the 2019 MSR, residents of Reliez Valley submitted a letter to LAFCO expressing a desire to detach from PHRPD based on community identification with Lafayette, absence of benefit from PHRPD facilities and services despite paying taxes to PHRPD, and PHRPD's neglect in Brookwood Park, the single nearby park serving the community.</p> <p>Detachment of the subject area from PHRPD can be initiated either by the PHRPD or by a petition of affected landowners or voters. The detachment would reduce revenues to the PHRPD and potentially shift debt burden to other PHRPD residents. Further, the status and disposition of ownership and maintenance of Brookwood Park would need to be determined if it no longer fell within PHRPD boundaries and remained outside the City of Lafayette boundaries.</p> <p>At the April 14, 2021, LAFCO meeting it was suggested that a subcommittee be formed to further explore this matter.</p>	Option 1 - Retain existing SOI	Defer SOI update pending subcommittee discussion
CSA M-16	1. Retain existing coterminous SOI	Based on the MSR determinations, no change to the SOI is warranted until such time the City of Concord annexes the area. CSA M-16 is contiguous to the City of Concord and with Concord's SOI.	Option 1 - Retain existing coterminous SOI	Option 1 - Retain existing coterminous SOI

Agency	SOI Options	Summary of Consultants' Comments	Consultant Recommendations	LAFCO Staff Recommendations
CSA M-17	1. Retain existing coterminous SOI	Based on the MSR determinations, no change to the SOI is warranted. CSA M-17 is contiguous to the cities of Pinole and Richmond.	Option 1 - Retain existing coterminous SOI	Option 1 - Retain existing coterminous SOI
CSA M-29	1. Retain existing coterminous SOI	Based on the MSR determinations, no change to the SOI is warranted. CSA M-29 has a steady revenue source through the City of San Ramon which is integral to continued services as Dougherty Valley (DV) continues to develop. The City recently completed its final DV annexation. Once the area is built-out it is recommended that the City and County collaborate to find a more efficient manner for the City to continue to receive funding for these services. One option may be the establishment of an assessment district within the City of San Ramon.	Option 1 - Retain existing coterminous SOI	Option 1 - Retain existing coterminous SOI
CSA M-30	1. Retain existing coterminous SOI 2. Adopt a zero SOI signaling future dissolution or consolidation with another agency	<p>CSA R-7 encompasses the bounds of CSA M-30. Residents of M-30 pay an assessment to the County, which is transferred to the Town of Danville for enhanced parks & recreation, law enforcement, street maintenance, landscaping, and street lighting. Residents of M-30 also pay property taxes to R-7 for parks & recreation services.</p> <p>As noted in the 2010 MSR report, one governance option is to remove the M-30 territory from R-7 eliminating duplication of services. Another option is to consolidate the two CSAs into a single CSA and create a zone for the area formerly within M-30 to maintain the financing mechanism for enhanced services by the Town per the agreement between the Town and County. Given the duplication in service, it was previously recommended that LAFCO adopt a zero SOI for M-30. The Commission directed LAFCO staff to work with the agencies to combine R-7 and M-30; however, there was no interest in doing so. Each CSA was formed based on unique objectives, with M-30 providing services beyond those provided by R-7. At this time, the recommendation is to retain the existing coterminous SOI, which will leave the funding mechanism in place.</p>	Option 1 - Retain existing coterminous SOI	Option 1 - Retain existing coterminous SOI.

Agency	SOI Options	Summary of Consultants' Comments	Consultant Recommendations	LAFCO Staff Recommendations
CSA R-4	<ol style="list-style-type: none"> 1. Retain existing coterminous SOI 2. Adjust the SOI to remove vacant unincorporated areas and expand to include entire Moraga bounds 3. Adjust SOI to exclude incorporated Town of Moraga 4. Adopt a zero SOI 	<p>CSA R-4 was formed prior to the incorporation of Moraga in 1974. Pursuant to LAFCO and CSA law, when territory is incorporated into or annexed to a city, it is typically detached from a CSA. R-4 contains most of the Town of Moraga and surrounding unincorporated areas, most of which are vacant lands. This raises questions regarding the need for, level of, and possible duplication of parks and recreation services provided through the CSA.</p> <p>In 2010, it was recommended that the Commission defer the SOI update for CSA R-4; and directed LAFCO staff to discuss governance and boundary options with the County and Town. Following these discussions, it was determined that the existing governance structure is appropriate and enables the Town to continue to include this unincorporated area in its long-term planning for parks & recreation services. In 2013, LAFCO approved retaining the existing SOI for R-4.</p>	Option 1 - Retain existing coterminous SOI	Option 1 - Retain existing coterminous SOI
CSA R-7	<ol style="list-style-type: none"> 1. Retain existing coterminous SOI 2. Reduce SOI to exclude CSA M-30 territory 3. Consolidate R-7 and M-30 4. Expand SOI to include GVRPD signaling a future consolidation of these districts 	<p>CSA R-7 encompasses the bounds of CSA M-30. Each CSA was formed based on unique objectives, with M-30 providing services beyond those provided by R-7. In 2010, the Commission directed LAFCO staff to work with County and Town of Danville to combine R-7 and M-30 to address the overlap. There was opposition, including the Alamo MAC. Further discussion with the County is needed to address service duplication, boundary issues, and governance structure.</p> <p>Another governance option is to consolidate GVPRD and R-7 which could enhance operation and maintenance of the Green Valley pool. This option was explored in 2010; however, there was opposition. County Public Works was concerned about inadequate financial resources to cover costs for pool maintenance and capital improvements; and members of the Alamo community, the Alamo MAC, and District III County Supervisor were opposed to such a consolidation.</p> <p>At this time, the recommendation is to retain the existing coterminous SOI, which will leave the funding mechanism in place.</p>	Option 1 - Retain existing coterminous SOI	Option 1 - Retain existing coterminous SOI

Agency	SOI Options	Summary of Consultants' Comments	Consultant Recommendations	LAFCO Staff Recommendations
CSA R-9	<ol style="list-style-type: none">1. Retain existing coterminous SOI2. Adopt a zero SOI signaling future dissolution	CSA R-9 has no regular source of financing to maintain the Children's Reading Garden at the County library in El Sobrante and depends on volunteers for periodic upkeep. The recommendation is to dissolve R-9 and shift the park maintenance duties to the County Landscape and Lighting District.	Option 2 - Adopt a zero SOI signaling future dissolution	Option 2 - Adopt a zero SOI signaling future dissolution
CSA R-10	<ol style="list-style-type: none">1. Adopt a zero SOI signaling future dissolution2. Retain existing coterminous SOI	<p>The CSA's only sources of revenue are from facility rentals and program fees, both of which have been severely challenged by COVID. While the lasting effects of COVID remain unknown, the recommendation is to adopt a zero SOI signaling future dissolution of R-10, in which case the County is the successor agency.</p> <p>County staff anticipates that maintenance of the outdoor/field areas could be provided by Landscape and Lighting District (LLD) Zone 38 without causing an undue burden. In the longer term, because the Lefty Gomez Community Center and the adjacent ballfields are located on a parcel owned by the John Swett Unified School District, the parcels may be returned to the School District.</p>	Option 1 - Adopt a zero SOI signaling future dissolution	Option 1 - Adopt a zero SOI signaling future dissolution

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW
DETERMINATIONS FOR THE 2021 PARKS & RECREATION & RECREATION SERVICES
MUNICIPAL SERVICE REVIEW – GLOBAL, CITIES, COMMUNITY SERVICES DISTRICTS
AND EAST BAY REGIONAL PARK DISTRICT**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR and public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains determinations required by §56430 for all agencies covered in this MSR including the 19 cities, Crockett CSD (CCSD), Diablo CSD (DCSD), Kensington Police Protection & CSD (KPPCSD), Town of Discovery Bay CSD (TDBCSD), and East Bay Regional Park District (EBRPD); and

WHEREAS, the proposed action is adoption of the MSR determinations for these agencies as presented in the 2021 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to CEQA Guidelines §15262; and

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following global MSR determinations and determinations pursuant to §56430 for the 19 cities, four CSDs and EBRPD.

GLOBAL MSR DETERMINATIONS

1. *Growth and Population Projections*

This determination evaluates future growth and demand and whether agencies can adequately serve increased populations.

- a) Demand for park and recreation facilities and services is affected primarily by population growth. Overall, population in Contra Costa County is predicted to increase an average of 0.72% annually, with expected growth of approximately 15%, or 178,600 people, between 2020 and 2040, for a total population in 2040 of approximately 1.33 million people. This growth is primarily expected to occur in the incorporated cities, with populations in the unincorporated portions of the County expected to decrease.
- b) Demand is also affected by growth among population segments with higher park visitation rates or programming needs such as younger and higher-income people, or seniors who avail themselves of recreation programming. Technical work completed as part of the County's General Plan Update indicates that the share of residents under age 18 is declining, while the share of those 55 and older is increasing, influencing demand for programming and services focused on seniors. On average, unincorporated Contra Costa County households have higher incomes than the County overall or the Bay Area. The highest median household incomes in the County are found in the Lamorinda and San Ramon Valley subareas (Central County) and affect ability to pay for and fund recreation services and programs and community events.
- c) Many of the incorporated cities in the County are expected to be slower growth areas, with 12 of the 19 cities projected to have a lower compound annual population growth rate than the County-wide compound annual growth rate of 0.72% between 2020 and 2040. The bulk of the projected population increases over the next two decades are anticipated to occur within a handful of cities, with 81% of the total projected population growth across all 19 Contra Costa cities attributable to six cities (in order: Concord, Richmond, Brentwood, Antioch, Oakley, and Pittsburg).
- d) Localized demand changes will primarily depend on specific development applications. For example, CSA-29 was formed specifically to address new growth in the Dougherty Valley Specific Plan Area and provide financing for park and recreation facility maintenance in the City of San Ramon. Also, in the next 20 years, the populations of Concord, Oakley and Brentwood are expected to increase by 39%, 45%, and 49%, respectively.
- e) Service population increases in each County Service Area (CSA) is expected to range from 0.12% per year to 0.57% per year. Service population increases in each Community Services District (CSD) is expected to range from 0.16% per year to 0.23% per year. In all cases, growth in the CSAs and CSDs is expected to be lower than the countywide average of 0.72% per year.

2. *The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the sphere of influence*

Identifying disadvantaged communities (incorporated and unincorporated) allows public agencies, cities and counties to address municipal service and infrastructure deficiencies—specifically, access to parks and recreational facilities, programs and services—that are known to exist in some disadvantaged communities.

DUCs are defined as “inhabited communities containing 12 or more registered voters that constitutes all or a portion of a *disadvantaged community*.” A “disadvantaged community” is defined as a community in which the median household income is 80% or less than the statewide median household income. This determination assesses the prospect of including neighboring DUC(s) when an agency's SOI is updated or expanded. In 2011, SB 244 began requiring cities and counties to address the infrastructure needs of DUCs in city and county general plans, MSRs, and annexation decisions. This MSR identified disadvantaged communities within the subject jurisdictions' SOIs.

- a) There is a total of 16 disadvantaged communities in Contra Costa County. There are three cities or Census Designated Places (CDPs) that meet the disadvantaged definition as a whole: San Pablo, Bethel Island, and North Richmond. The 13 remaining DUCs reflect census tracts and block groups that do not align with city or CDP boundaries.
- b) While a number of the subject agencies serve DUCs, these communities appear to have reasonable access to parkland and recreational facilities. However, property tax revenue and the agencies' ability to recover costs through user fees from DUCs present additional challenges.

3. *Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies*

This determination refers to the adequacy of existing and planned public facilities in relation to how public services are, and will be, provided to residents. Infrastructure can be evaluated in terms of capacity, condition, availability and quality, and plans for future improvement and/or expansion. Both active and passive parkland are evaluated in this MSR. Active parkland is defined as developed parkland with active recreation programming and sports facilities. Passive parkland is defined as developed or undeveloped parkland containing trails, walkways, cultural/scenic resources, picnic tables, and shade structures. In cases where a district has not established its own service standard, the Contra Costa County standard is used. The County has a park and recreation facilities goal of four acres per 1,000 residents.

- a) Consistent with the 2010 MSR, additional park acres continue to be needed within all districts except PHRPD in order to meet the County General Plan goal of 4.0 acres per 1,000 residents. The need for additional acres is most acute in the high-growth, incorporated areas of north and east County (e.g., Concord, Oakley, Brentwood).
- b) Throughout the County there exists a wide range in the current level of service provision of cities' developed park acreage per 1,000 residents. The cities' levels of service range from a low of 0.88 acres per 1,000 residents to a high of 12.95, with an average of 3.70.
- c) In addition to neighborhood and community parkland that each city or district maintains and operates, there are park and open space areas that are either within the jurisdictions' boundaries or in close proximity, granting residents access to additional parkland and open space. These additional park and open space areas, most of which are owned/operated by East Bay Regional Park District (EBRPD) or East Bay Municipal Utility District (EBMUD), effectively increase the parkland acreage per resident for each jurisdiction.
- d) Consistent with the 2010 MSR (and excluding the cities and the city-administered CSAs), every agency has existing and future park acreage needs relative to the Countywide General Plan goal of 4.0 acres per 1,000 residents. Green Valley Recreation & Park District (GVRPD) Ambrose RPD (ARPD), and all of the County-managed CSAs have significant existing and future acreage needs.
- e) Pleasant Hill RPD (PHRPD) adopted a Master Plan in May 2020 to guide future park planning and investment in the coming decades; and ARPD adopted a Master Plan in 2016. EBRPD's most recent Master Plan is from 2013. GVRPD does not have a Master Plan.
- f) Resident participation in recreation programming and community activities is often indicative of agency outreach efforts, and appear exceptionally strong within the PHRPD, and appear to be improving within the ARPD. For the County administered CSAs, outreach to residents occurs primarily through the offices of the elected County Supervisors and/or direct mail in some cases. In CSA R-7, the Alamo MAC promotes events in the community.
- g) The 2010 MSR recommended that the County and Alamo MAC collaborate to jointly plan future capital improvements at CSA R-7 parks. This remains an appropriate recommendation.
- h) The 2010 MSR noted that all of the park and recreation facilities within CSA M-29 were constructed and had opened between 2000 and 2009 with no major capital needs or maintenance deficiencies to report. However, since 2010, the facilities have aged. The City of San Ramon, which partially encompasses CSA M-29, began maintenance and renovation planning to address capital needs, and the City of San Ramon reports that park and recreation facilities remain in very good condition generally.

4. *Financial Ability of Agencies to Provide Services*

This determination evaluates whether the agency has the financial ability to provide adequate services now and, in the future, particularly when considering SOI changes and potential annexations.

- a) Property taxes, assessments, and charges for services (user/registration fees) are the primary revenue sources for park and recreation services in the County.
- b) Of the 34 agencies reviewed in this MSR, only CSAs R-9 and R-10 do not receive any funding from property taxes or assessments. CSA R-9 is unfunded and CSA R-10 revenue is limited to facility rentals, resulting in challenges maintaining facilities and providing services.
- c) The parks and recreation-related expenditures of the cities included in this report average \$157 per resident, from a low of \$16 to a high of \$589. While every City reported that current levels of financing are adequate for current park and recreation service provision, the COVID-19 pandemic and its related restrictions on gatherings has significantly altered the service provision of city Parks and Recreation Departments.
- d) Of the park and recreation districts evaluated, GVRPD has the highest recreation expenditures per capita, spending approximately \$1,200 per district resident; however, this ratio is skewed by the very small service population within the District's boundaries. PHRPD spends approximately \$220 per capita; EBRPD spends approximately \$95 per capita; and ARPD spends approximately \$49 per capita.
- e) CSAs that pass-through funds to cities within or adjacent to their bounds (i.e., CSAs M-29, M-30, R-4) generally have higher service levels, because CSA funds are augmenting existing city funds for parks and recreation services. The cities receiving CSA funding report that financing, while constrained, is generally sufficient to provide park and recreation services.
- f) The financial ability of PHRPD to improve its facilities was greatly enhanced by Bond Measure E that was approved by district residents in August 2009. The \$28 million bond funded various new facilities and upgrades within the District. A more recent bond measure, Measure A, for \$63.5 million, did not pass in March 2020 and may affect the District's ability to fully implement its recent Master Plan.
- g) Except for the city-administered CSAs, all districts charge fees for services. It is recommended that fees be reviewed/updated regularly.
- h) For those districts that charge an assessment and do not apply a CPI adjustment, it is recommended they do so. If not already reflected in an engineer's report, incorporating a CPI adjustment would require voter approval.
- i) The County prepares annual budgets for the CSAs and presents the information in a transparent manner. It would improve transparency if the County included in the annual Special Districts Budget a brief description of the purpose of each CSA and provided detail about what each CSA funds.

5. *Status of, and Opportunities for, Shared Facilities*

This determination reviews current sharing arrangements with other agencies, if any, and whether opportunities exist to improve the efficiency and effectiveness of services through sharing, collaboration or functional consolidation.

- a) Park and recreation service providers share facilities extensively in Contra Costa County. Most commonly, agencies collaborate with school districts to provide additional recreational areas and facilities to residents after school hours, which is the case for PHRPD, the Crockett CSD, and CSAs R-7 and R-10. For example, the Crockett CSD, which serves the unincorporated communities of Crockett and Port Costa, makes its swimming pool available to the high school swim team.
- b) The majority of cities (15 out of 18) indicate that they take advantage of shared facilities through joint-use agreements and other methods. Local school districts are the most common agencies with which cities share facilities.
- c) Opportunities for future facility sharing are generally limited to establishing or increasing collaboration with the local school district.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

This determination reviews if an agency follows "best practices" to a) facilitate cost effective and efficient delivery of services; and b) enable review and input by residents, LAFCO and other agencies and stakeholders, including adequate and transparent reporting documents and website access. This determination also considers governance options (e.g., consolidation) to improve efficiencies and accountability.

- a) Accountability is best ensured when there is sufficient constituent interest to maintain full governing boards or advisory committees; constituent outreach is conducted to promote accountability and ensure that constituents are informed and not disenfranchised; and public agency operations and management are transparent to the public.
- b) The vast majority of cities in the County have either a Parks and Recreation Commission established or a commission that performs similar activities by which the municipalities exhibit adequate accountability to community service needs.
- c) Generally, when there is lack of constituent interest in an agency's activities, governing bodies are challenged to fill board and advisory committee seats. In the case of the park and recreation service providers, there currently are no vacancies on district boards, but a number of advisory committees appear to have weakened or lack an advisory committee altogether, including CSAs R-9 and R-10.
- d) Accountability to constituents is constrained in CSAs M-29 and R-4, where the residents in the unincorporated areas being served by the cities are not eligible to sit on the city park commissions.
- e) All agencies prepare and post meeting agendas and make minutes available as required; however, GVRPD's agendas and meeting minutes are not current as of January 2021.
- f) Websites with contact information are a recommended practice for all local agencies, and except for the CSAs, all agencies are meeting this standard.
- g) There is generally a lack of web presence promoting recreation programming within the CSAs, to the extent programming is available. It is recommended that the County improve access to information about all available activities, classes and locations to promote the use of these services.
- h) All of the agencies reviewed demonstrated accountability in disclosure of information and cooperation with LAFCO during the MSR process.
- i) All of the districts prepare annual budgets, maintain current financial records, and adopt long-term CIPs. These activities are managed by the County for the County-administered CSAs and by the benefitting cities for the city-administered CSAs. Accountability could be improved if the County included a brief description of what each CSA funds in the annual Special Districts Budget.
- j) It is recommended that all districts (i.e., GVRPD) whose board members serve as staff, consult with their legal counsel regarding the statutory authority for such dual service, and ask legal counsel to evaluate whether any prohibited or perceived conflicts of interest, incompatible activities, or other legal problems might arise from this arrangement.

7. *Any Other Matter Related to Efficient Service Delivery, As Required by Commission Policy*

This determination is an opportunity to highlight other concerns that may be relevant. In this MSR, issues related to the implications of COVID-19 are noted.

- a) The length, severity and long-term impacts of COVID-19 continue to be uncertain. The fiscal and service impacts will depend on how the crisis unfolds in the coming months and years. To date, the least affected agencies are the CSAs whose revenues come from property taxes and assessments and not charges for services or user fees. Cities tend to be more affected since their revenues are more dependent on a broader range of revenues more affected by the pandemic (e.g., sales and hotel tax revenues). Additional information about specific agency impacts is noted in their respective chapters.

CITY MSR DETERMINATIONS

City of Antioch Parks & Recreation Services MSR Determinations

1. *Growth and Population Projections*

a) The California Department of Finance (CDF) estimates the City of Antioch's 2020 population at 112,520. The Association of Bay Area Governments (ABAG) projects Antioch's population to increase by 27,130 residents between 2020 and 2040, to a total of 139,650, representing a compound annual growth rate of 1.09%.

2. *The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence*

a) Disadvantaged communities were identified within the City's SOI. Residents of the City's disadvantaged communities have equivalent access to park facilities as other members of the community.

3. *Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies*

a) There are currently 322.4 acres of developed neighborhood and community parkland and 24.9 miles of recreational trails within the City of Antioch. Recreation facilities include two community centers and a water park. Additional facilities that Antioch residents have access to include Antioch/Oakley Regional Shoreline, Big Break Regional Shoreline, Black Diamond Mines Regional Preserve, Contra Loma Regional Park, and Morgan Territory Regional Preserve.

b) The City currently has 2.87 acres of developed parkland per 1,000 residents.

c) The City of Antioch has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 2.13 acres per 1,000 residents. The City, therefore, needs 240 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 376 additional acres of parkland.

d) There is adequate recreational programming offered within the City to meet the needs of youths and adults. Estimated FY 2018-19 annual attendance for water park guests and recreation program participants totaled 38,466.

e) The City indicates that residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City charges no facility entry fees for general use, provides scholarship funding for youth to apply to program fees and specialized facility entry, and the department collaborates with community organizations to ensure widespread dissemination of information and resources.

f) CIP planning was conducted through the City's 5-Year Capital Improvement Plan 2019-2024.

g) The City of Antioch does not currently have a Parks and Recreation Master Plan adopted. The City has a section within their 2003 General Plan that lists Parks and Recreation Objectives and Policies.

h) The City intends to acquire future parkland through the use of Park In-Lieu Fees on future development but gave no indication regarding the identification of areas where future parkland will be created.

i) Funding sources were identified for 100% (\$2.6M) of the City's current planned parks-related capital expenditures through 2024. The majority of the identified funding will be addressed through the Park In-Lieu Fund, with the Delta Fair Fund also identified as a funding source.

j) Funding sources have been identified for 33% (\$28.3M) of the City's future planned parks-related capital expenditures (\$85.4M). Development Impact Fees are the only funding source currently identified.

k) The City did not disclose the condition of their park facilities.

4. *Financial Ability of Agencies to Provide Services*

- a) The City of Antioch reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth.
- b) The City has Park In-Lieu Fees and Development Impact Fees established and a Park and Recreation User Fee schedule which is approved annually and includes an escalation factor connected to the Consumer Price Index.
- c) The majority of the City's Recreation Services Fund revenue comes from General Fund transfers (52%) and Service Charges (44%). Parks and Recreation Administration Support is funded entirely by a 1% sales tax. Parks Maintenance is funding is split between Street Light & Landscape Maintenance District and Other.

5. *Status of, and Opportunities for, Shared Facilities*

- a) The City shares a park with the Antioch Unified School District and the Antioch Senior Center.
- b) The City has identified additional opportunities for shared facilities with community organizations.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

- a) The City of Antioch website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Park and Recreation Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City performs additional outreach activities through the following outlets: meetings and civic events in neighborhood parks and community centers, and through the Antioch Council of Teens, a forum for the City's youth to provide input for city recreation programming.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) COVID-19 is impacting the City's General Fund revenues and the City's ability to fund Park and Recreation services. In response to COVID-19, the City increased information and outreach for residents through virtual opportunities and put indoor facilities, playgrounds, and programs on hiatus while continuing to offer outdoor activities as allowable. The City has indicated that revenues have declined due to COVID-related cancellations but expenditures for program development and seasonal and part-time staff have also decreased.

City of Brentwood Parks & Recreation Services MSR Determinations

1. *Growth and Population Projections*

- a) The CDF estimates the City of Brentwood's 2020 population to be 65,118. The ABAG projects Brentwood's population to increase by 31,715 residents between 2020 and 2040, to a total of 96,833. This represents a compound annual growth rate of 2.00%.

2. *The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence*

- a) A disadvantaged community was identified within the City's SOI. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 237.05 acres of developed neighborhood and community parkland and 19.22 miles of recreational trails within the City of Brentwood. Recreation facilities include an aquatic complex, a senior activity center, and a skate/BMX park. Additional facilities that Brentwood residents have access to include Antioch/Oakley Regional Shoreline, Big Break Regional Shoreline, Black Diamond Mines Regional Preserve, Contra Loma Regional Park, Round Valley Regional Preserve, and Vasco Caves Regional Preserve.
- b) The City currently has 3.64 acres of developed parkland per 1,000 residents.
- c) The City of Brentwood has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 1.36 acres per 1,000 residents. The City, therefore, needs 88.5 additional acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 247.1 additional acres of parkland.
- d) The City offers a limited variety of sports activities and classes for all ages due primarily to a lack of facilities and limited staff. Estimated annual attendance for recreation program participants of all ages totals 53,189.
- e) The City indicates that the residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City offers many free activities that are accessible and open to the general public and offers scholarships that can be applied to any of its Parks and Recreation programming.
- f) CIP planning is conducted through the City's 5-Year Capital Improvement Plan 2019-2024.
- g) The City of Brentwood has a Parks and Recreation Master Plan that was updated in February 2019. The City recognizes some deficiencies in facility provision and plans to acquire new parkland through its Development Fee Program.
- h) The City states their intent to acquire future parkland through the use of land dedication or in-lieu payments from new development. The City has policies in place guiding the locations of these future park facilities.
- i) Funding sources have been identified for 100% (\$3.6M) of the City's planned parks-related capital expenditures through 2024. The entirety of the identified funding will be addressed through Replacement funds.
- j) The City indicated that all 90 of their park facilities are in good condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Brentwood reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth.
- b) The City has Development Impact Fees established and a User Fee schedule which is updated annually.
- c) The majority of the City's Parks and Recreation Department revenue comes from the Landscape Lighting Assessment Districts (LLAD) Replacement Fund (71%) and General Fund transfers (20%).

5. Status of, and Opportunities for, Shared Facilities

- a) The City has Joint Use Agreements with the Brentwood Unified School District and Liberty Unified High School District. The City also shares facilities with the Senior Club, the County, the Chamber of Commerce, and a non-profit.

- b) The City has no currently pending opportunities for new shared facilities but indicates the possibility of future partnership opportunities with its new future tech center.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City's website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Park and Recreation Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which Brentwood residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City of Brentwood demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City performs additional outreach activities through the following monthly meetings by various City commissions and through widely publicizing opportunities for community input for various projects such as master plans and strategic plans.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the City's General Fund revenues and the City's ability to fund Park and Recreation services. In response to COVID-19, the City began offering courses virtually and through socially-distanced measures. Strategic initiatives have been put on hold until funding can be identified as current funding has been diverted due to the pandemic response. The City has also utilized its Senior Activity Center as a COVID_19 testing facility for the County and State.

City of Clayton Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Clayton's 2020 population to be 11,337. The ABAG projects Clayton's population to increase by 625 residents between 2020 and 2040, to a total of 11,962. This represents a compound annual growth rate of 0.27%.

1. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the City of Clayton's SOI.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 17.52 acres of developed neighborhood and community parkland and 27 miles of recreational trails within the City of Clayton. Recreation facilities include baseball and soccer fields.
- b) The City currently has 1.55 acres of developed parkland per 1,000 residents.
- c) The City of Clayton has a level of service standard of 10 acres per 1,000 residents. This includes 3 acres of developed parkland and 7 acres of active open space. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 1.45 acres of developed parkland per 1,000 residents. The City, therefore, needs 17.0 additional acres of developed parkland to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 18.8 additional acres of parkland.
- d) The City does not offer recreational programming.

- e) CIP planning is conducted through the City's 5-Year Capital Improvement Plan 2019-2024.
- f) The City does not have a standalone Parks and Recreation Master Plan, but Section VI of their 2000 General Plan covers Open Space and Conservation planning.
- g) The City did not indicate any plans for acquiring further parkland in the future.
- h) The City has one current CIP project. Funding for the project has been partially identified and will come from the Garbage Franchise Community Enhancement Fee.
- i) The City has four future CIP projects, of which funding has been identified for one. The Funding source identified is the CIP Construction Fund.
- j) Of the City's eight Park and Recreation facilities, seven are indicated to be in very good condition and one is indicated to be in moderate condition.

3. Financial Ability of Agencies to Provide Services

- a) The City of Clayton reported that the current level of financing is adequate for park service provision and does not anticipate an inability to accommodate future growth.
- b) The City has Parkland Dedication Fee established and a Master Fee Schedule which is updated annually; on average, fees increase by about 2% annually.
- c) The entirety of the City's Community Park budget is funded through the General Fund according to the information provided.

4. Status of, and Opportunities for, Shared Facilities

- a) The City did not indicate that they have any Joint-Use Agreements.
- b) The City did not indicate if they are currently pursuing opportunities for new shared facilities.

5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Clayton website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Trails and Landscape Committee; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. City Council meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Clayton performs additional outreach activities through monthly meetings by various City commissions and through publicizing opportunities for community input for various projects such as master plans and strategic plans.

6. Any other matter related to efficient service delivery, as required by commission policy

- a) At this time, the City of Clayton did not indicate the extent to which COVID-19 is affecting the City's ability to provide Parks and Recreation services.

City of Concord Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Concord's 2020 population to be 130,143. The ABAG projects Concord's population to increase by 51,245 residents between 2020 and 2040, to a total of 181,388. This represents a compound annual growth rate of 1.67%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) Disadvantaged communities were identified within the City's SOI. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 365.7 acres of developed neighborhood and community parkland, 175 acres of open space, a 160-acre golf course, and 10.3 miles of recreational trails within the City of Concord. Additional recreation facilities include three sports complexes and a skate park. Additional facilities that Concord residents have access to include Concord Hills Regional Park, Diablo Foothills Regional Park, and Iron Horse Regional Trail.
- b) The City currently has 2.8 acres of developed parkland per 1,000 residents.
- c) The City of Concord has a level of service standard of 6 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 2.11 acres per 1,000 residents. The City, therefore, needs 275 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 582 additional acres of parkland.
- d) The City offers a robust variety of sports activities and classes for all ages. Estimated annual attendance for recreation program participants of all ages totals 42,960.
- e) The City indicates that the residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City offers access to parks and recreational use of courts and playgrounds free of charge, and additionally offers affordable youth classes at parks located within disadvantaged communities.
- f) CIP planning was conducted through the City's Capital Budgets for 2018-2020 and 2020-2022.
- g) The City of Concord does not have a standalone Parks and Recreation Master Plan but has an Open Space and Conservation Element within the Concord 2030 General Plan.
- h) The City states their intention to acquire future parkland through its plan to develop 800 acres of future parks and open space through the redevelopment of the former Concord Naval Weapon Station which will allow the city to meet the park provision needs of its anticipated future population.
- i) The City did not indicate the portion of specific CIP projects that have funding sources identified. The City specified a number of funds that are generally used for CIP expenditures, such as bond proceeds, Capital Projects funds, and General Fund revenues.
- j) Park and Recreation facilities within the City of Concord were indicated to be in good condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Concord reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth.
- b) The City has Development Impact Fees established and a User Fee schedule which is evaluated periodically, typically priced to maximize participation levels.
- c) The majority of the City's Parks and Recreation Department revenue comes from Non-Major Governmental Funds (35%), User Fees/Charges (27%), and Enterprise Fund Revenue (24%).

5. Status of, and Opportunities for, Shared Facilities

- a) The City has Joint Use Agreements with Mt. Diablo Unified School District, California State University, and community-based non-profits.
- b) The City indicates they are open to exploring partnerships that enhance the community's parks and recreation opportunities. They are currently exploring the opportunity to develop a bicycle playground

in partnership with the Contra Costa Transportation Authority.

- c) The City of Concord is adjacent to the Pleasant Hill Recreation and park District, Ambrose Recreation and Park District, and County Service Area (CSA) M-16.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Concord website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Parks, Recreation, and Open Space Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City performs additional outreach activities through monthly meetings by various City commissions and publicizes these meetings according to City requirements.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the City's General Fund revenues. In response to COVID-19, the City has adapted programs for virtual or online participation where possible as COVID-19 health order restrictions have limited the traditional program offerings.

Town of Danville Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the Town of Danville's 2020 population to be 43,876. The ABAG projects Danville's population to increase by 2,725 residents between 2020 and 2040, to a total of 46,601. This represents a compound annual growth rate of 0.30%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the Town's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 169.3 acres of developed neighborhood and community parkland and 6.88 miles of recreational trails within the Town of Danville. Recreation facilities include sports fields and a gymnasium that is under a joint-use agreement with the San Ramon Valley Unified School District. Additional facilities that Danville residents have access to include Iron Horse Regional Trail, Las Trampas Regional Wilderness, and Sycamore Valley Regional Open Space Preserve.
- b) The Town currently has 3.9 acres of developed parkland per 1,000 residents.
- c) The Town of Danville has a level of service standard of 6.6 acres per 1,000 residents. Relative to this standard, the Town is underproviding park acreage. The current LOS is short of this standard by 2.7 acres per 1,000 residents. The Town, therefore, needs 120.3 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 Town population, the Town will need 138.2 more acres of parkland.
- d) The Town offers a variety of recreation programming for all ages. Attendance for recreation program

participants of all ages totaled 20,233 in Fiscal Year 2019.

- e) CIP planning is conducted through the Town of Danville's 2019/20 CIP.
- f) The Town of Danville has a Parks, Recreation and Arts Strategic Plan that was adopted in 2006 and updated in 2017.
- g) The Town indicates there are no current plans to acquire additional parkland. The Town indicates that availability of large-scale community park acreage is limited, so the Town intends to focus on enhancing and expanding the existing public trail system.
- h) The Town indicates that \$24.0 million (97%) of the total \$24.7 million in current and future CIP projects have funding sourced identified. The majority of projects will be funded through their Park Facilities fund (49%) and through the Park Dedication Impact Fund (16%).
- i) The Town reported that all park and recreation facilities are in very good condition.

4. Financial Ability of Agencies to Provide Services

- a) The Town of Danville reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth.
- b) CSA M-30 provides financing for extended facilities and services in the unincorporated community of Alamo Springs through the Town of Danville. Among the services funded, the Town uses CSA funds to provide park and recreation services within Town limits – there are no park facilities within the CSA boundary.
- c) The Town has a User Fee schedule which is updated annually.
- d) The majority of the Town's Parks and Recreation-related revenues come from Gas Tax & LLAZ-Zone D (41.7%), General Fund transfers (35.9T), and User Fees / Charges (22.3%). This financial information includes both the Recreation, Arts & Community Services Department and Maintenance related to Recreation services.

5. Status of, and Opportunities for, Shared Facilities

- a) The Town has shared-use agreements with the San Ramon Valley Unified School District, EBMUD, ERBPD, and Contra Costa County (Hap Magee Ranch Park and the Iron Horse Trail).
- b) The Town indicated they are not pursuing additional opportunities to share facilities with other entities.
- c) The Town of Danville is adjacent to CSAs M-30 and R-7, the Diablo Community Services District, and also has overlapping boundaries with the Green Valley Recreation and Park District.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The Town of Danville website provides access to the agendas and minutes for the Town Council and its various boards and commissions, including the Parks, Recreation, and Arts Commission; the Town's budgets; and the Town's CAFRs. The Town adequately provides accountability with regard to governance and municipal operations.
- b) The Town's website provides access to public notices, including the time and place at which Town residents may provide input, as well as other opportunities for public involvement in the Town decision-making process. Meeting agendas and minutes are posted in a timely manner. The Town adequately provides accountability with regard to citizen participation.
- c) The Town demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the Town's Parks and Recreation activities and programming. In response to COVID-19, the Town postponed or cancelled programs beginning in mid-March 2020. Losses in anticipated revenues due to cancellations and refunds have been mitigated

by postponing certain CIP projects and offering online classes and virtual activities

City of El Cerrito Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of El Cerrito's 2020 population to be 24,953. The ABAG projects El Cerrito's population to increase by 2,230 residents between 2020 and 2040, to a total of 27,183. This represents a compound annual growth rate of 0.43%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) A disadvantaged community was identified within the City's SOI in an area along State Highway 123 and Petrero Avenue. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 45.3 acres of developed neighborhood and community parkland, 102 acres of open space, 1.6 acres of undeveloped parkland, and 3.6 miles of recreational trails within the City of El Cerrito. Recreation facilities include a swim center, community center, ten clubhouses, and a senior center. Additional facilities that El Cerrito residents have access to include Miller/Knox Regional Shoreline, Point Isabel Regional Shoreline, and Kennedy Grove Regional Recreation Area.
- b) The City currently has 1.82 acres of parks and open space per 1,000 residents.
- c) The City has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 3.18 acres per 1,000 residents. The City needs 79.5 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 90.6 more acres of parkland.
- d) The City offers a variety of sports activities and classes for all ages. FY 2019 enrollment for recreation program participants of all ages totaled 23,068.
- e) The City indicates that residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City offers scholarships to members of disadvantaged communities and reduced fees for childcare and preschool.
- f) CIP planning is conducted through the El Cerrito 10-Year CIP for 2018-19 through 2027-28.
- g) The City has a Parks & Recreation Facilities Master Plan that was approved in April 2019.
- h) The City states there are few options for parkland acquisition left in the City. The Parks and Recreation Facilities Master Plan identifies two small parcels that could be acquired to expand the Baxter Creek Gateway Park.
- i) The City indicates that three out of seven current CIP projects have funding sources identified. The City further identified the CIP Fund, Measure A, and the general fund as funding sources. None of the three future CIP projects have specific funding sources identified.
- j) Of the 16 developed park facilities in the City of El Cerrito, one was reported to be in very good condition, 10 were reported to be in good condition, and five were reported to be in fair condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of El Cerrito reported that the current level of financing is adequate for parks and recreation service provision and the department relies mainly on user fees to provide services, with about 50%cost recovery in FY 2019-20. The City indicates that there are some recreation programming areas that are not meeting demand due to space limitations.
- b) The 2019 City Services MSR indicated that the City's CIP is not sufficient to maintain and expand facilities and infrastructure consistent with projected needs. To the extent the City is unable to identify other sources of revenue to fund park and recreation facility improvements, the City may struggle to maintain its service levels and may be forced to defer needed maintenance and upkeep.
- c) The City does not have Parks and Recreation-related Development Impact Fees adopted, but has approved Measure H, an annual parcel tax on residential properties that funds park and recreation facility maintenance and enhancements. The City also has developer related fees for open space and park development in the San Pablo Specific Plan Area. User Fees are generally increased each year in accordance with the Consumer Price Index.
- d) The majority of the City's Parks & Recreation Department revenue comes from User Fees and Charges. The City indicated that the Recreation Department has 75%cost recovery through user fees and charges; that percentage drops to 52% when parks-related Public Works expenditures are included.

5. Status of, and Opportunities for, Shared Facilities

- a) The City has Joint Use Agreements with the five schools within the West Contra Costa Unified School District, and jointly owns Central Park with the City of Richmond.
- b) The City indicates they are not pursuing any additional opportunities for shared facilities.
- c) The City of El Cerrito is adjacent to the Kensington Police Protection & Community Services District.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of El Cerrito website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Park and Recreation Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City performs additional outreach activities through its additional organizations and committees, such as the El Cerrito Trail Trekkers, the Urban Forest Committee, the Environmental Quality Committee, and the Arts and Culture Committee.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the City's General Fund revenues, particularly as the City has no reserves. In response to COVID-19, the City has adapted programs for virtual participation and has offered in-person programming in accordance with the County Health Order.

City of Hercules Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

a) The CDF estimates the City of Hercules's 2020 population to be 25,530. The ABAG projects Hercules's population to increase by 3,565 residents between 2020 and 2040, to a total of 29,095. This represents a compound annual growth rate of 0.66%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

a) No disadvantaged communities were identified within the City's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 31.3 acres of developed neighborhood and community parkland and 6 miles of recreational trails within the City of Hercules. Recreation facilities include five recreation centers, sports fields, two pools, and a gymnasium. Additional facilities that residents of Hercules have access to include Crockett Hills Regional Park.
- b) The City currently has 1.2 acres of parks and open space per 1,000 residents.
- c) The City has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 3.80 acres per resident. The City, therefore, needs an additional 96.4 acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 114.2 additional acres of parkland.
- d) There is adequate recreational programming offered within the City to meet the needs of youths and adults. Estimated annual attendance figures for activities / programs were not provided for this MSR effort. The City indicated that annual attendance for other events and annual festivals averages 1,975.
- e) CIP planning is conducted through the City of Hercules FY 2020-21 Annual Budget.
- f) The City of Hercules does not currently have a standalone Parks and Recreation Master Plan adopted. The City has an Open Space/Conservation Element within its 1998 General Plan.
- g) The City states there are currently no plans to acquire future parkland.
- h) Funding sources are identified for both of the City's current parks and open space-related CIP projects. The identified funding will be addressed through General Fund and LLAD funds.
- i) Of the City's 13 existing park facilities, eight are reported to be in good condition, one is reported to be in fair condition, two are listed as new, and two did not include information regarding their condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Hercules reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth.
- b) The 2019 City Services MSR indicated the City may experience funding obstacles to maintaining existing service levels or meeting overall infrastructure needs when accounting for projected population increases over the next five years. Based on the City-provided financial information for FY 2019-20 it does not appear that park and recreation services are currently experiencing inordinate negative fiscal impacts beyond COVID-related revenue reductions.
- c) The City has Park and Recreation Development Impact Fees and a Master Fee schedule which is approved annually through the City Council and increases 3% annually on average.

- d) The City provided information regarding User Fees / Charges revenue for the City's Parks and Recreation Department. These revenues accounted for 69% of the departmental expenditures in FY 2019-20.

5. Status of, and Opportunities for, Shared Facilities

- a) The City of Hercules indicates that it does not share any facilities with other entities.
- b) The City is not currently pursuing any opportunities to share facilities.
- c) The City is adjacent to CSA R-10.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Hercules website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Community and Library Services Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City performs additional outreach activities through annual events held by the Parks and Recreation Department and through the Community and Library Services Commission.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the City's fiscal situation and the City's ability to fund Park and Recreation services. In response to COVID-19, the City made significant cuts to staffing as revenues have drastically changed from years past. The City has attempted to offer virtual programming and altered capital plans due to budgetary concerns.

City of Lafayette Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Lafayette's 2020 population to be 25,604. The ABAG projects Lafayette's population to increase by 1,950 residents between 2020 and 2040, to a total of 27,554. This represents a compound annual growth rate of 0.37%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) A disadvantaged community has been identified within the City's SOI. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 91.3 acres of developed neighborhood and community parkland, a 19.8-acre undeveloped nature park, and 9 miles of recreational trails within the City of Lafayette. Recreation facilities include a community center, a multi-sport rink, and sports fields. Additional facilities that

residents of Lafayette have access to include Briones Regional Park, Lafayette-Moraga Regional Trail, Las Trampas Regional Wilderness, and the Lafayette Reservoir.

- b) The City currently has 3.6 acres of developed parkland per 1,000 residents.
- c) The City has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 1.4 acres per resident. The City, therefore, needs 36.7 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 46.5 more acres of parkland.
- d) The City offers a variety of sports activities and classes for all ages and indicates that the amount of available field space is an ongoing concern. Enrollment in 2019 for recreation program participants of all ages totaled 9,581.
- e) The City indicates that residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City is not currently making specific efforts to provide facilities and programming for the disadvantaged communities but is developing a Parkland Acquisition and Development Plan that will aim to establish walkable neighborhood parks for all areas of Lafayette.
- f) CIP planning has been conducted through the City of Lafayette 5-Year CIP 2019-2023.
- g) The City has a Parks, Recreation, and Open Space Master Plan that was completed in 2012 and updated in 2019.
- h) The City states there are few options for parkland acquisition left in the City. The forthcoming Parkland Acquisition and Development Plan will track potential future sites.
- i) The City did not indicate the portion of specific CIP projects that have funding sources identified. The City indicates that the annual capital budget for parks projects is funded through Development Fees.
- j) Of the eight developed City-owned park facilities, three were reported to be in very good condition, four were reported to be in moderate condition, and one was reported to be in poor condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Lafayette did not indicate whether the current level of financing is adequate for parks and recreation service provision. The City is projecting a one-third loss in revenues in 2020 due to COVID-necessitated contraction of programming.
- b) The City has a Parkland Development Fee and a Park Facility Development Fee adopted. These development fees are adjusted annually based on policies tied to their respective nexus studies. The City indicated that there is no average annual increase to user fees.
- c) The majority of the City's Parks and Recreation Department revenue comes from User Fees (56% in FY 2018-19) with Development Fees (35% in FY 2018-19) and General Fund funding (20% in FY 2018-19) representing the other major funding sources.

5. Status of, and Opportunities for, Shared Facilities

- a) The City has License Agreements with the East Bay Municipal Utility District (EBMUD) for certain trail sections, and the City rents classroom space from the Lafayette School District.
- b) The City indicates they are not pursuing additional opportunities for shared facilities; however, field partnerships have been discussed at the Commission level.
- c) The City of Lafayette is adjacent to CSA R-4 and has overlapping boundaries with the Pleasant Hill Recreation and Park District.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Lafayette website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Park & Recreation Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and

municipal operations.

- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City of Lafayette demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Lafayette did not indicate any additional outreach activities performed.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the City's Parks, Trails & Recreation Department. In response to COVID-19, the City of Lafayette has adapted programs for virtual participation, decreased summer camp cohort sizes, halted most contract class offerings, stopped offering special events and facility rentals, and delayed General Fund capital maintenance for the Community Center.

City of Martinez Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Martinez's 2020 population to be 37,106. The ABAG projects Martinez's population to increase by 3,375 residents between 2020 and 2040, to a total of 40,481. This represents a compound annual growth rate of 0.44%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) A disadvantaged community was identified within the City's SOI in the northwest area. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 271.55 acres of developed neighborhood and community parkland and 3 miles of recreational trails within the City of Martinez. Recreation facilities include an aquatic center, a senior center, and ball fields. Additional facilities that residents of Martinez have access to include Briones Regional Park, Carquinez Strait Regional Shoreline, Radke Martinez Regional Shoreline, Waterbird Regional Preserve, and the John Muir National Historic Site.
- b) The City currently has 7.3 acres of developed parkland per 1,000 residents.
- c) The City has a level of service standard of 5 acres per 1,000 residents. The City is meeting and exceeding this standard. The current LOS is greater than this standard by 2.32 acres per resident. At the current level of park acreage in the City, the LOS will be met for the projected 2040 City population.
- d) The City offers a robust variety of sports activities and classes for all ages. FY 2019-20 attendance for all activity and program participants of all ages totaled 27,080, but the City indicated this number is lower than would be typical as it reflects COVID-related closings and restrictions beginning in Spring 2020.
- e) The City indicates that the residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City has a scholarship program to assist low-income families in recreation program enrollment.
- f) The City conducted CIP planning via its 5-Year Capital Improvement Program for FYs 2019-20 thru 2024-25.

- g) The City does not have a standalone Parks and Recreation Master Plan but has an Open Space & Conservation as well as a Parks and Community Facilities & Utilities Element within the City of Martinez 2035 General Plan Update.
- h) The City states their intention to acquire future parkland in three general areas of the City: Alhambra Hills, Pacheco Corridor, and Downtown.
- i) The City reports that all five of the current CIP projects related to Parks and Recreation, those listed under Measure H Park Bond Projects, are fully funded. Four of the five projects are fully funded through Measure H funds, and one project is funded through a combination of Measure H, Park in-Lieu, Park and Recreation, and Gas Tax funding. The City has one future parks-related CIP project for which a funding source has not been identified.
- j) Of the 17 park facilities in the City, 10 are reported to be in very good condition, five are reported to be in moderate condition, and two are currently under construction as of the writing of this report.

4. Financial Ability of Agencies to Provide Services

- a) The City of Martinez reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth.
- b) The City has Development Impact Fees established and a User Fee schedule which is evaluated every two years or when a facility is renovated and reopened.
- c) The majority of the City's reported Parks and Recreation Department FY 2019-20 revenue comes from User Fees / Charges (61%), with the remaining being collected from Measure H Funding (39%). These User Fee revenues are significantly lower than average years due to COVID.

5. Status of, and Opportunities for, Shared Facilities

- a) The City does not currently share any facilities with other entities.
- b) The City indicates that there are no additional opportunities for shared facilities currently being pursued.
- c) The City of Martinez is adjacent to and has small portions of boundary overlap with the Pleasant Hill Recreation and Park District.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Martinez website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Parks, Recreation, and Open Space Commission; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City performs additional outreach activities through monthly meetings by various City commissions and publicizes these meetings in accordance with the Brown Act.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having effects on the City's General Fund revenues. In response to COVID-19, the City has cancelled traditional programming but offers modified programming where possible. Fiscally, the Department anticipates a significant decrease in revenue but a large savings in expenditures.

Town of Moraga Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the Town of Moraga's 2020 population to be 16,946. The ABAG projects Moraga's population to increase by 1,520 residents between 2020 and 2040, to a total of 18,466. This represents a compound annual growth rate of 0.43%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the Town's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 57.5 acres of developed neighborhood and community parkland, 250 acres of open space, and 20.5 miles of recreational trails (5.2 of which are provided and maintained by the Town) within the Town of Moraga. Recreation facilities include a community center and a skate park.
- b) The Town currently has 3.4 acres of developed parkland per 1,000 residents.
- c) The Town of Moraga does not have an adopted park acreage standard per 1,000 residents.
- d) The Town offers parks and recreation classes. Annual attendance for classes, facility rentals, and other events/festivals totals 30,511.
- e) CIP planning is conducted through the Town of Moraga Five-Year Capital Improvement Program 2019-2024.
- f) The Town has a Parks and Recreation Master Plan that was adopted in 2007.
- g) The Town plans to acquire eight additional acres of passive park space adjacent to the existing Moraga Commons Park.
- h) The Town reports that all five of the current CIP projects related to Parks and Recreation are fully funded, and two out of five future CIP projects are either fully or partially funded. These projects are primarily funded through grants, with additional funding coming from developer fees, asset replacement, and donations.
- i) Of the four existing park facilities in the Town of Moraga, one is reported to be in excellent condition and three are reported to be in good condition.

4. Financial Ability of Agencies to Provide Services

- a) The Town of Moraga reported that the current level of financing is adequate for parks and recreation service provision, and they anticipate the ability to accommodate future anticipated growth, and also indicated there is a shortage of community field space.
- b) The Town has Development Impact Fees established and a User Fee schedule which is adopted and approved by the Town Council annually.
- c) The Town's Park and Recreation Department is funded through the General Fund, user fees, grant funds for special projects, and is dependent upon donations to sustain operations.

5. Status of, and Opportunities for, Shared Facilities

- a) The Town of Moraga has joint-use agreements in place with the Moraga School District and Saint Mary's College.
- b) The Town indicates that there are no additional opportunities for shared facilities currently being pursued, although the existing joint-use agreements are currently being renewed.
- c) The Town's boundary overlaps almost entirely with the boundaries of CSA R-4.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The Town of Moraga website provides access to the agendas and minutes for the Town Council and its various boards and commissions, including the Parks, Recreation, and Open Space Commission; the Town's budgets; and the Town's CAFRs. The Town adequately provides accountability with regard to governance and municipal operations.
- b) The Town's website provides access to public notices, including the time and place at which Town residents may provide input, as well as other opportunities for public involvement in the Town decision-making process. Meeting agendas and minutes are posted in a timely manner. The Town adequately provides accountability with regard to citizen participation.
- c) The Town of Moraga demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.

7. Any other matter related to efficient service delivery, as required by commission policy

The Town of Moraga reports that the effects of COVID-19 on the Town of Moraga's fiscal situation have been minimal due primarily to the Town's minimal number of revenue streams and the Town not collecting or relying on tax revenues that would be depressed due to the pandemic. The largest budget impact has been loss in Parks and Recreation revenues due to cancelled programs. The lost revenues have been compensated with expense reductions. In response to COVID-19, the Town has offered virtual programs, COVID-compliant in-person day camp, and a distance-learning lab.

City of Oakley Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Oakley's 2020 population to be 42,461. The ABAG projects Oakley's population to increase by 19,075 residents between 2020 and 2040, to a total of 61,536. This represents a compound annual growth rate of 1.87%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) A portion of a disadvantaged community was identified within the City's SOI in northwest Oakley. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 168 acres of developed neighborhood and community parkland within the City of Oakley, and most recreation trails are provided and maintained by the EBRPD. Recreation facilities include a recreation center and multipurpose fields. Additional facilities that residents of Oakley have access to include Antioch/Oakley Regional Shoreline, Big Break Regional Shoreline, and Contra Loma Regional Park.
- b) The City currently has 4.0 acres of developed parkland per 1,000 residents.
- c) The City of Oakley has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 1.0 acres per resident. The City, therefore, needs 44.3 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 139.7 more acres of parkland.
- d) The City offers a variety of sports activities and classes for all ages. Annual attendance / participants

for recreation programming, facility rentals, and other events totals approximately 37,000.

- e) The City indicates that residents of disadvantaged communities have the same access to recreation facilities and programs as other residents. The City offers youth scholarships for Oakley residents under the age of 18 who meet the HUD very low-income requirements.
- f) CIP planning is conducted through the City of Oakley 5-Year Capital Improvement Program 2018-19-2022/23.
- g) As indicated in the 2019 City Services MSR, the City is considering obtaining a computerized asset management program which would help the City track park and recreation infrastructure and maintenance needs.
- h) The City of Oakley has a Parks, Trails, and Recreation Master Plan that was approved in 2020.
- i) The City has plans to establish a 55-acre park on Dutch Slough Road as part of the larger Dutch Slough Tidal Marsh Restoration project of approximately 1,200 acres.
- j) The City indicates that all five of the current CIP projects have funding identified. Funding comes primarily from the General Capital Fund, the 2016 Lease Revenue Bond, and the Park Impact Fee.
- k) The City provided no information regarding future CIP projects.
- l) The City indicated that all 36 of its park facilities (excluding the school facilities) are in good condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Oakley reports that the current level of financing is adequate for parks and recreation service provision and the department relies mainly on general purpose revenues. The City indicates they will likely need additional indoor facilities to meet future demand.
- b) The City has adopted a Park Improvement Development Impact Fee and a Park Acquisition Fee. The City has not established a policy for recreation services user fees.
- c) The majority of the City's Parks and Recreation Department funding comes from LLAD funding (61% in FY19/20).

5. Status of, and Opportunities for, Shared Facilities

- a) The City of Oakley has Joint Use Agreements with the Oakley Union Elementary School District (OUESD), the Liberty Union High School District (LUHSD), and a lease agreement with the Oakley Seniors Club and Oakley Community Garden.
- b) The City indicates they are not pursuing any additional opportunities for shared facilities but is currently looking to update the Memorandum of Understanding with the OUESD and LUHSD.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Oakley website provides access to the agendas and minutes for the City Council; the City's budgets; and the City's CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Oakley does not have a Parks and Recreation Commission but provides additional outreach through its Oakley Youth Advisory Council and the Engage in Oakley Platform for online community engagement on park and recreation projects.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting the City's General Fund revenues, and the City believes the primary impact will be felt in FY 2020-2021. In response to COVID-19, the City postponed large group events, offered virtual activities where possible, and is planning alternate options for events that will be socially distant or virtual.

City of Orinda Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Orinda's 2020 population to be 19,009. The ABAG projects Orinda's population to increase by 785 residents between 2020 and 2040, to a total of 19,794. This represents a compound annual growth rate of 0.20%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the City's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 50.8 acres of developed neighborhood and community parkland, 111 acres of open space, and 12 miles of recreational trails within the City of Orinda. Recreation facilities include two community centers, tennis courts, and sports fields. Additional facilities that residents of Orinda have access to include Kennedy Grove Regional Recreation Area, Reinhardt Regional Park, Sibley Volcanic Regional Preserve, and Tilden Regional Park - Botanic Garden.
- b) The City currently has 2.7 acres of developed parkland per 1,000 residents.
- c) The City of Orinda has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 2.3 acres per resident. The City, therefore, needs 95.4 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 99.0 more acres of parkland.
- d) The City offers a variety of sports activities and classes for both youth and adults. Average annual attendance for classes, summer camps, and youth sports is estimated at 14,568. Annual facility rentals are estimated at 13,800, and attendance at annual festivals/events is estimated at 2,250.
- e) CIP planning is conducted through the City of Orinda Capital Improvement Plan 2019-2023.
- f) The City has a Parks and Recreation Master Plan which was created in 1989.
- g) The City states that current facilities have sufficient capacity to meet existing and future needs and there are no plans to acquire future parkland currently.
- h) The City indicates that all three current CIP projects have funding sources identified, and five of the 12 future CIP projects have funding sources identified. Main funding sources are the Park Dedication Fee and grants.
- i) Of the seven park facilities in the City of Orinda, five were reported to be in very good condition and two were reported to be in moderate condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Orinda indicates that the current level of financing is adequate for parks and recreation service provision. The City's parks and recreation user fees typically cover about 75% of total department costs in cost recovery revenue. In FY 2019-20, user fee revenues recovered about 50% of total parks and recreation-related expenditures, which includes park maintenance expenditures.
- b) The City has an adopted Park Dedication Fee and Impact Fee, which adjust annually based on the

price of real property in the City. The City has also recently approved two facility “add-on” fees designed to generate funds for the repair / replacement of City athletic facilities or at the Orinda Community Center.

- c) The City indicates that user fees are typically adjusted annually based on the Consumer Price Index.
- d) The majority of the City’s Parks and Recreation Department revenue comes from User Fees (75% in FY 2019-20) with the remaining revenue collected through an assortment of grants, district assessments, and interest revenues.

5. Status of, and Opportunities for, Shared Facilities

- a) The City of Orinda has a joint-use agreement with the Orinda Union School District. The City is responsible for the maintenance and operating costs of the Orinda Library / Community Auditorium facility, which is leased from the “Friends of the Orinda Library,” who own the facility. Costs are partially paid from a voter approved parcel tax for Library services.
- b) The City indicates they are not pursuing any additional opportunities for shared facilities.
- c) The City of Orinda is adjacent to CSA R-4.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Orinda website provides access to the agendas and minutes for the City Council and its various boards and commissions, including the Parks & Recreation Commission; along with the City’s budgets; and CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City’s website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City of Orinda demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City did not indicate any additional outreach activities performed.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having significant effects on the City’s Parks and Recreation Department, as the majority of the Department’s costs have historically been recovered through user fee revenues. In response to COVID-19, the City has been forced to considerably reduce staffing and reduce its offerings. The City now offers virtual programs where possible, and modified summer camp programs and distance learning support programs when school began.

City of Pinole Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Pinole’s 2020 population to be 19,505. The ABAG projects Pinole’s population to increase by 1,775 residents between 2020 and 2040, to a total of 21,280. This represents a compound annual growth rate of 0.44%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the City’s SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 252.5 acres of developed neighborhood and community parkland, 12 acres of open space, and 3.5 miles of recreational trails within the City of Pinole. Recreation facilities include a youth center, senior center, tiny tot center, community playhouse, swim center, and courts and ball fields. Additional facilities that residents of Pinole have access to include Point Pinole Regional Shoreline and Sobraante Ridge Botanic Regional Preserve.
- b) The City currently has 12.9 acres of developed parkland per 1,000 residents.
- c) The City has a level of service standard of 3 acres per 1,000 residents and is meeting and exceeding this standard. The current LOS is greater than this standard by 9.9 acres per resident. At the current level of park acreage in the City, the LOS will be met for the projected 2040 City population.
- d) The City offers a variety of sports activities and classes for all ages. FY 2019 enrollment for activities and programs totaled 10,413, with 435 facility rentals and 940 attendees at festivals/events.
- e) CIP planning is conducted through the City of Pinole 5-Year Capital Improvement Plan: FY 2020-21 through FY 2024-25.
- f) The City does not have a standalone Parks and Recreation Master Plan. The City does have a Parks, Trails, and Recreational Facilities section within their General Plan that was adopted in 2010.
- g) The City indicated no plans to acquire future parkland.
- h) Nine of the 10 current parks-related CIP projects have funding identified. The majority of projects are being funded through park grants.
- i) The City indicates that all park facilities are in moderate condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Pinole reported that the current level of financing is adequate for parks and recreation service provision. The City is not aware of any significant new development that will affect its level of services.
- b) The 2019 City Services MSR indicated the City was experiencing some fiscal challenges that could affect the City's ability to provide services. Based on the City-provided financial information for FY 2019-20 it does not appear that park and recreation services are currently experiencing negative impacts due to budgeted fiscal challenges.
- c) The City adopted a Park Dedication Impact Fee. The City did not indicate whether it has any policies in place regarding user fee cost escalation.
- d) Approximately half of the City's Park and Recreation-related funding comes from service/user fees, with the other half coming from the General Fund. All of the City's Public Works funding related to parks maintenance comes from the General Fund.

5. Status of, and Opportunities for, Shared Facilities

- a) The City of Pinole shares their facilities with the Pinole Community Players, Pinole Seals, and EBRPD. Stewart Elementary School and St. Joseph School allows the City to use their facilities for youth programming.
- b) The City expressed interest in expanding their youth programs to offer them at all West Contra Costa Unified School District schools in Pinole.
- c) The City of Pinole is adjacent to CSA M-17 and CSA R-9.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Pinole website provides access to the agendas and minutes for the City Council, and the City's budgets CAFRs. The City adequately provides accountability with regard to governance and

municipal operations.

- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Pinole does not have a Parks and Recreation Commission, but its Community Services Commission oversees matters including recreation and parks activities.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting the City's Parks and Recreation revenues, and the City believes this will continue into FY 2021 if mandated closures persist. In response to COVID-19, the City cancelled all recreation programs, events, field, park, and facility rentals. The City is offering a range of virtual classes and programming, including cooking classes, video game design, and coding lessons.

City of Pittsburg Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Pittsburg's 2020 population to be 74,321. The ABAG projects Pittsburg's population to increase by 18,560 residents between 2020 and 2040, to a total of 92,881. This represents a compound annual growth rate of 1.12%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) Disadvantaged communities were identified within the City's SOI. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 322 acres of developed neighborhood and community parkland and 26.37 miles of recreational trails within the City of Pittsburg. Recreation facilities include a swim center and a senior center. Additional facilities that Pittsburg residents can access include Black Diamond Mines Regional Preserve, Brooks Island Regional Preserve, and Contra Loma Regional Park.
- b) The City currently has 4.3 acres of parks and open space per 1,000 residents.
- c) The City has a level of service standard of 5 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 0.7 acres per resident. The City needs 49.6 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 142.4 more acres of parkland. The City indicated that according to its General Plan, there should be adequate land available to meet this need.
- d) The City offers a variety of sports activities and classes for all ages. The City stated that it does not track attendance data for these programs.
- e) The residents of the City's disadvantaged communities have the same access to recreation facilities and programs as other residents. It is unclear whether the City offers scholarship programs for its recreation programming, but they do offer a number of programs that are free of charge.
- f) CIP planning is conducted through the City of Pittsburg 5-Year Capital Improvement Program 2019-20 through 2023-24.

- g) The City does not have a standalone Parks and Recreation Master Plan. Their current General Plan, adopted in 2001, includes an element regarding Open Space, Youth, and Recreation.
- h) The City indicates that future subdivision approvals might result in open space/parkland dedication. The City also indicates they are in the early stages of considering the conversion of approximately 70-acre golf course into a public recreation facility. The City states that these projects are speculative at this stage and do not yet have City Council approval.
- i) The City indicates that 11 of the 18 current CIP projects have funding identified. Revenues from Parkland Dedication Fees are identified as the source of funding.
- j) The City indicates that of their 26 parks, five are in good condition, 12 are in moderate condition, and nine are in poor condition. The City stated that the community is lacking sufficient facilities to meet the organized sports needs of its growing community.

4. Financial Ability of Agencies to Provide Services

- a) The City of Pittsburg reported that the current level of financing is adequate for current parks and recreation service provision and the department relies entirely on General Fund revenues.
- b) The 2019 City Services MSR noted that the City identified funding obstacles that could affect the City's ability to provide services for the projected increased population. Based on the City-provided financial information for FY 2019-20 it does not appear that park and recreation services are currently experiencing negative impacts due to fiscal challenges; however, the City states that their current facilities are insufficient to meet the organized sports needs of their community and that they do not have a community center to host classroom and sport activities.
- c) The City did not indicate whether there are currently any Park Impact Fees adopted or if there are policies in place for user fee cost escalations.
- d) The City indicates that most of the City's Parks and Recreation Department funding comes from the City's General Fund (73% in FY19-20) with the remainder coming from Service/User Fees (27% in FY 2019-20).

5. Status of, and Opportunities for, Shared Facilities

- a) The City shares fields and a gymnasium with the Pittsburg Unified School District.
- b) The City indicates there are no additional opportunities for shared facilities that are currently being pursued.
- c) The Ambrose Recreation and Park District overlaps the City of Pittsburg's boundary.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Pittsburg website provides access to the agendas and minutes for the City Council, the City's budgets and CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Pittsburg does not have a Parks and Recreation Commission.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting the City's General Fund revenues. In response to COVID-19, the City began hosting all public meetings in a virtual format, is making necessary budget cuts to reflect expected revenue losses due to the effects of COVID and is exploring virtual programming opportunities.

City of Richmond Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of Richmond's 2020 population to be 111,217. The ABAG projects Richmond's population to increase by 37,835 residents between 2020 and 2040, to a total of 149,052. This represents a compound annual growth rate of 1.47%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) Disadvantaged communities were identified within the City's SOI. The residents of the City's disadvantaged communities have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 271.61 acres of developed neighborhood and community parkland and 35 miles of recreational trails within the City of Richmond. Recreation facilities include three community centers, two aquatics centers, and a fieldhouse. Additional facilities that residents of Richmond have access to include Brooks Island Regional Preserve, Miller-Knox Regional Shoreline, Point Isabel Regional Shoreline, Point Pinole Regional Shoreline, Sbrante Ridge Botanic Regional Preserve, and Wildcat Canyon Regional Park.
- b) The City currently has 2.4 acres of developed parkland per 1,000 residents.
- c) The City has a level of service standard of 3 acres per 1,000 residents. Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 0.6 acres per resident. The City, therefore, needs 62 additional acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 175.5 additional acres of parkland.
- d) The City offers a variety of sports activities and classes for all ages. In FY 2019-20, the City had attendance of almost 4,000 in its activities and programs.
- e) The residents of the City's disadvantaged communities have the same access to recreation facilities and programs as other residents. The City has scholarships available for after school programs.
- f) CIP planning was conducted for capital improvement projects approved for FY 2020-2021.
- g) The City has a Parks Master Plan that was approved in 2010.
- h) The City did not provide information regarding additional parkland acquisition plans.
- i) The City indicates all six current CIP projects have at least partial funding identified. Revenues from grants and impact fees are the main sources of funding.
- j) The City indicates that 38 of their 76 parks are in very good condition while the remaining 38 are in moderate condition. The City also indicates that budgetary constraints make staffing and programming challenging for the Community Services Department – Recreation Division.

4. Financial Ability of Agencies to Provide Services

- a) The City of Richmond reports that the current level of financing is adequate for current parks and recreation service provision and the department's revenues are mainly comprised of service/user fees.
- b) The 2019 City Services MSR indicated that the City was experiencing fiscal challenges that could affect the City's ability to provide services, particularly in the event of unexpected funding needs. Based on the City-provided financial information for FY 2019-20 it does not appear that park and recreation services are currently experiencing inordinate negative fiscal impacts beyond COVID-related budget reductions.

- c) The City has Park Dedication Impact Fees adopted. The City also has a policy in place to increase user fees annually according to the Consumer Price Index.
- d) The City indicated that the Recreation Division of its Community Services Department is funded primarily through the General Fund.

5. Status of, and Opportunities for, Shared Facilities

- a) The City shares Central Park with the City of El Cerrito and has lease agreements with the Washington Field House and the YWCA.
- b) The City indicates that no additional opportunities for shared facilities are currently being pursued.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Richmond website provides access to the agendas and minutes for the City Council and the Recreation and Parks Commission, City budgets and CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Richmond does not have a Parks and Recreation Commission but the Community Services Department – Recreation Division provides outreach through social media, the City website, Activity Guides, a bi-monthly newsletter, flyers, and a virtual launch pad/vlog site.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting the City's Community Services Department – Recreation Division budget. In response to COVID-19, the City has offered virtual summer camps, one in-person summer camp, and a variety of virtual programs for all ages.

City of San Pablo Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of San Pablo's 2020 population to be 31,413. The ABAG projects San Pablo's population to increase by 2,535 residents between 2020 and 2040, to a total of 33,948. This represents a compound annual growth rate of 0.39%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) Disadvantaged communities were identified within the City's SOI. Residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 27.6 acres of developed neighborhood and community parkland and 0.55 miles of recreational trails within the City of San Pablo. Recreation facilities include a community center, two senior centers, a sports complex, and multiple sports fields. Additional facilities that residents of San

Pablo have access to include the Miller-Knox Regional Shoreline and Point Pinole Regional Shoreline.

- b) The City currently has 0.9 acres of developed parkland per 1,000 residents.
- c) The City of San Pablo does not have an adopted park acreage standard per 1,000 residents.
- d) The City offers a variety of sports activities and classes for all ages. The City reported annual attendance at parks and recreation classes to be 3,500.
- e) Residents of the City's disadvantaged communities have the same access to recreation facilities and programs as other residents. The City has scholarships available for senior center programming.
- f) CIP planning is conducted for capital improvement projects for FY 2017-2021.
- g) The City of San Pablo does not have a standalone Parks and Recreation Master Plan but has a chapter in their adopted General Plan which focuses on Parks, Schools, Community Facilities, and Utilities.
- h) The City indicates there are no current plans to acquire more parkland.
- i) The City indicates that its one current parks-related CIP project is fully funded and did not indicate the funding status of the one future parks-related CIP project.
- j) The City indicates that of its 14 park and recreation facilities, four are in very good condition, eight are in moderate condition, and two are in poor condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of San Pablo reports that the current level of financing is adequate for current parks and recreation service provision, and that the department recovered about 12% of their Parks and Recreation expenditures in FY 2019-20.
- b) The City does not have adopted park-related Impact fees. The City does not have an adopted policy for user fee price escalation but has recently increased some of the user fees for the Community Services Department.
- c) The City's Community Services Department is funded primarily through the General Fund.

5. Status of, and Opportunities for, Shared Facilities

- a) The City has a Joint-Use Agreement with the West Contra Costa Unified School District to share resources for after-school youth programs.
- b) The City indicates they are researching future partnerships with Contra Costa County for certain programs.
- c) The City of San Pablo is adjacent to CSA R-9.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of San Pablo website provides access to the agendas and minutes for the City Council, City budget and CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of San Pablo has a Community Services Standing Committee.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting San Pablo's General Fund revenues. In response to COVID-19, the City is holding some virtual programs. The City indicates they have begun some virtual services (day camps, sports programs, and cooking classes) and staff is working to host additional virtual classes and events.

City of San Ramon Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

- a) The CDF estimates the City of San Ramon's 2020 population to be 83,118. The ABAG projects San Ramon's population to increase by 7,680 residents between 2020 and 2040, to a total of 90,798. This represents a compound annual growth rate of 0.44%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the City's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 377 acres of developed neighborhood and community parkland, 3,261 acres of open space, and 57.1 miles of recreational trails within the City of San Ramon. Recreation facilities include four community centers, an aquatic center, an aquatic park, two gymnasiums, 26 tennis courts, a performing arts center, and a theater. Additional facilities that residents of San Ramon have access to include Bishop Ranch Regional Open Space, Iron Horse Regional Trail, Las Trampas Regional Wilderness, and Little Hills Picnic Ranch.
- b) The City currently has 4.5 acres of developed parkland per 1,000 residents.
- c) The City has a level of service standard of 6.5 acres per 1,000 residents at General Plan buildout (2035). Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 2.0 acres per resident. The City, therefore, needs 163.3 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 City population, the City will need 213.2 more acres of parkland.
- d) The City offers a variety of sports activities and classes for all ages. The City reported annual attendance at activities and programs of 102,022, annual attendance from facility rentals of 478,486, and annual attendance at other events and festivals of 52,587.
- e) The City offers financial scholarships to residents that meet city scholarship program requirements.
- f) CIP planning is conducted through the City's Capital Improvement Program 2019/20 – 2023/24.
- g) The City has a Parks, Open Space, Trails, and Recreation Master Plan that was adopted in 2020.
- h) The City indicates there are three parks in the process of being developed: Sunrise Ridge, Critter Crossroads, and Rancho Phase II. There are plans to acquire additional open space.
- i) The City indicates that seven of the 12 current parks-related CIP projects have funding sources fully identified, two have partial funding sources identified, and three have Alternative Funding listed as the source. Funding primarily comes from Debt Financing COP (Certificate of Participation) and the Park Development Fund.
- j) The City indicates that six of the eight future parks-related CIP projects have funding sources fully identified, and two have at least some funding sources identified. Funding primarily comes from the Infrastructure Maintenance Fund.
- k) The City indicates that of the 68 park and recreation facilities in the City, 62 are in very good condition, five are in moderate condition, and one is in poor condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of San Ramon reported that the current level of financing is adequate for current parks and recreation service provision, and that the department recovered 25% of their total Parks and Recreation-related expenditures in FY 2019-20 through service/user fees.
- b) The 2019 City Services MSR indicated the City could experience fiscal challenges to service provision for its growing population if General Fund deficits persist. The City reports that while COVID-19 has

been detrimental to park and recreation revenues due to inability to offer programs and rentals at standard capacity, the City has pivoted to providing more social services and is moving forward with planned CIP projects. The FY 2019-20 financial information received for this MSR did not indicate that the City is experiencing fiscal challenges to service provision, but it is pertinent to note that this budget was prepared prior to the effects of COVID-19 being fully apparent.

- c) The City has a Parkland Dedication Fee, an Open Space Development Impact Fee, and a Park & Recreation Facility Impact Fee. The City annually approves a Fee Resolution that sets parks and recreation user fees. Fee updates are based on local rate studies and the Bay Area Consumer Price Index.
- d) CSA M-29 provides financing for park and recreation facility maintenance in the Dougherty Valley region of the City of San Ramon. The City uses CSA funds to provide park and facility maintenance services within City limits.
- e) The City's Parks & Community Services Department is funded primarily through the General Fund, which funds about 75% of the department's activities.

5. Status of, and Opportunities for, Shared Facilities

- a) The City shares two gymnasiums, 14 tennis courts, one track, two aquatic centers, and one performing arts center with the San Ramon Valley Unified School District. The City also shares two libraries with Contra Costa County.
- b) The City is exploring opportunities to expand an existing partnership with the Discovery Counseling Center to expand counseling offerings.
- c) The City of San Ramon shares significant areas of overlap with CSA M-29.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of San Ramon website provides access to the agendas and minutes for the City Council and the Parks & Community Services Commission, City budgets and CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of San Ramon has a Parks & Community Services Commission and performs additional outreach through multiple advisory committees.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting San Ramon's General Fund revenues. In response to COVID-19, the City has been unable to rent facilities, offer standards programs, has used reserves to cover revenue shortfalls, and focused on decreasing expenditures. The City pivoted to providing more social service support, offering virtual classes, collaborating with the County to distribute food and personal protective equipment to the community, and developing protocols to provide safe childcare, camps, and other opportunities that comply with County health guidelines.

City of Walnut Creek Parks and Recreation Services MSR Determinations

1. Growth and Population Projections

The CDF estimates the City of Walnut Creek's 2020 population at 70,860. The ABAG projects Walnut

Creek's population to increase by 12,255 residents between 2020 and 2040, to a total of 83,115. This represents a compound annual growth rate of 0.80%.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) Disadvantaged communities were identified within the City's SOI. The residents of the City's disadvantaged community have equivalent access to park facilities as other members of the community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently 209 acres of developed neighborhood and community parkland, 2,701 acres of open space, 191 acres of other park-related acreage, and 52 miles of recreational trails within the City of Walnut Creek. Recreation facilities include two community centers, a center for community arts, an aquatics center, sports fields, a gymnasium, and a golf course. Additional facilities that residents of Walnut Creek have access to include Castle Rock Regional Recreation Area, Diablo Foothills Regional Park, and Las Trampas Regional Wilderness.
- b) The City currently has 2.9 acres of developed parkland per 1,000 residents.
- c) The City of Walnut Creek has a level of service standard of 5 acres per 1,000 residents at General Plan buildout (2035). Relative to this standard, the City is underproviding park acreage. The current LOS is short of this standard by 2.1 acres per resident. The City, therefore, needs 145.3 more acres to meet the standard for the current population. In order to meet the LOS for the projected 2040 city population, the City will need 412.6 more acres of parkland.
- d) The City offers a variety of sports activities and classes for all ages. The City reports annual attendance at activities and programs of 102,022, annual attendance from parks and recreation classes at 28,750, art gallery attendance at 30,500, aquatics center fitness and recreational swimming attendance at 300,000, Leshner Center for the Arts attendance at 300,000, and annual rounds at boundary Oak Golf Course at 59,000.
- e) The residents of the City's disadvantaged communities have the same access to recreation facilities and programs as other residents. The City offers financial aid for low- and moderate-income Contra Costa County residents to participate in recreation classes and programming.
- f) CIP planning is conducted through the City's 10-Year Capital Investment Program 2018-2028.
- g) The City of Walnut Creek has a 10-Year Parks Plan for 2016-2026.
- h) The City indicates there is interest in acquiring additional parkland as it is one of the goals included in the City's General Plan.
- i) The City did not specify the funding source status of the 11 current parks-related CIP projects but indicated that all nine future parks-related CIP projects are funded.
- j) The City indicates that of the 17 developed park and recreation facilities in the City, 12 are in very good condition, four are in moderate condition, and one is in poor condition.

4. Financial Ability of Agencies to Provide Services

- a) The City of Walnut Creek reports that the current level of financing is adequate for current parks and recreation service provision, and that the department recovered 51% of their total Parks and Recreation-related expenditures in FY 2019-20 through service/user fees.
- b) The 2019 City Services MSR indicated the City may experience funding obstacles in maintaining existing service levels or meeting overall infrastructure needs to accommodate projected population growth over the next five years. While the City-provided financial information for FY 2019-20, the information does not indicate any such funding obstacles. The City reports that the COVID-19 pandemic has caused significant projected revenue shortfalls for the next two fiscal years compared to

pre-pandemic estimates. In response to these projected shortfalls, the City indicates that annual contributions to the Capital Budget are reduced compared with prior years.

- c) The City has a Parkland Dedication In-Lieu Fee adopted. The City adopted a cost recovery policy for Arts and Recreation programs in 2014, and updates user fees annually.
- d) The City's Arts and Recreation Department is funded through the City's General Fund (49% in FY 2020) and service/user fees (51% in FY 2020).

5. Status of, and Opportunities for, Shared Facilities

- a) The City shares facilities with the Walnut Creek School District and the Mt. Diablo Unified School District.
- b) The City did not indicate if they are pursuing additional opportunities for shared facilities.
- c) The City of Walnut Creek is adjacent to and shares small areas of overlap with the Pleasant Hill Recreation and Park District.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The City of Walnut Creek website provides access to the agendas and minutes for the City Council and the Park, Recreation and Open Space Commission, and City budgets and CAFRs. The City adequately provides accountability with regard to governance and municipal operations.
- b) The City's website provides access to public notices, including the time and place at which City residents may provide input, as well as other opportunities for public involvement in the City decision-making process. Meeting agendas and minutes are posted in a timely manner. The City adequately provides accountability with regard to citizen participation.
- c) The City demonstrated accountability and transparency by disclosing financial and service-related information in response to LAFCO requests.
- d) The City of Walnut Creek has a Park, Recreation and Open Space Commission and performs additional outreach through its Arts Commission and Youth Leadership Commission.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is impacting Walnut Creek's fiscal situation. In response to COVID-19, the City is hosting virtual Arts & Recreation classes and services, launched a program to help seniors with grocery delivery, and created a virtual Community Center. The City's Parks and Open Spaces have remained open, and programming is ongoing to the extent that County/State health orders allow.

COMMUNITY SERVICES DISTRICT MSR DETERMINATIONS

Crockett Community Services District MSR Determinations

1. Growth and Population Projections

- a) The residential population served by the Crockett Community Services District (CCSD) is relatively stable, with expected growth of approximately 5%, or 156 people, between 2020 and 2040, for a total population in 2040 of approximately 3,465 people.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) The portion of the CCSD service area west of Interstate 80 is considered a disadvantaged community in that the median household income is less than 80% of the statewide median household income.
- b) Residents of the disadvantaged community within CCSD have access to park and recreation facilities

and services, although CCSD's primary parks and recreation facilities are located east of Interstate 80.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently two parks in the CCSD service area featuring bocce courts, one community center, one swimming pool, and tennis courts.
- b) CCSD staff report that the Community Center turned 100 years old in 2020 and needs some work, as does the pool building at the swimming pool. Alexander Park and Rithet Park are in good condition as reported by the District and do not need major improvements at this time.
- c) The CCSD provides 1.9 acres of parks per 1,000 residents, which is insufficient relative to the County's goal of 4.0 acres per 1,000 residents.
- d) There is limited recreational programming offered within CCSD to meet the needs of youths and adults.
- e) The District's annual budget includes a CIP list and funding strategy. Funding sources are identified for 100% (nearly \$170,000) of CCSD's current planned parks and recreation-related capital expenditures for FY 2020-21. Most of the identified funding comes from grants, Return-to-Source funding, and the capital reserve fund.

4. Financial Ability of Agencies to Provide Services

- a) CCSD funding for park and recreation services comes primarily from operating revenue generated by community center rentals, aquatics center revenue, and revenue from parks, bocce, and tennis court charges and rentals. Revenue also comes from non-operating revenue such as the District's recreation parcel tax, transfers of property tax revenues, and grants.

5. Status of, and Opportunities for, Shared Facilities

- a) Rithet Park was built in 1912 and renovated in 1997. While the park is owned and maintained by C&H Sugar, it is an important asset to the community and is accessible to all residents.
- b) CCSD did not identify other opportunities for shared facilities.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) CCSD is accountable to its service population and provides transparent governance and operations. The District's website provides access to the agendas and minutes for the Board meetings and its various commissions and committees, including the Recreation Commission, as well as annual budgets and audits.
- b) The District was fully responded to LAFCO's requests for information.
- c) The District makes efforts to reach out to the community through publication of an annual newsletter about CCSD and the periodic "Crockett Engaged" newsletter.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 is having a significant effect on CCSD's ability to fund and provide Park and Recreation services. In response to COVID-19, the District is providing updated information related to the status of facilities. Most facilities are closed for recreational and public use; tennis courts are open with social distancing requirements in place. A note on CCSD's website indicates that the Recreation Department lost over \$40,000 through May 2020 and anticipates an additional \$40,000+ in lost income at the Community Center through the end of September 2020. The Recreation Department had to furlough two employees.

Diablo Community Services District MSR Determinations

1. Growth and Population Projections

- a) The residential population served by the Diablo Community Services District (DCSD) is relatively stable, with expected growth of approximately 3%, or 26 people, between 2020 and 2040, for a total population in 2040 of approximately 835 people.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to the District's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) The DCSD maintains a 100-yard long (one acre area) pedestrian and equestrian trail (*Kay's Trail*) and has no plans to expand parks and recreation in the future.
- b) Aside from the General Manager, the DCSD has no other employees.
- c) The DCSD does not provide recreational programming.
- d) DCSD's annual budget includes a CIP list. Currently, there are no planned capital projects affecting *Kay's Trail*.

4. Financial Ability of Agencies to Provide Services

- a) DCSD funding for maintenance of *Kay's Trail* comes from property tax revenue and Measure B revenue. Measure B is a special tax measure passed by voters in March 2018. Of the District's expenditures, maintenance of *Kay's Trail* is less than 1% of total expenditures each year (approximately \$8,000).

5. Status of, and Opportunities for, Shared Facilities

- a) DCSD does not currently share park and recreation facilities and did not identify any opportunities for shared facilities.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) DCSD is accountable to its service population and provides transparent governance and operations information. The District's website provides access to the agendas and minutes for the Board meetings, as well as annual budgets and audits.
- b) The District responded to LAFCO's requests for information.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 has not had a material effect on DCSD's ability to fund its maintenance of *Kay's Trail*. The District's General Manager notes that if property values decrease in future years as a result of the pandemic-induced recession, the ad valorem tax revenue the District receives would decrease which would strain the District's budget.

Town of Discovery Bay Community Services District MSR Determinations

1. Growth and Population Projections

- a) The residential population served by the Town of Discovery Bay Community Services District (TDBCSD) is relatively stable, with expected growth of approximately 3.5%, or 539 people, between 2020 and 2040, for a total population in 2040 of approximately 15,754 people.
- b) The future development of the Pantages Bay residential homes project will be in an area surrounded by Discovery Bay, and the Newport Pointe residential homes project will be in an area adjoining Discovery Bay. These development projects have been approved by Contra Costa County. While LAFCO already approved the SOI update and annexation of Newport Pointe to the District, the Discovery Bay CSD anticipates the area of the Pantages Bay residential homes project will be annexed to the TDBCSD as well. The District also recognizes the potential for future residential and commercial development surrounding the SOI and TDBCSD boundary, which may necessitate future expansions and annexations.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to the District's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently six parks in the TDBCSD service area for a total of nearly 30 acres, including one community center. These parks feature sports fields, tennis courts, BBQ areas, picnic tables, playgrounds, restrooms, and dog areas. There is a swimming pool at the Community Center and a splash pad at Ravenswood Park.
- b) The District maintains all of the public parks and landscaped areas in Discovery Bay. The landscaped areas in Discovery Bay are divided into five landscape zones, two are owned by the District, and the remaining three are owned by Contra Costa County and maintained under contract by the District.
- c) TDBCSD provides approximately two acres of parks per 1,000 residents.
- d) The District offers robust recreational programming to meet the needs of all residents, although programming was significantly affected by COVID-19. Classes and programs are published seasonally in the "*Discovery Bay Activity Guide*." Classes and programs are taught by contract instructors.
- e) The District's annual budget includes a CIP list and funding strategy. In FY 2020-21, plans are underway to complete the Community Center pool project; convert two tennis courts to pickleball courts; and prepare a Landscaping Master Plan.
- f) The majority of the District's parks facilities are in moderate condition as reported by the District, with Regatta Park needing more substantial renovation while Slifer Park is in very good condition.

4. Financial Ability of Agencies to Provide Services

- a) TDBCSD funding for maintenance of parks and landscaped areas comes from property tax revenues to Landscape and Lighting District Zone #8 and assessments to Landscape and Lighting District Zone #9.
- b) Funding for recreation services, also provided through Landscape and Lighting District Zone #8, comes primarily from cost recovery fees and charges for recreational classes, facility rentals, donations, novelty/beverage/food sales and community center events.
- c) Reserve Funds were established for emergency use for the Lighting and Landscape District Zone #8 and the Lighting and Landscape District Zone #9. The reserves are 50% of Zone #8 and Zone #9 operating budgets.

5. Status of, and Opportunities for, Shared Facilities

- a) TDBCSD does not share facilities with other jurisdictions and did not identify any opportunities for shared facilities.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) The District is accountable to its service population and provides transparent governance and operations. TDBCSD's website provides access to the agendas and minutes for the Park & Recreation Committee, as well as annual budgets and audits.
- b) The District responded to LAFCO's requests for information in a timely manner.
- c) The District makes efforts to reach out to the community through publication of its seasonal Activity Guide. Staff has increased use of the Town's Facebook page and website to promote its various recreation programs, activities and events.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) COVID-19 has affected the TDBCSD's ability to offer recreation classes, programs, and activities. In response, the District is now providing virtual programs. TDBCSD's fiscal situation has not changed significantly; however, the longer the pandemic precludes the District from offering recreational programming, the more likely the District is to experience negative fiscal effects.

**Kensington Police Protection and Community Services
District MSR Determinations**

1. Growth and Population Projections

- a) The residential population served by the Kensington Police Protection and Community Services District (KPPCSD) is relatively stable, with expected growth of approximately 3.6%, or 92 people, between 2020 and 2040, for a total population in 2040 of approximately 2,672 people.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to KPPCSD's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There is currently one community center ("Youth Hut") located in Kensington Park and within the District's service area, as well as adjacent basketball courts and two full-size tennis courts and practice backboard.
- b) The Community Center was recently renovated with seismic upgrades, abatement work, and parking upgrades. Public restroom upgrades in Kensington Park were also completed. Funding was partially addressed with EBRPD Measure WW grant funds.
- c) The KPPCSD provides nearly 1.9 acres of parks per 1,000 residents, which is insufficient relative to the County's goal of 4.0 acres per 1,000 residents.
- d) While the KPPCSD does not provide recreational programming, there is some recreational programming offered through the Kensington Community Council.
- e) The District's annual budget includes a capital outlay plan. For FY 2020-21, the most significant capital outlay is the Community Center loan repayment.

- f) With the renovation of the Community Center, KPPCSD's park and recreation facilities are in very good condition.

4. Financial Ability of Agencies to Provide Services

- a) KPPCSD funding for park and recreation facilities comes primarily from non-operating revenue such as property tax allocation and the Landscape & Lighting Maintenance District Assessment. Revenues also comes from operating revenue generated by community center rentals and tennis court charges. Because the Community Center is closed for renovation, no rental revenue has been generated. With the renovation, the rental revenue is expected to increase.
- b) Currently, park and recreation facility expenses exceed revenues and require subsidy from the District's General Fund. One of the Board's priorities for the coming fiscal year is to review the Landscape Maintenance District assessment for ongoing maintenance of Kensington Park and discuss whether to propose increasing the assessment levy for Kensington Park to reduce or eliminate the current General Fund subsidy for maintenance activities at that location.

5. Status of, and Opportunities for, Shared Facilities

- a) KPPCSD did not identify opportunities for shared facilities.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) KPPCSD is accountable to its service population and provides transparent governance and operations information. The District's website provides access to the agendas and minutes for the Board meetings, as well as annual budgets and audits.
- b) The District responded to LAFCO's requests for information.
- c) In early 2021, the District appointed a new General Manager.
- d) The District makes limited effort to reach out to the community through publication of an occasional newsletter.

7. Any other matter related to efficient service delivery, as required by commission policy

- a) Between the planned renovation of the Community Center which was closed and unavailable to rent (beginning March 2019), and COVID-19 (beginning March 2020), the District has faced nearly two years of diminished facility rental revenue.

EAST BAY REGIONAL PARK DISTRICT MSR Determinations

1. Growth and Population Projections

- a) The residential population served by the East Bay Regional Park District (EBRPD) is projected to expand significantly at an average annual rate of 1.02%, equivalent to expected growth of approximately 22%, or 639,545 people, between 2020 and 2040, for a total population in 2040 of approximately 3,479,665 people.
- b) The District's population is projected to grow at a faster rate than the County's population overall, which is expected to grow at an average of 0.72% per year, as growth in Alameda County is expected to outpace growth in Contra Costa County.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) There are a number of disadvantaged communities located within the EBRPS's SOI. In all cases, the communities appear to have access to the District's parks and facilities.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) EBRPD offers approximately 125,000 acres of parkland and open space, representing approximately 44 acres per 1,000 residents. Most of the active parks are well-amenitized with picnic and BBQ areas, other recreation features, and restrooms.
- b) EBRPD performs regular capital improvements that help maintain the District's parks and facilities in mostly very good condition.
- c) Pre-COVID, EBRPD offered robust recreational programming and activities for all segments of the resident population. During the COVID period, the District is identifying and developing virtual experiences and other programming to support distance learning.

4. Financial Ability of Agencies to Provide Services

- a) EBRPD has an annual operating budget of approximately \$230 million per year, with revenues coming primarily from taxes and assessments and charges for services. Publicly available budget documents indicate that the District is adequately resourced; however, this is being challenged during COVID and expenditures are expected to exceed revenues in FY 2020-21.
- b) EBRPD publishes a Project and Program Budget and 5-Year Expenditure Plan each year that supports implementation of capital priorities. For the 5-year period from FY 2020 through FY 2024, nearly \$390 million of capital improvements are identified. The District has identified funding consisting primarily of district revenue sources and district bonds.

5. Status of, and Opportunities for, Shared Facilities

- a) EBRPD shares facilities and management responsibilities with other agencies where it is efficient to do so. The District manages several properties for the State of California including the McLaughlin Eastshore State Park, Del Valle, and Crown Beach; and also shares management of watershed/park land with local water agencies (e.g., EBMUD, Contra Costa and San Francisco) and with Livermore Area Recreation & Park District (LARPD). The Ardenwood Historic Farm is jointly operated with the City of Fremont, and Mission Peak is owned by the City of Fremont and managed by EBRPD. The Hayward Regional Shoreline is jointly managed with the Hayward Area Recreation and Park District, the City of Hayward, and Alameda County Flood Control. In addition, the EBRPD is responsible for the maintenance and operation of parks, open space and trails in the Murray Township area, which is in the LARPD boundary.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) EBRPD is accountable to its service population and provides transparent governance and operations information. The District's website provides access to the agendas and minutes for the Board of Directors meetings and the Park Advisory Committee meetings. The website also provides access to annual budgets and capital improvement plans.
- b) The District makes efforts to reach out to the community through its monthly e-newsletter and its website which is easy to navigate.
- c) No changes to the EBRPD's governmental structure appear warranted.

7. Any Other Matter Related to Efficient Service Delivery, As Required by Commission Policy

- a) COVID-19 had a significant effect on EBRPD's ability to offer recreational programs and activities and, in turn, on the District's user fee revenues. While this has negatively affected the District's revenues, there have been some operational savings that have partially off-set the loss in revenue.

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR THE
AMBROSE RECREATION & PARK DISTRICT**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including the Ambrose Recreation & Park District (ARPD); and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for the ARPD incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the ARPD as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, several options were included in the MSR report. It is

recommended that the Commission retain the existing coterminous SOI for the ARPD as depicted in Exhibit A (attached) and make the following SOI determinations pursuant to §56425 for the ARPD.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) The residential population served by the District is projected to increase at an average of 1.2% annually, with expected growth of approximately 25%, or 7,137 people, between 2020 and 2040, for a total population in 2040 of approximately 35,377 people.
- b) The District's population is projected to grow at a faster rate than the County's population overall, which is expected to grow at an average of 0.72% per year.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) The northern portion of the area served by ARPD, the unincorporated community of Bay Point, qualifies as a disadvantaged community.
- b) At 1.0 acre per 1,000 residents, the amount of parkland in the Bay Point community and ARPD overall is below the County's General Plan standards and below the City of Pittsburg's park acreage goals and is inadequate.
- c) ARPD made a concerted effort since the 2010 MSR to expand and improve its program offerings, which it has achieved through contracts with providers. ARPD now offers a broader array of recreation programs for all ages and provides more aquatic programming. The District is intentional in its efforts to keep the cost of recreational programming accessible to all residents, including residents of the Bay Point community.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) ARPD owns and maintains nine parks in the District's service area for a total of nearly 29 acres, including one community center. The parks feature sports fields, tennis courts, BBQ areas, picnic tables, playgrounds, and restrooms. There is a swimming pool at Ambrose Park.
- b) The District provides approximately 1.0 acre of parkland per 1,000 residents, which is well below typical levels of service in the County even with the transfer of four pocket/neighborhood parks to ARPD from the County. Generally, there is a lack of neighborhood park space within the District.
- c) There are an additional 17.5 acres of parkland in or adjacent to the ARPD that are owned and maintained by the City of Pittsburg which provide additional parkland to the ARPD's service population and brings the effective level of service to 1.6 acres of parkland per 1,000 residents.
- d) In a significant turnaround from the prior MSR in 2010, ARPD now offers recreational programming, including a robust aquatics program, to meet the needs of residents, although programming has been and continues to be significantly affected by COVID-19. Access to the gym at the Community Center is available for a nominal fee. Classes and programs are described online and registration is available online.

- e) The District planned to embark on public visioning workshops that would recur every 5-10 years. The first workshop was set to take place in April 2020 but the pandemic forced ARPD to cancel the workshop.
- f) ARPD's annual budget includes a CIP list. District staff indicated that approximately \$12 million of outstanding capital improvements are identified. At an upcoming visioning workshop, the Board will consider additional/alternative funding opportunities.
- g) The majority of ARPD's parks and recreation facilities are in moderate condition as reported by the District, although the District reports that Ambrose Community Center and Park are in poor condition. Concerns regarding the quality of facilities at Ambrose Park and the Community Center were also identified in the 2010 MSR.

4. *Financial Ability of Agencies to Provide Services*

- a) In FY 2019-20, approximately 70% of the District's revenues came from taxes and assessments with additional revenue coming from user/registration fees and facility rentals, and periodic grants. User/registration fees and facility rentals are being negatively affected by COVID, and limited use of reserves was needed in FY 2019-20.
- b) Compared with FY 2017-18, taxes and assessments increased by 18%, while user/registration fees are down 66%.
- c) ARPD indicated that because it serves a disadvantaged community, it is unable to raise the revenues necessary to fund needed capital improvements.

5. *Status of, and Opportunities for, Shared Facilities*

- a) While ARPD does not share any facilities, the District rents its Community Center to the County's Employment & Human Services Department and benefits from cooperative relationships with the Mt. Diablo Unified School District and the Pittsburg Police Department, which reliably administers and ensures safety at the largest parks.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

- a) ARPD is accountable to its service population and provides transparent governance and operations information. The District's website provides access to the agendas and minutes for the Board meetings, as well as annual budgets and audits.
- b) The District responded to LAFCO's requests for information in a timely manner.
- c) The 2010 MSR indicated that in the long term, the City of Pittsburg may want to annex the community of Bay Point. As the entire ARPD boundary is within the City's SOI, upon annexation of Bay Point, LAFCO may wish to establish ARPD as a subsidiary district of the City of Pittsburg. This remains an appropriate governance option for future consideration. Since the prior MSR, there no discussions regarding annexation.

7. *Any Other Matter Related to Efficient Service Delivery, As Required by Commission Policy*

- a) COVID-19 has affected the District's ability to offer recreation classes, programs, and activities. To date, ARPD is not holding virtual programs or hosting online activities. The District's fiscal situation has not

changed significantly; however, the longer the pandemic precludes the District from offering recreational programming, the more likely ARPD is to experience negative fiscal effects. To date, the District has not altered any capital plans.

SOI DETERMINATIONS

1. Present and planned land uses in the area, including agricultural and open-space lands.

The District boundaries encompass residential uses, limited commercial and industrial areas, park and open space areas, and the Pittsburg/Bay Point BART Station. ARPD has no land use authority; County and city plans include land uses and population growth that may impact the District's service population and ability to provide services. No changes in present and planned land uses will result from this SOI update.

2. Present and probable need for public facilities and services in the area.

There is a present and probable future need for park and recreation services in the Bay Point community and surrounding areas. Population within ARPD is expected to increase at an annual rate of approximately 1.2%. No changes in public facilities or services provided by ARPD will result from this SOI update.

3. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

ARPD generally provides adequate park maintenance services and is improving its recreation programming. There are nearly 29 acres of parkland owned and maintained by ARPD, which translates to 1.0 acres of parkland per 1,000 district residents, short of the County's General Plan goal of 4.0 acres of parkland per 1,000 residents. The SOI update will not impact the present capacity of public facilities and adequacy of public services that ARPD provides or is authorized to provide.

4. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

ARPD serves the unincorporated community of Bay Point, which qualifies as a disadvantaged unincorporated community. Several of the District's smaller parks are located in this community, and residents also have access to the Bay Point Regional Shoreline.

As reported by ARPD staff, the District has made a concerted effort since the 2010 MSR to expand and improve its recreation program offerings, and the District is intentionally keeping its program fees affordable to all residents in acknowledgement of Bay Point's classification as a Disadvantaged Community. The SOI update will not affect the existence of any social or economic communities of interest.

5. Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only.)

ARPD provides park maintenance and recreation programming. Park and recreation facilities maintained by ARPD are located in the unincorporated community of Bay Point. The District is bounded by the City of Concord to the south and west, the City of Pittsburg to the east, and the Contra Costa-Solano county line to the north.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

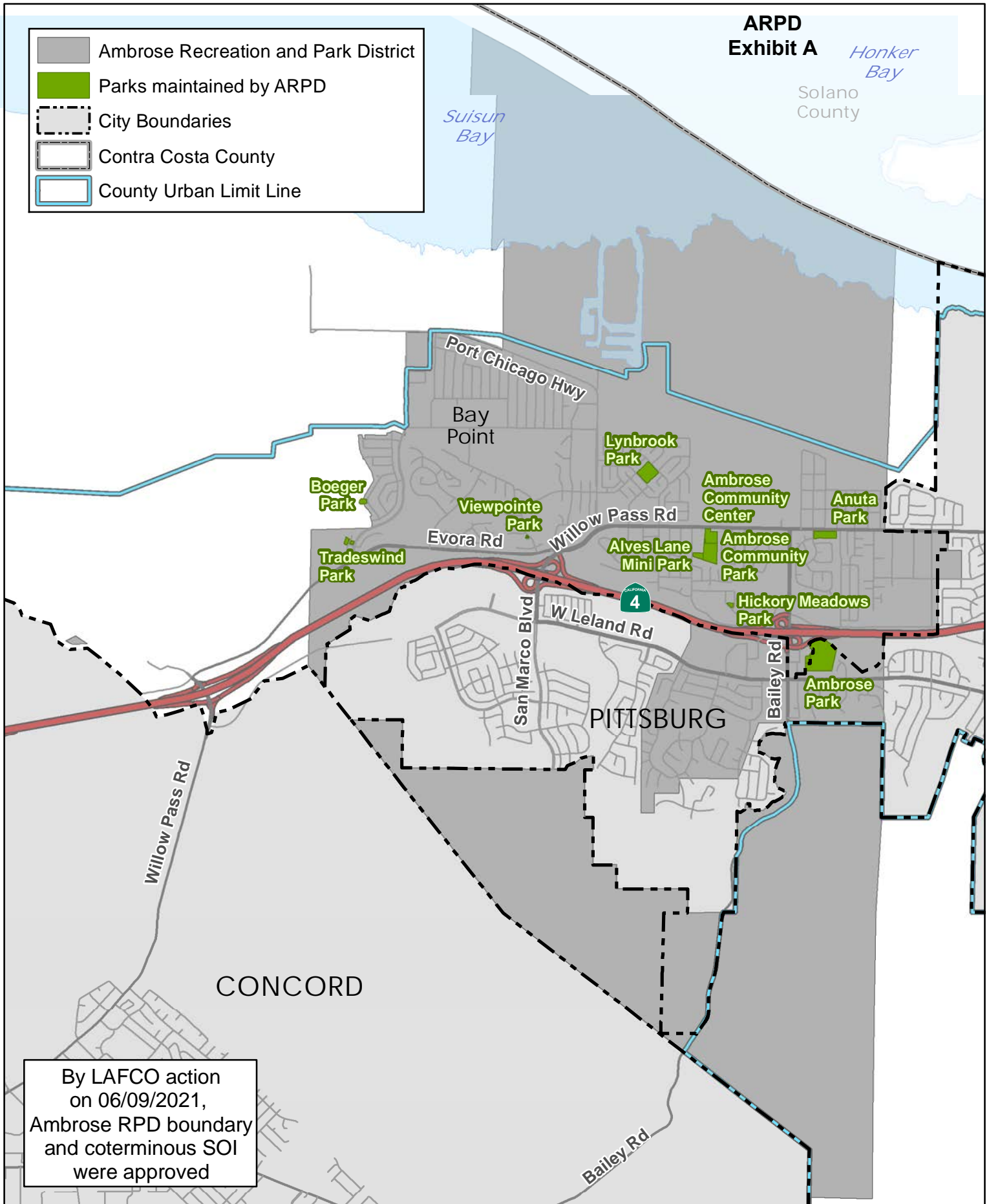
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

Ambrose Recreation and Park District and Coterminus SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR THE
GREEN VALLEY RECREATION & PARK DISTRICT**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including the Green Valley Recreation & Park District (GVRPD); and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for the GVRPD incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the GVRPD as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding SOI, several options were identified in the MSR report. It is

recommended that the Commission retain the existing coterminous SOI on a provisional basis for the GVRPD as

depicted in Exhibit A (attached) and make SOI determinations pursuant to §56425 for the GVRPD. Further, that the GVRPD report back to LAFCO within two years on transparency with respect to governance, capital improvement planning, increased membership, and fiscal solvency.

MSR DETERMINATIONS

1. *Growth and Population Projections*

- a) The territory within the GVRPD boundary is built-out, and as such, only minimal population growth is expected.
- b) The residential population served by GVRPD is projected to remain relatively stable, with expected growth of approximately 0.17% per year, or 3% between 2020 and 2040, for a total population in 2040 of approximately 1,244 people.
- c) The District's population is projected to grow at a slower rate than the County's population overall, which is expected to grow at an average of 0.72% per year.

2. *The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence (SOI)*

- a) No disadvantaged communities were identified within or contiguous to GVRPD's SOI.

3. *Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies*

- a) GVRPD's only facility is a 70-year old swimming pool that is not-ADA-compliant, along with restrooms and changing areas, and the surrounding lawn area. The lawn area includes picnic tables.
- b) GVRPD performs small but regular capital improvements that help maintain the pool in good condition.
- c) In the 2010 MSR, GVRPD indicated a desire to replace the pool with a new, much larger pool to better serve nearby residents. No further planning has occurred, and the District does not have sufficient capital reserves or surplus cash flow to fund such a major renovation.
- d) GVRPD sponsors community events each year (e.g., the Polar Plunge, Chili Cookoff) and provides regular programming, such as movie nights and TGIF BBQ and Swim parties. All events are free for members.

4. *Financial Ability of Agencies to Provide Services*

- a) COVID-19 has affected GVRPD's ability to fully open the pool which has significantly affected membership revenue. In FY 2019-20, nearly all of the District's revenue came from taxes and assessments compared with five years ago, when charges for services (membership dues) comprised 45% of the District's revenues.
- b) Since the 2010 MSR, GVRPD has been successful in expanding and improving event programming.
- c) GVRPD provides adequate pool and lawn maintenance services but is unable to fund significant capital improvements or consider a full renovation.

5. *Status of, and Opportunities for, Shared Facilities*

- a) GVRPD does not share any facilities.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

- a) GVRPD is not fully accountable to its service population in that it does not provide fully transparent governance and financial information on its website. Since the prior 2009 and 2010 MSRs, GVRPD made efforts to address some of the challenges previously identified and now prepares annual budgets, conducts annual financial audits, posts meeting minutes, etc. However, the website could provide more content with respect to the District's governance. Budgets and audits are not posted, and transparency could be improved by posting a regular board meeting schedule and meeting agendas, and by providing more timely and detailed meeting minutes.
- b) GVRPD responded to LAFCO's requests for information in a timely manner.
- c) The governance alternatives identified in the 2008 and 2010 MSRs remain options:
- consolidate with the Town of Danville;
 - consolidate with EBRPD;
 - consolidate with the San Ramon Valley School District;
 - consolidate with CSA R-7;
 - pursue private options including forming a nonprofit entity, forming a homeowners' association or joining with another private pool association (e.g., Del Amigo Pool Association)
- d) LAFCO opined in the 2008 MSR, and it remains the case, that an independent special district is not an appropriate governance option and would never be formed today.

7. *Any Other Matter Related to Efficient Service Delivery, As Required by Commission Policy*

- a) COVID-19 had a significant effect on GVRPD's ability to open the pool, and membership revenue was severely affected. Operating expenses were also reduced as the District did not need to hire seasonal employees.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands.*

The GVRPD boundary primarily encompass residential uses. The District no land use authority; County and city plans include land uses and population growth that may impact GVRPD's service population and ability to provide services. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area.*

Population within GVRPD is expected to increase by less than 0.2% annually. While there will be a continued need for adequate park and recreational services, no changes in public facilities or services provided by the District will result from this SOI update at this time.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

GVRPD owns and operates a community swimming pool and coordinates related aquatic programs and activities for both members and non-members. The pool facilities are approximately 70 years old, and they are not ADA-compliant. The District has limited resources. Retaining the existing SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by GVRPD.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*

The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to GVRPD.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only.)*

GVRPD owns and operates a swimming pool and coordinates related aquatic services and programs. The District serves Cameo Acres and surrounding Danville and Alamo neighborhoods.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

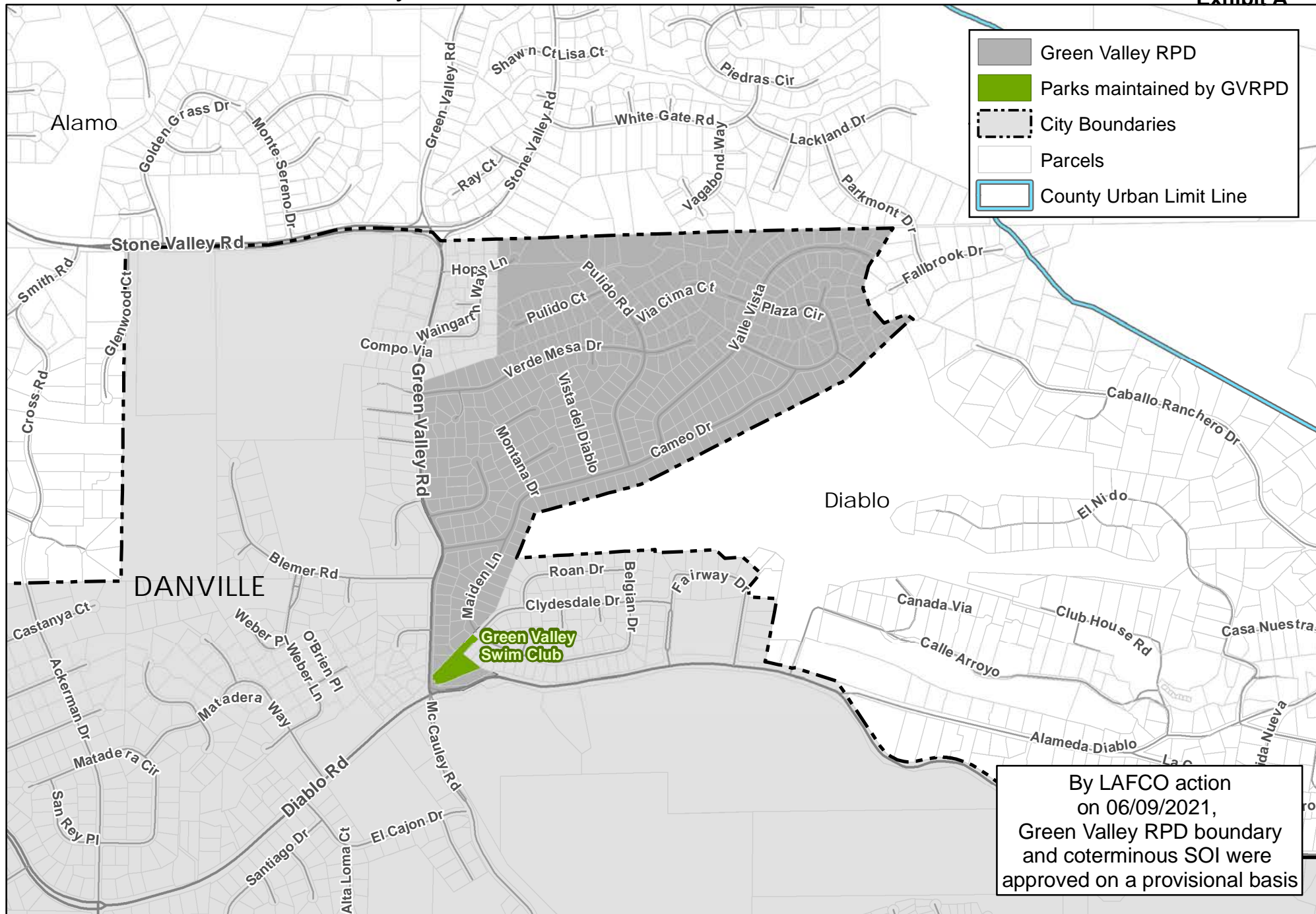
Igor Skaredoff, Chair, Contra Costa LAFCO

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

Lou Ann Texeira, Executive Officer

Green Valley Recreation and Park District and Coterminus SOI

**Green Valley
Exhibit A**



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR THE
PLEASANT HILL RECREATION & PARK DISTRICT**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including the Pleasant Hill Recreation & Park District (PHRPD); and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for the PHRPD incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the PHRPD as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. In 2010, the Commission expanded PHRPD’s SOI to include all areas within the

City of Pleasant Hill's SOI and reduced the SOI to remove cities of Lafayette and Walnut Creek areas with the exception of Lafayette immediately adjacent to Brookwood Park signaling the potential for future boundary changes. The 2021 MSR identifies one SOI option which is to retain the existing SOI. It is recommended that the Commission retain the existing SOI for PHRPD as depicted in Exhibit A (attached) and make the SOI determinations pursuant to §56425 for the PHRPD.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) The residential population served by PHRPD is projected to remain relatively stable, growing approximately 6%, between 2020 and 2040, for a total population in 2040 of approximately 43,975.
- b) With expected growth of 0.3% per year, the District's population is projected to grow more slowly than the County's population overall, which is expected to grow at an average of 0.72% per year.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) There is a disadvantaged community located within the PHRPD's SOI in the southern portion of the City of Pleasant Hill, adjacent to the City of Walnut Creek. The community appears to have access to the District's parks, including the 11-acre Pleasant Oaks Park which has benefitted from recent investment and is in "very good" condition according to District staff.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) PHRPD offers nearly 260 acres of parkland, representing approximately 6.2 acres per 1,000 residents which exceeds the District's stated goals and is substantially greater than most other park and recreation providers in the County.
- b) PHRPD's active parks are well-amenitized with picnic and BBQ areas, tot lots, basketball courts, bocce courts, and restrooms. There are also special feature parks such as the Pleasant Hill Aquatic Park.
- c) The District adopted a Master Plan in February 2020 to guide park planning and investment.
- d) PHRPD performs regular capital improvements that help maintain the District's parks and facilities in mostly "very good" condition. There are some exceptions, and PHRPD staff noted that the Winslow Center, the School House, and the Chilpancingo Park are in "poor" condition and in need of significant upgrades.
- e) Pre-COVID, PHRPD offers robust recreational programming for all segments of the resident population and sponsors a range of community events each year.

4. Financial Ability of Agencies to Provide Services

- a) PHRPD has an annual operating budget of more than \$9 million per year, with revenues primarily coming from taxes, assessments, and charges for services, with a modest amount of additional revenue from grants and money/reserves/property. Publicly available budget documents indicate that the District is adequately funded and has the financial ability to provide robust services.
- b) PHRPD publishes a 5-year Capital Improvement Program Plan each year that supports implementation of the 2020 Master Plan priorities. For the period FY 2021 through FY 2024, nearly \$1.5 million of capital improvements is identified.
- c) COVID-19 has severely affected PHRPD's ability to offer recreational programming, creating financial vulnerability to monitor going forward.
- d) The District's parcel tax of \$47 per parcel does not include a cost inflator; as such, the value of the annual parcel tax erodes over time.

5. *Status of, and Opportunities for, Shared Facilities*

- a) District staff reported that the PHRPD shares some facilities with the Mt. Diablo Unified School District, including softball fields at the middle and high schools, and the maintenance yard.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

- a) PHRPD is accountable to its service population and provides transparent governance and operations information. The District's website provides access to the agendas and minutes for the Board meetings and its various committees, as well as annual budgets and audits. The four standing committees include Budget and Finance, Land and Facilities, Program, and Personnel. There is also a Senior Club Board.
- b) The District fully responded to LAFCO's requests for information in a timely manner.
- c) PHRPD makes efforts to reach out to the community through its catalog of available classes, activities and community events called *The Spotlight*, which is a print publication sent out three times a year to 68,000 - 72,000 homes in Contra Costa County. Also, PHRPD sends an email news bulletin with current information about the District each month, as well as a monthly Senior Newsletter for PHRPD's Senior Center members.
- d) The 2010 MSR found that while PHRPD meets the legal requirement for establishment of a subsidiary district (of the City of Pleasant Hill) based on land area and registered voters, the District has functioned as an independent agency since 1951 and continues to provide adequate services. While some boundary clean-up may be appropriate, no changes to PHRPD's governance are recommended.

7. *Any Other Matter Related to Efficient Service Delivery, As Required by Commission Policy*

- a) COVID-19 is having a significant effect on PHRPD's ability to offer recreational programs and sponsor community events. While this has negatively affected the District's revenues, there have been operational savings that have partially off-set the loss in revenue.

SOI DETERMINATIONS

1. Present and planned land uses in the area, including agricultural and open-space lands

PHRPD's service boundary encompass the City of Pleasant Hill, a portion of the City of Lafayette (single family residential), small portions of the City of Walnut Creek (commercial), a portion of the unincorporated community of Walden/Contra Costa Centre (commercial and multi-family residential), and the Reliez Valley (residential). Land uses within the District are primarily residential, with some light industrial and commercial areas. Land uses in the City of Pleasant Hill SOI area to the north of the City (along Pacheco Boulevard) are residential and light industrial. PHRPD has no land use authority; County and city plans include land uses and population growth that may impact the District's service population. The recommendation to retain the existing SOI will result in no changes in present and planned land uses.

2. Present and probable need for public facilities and services in the area

Population within PHRPD is expected to increase by approximately 0.3% annually. While there will be a continued need for adequate park and recreational services in the District, the recommendation to retain the existing SOI will not result in any changes in public facilities or services provided by PHRPD.

3. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

PHRPD offers 260± acres of parkland, representing approximately 6.5 acres per 1,000 residents which exceeds the District's stated goals and is substantially greater than most other park and recreation providers in the County. PHRPD offers robust recreational programming for all segments of the resident population and sponsors a range of community events each year. Retaining the existing SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by PHRPD.

4. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

There is a disadvantaged community located within PHRPD's SOI in the southern portion of the City of Pleasant Hill, adjacent to the City of Walnut Creek. The recommendation to retain the existing SOI will not affect the existence of any social or economic communities of interest in the area that are relevant to PHRPD.

5. Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)

PHRPD directly provides park maintenance and recreation programming throughout District boundary.

PASSED AND ADOPTED this 9th day of June 2021.

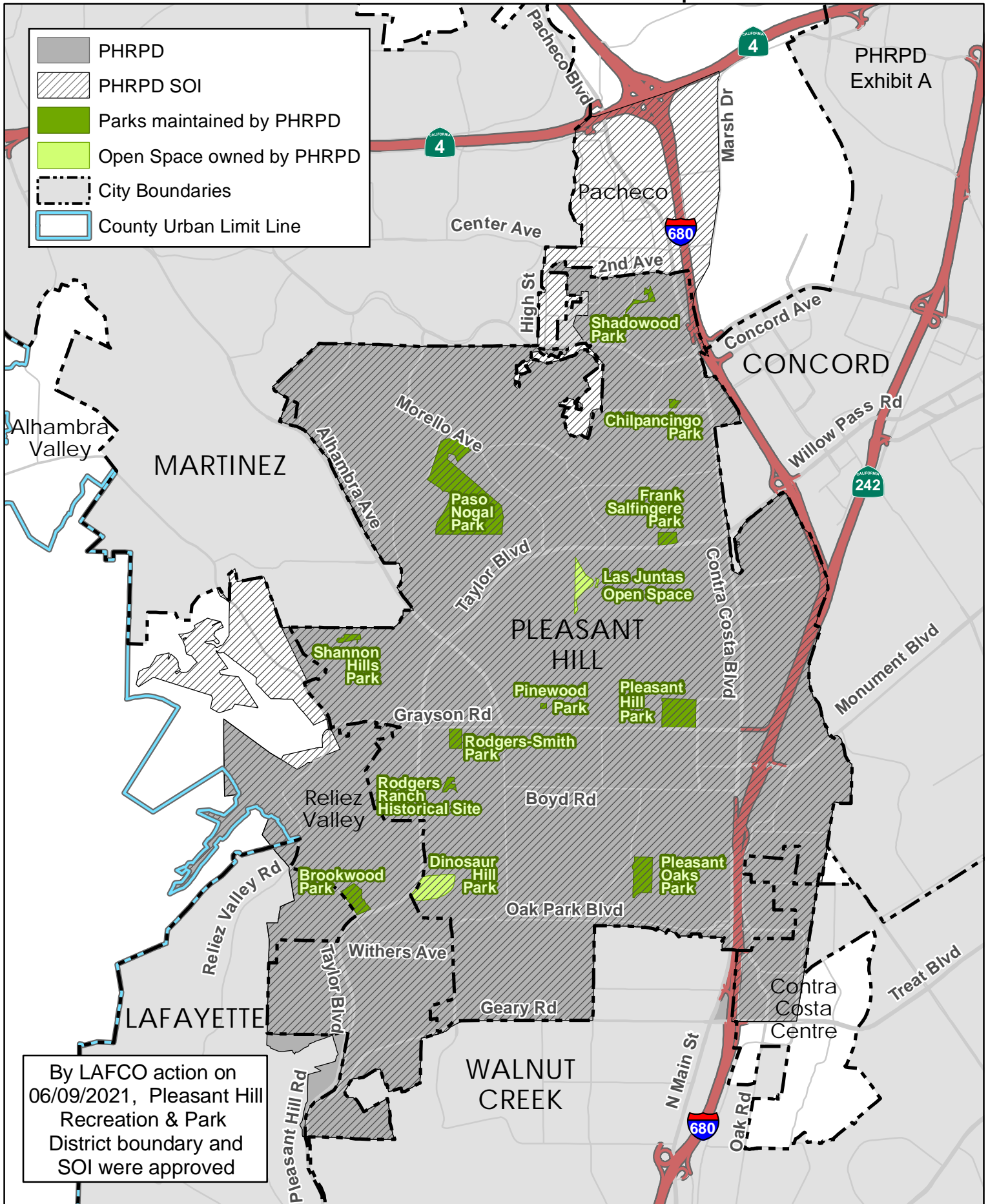
AYES:
NOES:
ABSTENTIONS:
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

Pleasant Hill Recreation & Park District and Sphere of Influence



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA M-16**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) M-16; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA M-16 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA M-16 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, one option was included in the MSR report. It is

recommended that the Commission retain the existing coterminous SOI for CSA M-16 as depicted in Exhibit A (attached) and make the following SOI determinations pursuant to §56425 for CSA M-16.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) CSA M-16 provides park maintenance services to the unincorporated community of Clyde. The residential population served by the District is relatively stable, with expected growth of approximately 2.3%, or 17 people, between 2020 and 2040, for a total population in 2040 of approximately 750 people. This level of projected growth is not anticipated to materially impact service demand.
- b) Clyde is located three miles from Downtown Concord on the east side of the Port Chicago Highway, north of Highway 4. The community of Clyde is entirely within the City of Concord's SOI and is also included in the Concord General Plan, although Concord has no plans to annex Clyde at this time.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to the District's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently four parks within the boundaries of CSA M-16, totaling 2.4 acres of passive parkland and representing 3.3 acres per 1,000 residents. CSA M-16 appears to have sufficient capacity to serve the residents within its boundaries.
- b) All four parks are owned and maintained by the County. Maybeck Park is reported to be in "Very Good" condition, while Big Oak Tree Park, Clyde Park, and Marie Porter Park are in "Moderate" condition.
- c) The CSA does not provide recreational programming.

4. Financial Ability of Agencies to Provide Services

- a) District funding for park maintenance comes from property taxes. The most significant challenge for the District is unfunded deferred maintenance.
- b) The County reports that the current level of funding is not sufficient for adequate service provision. There are significant capital needs which have not been addressed because the current financing level is not adequate to provide services. Planned FY 2020-21 expenditures are expected to exceed revenues by approximately \$90,000, which means maintenance and other expenses may need to be partially deferred.

5. Status of, and Opportunities for, Shared Facilities

- a) CSA M-16 does not currently share facilities and opportunities for shared facilities were not identified.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) Typically, accountability to local voters would be achieved through the CSA advisory committee; however, the M-16 advisory committee has effectively dissolved as each of the seven seats is vacant.

- b) CSA M-16, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.
- c) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding the District's purpose and services.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) COVID-19 is not significantly affecting the County's ability to maintain the four parks within the boundaries of CSA M-16; and the County's parks are open as of the fall of 2020. Some features/amenities remain closed such as water fountains and basketball courts.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

The CSA M-16 boundary encompasses primarily residential uses. CSA M-16 has no land use authority; however, County plans include land uses and population growth that may impact the service population within the District and, therefore, the District's ability to provide services. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the boundary of CSA M-16. Population within the District is expected to increase at an annual rate of approximately 0.11%. No changes in public facilities or services provided by CSA M-16 will result from this SOI update.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The County generally provides adequate park maintenance services within CSA M-16. There are 2.4 acres of parkland maintained within the District, which translates into 3.3 acres of parkland per 1,000 district residents, less than the County's General Plan goal of 4.0 acres of parkland per 1,000 residents. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-16 provides or is authorized to provide.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

No disadvantaged communities were identified within or contiguous to the District's SOI. The SOI update will not affect the existence of any social or economic communities of interest.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

CSA M-16 funds park maintenance within the community of Clyde. Clyde is located three miles from Downtown Concord on the east side of the Port Chicago Highway, north of Highway 4. The community of Clyde is entirely within the City of Concord's SOI and is also included in the Concord General Plan, although Concord has no plans to annex Clyde at this time.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

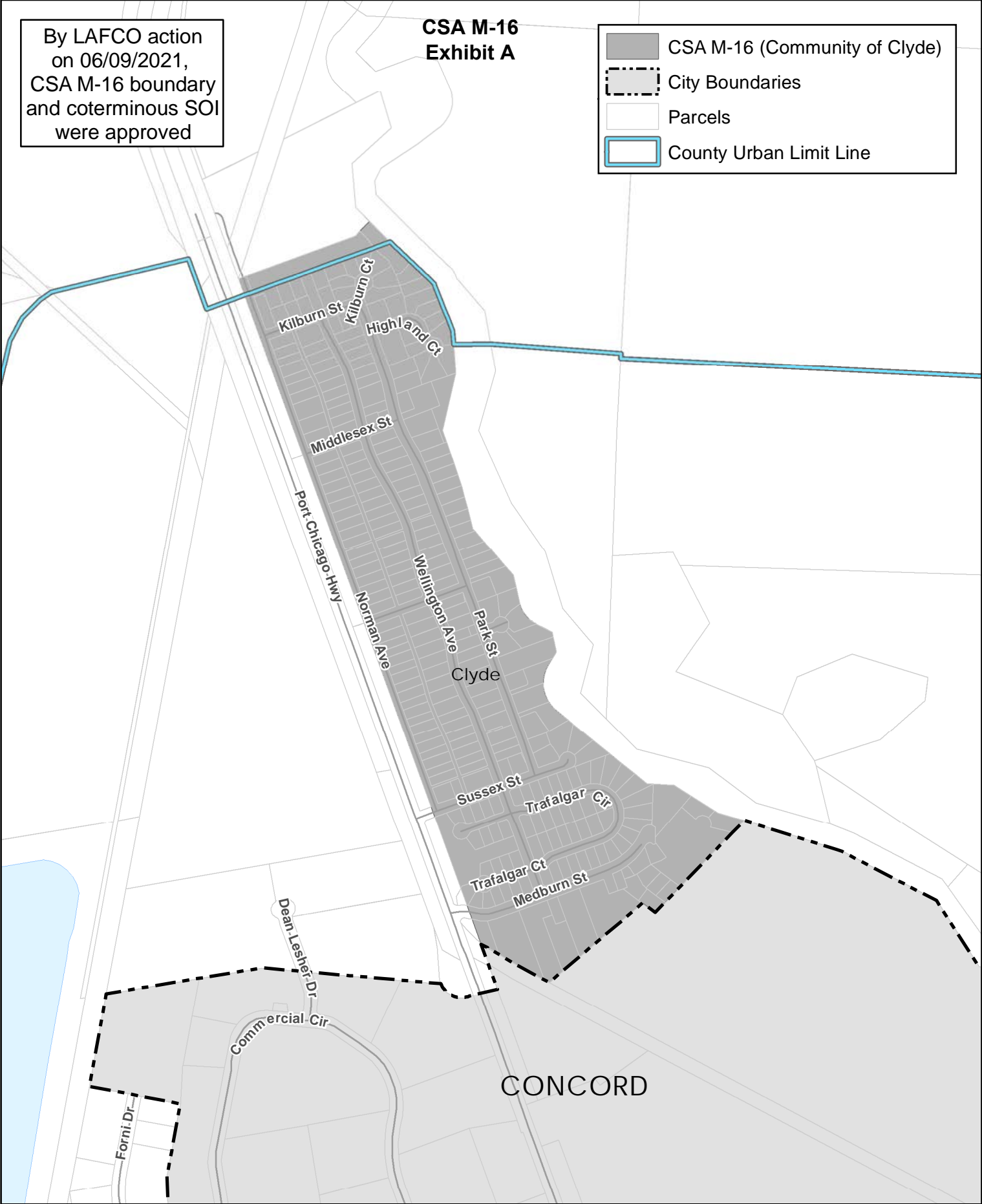
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

County Service Area M-16 (Community of Clyde) and Coterminus SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA M-17**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) M-17; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA M-17 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA M-17 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, one option was included in the MSR report. It is

recommended that the Commission retain the existing coterminous SOI for CSA M-17 as depicted in Exhibit A (attached) and make the following SOI determinations pursuant to §56425 for CSA M-17.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) CSA M-17 provides park maintenance services to the unincorporated communities of Tara Hills, Bayview and Montalvin Manor. The residential population served by the District is relatively stable, with expected growth of approximately 3.1%, or 302 people, between 2020 and 2040, for a total population in 2040 of an estimated 10,058 people. This level of projected growth is not anticipated to materially impact service demand.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the District's SOI; however, there is a disadvantaged community adjacent to CSA M-17 within the City of Richmond.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently two parks within the boundary of CSA M-17, totaling 11 acres of passive and active parkland and representing 1.1 acres per 1,000 residents. The Montarabay Park includes a Community Center and Ball Field Complex. Regarding the County's General Plan goal of 4.0 acres of neighborhood park facilities per 1,000 residents, CSA M-17 appears to have insufficient capacity to serve the residents within its boundary.
- b) Motalvin Park and Montarabay Park and associated facilities are owned and maintained by the County, and both are reported to be in "Moderate" condition.

4. Financial Ability of Agencies to Provide Services

- a) District funding for park maintenance comes from property taxes and rental of the Community Center. The most significant challenge for CSA M-17 is unfunded deferred maintenance.
- b) County staff reports that the current level of funding is not sufficient for adequate service provision. There are significant capital needs which have not been addressed because the current financing level is not adequate to provide services. Planned FY 2020-21 expenditures are expected to exceed revenues by approximately \$158,000, which means maintenance and other expenses may need to be partially deferred.
- c) When the contract with the maintenance provider expires in the coming months, County staff expects maintenance costs to increase.

5. Status of, and Opportunities for, Shared Facilities

- a) CSA M-17 does not currently share facilities and County staff did not identify opportunities for shared facilities.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) Accountability to local voters typically is achieved through the CSA advisory committee. However, the CSA M-17 advisory committee is currently inactive.
- b) CSA M-17, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.

- c) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding the District's purpose and services.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) COVID-19 is not significantly affecting the County's ability to maintain the two parks within the boundaries of the CSA, and the County's parks are open as of the fall of 2020. Some features/amenities remain closed such as water fountains, bathrooms, basketball courts, and the community center.

SOI DETERMINATIONS

8. *Present and planned land uses in the area, including agricultural and open-space lands*

The CSA M-17 boundary encompasses primarily residential uses, with some limited commercial uses. The District has no land use authority; however, County plans include land uses and population growth that may impact the service population within CSA M-17 and the District's ability to provide services. No changes in present and planned land uses will result from this SOI update.

9. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the boundaries of the CSA. Population within the District is expected to increase at an annual rate of approximately 0.15%. No changes in public facilities or services provided by CSA M-17 will result from this SOI update.

10. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The County generally provides adequate park maintenance services within CSA M-17. There are 11 acres of parkland maintained within the District, which translates into 1.1 acres of parkland per 1,000 district residents, short of the County's General Plan goal of 4.0 acres of parkland per 1,000 residents. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-17 provides or is authorized to provide.

11. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

No disadvantaged communities were identified within the CSA M-17 SOI, but there is a disadvantaged community adjacent to CSA M-17 within the City of Richmond. The SOI update will not affect the existence of any social or economic communities of interest.

12. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

CSA M-17 provides park maintenance services to the unincorporated community of Tara Hills, Bayview and Montalvin Manor. Other services are provided by the County.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

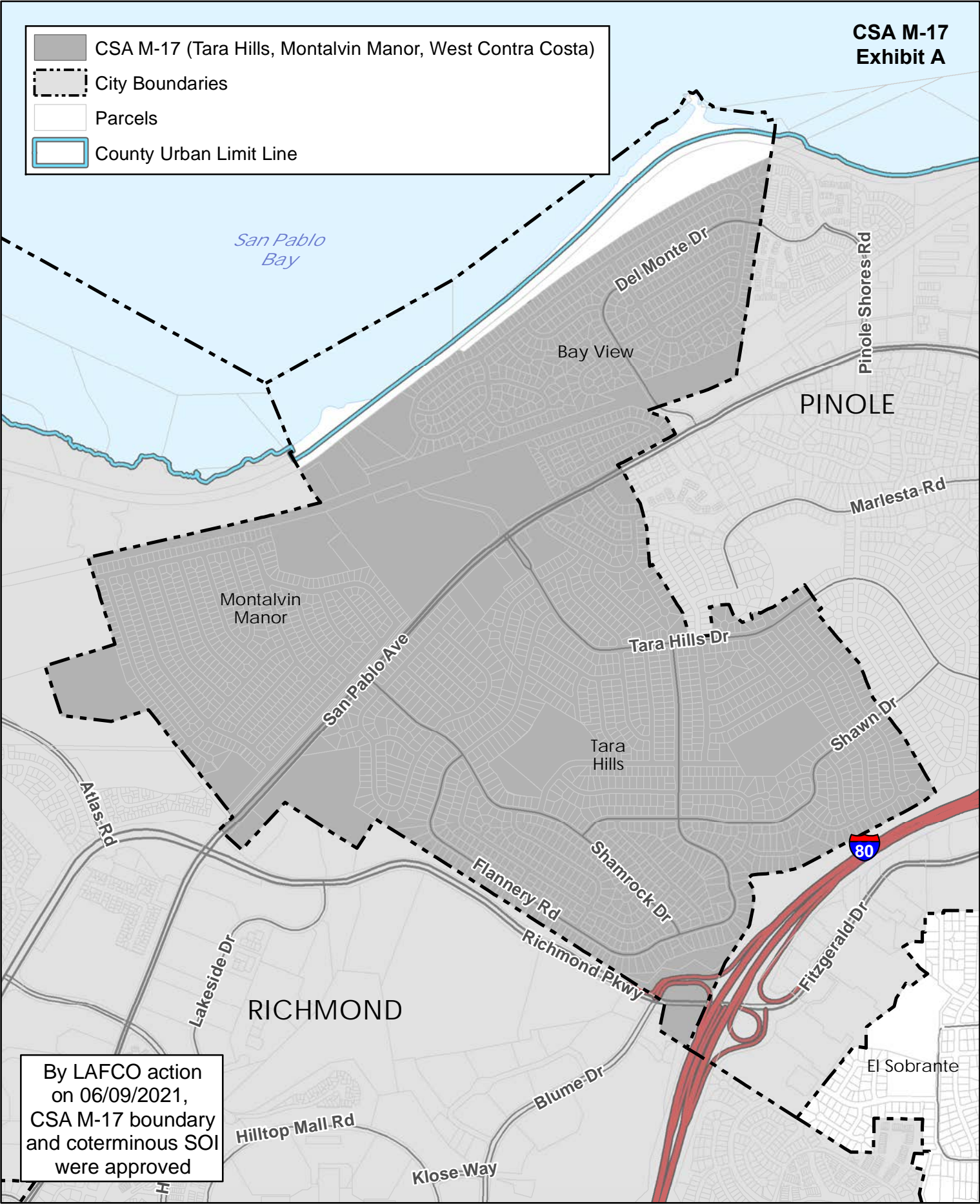
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

County Service Area M-17 (Tara Hills, Montalvin Manor, West Contra Costa) and Coterminus SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA M-29**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) M-29; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA M-29 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA M-29 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, one option was included in the MSR report. It is

recommended that the Commission retain the existing coterminous SOI for CSA M-29 as depicted in Exhibit A (attached) and make the following SOI determinations pursuant to §56425 for CSA M-29.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) The CSA M-29 boundary is consistent with the Dougherty Valley Specific Plan (DVSP) area, most of which lies within the City of San Ramon boundary. The residential population served by the District is steadily growing, with expected growth of approximately 3.5%, or 1,171 people, between 2020 and 2040, for a total population in 2040 of approximately 34,228 people.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to the District's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) CSA M-29 provides financing for park and recreation facility maintenance in the City of San Ramon. The City uses District funds to provide park and facility maintenance services within City limits.

4. Financial Ability of Agencies to Provide Services

- a) The County's budget indicates the District's funding comes from charges for services and property taxes. Planned FY 2020-21 expenditures are expected to exceed revenues by approximately \$6.1 million, which means maintenance and other expenses may need to be partially deferred.

5. Status of, and Opportunities for, Shared Facilities

- a) The City shares facilities with the San Ramon Valley Unified School District at all San Ramon school sites. No additional opportunities for facility sharing within the CSA M-29 boundary were identified by the City.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) CSA M-29 funds are administered by the City of San Ramon Finance Division. CSA M-29 funds for park and recreation facility maintenance are managed by the City's Director, Public Services Department. The City's Parks & Community Services Commission advises the City Council regarding matters related to park and recreation services. The Commission is comprised of seven members and a student commissioner—all Commissioners must be residents of the City of San Ramon. Thus, not all residents of CSA M-29 are represented as to funding decisions.
- b) CSA M-29, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.
- c) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding the District's purpose and services.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) Funding provided through CSA M-29 has not been adversely affected by COVID-19.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

The CSA M-29 boundary is consistent with the DVSP area, most of which lies in the City of San Ramon's boundary. The District boundary encompasses primarily residential and commercial uses and parkland. CSA M-29 has no land use authority; however, City plans include land uses and population growth that may impact the service population within the District and, therefore, the availability of funding. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the CSA M-29 boundary. Population within the District is expected to increase at an annual rate of approximately 0.17%. No changes in public facilities or services funded by CSA M-29 will result from this SOI update.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The City of San Ramon generally provides adequate park maintenance services for residents within CSA M-29. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-29 funds.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

No disadvantaged communities were identified within CSA M-29's SOI. The SOI update will not affect the existence of any social or economic communities of interest.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

The CSA M-29 boundary is consistent with the DVSP area, most of which lies within the City of San Ramon boundary.

PASSED AND ADOPTED this 9th day of June 2021.

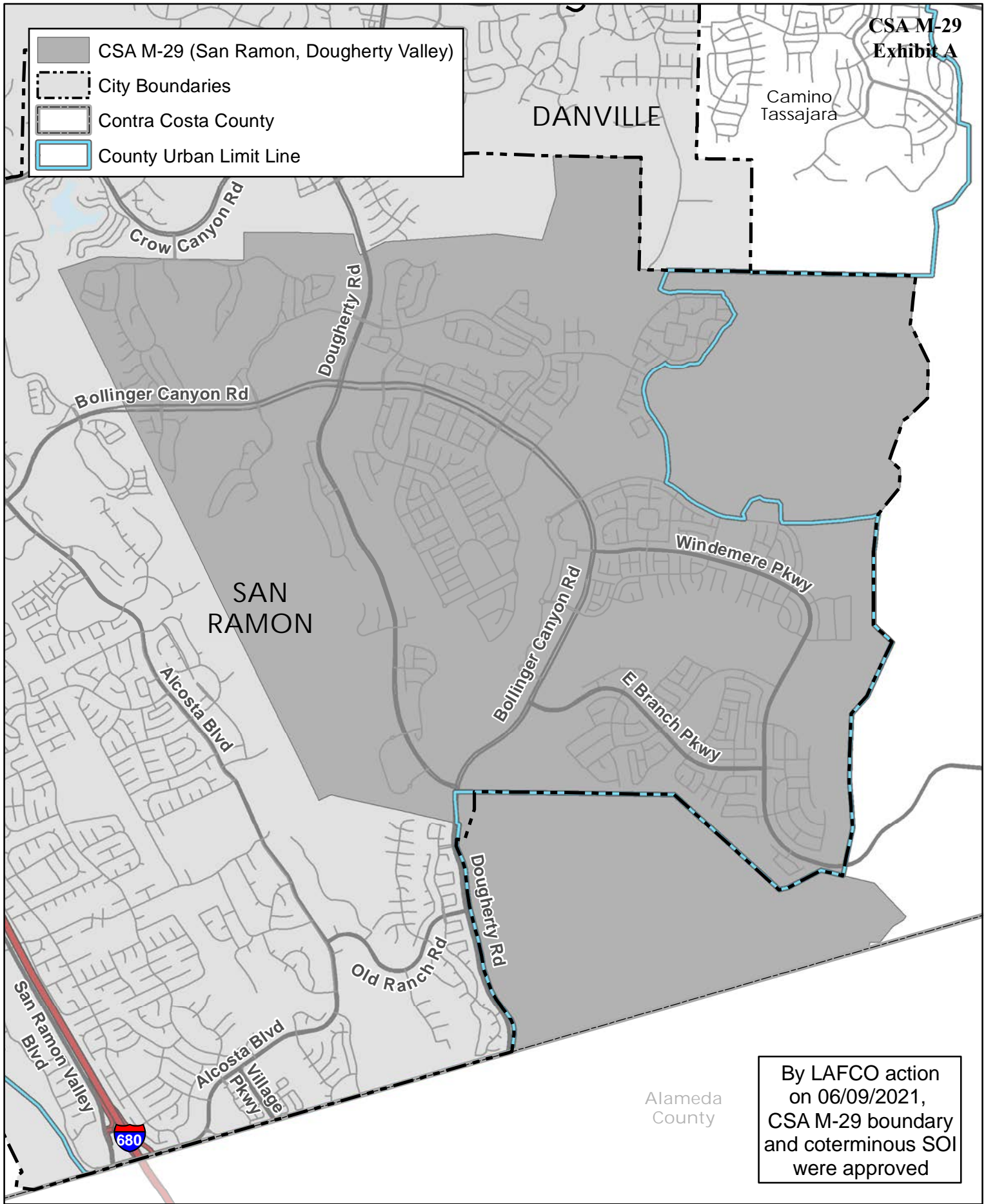
AYES:
NOES:
ABSTENTIONS:
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

County Service Area M-29 (San Ramon, Dougherty Valley) and Coterminus SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA M-30**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) M-30; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA M-30 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA M-30 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, two options were included in the MSR report, including retaining the existing SOI and adopting a zero SOI signaling a future consolidation or dissolution. It is recommended

that the Commission retain the existing coterminous SOI for CSA M-30 as depicted in Exhibit A (attached) and make the following SOI determinations for CSA M-30 pursuant to §56425.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) CSA M-30 provides financing for extended facilities and services in the unincorporated community of Alamo Springs through the Town of Danville. The residential population served by the District is relatively stable, with expected growth of approximately 3.6%, or 5 people, between 2020 and 2040, for a total population in 2040 of approximately 145 people. There are 40 parcels within CSA M-30 with building permits issued. This level of projected growth is not anticipated to materially impact service demand.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to the District's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) CSA M-30 provides financing for extended facilities and services in the unincorporated community of Alamo Springs through the Town of Danville. Among the services funded, the Town uses M-30 funds to provide park, recreation and other services within Town limits. There are no park facilities within the District's boundary.

4. Financial Ability of Agencies to Provide Services

- a) The Final Annual Report for FY 2020-21 for M-30 indicates that revenue comes from an annual levy of assessments on the parcels located within the District. Each year the service charge is adjusted by CPI plus 2.0%, resulting in an annual rate for 2020-21 of \$1,356.22 per parcel. Planned FY 2020-21 expenditures are expected to exceed revenues by approximately \$50,000, which means maintenance and other expenses may need to be partially deferred.

5. Status of, and Opportunities for, Shared Facilities

- a) There are no park facilities located within the District. Both CSA M-30 and CSA R-7 contribute funding toward the maintenance of Hap Magee Ranch Park.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) CSA M-30 funds are administered by the Town of Danville, specifically the Parks and Leisure Services Commission, which oversees park maintenance and recreation programs in the Town.
- b) The Town's Commission is comprised of seven members, one alternate and one junior member. All members of the Commission must be residents of the Town of Danville; residents of CSA M-30 may not sit

on the Commission. Thus, residents of M-30 are not represented regarding decisions as to expenditure of District funds. However, the County has not received comments or complaints from M-30 residents in the unincorporated County.

- c) CSA M-30, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.
- d) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding CSA M-30's purpose and services.
- e) Because CSA M-30 is located within the CSA R-7 boundary, residents of M-30 pay property taxes to R-7 and an assessment to M-30; yet there are no park facilities located within M-30. Governance alternatives proposed in the past included reduction of R-7 to exclude the area of overlap with M-30, and consolidation of the two CSAs.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) Funding provided through CSA M-30 has not been adversely affected by COVID-19.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

CSA M-30 provides financing for extended facilities and services in the unincorporated community of Alamo Springs through the Town of Danville. The District boundary encompasses residential uses. CSA M-30 has no land use authority; however, City and County plans include land uses and population growth that may impact the service population within the District and, therefore, the availability of funding. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the boundary of CSA M-30. Population within the District is expected to increase at an annual rate of approximately 0.18%. No changes in public facilities or services funded by CSA M-30 will result from this SOI update.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The Town of Danville generally provides adequate park maintenance services within CSA M-30. The SOI update will not impact the present capacity of public facilities and adequacy of public services that M-30 funds.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

No disadvantaged communities were identified within the District's SOI. The SOI update will not affect the existence of any social or economic communities of interest.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

The CSA boundary is consistent with the Alamo Springs neighborhood area, which is located entirely in the unincorporated County but contiguous with the northwest boundary of the Town of Danville.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

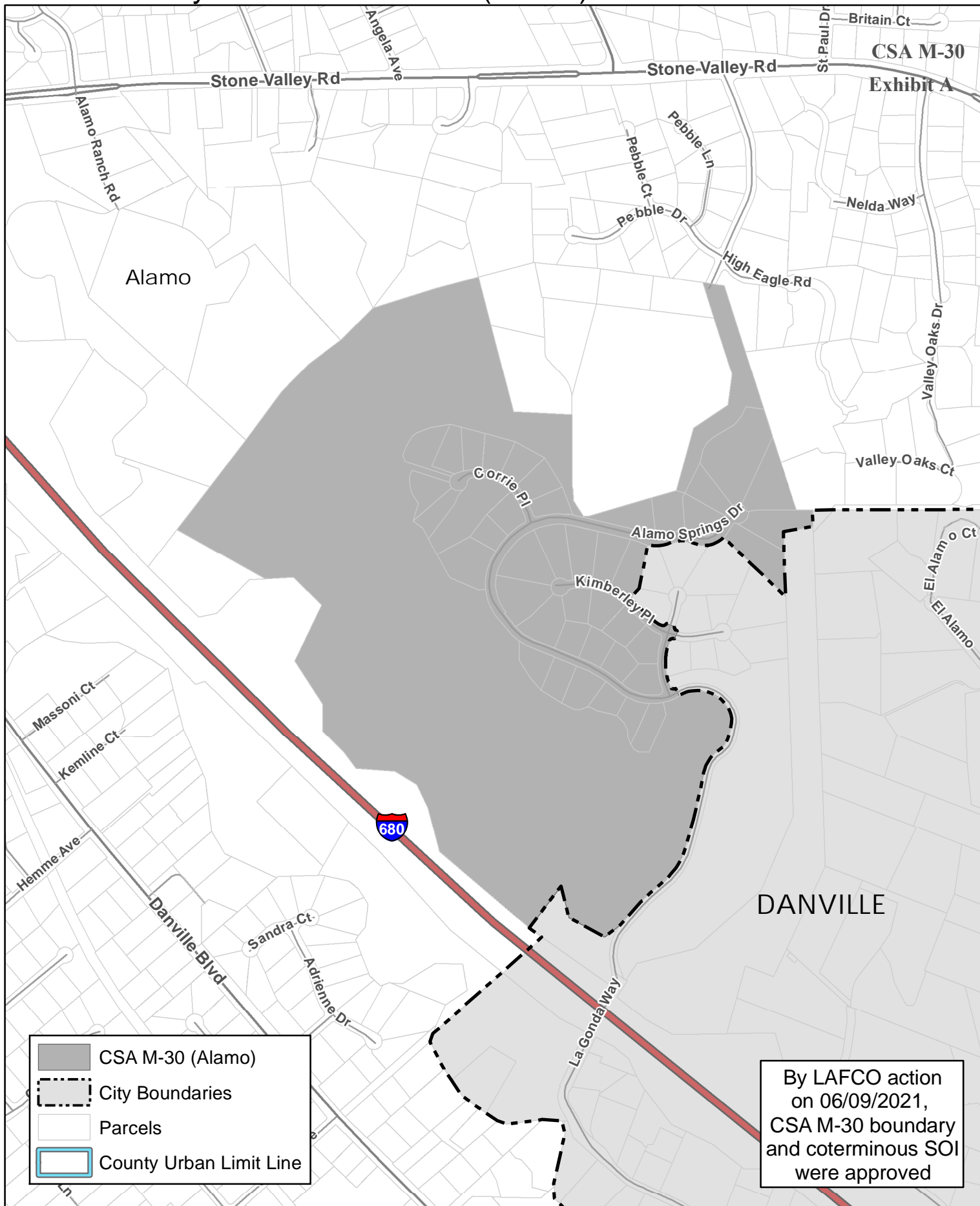
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

County Service Area M-30 (Alamo) and Coterminus SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA R-4**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) R-4; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA R-4 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA R-4 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, several options were included in the MSR report, including reducing the existing SOI, adopting a zero SOI, and retaining the existing SOI. It is recommended that the

Commission retain the existing coterminous SOI for CSA R-4 as depicted in Exhibit A (attached) and make the following SOI determinations for CSA R-4 pursuant to §56425.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) Th CSA R-4 boundary includes the Town of Moraga (9.3 square miles) and the unincorporated area to the southeast of the Town (8.3 square miles). The residential population within R-4 is relatively stable, with expected growth of approximately 3.1%, or 558 people, between 2020 and 2040, for a total population in 2040 of approximately 18,474 people. This level of projected growth is not anticipated to materially impact service demand.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to the District's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) CSA R-4 provides financing for expanded operation and maintenance services of park and recreation facilities and recreation programming in the Town of Moraga. There are no park facilities within the unincorporated area of the District's boundary.
- b) There are currently seven parks in the Town of Moraga, totaling approximately 74± acres of passive and active parkland representing 4.1± acres per 1,000 residents. In addition, Mulholland Preserve is a 250-acre open space area within the Town's boundaries. Including Mullholland Preserve in the level of service calculation increases the level of service to 18.1± acres per 1,000 residents. With respect to the County's General Plan goal of 4.0 acres of park facilities per 1,000, CSA R-4 appears to have sufficient capacity to serve the residents within its boundaries. With respect to the Town's General Plan goal of 5.0 acres per 1,000 residents, CSA M-4 appears to have insufficient capacity to serve the residents within its boundaries.
- c) The Town's Parks and Recreation Master Plan was last updated in 2007.
- d) With funding provided, in part, through R-4, the Town provides recreation programming to R-4 residents.

4. Financial Ability of Agencies to Provide Services

- a) The County's budget indicates that CSA R-4's funding comes from property taxes and is not expected to generate any net costs to the District in FY 2020-21.
- b) The Town reports that the current level of financing for the park and recreation department is sufficient; however, financing maintenance of the large open space areas remains challenging.

5. Status of, and Opportunities for, Shared Facilities

- a) The Town presently practices facility sharing and collaboration with the Moraga School District and East Bay Regional Park District (EBRPD). The Town and EBRPD coordinate on special events.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) CSA R-4 funds are administered by the Town of Moraga, specifically the Parks and Recreation Department, which oversees park maintenance and recreation programs in the Town.

- b) The Town's Parks & Recreation Commission is comprised of seven members, and all members of the Commission must be residents of the Town of Moraga. Residents of the unincorporated portion of CSA R-4 may not sit on the Commission. Thus, residents of R-4 are not represented in decisions as to expenditure of R-4 funds.
- c) The CSA, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.
- d) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding the District's purpose and services.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) Property tax revenues provided to the Town through CSA R-4 have not been adversely affected by COVID-19.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

CSA R-4 provides financing for extended facilities and services in the Town of Moraga as well as unincorporated areas to the southeast of the Town. The District boundary encompasses residential uses, with limited commercial uses in the Town. CSA R-4 has no land use authority; however, City and County plans include land uses and population growth that may impact the service population within the District and the availability of funding. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the CSA R-4 boundary. Population within the District is expected to increase at an annual rate of approximately 0.15%. No changes in public facilities or services funded by CSA R-4 will result from this SOI update.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The Town of Moraga generally provides adequate park maintenance services within the portion of CSA R-4 that is coterminous with the Town. The SOI update will not impact the present capacity of public facilities and adequacy of public services funded by CSA R-4.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

No disadvantaged communities were identified within the District's SOI. The SOI update will not affect the existence of any social or economic communities of interest.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

The CSA R-4 boundary includes the Town of Moraga and areas to the southeast of the Town.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Igor Skaredoff, Chair, Contra Costa LAFCO

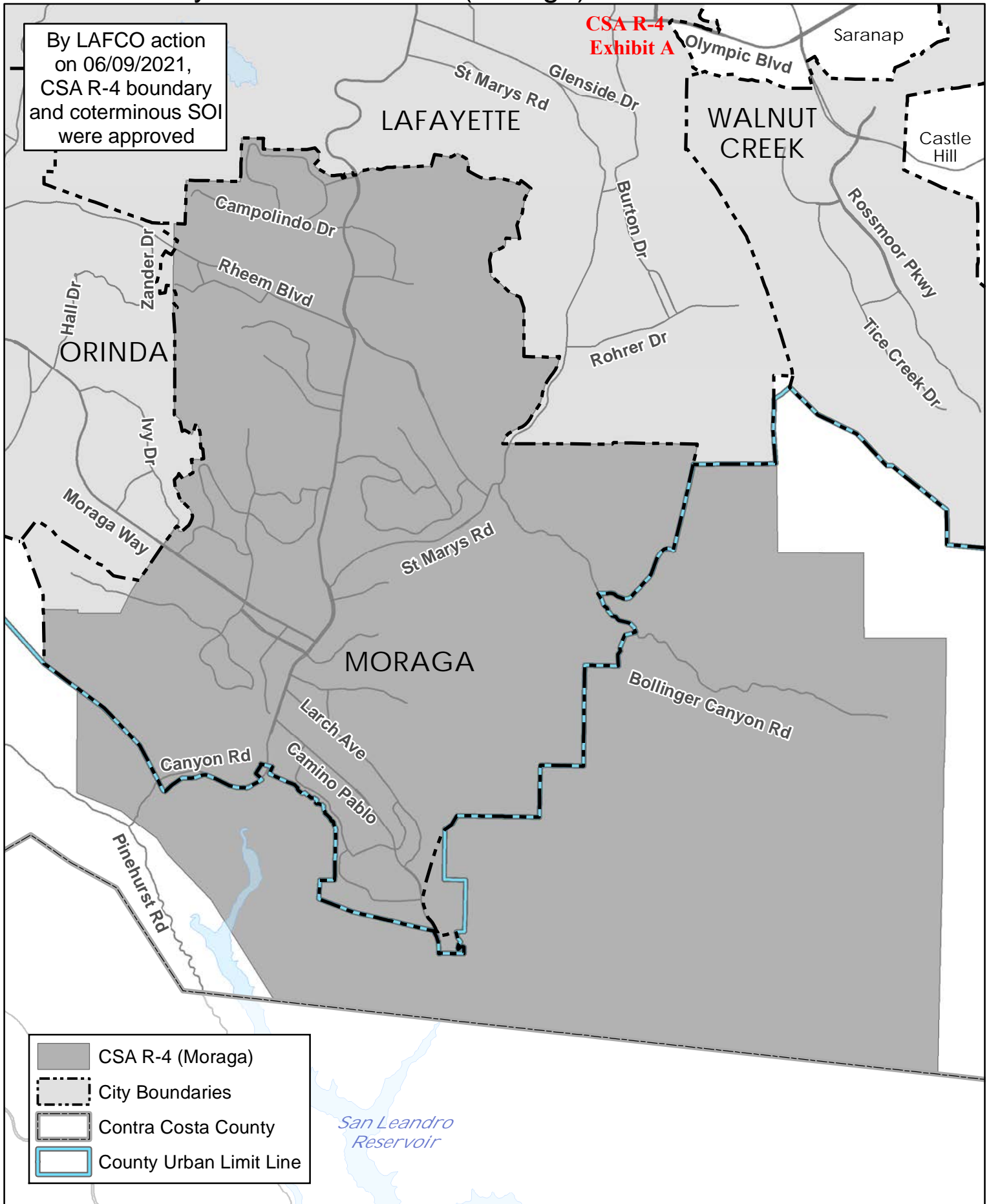
I hereby certify that this is a correct copy of a resolution passed and adopted by the Commission on the date stated above.

Lou Ann Texeira, Executive Officer

County Service Area R-4 (Moraga) and Coterminus SOI

By LAFCO action on 06/09/2021, CSA R-4 boundary and coterminous SOI were approved

CSA R-4
Exhibit A



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA R-7**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) R-7; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA R-7 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA R-7 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, several options were included in the MSR report, including reducing the existing SOI, expanding the SOI to facilitate consolidation, and retaining the existing SOI. It is

recommended that the Commission retain the existing coterminous SOI for CSA R-7 as depicted in Exhibit A (attached) and make the following SOI determinations for CSA R-7 pursuant to §56425.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) CSA R-7 provides park and recreation facility operation and maintenance and recreation programming to the unincorporated community of Alamo. The residential population served by the District is relatively stable, with expected growth of approximately 3.4%, or 524 people, between 2020 and 2040, for a total population in 2040 of approximately 16,111 people. This level of projected growth is not anticipated to materially impact service demand.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within or contiguous to CSA R-7's SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) There are currently six parks within the CSA R-7 boundary totaling 31± acres of passive and active parkland and representing 2.0± acres per 1,000 residents. Regarding the County's General Plan goal of 4.0 acres of park facilities per 1,000 residents, CSA R-7 appears to have insufficient capacity to serve the residents within its boundaries. However, there are significant community and regional parks within the vicinity of R-7 including the Diablo Foothills Regional Park.
- b) Two of R-7's six parks are shared with the San Ramon Valley Unified School District (i.e., Alamo Elementary School and Park and Rancho Romero School Sports Field and Park).
- c) All three of the parks that are owned and maintained by the County (i.e., Livorna Park, Hemme Station Park, and Andrew H. Young Park) are reported to be in "Very Good" condition. Hap Magee Ranch Park is jointly owned by the County and the Town of Danville, and the Town provides maintenance services. Hap Magee Ranch Park is reported to be in "Very Good" condition.
- d) Typically (pre-COVID), CSA R-7 sponsors popular community events, such as "Movies under the Stars" and a summer concert series at Livorna Park.

4. Financial Ability of Agencies to Provide Services

- a) CSA R-7 funding for park maintenance comes primarily from property taxes and facility rentals.
- b) County staff reports that the current level of funding allows for adequate service provision, and the Alamo Municipal Advisory Council (MAC) confirms that R-7 has sufficient funding to maintain parks and facilities.
- c) The Alamo MAC reports that one of its most significant challenges is establishing and supporting a successful recreation program, due to insufficient registrations and an inability to guarantee participation.

5. Status of, and Opportunities for, Shared Facilities

- a) CSA R-7 shares facilities with the school district and shares maintenance costs at Hap Magee Ranch Park with the Town of Danville. No other opportunities for shared facilities were identified.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

- a) Accountability to local voters is achieved through the CSA's 8-member MAC which acts as a sounding board for the community to voice local preferences to the County Board of Supervisors.
- b) The CSA, via County staff and the Alamo MAC, demonstrated accountability and transparency by responding to LAFCO requests for information and reviewing drafts of the MSR/SOI Update.
- c) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding the District's purpose and services.
- d) Because CSA M-30 is located within the boundaries of CSA R-7, residents of CSA M-30 are paying property taxes and/or assessments to two CSAs, yet there are no park facilities located within CSA M-30 or the overlap area. Governance options proposed in the past included the reduction of CSA R-7 to exclude the area of overlap with CSA M-30, or consolidation of two CSAs. The Alamo MAC is opposed to a governance option that would reduce the territory of CSA R-7 to exclude the area of overlap with CSA M-30. The prior MSR also proposed consolidation with the Green Valley Recreation and Park District; however, County Public Works is not in favor.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) COVID-19 has not significantly affected the County's ability to maintain the parks and facilities within the boundary of the CSA, and the County's parks are open as of Fall 2020. Some features/amenities remain closed such as water fountains, bathrooms, and basketball courts. Recreation programming and community events were severely affected by COVID-19.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

The CSA R-7 boundary encompasses primarily residential and commercial uses. The CSA has no land use authority; however, County plans include land uses and population growth that may impact the service population within the District and, therefore, the District's ability to provide services. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the R-7 boundary. Population within the District is expected to increase at an annual rate of approximately 0.17%. No changes in public facilities or services provided by CSA R-7 will result from this SOI update.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The County generally provides adequate park maintenance services within CSA R-7. There are 31± acres of parkland maintained within the District, which translates into 2.0 acres of parkland per 1,000 district residents, short of the County's General Plan goal of 4.0 acres of parkland per 1,000 residents. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA R-7 provides or is authorized to provide.

4. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

No disadvantaged communities were identified within the CSA R-7 SOI. The SOI update will not affect the existence of any social or economic communities of interest.

5. Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)

CSA R-7 provides park maintenance services to the unincorporated community of Alamo. Other services are provided by the County.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

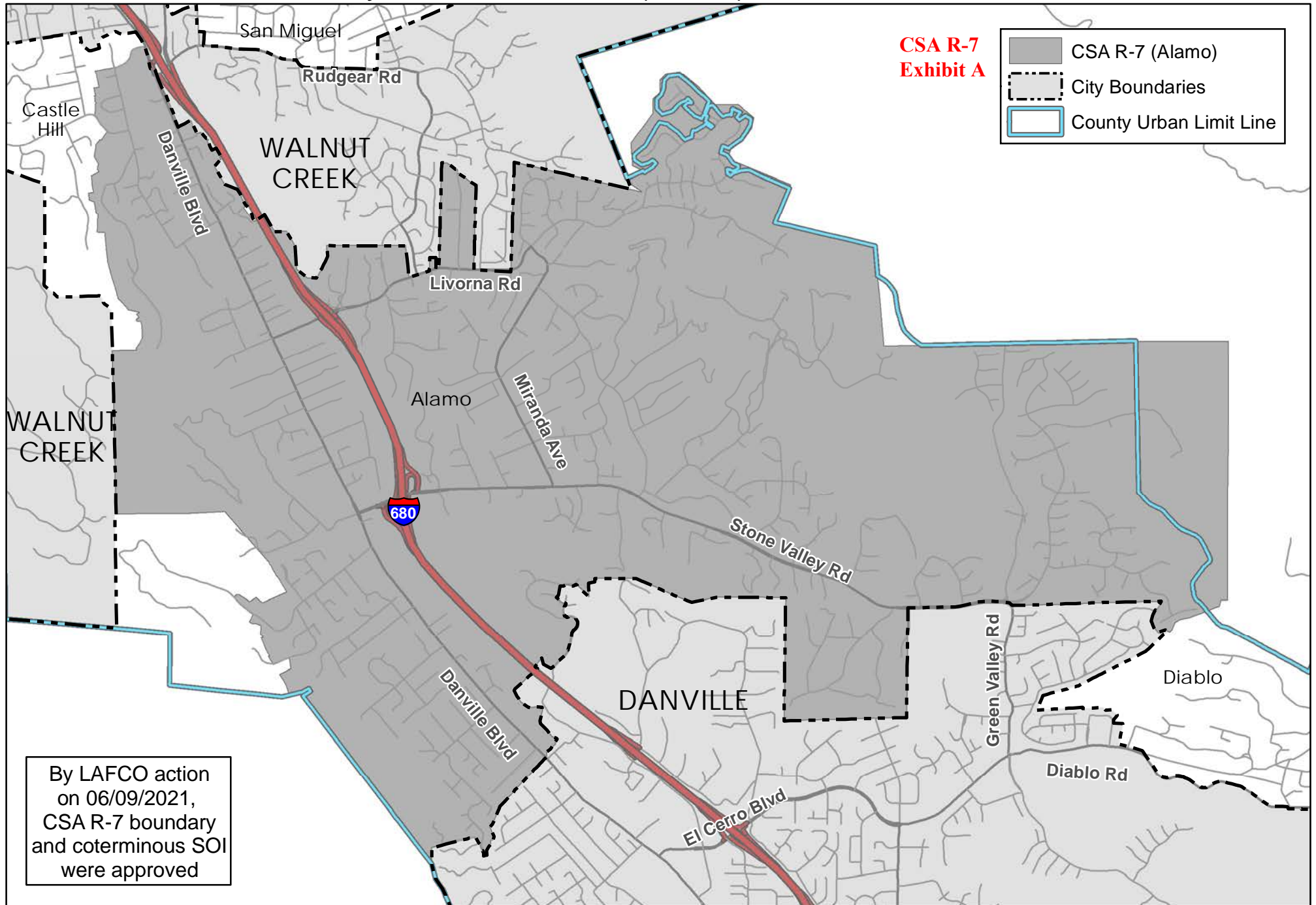
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

County Service Area R-7 (Alamo) and Coterminus SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA R-9**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) R-9; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA R-9 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA R-9 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, two options were included in the MSR report, including adopting a zero SOI signaling a future dissolution and retaining the existing SOI. It is recommended that the

Commission adopt a zero SOI signaling a future dissolution of CSA R-9 as depicted in Exhibit A (attached) and make the following SOI determinations for CSA R-9 pursuant to §56425.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) The CSA R-9 boundary includes the unincorporated community of El Sobrante. CSA R-9 is almost entirely within the City of Richmond's SOI with the exception of a small portion in the north that lies within the City of Pinole's SOI and the southwestern most island, which is in the City of San Pablo's SOI. The residential population within the District is growing, with expected growth of approximately 11.5%, or 1,671 people, between 2020 and 2040, for a total population in 2040 of approximately 16,217 people.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) No disadvantaged communities were identified within the District's SOI, but the disadvantaged community of San Pablo is partially contiguous to the CSA R-9 boundary.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) CSA R-9 no longer maintains the Children's Reading Garden at the El Sobrante Library. Any maintenance that occurs is provided by the library and volunteer community members.
- b) The County reports that relying on volunteer community members is not sustainable due to liability and accountability issues.
- c) The Reading Garden is 0.1± acres and does not provide sufficient capacity to meet existing or future demand from residents in the CSA boundary. Additional park facilities are available to CSA residents outside of the CSA's boundary.

4. Financial Ability of Agencies to Provide Services

- a) CSA R-9 does not have a secure source of revenue. Planned FY 2020-21 expenditures are expected to exceed revenues by approximately \$34,000, which means maintenance and other expenses may need to be partially deferred.
- b) Two past attempts to pass an assessment measure failed (1985 and 1998).

5. Status of, and Opportunities for, Shared Facilities

- a) If CSA R-9 had a sustainable, secure source of revenue, there would be an opportunity to share the Children's Reading Garden.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

- a) CSA R-9 does not have an established or secure source of revenue and, as such, is not able to address the needs of the El Sobrante community.
- b) CSA R-9, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.
- c) The County's Special District budget provides transparent revenue and expenditure information. However,

the Special District budget lacks information regarding the District's purpose and services.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) While COVID-19 is affecting the County's ability to maintain the parks and facilities within some of the CSAs, the more pressing concern for CSA R-9 is the lack of an established or secure source of revenue.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

The CSA R-9 boundary encompasses primarily residential and commercial uses. The CSA has no land use authority; however, County plans include land uses and population growth that may impact the service population within the District and, therefore, the District's ability to provide services. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the CSA R-9 boundary. Population within the District is expected to increase at an annual rate of approximately 0.55%. The SOI update will reflect that there is no funding source for CSA R-9 and to shift the park maintenance duties to the Landscape and Lighting District.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

With no funding source, the County is unable to maintain the Children's Reading Garden, the one park located within CSA R-9 which relies on volunteers.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

No disadvantaged communities were identified within the CSA R-9 SOI; however, the disadvantaged community of San Pablo is partially contiguous to the boundary of CSA R-9. The SOI update will not affect the existence of any social or economic communities of interest.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

With no funding source, the County is unable to maintain the Children's Reading Garden. The SOI update recognizes there is no funding source for CSA R-9 and shifts the park maintenance duties to the Landscape and Lighting District. Other municipal services are provided by the County.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

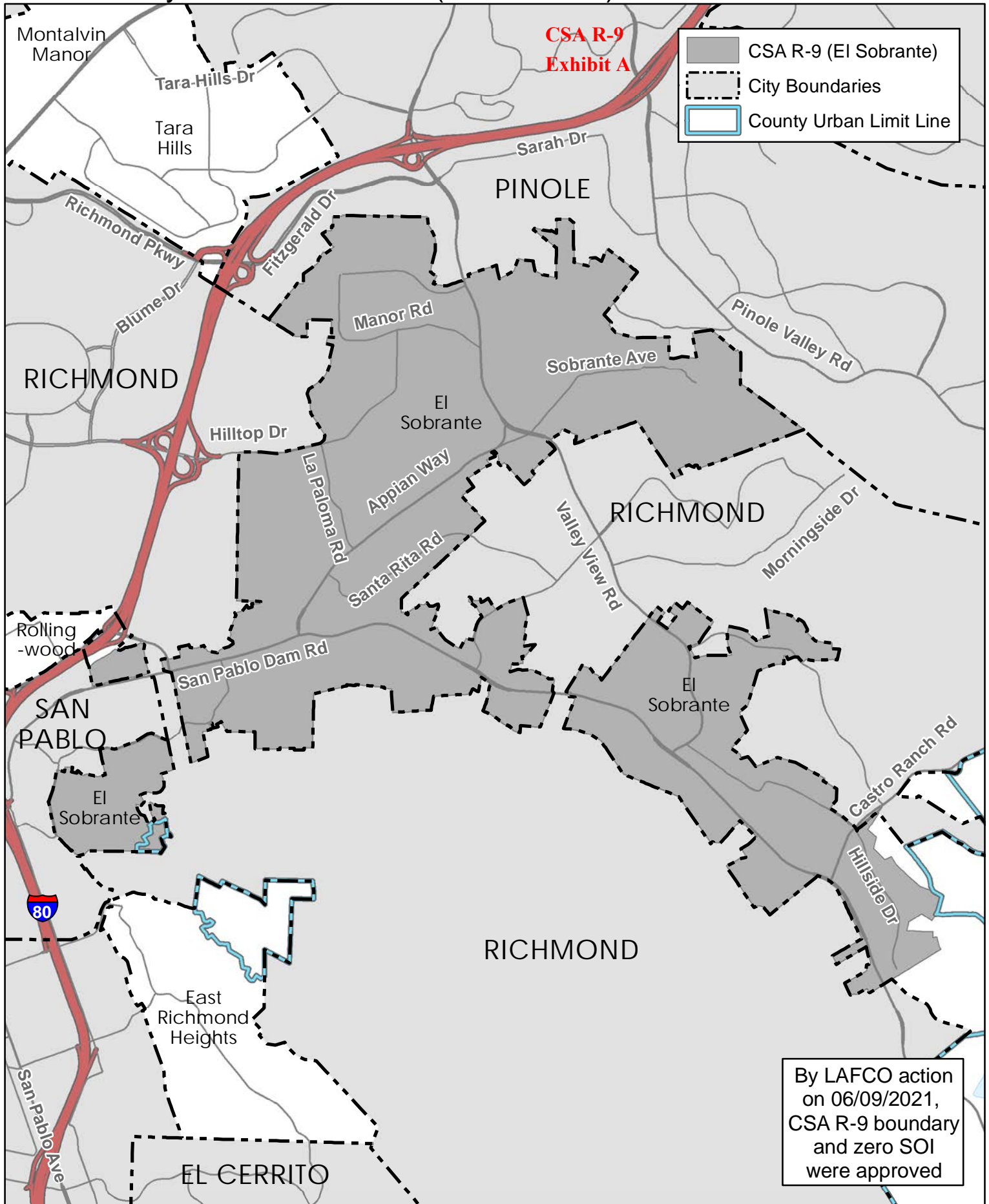
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

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



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION ADOPTING MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE DETERMINATIONS FOR COUNTY SERVICE AREA R-10**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code §56000 et seq.) provides that a Local Agency Formation Commission (LAFCO) shall adopt Spheres of Influence (SOIs) for each local governmental agency within its jurisdiction [§56425(a)] and that it must update each SOI every five years, as necessary (§56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundary and service area of a local agency as determined by LAFCO; and

WHEREAS, §56430 requires that in order to prepare and to update SOIs, the Commission shall conduct a Municipal Service Review (MSR) prior to or in conjunction with the SOI update; and

WHEREAS, the Commission has undertaken its 2nd round “*Parks & Recreation Services*” MSR covering all 19 cities, four community services districts (CSDs), three recreation & park districts, one regional park district, and eight county service areas; and

WHEREAS, this MSR, as prepared by Economic & Planning Systems, Inc and Berkson Associates, focuses on: 1) updating profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators), and staffing/management; 2) capacity of public services, programs and facilities; service to disadvantaged communities; 3) shared services/facilities and collaboration; 4) accountability, structure and efficiencies; 5) governance structure options; and 6) metrics specific to parks & recreation services; and

WHEREAS, on April 14, 2021, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

WHEREAS, on June 9, 2021, the Commission held a public hearing to receive the Final Draft MSR and recommended determinations and SOI updates for certain agencies covered in the MSR, including County Service Area (CSA) R-10; and

WHEREAS, at the public hearings, the Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to the MSR and SOI updates; and

WHEREAS, the MSR contains the determinations required by §§56425 and 56430 relative to the SOI update and MSR, respectively, for CSA R-10 incorporated in this resolution; and

WHEREAS, the proposed action consists of adopting the MSR determinations and updating the SOI for the CSA R-10 as presented in the 2nd round “*Parks & Recreation Services*” MSR; and

WHEREAS, adoption of the MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded, pursuant to State CEQA Guidelines Section 15262; and

WHEREAS, as set forth in State CEQA Guidelines section 15061(b)(3), approval of the SOI update is not subject to CEQA because it can be seen with certainty that there is no possibility that the SOI update will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that Contra Costa LAFCO does hereby adopt the following MSR determinations pursuant to §56430. Regarding the SOI, two options were included in the MSR report, including adopting a zero SOI signaling a future dissolution and retaining the existing SOI. It is recommended that the

Commission adopt a zero SOI signaling a future dissolution of CSA R-10 as depicted in Exhibit A (attached) and make the following SOI determinations for CSA R-10 pursuant to §56425.

MSR DETERMINATIONS

1. Growth and Population Projections

- a) The CSA R-10 boundary includes the Rodeo community. The residential population within the District is stable, with expected growth of approximately 2.8%, or 252 people, between 2020 and 2040, for a total population in 2040 of approximately 9,393 people. This level of projected growth is not anticipated to materially impact service demand.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a) Rodeo is considered a disadvantaged community in that the median household income is less than 80% of the statewide median household income.
- b) The residents of the disadvantaged community of Rodeo have access to CSA R-10 park and recreation facilities and services, although the District's facilities are inadequate to serve all residents. Residents of the District also have access to other regional park and recreation resources.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- a) At a net cost to the District each year, CSA R-10 maintains the Lefty Gomez Recreation Building and adjacent ballfield complex. The facilities are considered by County staff to be in "Poor" condition and are in need of significant investment.
- b) Combined, the facilities total 11± acres, resulting in a current level of service of 1.2 acres per 1,000 residents. This level of service is insufficient relative to the County's goal of 4.0 acres per 1,000 residents.
- c) The ballfield serves the local baseball community.
- d) Significant infrastructure needs have been identified by the County, but there is no funding available.
- e) The community desires recreational programming, but revenue from rental facilities is insufficient to provide programming.
- f) The facility is not adequately sized to meet community needs. With capacity to hold 60 people, the facility is too small for events such as weddings.

4. Financial Ability of Agencies to Provide Services

- a) CSA R-10 relies on facility rentals to generate revenue and, otherwise, does not have a secure source of revenue. Recently, the lease to the County Office of Education (for the Golden Gate Academy) ended, resulting in the loss of \$11,000 of annual revenue. Planned FY 2020-21 expenditures are expected to exceed revenues by approximately \$41,000, which means maintenance and other expenses may need to be partially deferred.
- b) The Lefty Gomez Recreation Building and adjacent ballfield are owned by the John Swett Unified School District (JSUSD) and leased to Contra Costa County. The lease expires in 2045. While the lease is not a significant cost, the maintenance of the facilities and field is a financial burden.
- c) County staff report that facility rental rates were reviewed and increased within the past year.
- d) The Rodeo Baseball Association provides some maintenance of the ballfields as part of its contract with the County; however, County staff report that R-10 may lose funding from the Rodeo Baseball Association.

5. *Status of, and Opportunities for, Shared Facilities*

- a) The Lefty Gomez Recreation Building and Ballfield Complex is owned by the JSUSD and CSA R-10 provides funding for maintenance. The Rodeo Baseball Association provides some maintenance of the ballfields as part of its contract with the County.

6. *Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

- a) CSA R-10 does not have an established or secure source of revenue and, as such, is not able to address the needs of the Rodeo community.
- b) Typically, accountability to local voters would be achieved through the CSA advisory committee; however, the R-10 advisory committee has effectively dissolved as each of the five seats is vacant.
- c) The CSA, via County staff, demonstrated accountability and transparency by responding to LAFCO requests for information.
- d) The County's Special District budget provides transparent revenue and expenditure information. However, the Special District budget lacks information regarding the District's purpose and services.

7. *Any other matter related to efficient service delivery, as required by commission policy*

- a) COVID-19 has affected the County's ability to rent the Lefty Gomez Recreation Building, which is the CSA's primary source of revenue.

SOI DETERMINATIONS

1. *Present and planned land uses in the area, including agricultural and open-space lands*

The CSA R-10 boundary encompasses primarily residential and commercial uses. The District has no land use authority; however, County plans include land uses and population growth that may impact the service population within CSA R-10 and, therefore, the District's ability to provide services. No changes in present and planned land uses will result from this SOI update.

2. *Present and probable need for public facilities and services in the area*

There is a present and probable future need for ongoing park and recreation services within the CSA R-10 boundary. Population within the District is expected to increase at an annual rate of approximately 0.14%. No changes in public facilities or services provided by CSA R-10 will result from this SOI update.

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*

The County is unable to provide adequate park maintenance services within CSA R-10. There are 11± acres of parkland maintained within the District, which translates into 1.2 acres of parkland per 1,000 district residents, short of the County's General Plan goal of 4.0 acres of parkland per 1,000 residents. The SOI update will not impact the present capacity of public facilities and adequacy of public services that R-10 provides or is authorized to provide.

4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*

The Rodeo community is considered a disadvantaged community in that the median household income is less than 80% of the statewide median household income. The residents of this disadvantaged community within the R-10 boundary have access to park and recreation facilities and services, although the District's facilities are inadequate to serve all residents. Residents of R-10 also have access to other regional park and recreation resources. The SOI update will not affect the existence of any social or economic communities of interest.

5. *Nature, location, and extent of any functions or classes of services provided by existing districts. (For Special Districts only)*

CSA R-10 provides park maintenance services and limited recreation programming to the unincorporated community of Rodeo. Other services are provided by the County.

PASSED AND ADOPTED this 9th day of June 2021.

AYES:

NOES:

ABSTENTIONS:

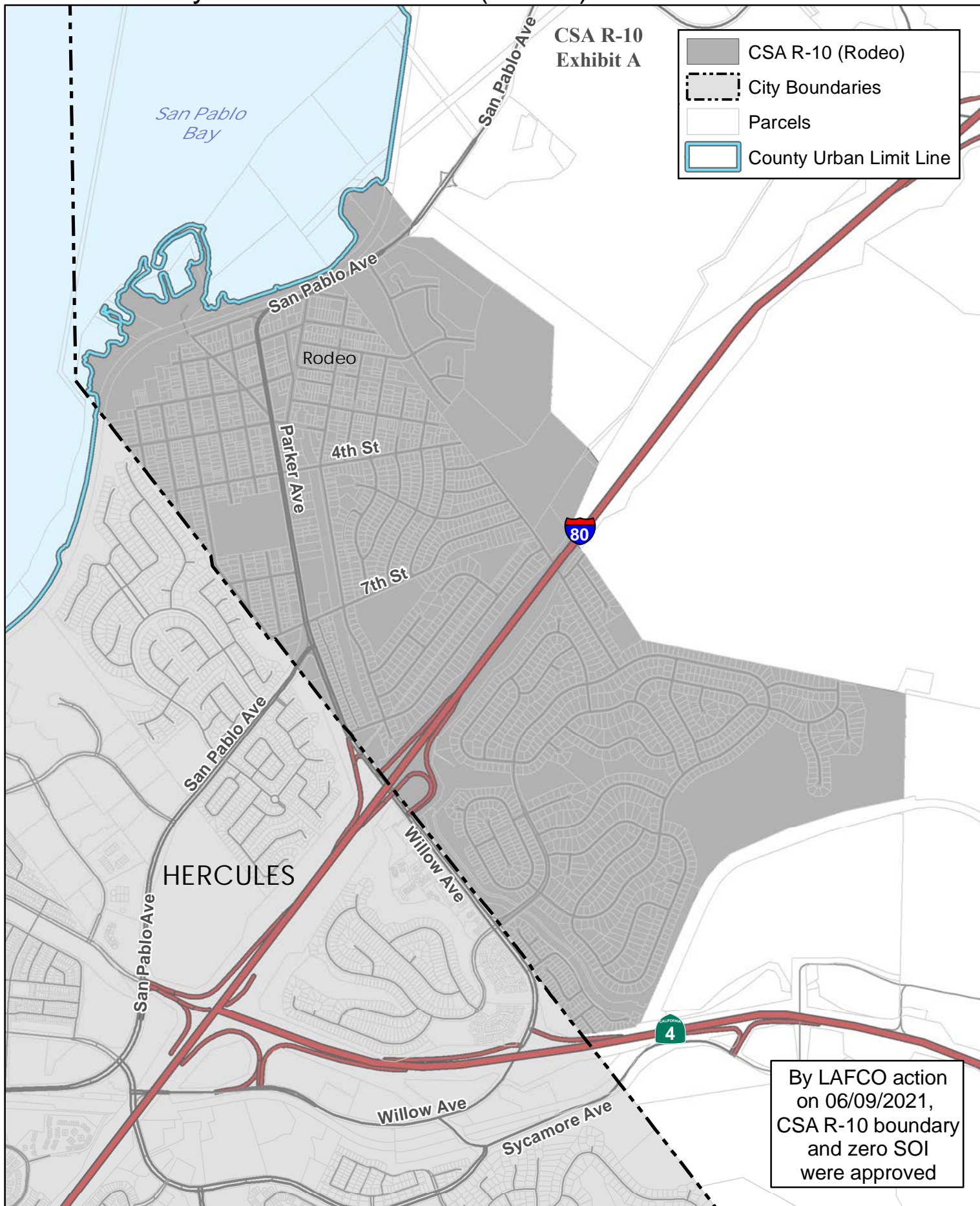
ABSENT:

Igor Skaredoff, 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.

Lou Ann Texeira, Executive Officer

County Service Area R-10 (Rodeo) and Coterminus SOI





CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

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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

Edi Birsan
City Member

June 9, 2021 (Agenda)

Agenda Item 9
June 9, 2021

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

2nd Round “Cemetery Services” Municipal Services Review - Public Review Draft 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 share 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. The MSR serves as a basis for SOI updates and future boundary changes.

STATUS OF MSRs: Contra Costa LAFCO continues its work on MSRs having completed 2nd round reviews of water and wastewater services (2014), reclamation services (2015), fire/EMS services (2016), healthcare services (2018), and “city services” (2019). Contra Costa LAFCO will complete its 2nd round *Parks & Recreation* MSR in June 2021.

2nd ROUND CEMETERY SERVICES MSR: In October 2020, LAFCO initiated its 2nd round “Cemetery Services MSR” covering the two cemetery districts in Contra Costa County. LAFCO retained Planwest Partners, Inc. to prepare this MSR. Planwest Partners, Inc. was selected from LAFCO’s “on-call” list of prequalified MSR/special study consultants, and the Planwest Partners team has extensive LAFCO and MSR experience.

The 2nd round "*Cemetery Services MSR*" focuses on the following:

- ✚ Updating agency profile data including growth and population, finances (expenses, revenues, debt, reserves, rates/fee schedules, other fiscal indicators); and staffing
- ✚ Capacity of public services, programs, and facilities; and service to disadvantaged communities
- ✚ Shared services/facilities and collaboration
- ✚ Accountability, structure, and efficiencies
- ✚ Governance structure options

To date, the MSR process has entailed the following:

- ✚ October 2020 – Kick-off
- ✚ January/February 2021– Complete data collection/verification
- ✚ March/April 2021 – Complete analysis and present preliminary findings and Admin Draft
- ✚ May 2021 – release of Public Review Draft MSR

The *Public Review Draft Cemetery Services MSR* was released on May 27, 2021 and posted on the LAFCO website <https://www.contracostalafco.org/>. The affected districts and interested parties were notified of the availability of the report and the 30-day public comment period, which ends on June 26, 2021. The districts are encouraged to place the Public Review Draft MSR on their Board agendas for public discussion and input.

On June 9th, LAFCO will hold the first of two public hearings on the *Public Review Draft Cemetery Services 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 comments and provide direction. No final action on the *Cemetery Services MSR* will occur on June 9th.

The Commission will be asked to set a second public hearing for August 11, 2021, 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 cemetery 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 August 11, 2021, 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

c: Distribution



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

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Diane Burgis
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Stanley Caldwell
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Charles R. Lewis, IV
Public Member

Edi Birsan
City Member

June 9, 2021 (Agenda)

**June 9, 2021
Agenda Item 10**

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

FY 2021-22 Final LAFCO Budget

Dear Commissioners:

BUDGET SUMMARY

The Contra Costa Local Agency Formation Commission (LAFCO) must adopt proposed and final budgets each year. On April 14, 2021, the Commission approved the *FY 2021-22 Proposed Budget & Work Plan* (available at www.contracostalafco.org). In accordance with Government Code §56381, the Proposed Budget was circulated to all affected local agencies and interested parties. No comments were received.

The *FY 2021-22 Final Budget* will be presented to the Commission on June 9, 2021 and includes appropriations totaling \$874,131 reflecting a decrease of approximately 14% as compared to the FY 2020-21 budget. The FY 2021-22 Final Budget maintains the status quo which includes funding for 1.5 employees, services and supplies, pre-funding Contra Costa County Employees' Retirement Association (CCCERA) and Other Post-Employment Benefits (OPEB) liabilities, and a contingency reserve.

The decrease is primarily attributable to cost savings in several services & supplies accounts, and proposed reductions in Other Post Employment Benefit (OPEB) prefunding and the contingency reserve. A summary of the FY 2021-22 expenditures, revenues and workplan is presented in this report.

These are challenging times, and the financial fallout of COVID-19 continues to impact the County, cities, and districts, which fund the majority of LAFCO's budget. In recognition of the financial constraints on local agencies, LAFCO staff submits a status quo budget which maintains the reductions implemented in FY 2020-21.

EXPENDITURES: The LAFCO expenditures are divided into three categories: *Salaries & Benefits*, *Services & Supplies*, and *Contingency/Liability* as summarized below.

Salaries & Benefits

The FY 2021-22 staffing level includes one full-time Executive Officer and one half-time Executive Assistant/LAFCO Clerk. The *Final FY 2021-22* budget retains the current staffing level. LAFCO staff is supplemented with use of consultants and County services.

The FY 2021-22 *Salaries & Benefits* account totals \$380,045, reflecting a 2% decrease as compared to the FY 2020-21 budget. Cost savings include minor reductions in FICA, employee retirement, and group health insurance.

LAFCO is also supported by private and public service providers on an as-needed basis. The County provides fiscal, drafting, mapping/GIS and legal services. Also, LAFCO contracts with private firms for website maintenance, financial auditing, environmental planning, and to assist with Municipal Service Reviews (MSRs) and special studies. The *Final FY 2021-22* budget assumes the continuation of these contract services as reflected in the *Services & Supplies* account.

Services & Supplies

The *Services & Supplies* account includes funding for various services, programs and projects including administrative/overhead (e.g., office, insurance, rent, utilities, equipment/systems, training, memberships, etc.), contract services (assessor, auditing, GIS, legal, planning, website, etc.), and programs/projects (e.g., MSRs, special studies, etc.).

The FY 2021-22 *Services & Supplies* account totals \$359,086 and reflects a decrease of 22% as compared to the FY 2020-21 budget. LAFCO staff anticipate reductions in communications/equipment, publications/legal notices, building occupancy costs, environmental planning services, document imaging services, data processing, and liability insurance.

Contingency Reserve Fund

Each year, the Commission appropriates funds for unanticipated expenses (i.e., special studies, potential litigation, etc.). The Commission's policy provides that *the annual budget shall include a contingency reserve of 10% of the budget as determined by the Commission*. No contingency funds have been used this fiscal year. The *FY 2021-22 Final Budget* includes an \$80,000 contingency reserve fund in accordance with the Commission's policy.

Other Post-Employment Benefits (OPEB)

Since FY 2011-12, LAFCO has pre-funded its OPEB liability. The most recent GASB report (measurement period 7/1/19 to 6/30/20) shows LAFCO's net OPEB liability is over 80% funded. Thus, the annual OPEB pre-funding amount is reduced from \$40,000 to \$25,000.

Pre-funding Retirement Liability (CCCERA)

In FY 2017-18, LAFCO began prepaying a portion of its unfunded retirement liability to achieve a more favorable contribution rate. As in prior years, the FY 2021-22 budget includes a \$30,000 contribution to fund LAFCO's unfunded retirement liability. The most recent *CCCERA Contribution Rate Report* (12/31/19 Valuation) indicates LAFCO's Unfunded Actuarial Accrued Liability is \$82,000. LAFCO should reevaluate its liability with the next CCCERA report and consider reducing its annual prepayment.

REVENUES: Revenues consist primarily of apportionments provided by the County, cities, and independent special districts with each group paying one-third of the net operating LAFCO budget. The city and district

shares are prorated based on general revenues reported to the State Controller. Other revenues include application fees, available year-end fund balance, and interest earnings.

Application Charges and Other Revenues

The *FY 2020-21 Final Budget* includes a projected \$25,000 in application fees based on a multi-year historical average. It is anticipated that LAFCO will receive approximately \$22,500 in application fees in FY 2020-21, which is less than projected as application activity has slowed during the pandemic. The Final FY 2021-22 budget includes \$25,000 in projected application fees as we anticipate a slight increase in activity.

Fund Balance

Government Code §56381(c) provides: “If at the end of the fiscal year, the Commission has funds in excess of what it needs, the Commission may retain those funds and calculate them into the following fiscal year’s budget.”

The FY 2020-21 fund balance is currently unknown and will be calculated at year end (typically by October). Based on the beginning year fund balance, and projected revenues and expenses, it is estimated that the available fund balance will be over \$175,000. The LAFCO fund balance, or any portion thereof, can be used to offset the FY 2021-22 revenues, thereby reducing contributions from the funding agencies (County, cities, districts); or placed in a reserve account, separate from the contingency reserve that is appropriated each year. The Final FY 2021-22 budget provides that, to the extent possible, a portion of fund balance be used to offset FY 2021-22 revenues which will reduce agency contributions.

LAFCO ACTIVITIES

As presented to the Commission on April 14, 2021, the *Proposed FY 2021-22 Budget*, included a summary of LAFCO’s major responsibilities, FY 2020-21 accomplishments, and FY 2021-22 activities some of which are summarized below.

FY 2020-21 Activities

Boundary Change and Related Applications

- a. Completed proceedings for five changes of organization/reorganizations and one SOI amendment; conducted corresponding public hearings
- b. Received four new applications (i.e., two annexations and two out of agency service requests)

MSRs/SOI Updates

- a. Released *Public Review Draft* and *Final Draft 2nd* round “*Parks & Recreation Services*” MSR/SOI updates covering all 19 cities, four community services districts, three park & recreation districts, one regional parks district, and eight county service areas
- b. Released *Public Review Draft 2nd* round *Cemetery Services* MSR/SOI updates

Special Projects/Activities

- a. Issued a Request for Proposals and hired a new environmental planning firm (Swale, Inc. and Baracco Associates)
- b. Participation in ongoing fire district consolidation study (Contra Costa County Fire Protection District, East Contra Costa Fire Protection District, Rodeo Hercules Fire Protection District)
- c. Pending Litigation (Los Medanos Community Health Care District vs. Contra Costa LAFCO)

Administrative and Other Activities

- a. Appointed 2021 LAFCO Chair (Skaredoff) and Vice Chair (Schroder)
- b. Welcomed new commissioner - Edi Birsan, City Member (Alternate)
- c. Completed FY 2018-19 financial audit
- d. Currently updating the LAFCO Directory of Local Agencies

FY 2021-22 Work Plan

As presented in the *FY 2021-22 Proposed Budget*, the FY 2021-22 workplan includes routine activities as well as the following projects:

- ❖ Complete 2nd round *Cemetery Services* MSRs/SOI updates
- ❖ Initiate 2nd round MSR/SOI updates covering either resource conservation, mosquito & vector control, county service area (CSAs), or other services as determined by the Commission
- ❖ Policy updates (i.e., SOIs, disadvantaged communities, procedures for processing multi-county boundary changes, environmental guidelines)
- ❖ Complete FY 2019-20 financial audit
- ❖ Complete annual actuarial valuation

In conclusion, the Commission and LAFCO staff continue to exercise fiscal prudence, recognizing the financial constraints faced by our funding agencies. Approval of the *FY 2021-22 Final Budget* will enable the Commission to perform its core responsibilities and continue its work on MSRs/SOI updates, processing proposals, legislative activities, policy development, and other projects.

RECOMMENDATIONS

1. Receive this report and open the public hearing on the *FY 2021-22 Final Budget*,
2. After receiving public comments close the hearing,
3. After Commission discussion, adopt the *FY 2021-22 Final Budget*, with any desired changes, and authorize staff to distribute the *FY 2021-22 Final Budget* the County, cities and independent special districts as required by Government Code §56381.

Respectfully submitted,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment - Final FY 2021-22 LAFCO Budget

c: Distribution

FINAL BUDGET**FY 2021-22****FY 2020-21**

Attachment

FY 2020-21**Year-end****FY 2021-22****Approved****(Estimated)****Final****Salaries and Employee Benefits**

Permanent Salaries- 1011	\$	208,000	\$	208,000	\$	218,000	
Deferred Comp Cty Contribution - 1015	\$	1,615	\$	2,040	\$	2,040	
FICA- 1042	\$	18,000	\$	13,705	\$	15,000	
Retirement expense- 1044	\$	82,120	\$	69,278	\$	72,000	
Employee Group Insurance- 1060	\$	46,000	\$	36,875	\$	40,000	
Retiree Health Insurance- 1061	\$	30,000	\$	30,150	\$	31,700	
Unemployment Insurance- 1063	\$	150	\$	218	\$	230	
Workers Comp Insurance- 1070	\$	1,115	\$	817	\$	1,075	
Total Salaries and Benefits	\$	387,000	\$	361,083	\$	380,045	-2%

Services and Supplies

Office Expense- 2100	\$	4,000	\$	1,230	\$	4,000	
Publications -2102	\$	25	\$	182	\$	250	
Postage -2103	\$	1,800	\$	2,891	\$	1,800	
Communications - 2110	\$	2,842	\$	1,518	\$	2,200	
Tele Exchange Services 2111	\$	2,382	\$	1,192	\$	2,000	
Minor Furniture/Equipment - 2131	\$	-	-	-			
Minor Comp Equipment - 2132	\$	2,000	-		\$	1,800	
Pubs & Legal Notices 2190	\$	3,800	\$	2,237	\$	2,200	
Memberships - 2200	\$	12,373	\$	12,344	\$	12,501	
Rents & Leases - 2250 (copier)	\$	5,600	\$	5,031	\$	5,600	
Computer Software - 2251	\$	1,000	\$	1,176	\$	1,000	
Bldg Occupancy Costs - 2262	\$	24,569	\$	22,488	\$	20,512	
Bldg Life Cycle Costs - 2265	\$	1,095	\$	1,113	\$	1,200	
Bldg Maintennace - 2284	\$	500	\$	1,019	\$	1,000	
Auto Mileage Emp. - 2301	\$	500	-		\$	500	
Other Travel Employees - 2303	\$	11,900	\$	7,200	\$	13,000	
Prof & Spec Services - 2310	\$	300,113	\$	145,969	\$	233,440	
Assessor	\$	8,000	\$	7,971	\$	8,000	
Financial Audit	\$	8,700	\$	5,233	\$	8,700	
GIS/Mapping	\$	12,000	\$	11,718	\$	12,000	
Legal	\$	60,000	\$	29,994	\$	50,000	
MSRs	\$	150,000	\$	86,153	\$	130,000	
Planning	\$	25,000	\$	3,000	\$	10,000	
Special Projects (document imaging)	\$	3,673	-		\$	2,000	
Misc Investment Services/CCCERA Fees	\$	240	\$	200	\$	240	
Special Studies/Workshop/Actuarial Valuation	\$	32,500	\$	1,700	\$	12,500	
Contracted Temp Help - 2314 (Web)	\$	3,060	\$	3,060	\$	3,060	
Data Processing Services - 2315	\$	19,700	\$	6,179	\$	13,000	
Data Processing Security - 2326	\$	250	\$	250	\$	250	
Courier - 2331	\$	1,000	\$	894	\$	1,000	
Telcomm Rents, Leases, Labor - 2335	\$	120	\$	110	\$	120	
Other Inter-Dept Costs - 2340	\$	599	\$	599	\$	650	
Liability/E&O Insurance - 2360	\$	6,854	\$	6,854	\$	6,203	
Commission Training/Registration/Stipends - 2467	\$	31,000	\$	13,200	\$	31,000	
NOD/NOE Filings - 2490	\$	800	\$	550	\$	800	
Total Services & Supplies	\$	437,882	\$	237,286	\$	359,086	-22%

Total Expenditures	\$	824,882	\$	598,369	\$	739,131	-12%
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Contingency Reserve	\$	100,000			\$	80,000	
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OPEB Trust	\$	40,000	\$	40,000	\$	25,000	
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CCCERA Pre-Fund	\$	30,000	\$	30,000	\$	30,000	
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TOTAL APPROPRIATIONS	\$	994,882	\$	668,369	\$	874,131	-14%
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TOTAL REVENUES	\$	994,882	\$	817,384	\$	874,131	
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Agency contributions - 9500 & 9800	\$	794,882	\$	794,881	\$	674,131	-18%
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Application & other revenues	\$	25,000	\$	22,503	\$	25,000	
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Fund Balance	\$	175,000			\$	175,000	
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CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

e-mail: LouAnn.Teixeira@lafco.cccounty.us

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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
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ALTERNATE MEMBERS

Diane Burgis
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Stanley Caldwell
Special District Member

Charles R. Lewis, IV
Public Member

Edi Birsan
City Member

June 9, 2021 (Agenda)

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

June 9, 2021
Agenda Item 11

Chang Property Boundary Reorganization - Update

Dear Members of the Commission:

On August 8, 2018, the Commission approved the *Chang Property Reorganization – Annexations to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) and Corresponding Detachment from County Service Area (CSA) P-6*. The proposal includes annexation of 63.5± acres to the City of San Ramon, CCCSD and EBMUD and a corresponding detachment from CSA P-6. The area is located at the intersection of Bollinger Canyon Road and Crow Canyon Road in unincorporated San Ramon. The proposal will extend city, wastewater, and water services to facilitate the development of 43 single-family large lot homes, 18 accessory dwelling units, and related facilities on the Chang property.

One of LAFCO's conditions of approval is that *the property owner provide LAFCO with a certified copy of a recorded grant of open space easement from the Chang property owner(s) to the City of San Ramon and/or other public agency or land trust that prohibits urban development and permanently preserves the existing open space and agricultural uses on 134± acres that are outside of the urban growth boundary and designated for open space and agricultural uses. Further, that the easement remains in effect in perpetuity, and that it is consistent with the conditions of approval in accordance with the Vesting Tentative Map 9485.*

Pursuant to Government Code §57001, if a Certificate of Completion is not filed within one year after the Commission approves a proposal, the proceeding is deemed abandoned unless prior to the one-year expiration the Commission authorizes a time extension to complete the proceedings.

The landowners have experienced delays in coordinating the timing of the open space easement with the City of San Ramon and the resource agencies due to COVID and other challenges. In response to requests from the landowners, the Commission approved three extensions of time. The last extension was for an additional six months to July 9, 2021.

At the April 14, 2021 LAFCO meeting, the landowners provided a brief update to LAFCO and introduced their new partner - Toll Brothers, Inc. Hsientein Project Investment and Toll Brothers, Inc. are working together to complete the project.

On May 28, 2021, the landowners submitted a letter requesting a 12-month extension (attached). The letter summarizes the benefits of the development project, along with complications, complexities, and delays, including those associated with the pandemic. The letter also provides an update on following activities:

- Working with engineering firms to optimize the land plan
- Retained biological consultant to finalize regulatory permit application including a conservation easement for habitat mitigation purposes for resource agency consideration
- Retained legal counsel to prepare open space easement and commence negotiations with City
- Will coordinate with East Bay Regional Park District on potential future trail and public access trail easement

RECOMMENDATION: It is recommended that the Commission approve an extension of time to file the Certificate of Completion to July 9, 2022, as requested by the landowner in order to coordinate the timing of the open space easement with the City of San Ramon and the resource agencies.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment - Letter from Miller Star Regalia

c: Vicky Chang, Hsientein Project Investment
Steve Savage, Toll Brothers, Inc.
Todd Callahan, Toll Brothers, Inc.
Cindy Yee, City of San Ramon
Nadia L. Costa, Miller Star Regalia
David Bowlby, The Bowlby Group. Inc.



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June 1, 2021

VIA E-MAIL

Ms. Lou Ann Texeira
Executive Officer
Contra Costa Local Agency Formation
Commission (LAFCo)
40 Muir Road, 1st Floor
Martinez, CA 94553

Re: Chang Property (Subdivision 9458, City of San Ramon): Progress Report
and Request for Extension

Dear Ms. Texeira:

On behalf of Hsientein Project Investment, which is the owner of the above-referenced property (Property Owner), our office respectfully requests that the Commission consider at its June 9, 2021 meeting a one-year extension of the reorganization approval granted by Contra Costa LAFCo on August 8, 2018 (see Reso. No. 18-06) involving various boundary changes consisting of annexation of approximately 63.5 acres (Annexation Area) to the City of San Ramon (City), Central Contra Costa Sanitary District (CCCSD), and East Bay Municipal Utility District (WBMUD), along with the related detachment from CSA P-6 (Chang Property Reorganization). The reasons for this request, as well as information in support thereof, are set forth more fully below.

Project Background

By way of brief background, the Property Owner owns a total of approximately 195 acres, located at the northwest corner of the Bollinger Canyon Road and Crow Canyon Road intersection, adjacent to but outside of the municipal boundaries of the City (APN: 208-240-039) (Project Site). The Annexation Area is within the respective spheres of influence (SOI) of the City, CCCSD, and EBMUD, as well as being within the City's Urban Growth Boundary (UGB) and the County's Urban Limit Line (ULL).

In October 2017, the City adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and approved a Development Plan and Major Tentative Subdivision Map (TSM) for the Project Site (DP 16-300-002, MJ 16-900-001, IS 17-250-002) (Chang Project). In total, the Chang Project involves the subdivision and development of 43

single-family, large lot homes and 18 secondary dwelling units (SDU), along with the provision of street improvements, landscaping, utilities, a tot lot to serve Project residents, and other improvements. The foregoing development will be clustered on a small, approximately 16-acre portion of the Project Site; additionally, it involves the dedication and construction of an approximately 2-acre passive public park and a related trailhead to the adjacent open space uses. The vast majority of the Project Site will remain as open space for scenic, agricultural, future trails and habitat mitigation purposes.

The Chang Project is critical to the implementation of the City's land use vision for this area as reflected in the City's Northwest Specific Plan (NWSP), which sets forth a development program that incorporates a variety of residential neighborhoods with community open spaces and facilities, and provides for the enhancement of wildlife and riparian habitats. Development of the Chang Project (together with the one other key property (Faria) within the NWSP) has been envisioned by the NWSP with the goal of creating a balanced community composed of public facilities, open space, and residential neighborhoods.

Of particular relevance here, although not required under CEQA or any other applicable laws, the Property Owner voluntarily agreed to record an Open Space Easement for approximately 134 acres of the Project Site (shown as Parcel G on the TSM) in favor of the City, for the purpose of ensuring these lands remain as open space to be used in perpetuity for non-urban uses only (e.g., agricultural/grazing, habitat mitigation, trail and scenic uses) (Open Space Easement). In addition, the Property Owner also voluntarily agreed to offer to dedicate a public access trail easement to the East Bay Regional Park District (EBRPD) for a future public trail (extending from other open space lands within the Project Site through the Open Space Easement area). These community benefits were ultimately reflected in the conditions of approval imposed by the City on the Project's TSM.

Following the initial City approvals in Fall 2017, in June 2018, the City adopted a resolution initiating LAFCo proceedings. And in August 2018, the Commission approved the Chang Property Reorganization. As a condition to this approval, the Commission required that the Property Owner provide LAFCo with a certified copy of the recorded Open Space Easement.

Progress Report and Request for Extension

Subsequent to the City and LAFCo approvals that took place in 2017 and 2018, the Property Owner has continued to work diligently and in good faith to perfect its entitlements and approvals for the Chang Property so that the Chang Project — and the City's land use vision related thereto as reflected in the NWSP — can be implemented.

These steps include, among others, the following:

- * Working with civil and geotechnical engineering firms to refine certain infrastructure components in terms of layout and the further optimization of the land plan;
- * Retaining a biological consulting firm to prepare a regulatory permit application package, including the preparation of a draft Conservation Easement for habitat mitigation purposes (Conservation Easement) for resource agency consideration; and
- * Retaining legal counsel to commence the preparation of the draft Open Space Easement, as required by conditions imposed on the approvals obtained from the City and the Commission.

Specifically with respect to the Open Space Easement, while the Property Owner and its team commenced the preparation of same, its language needed to be coordinated with the preparation of the related — albeit distinct — Conservation Easement. This is to ensure that nothing in the Open Space Easement created delay, potential inconsistencies or general consternation from the resource agencies' perspective or otherwise impaired the ability to obtain the required regulatory permits. These discussions were further impacted by the above-referenced refinements to the infrastructure layout and land plan, and the need to ensure these adjustments were finalized before submitting a formal regulatory permit application.

As the Commission can imagine, this type of coordination has timing implications, which ultimately resulted in delay in moving the Chang Project forward. Moreover, as the Commission is well aware, other factors have come into play that have triggered further delay in this process, including, among others, the COVID-19 pandemic.

Unfortunately, these complicated economic, social, regulatory and market-driven factors — and the substantial uncertainties and disruption that have ensued — have necessitated requests to extend the City and LAFCo approvals on several occasions, including an extension of the TSM as well as several extensions granted by the Commission with respect to the Chang Property Reorganization.

However, as the economy and market stabilize and the COVID situation improves, the Property Owner is pleased to confirm with the Commission that it is well-positioned to continue its diligent and good faith efforts to obtain the remaining entitlements and permits to enable the implementation of the Chang Project and the vision reflected in the City's NWSP. Specifically, the Property Owner:

- * Has re-engaged legal counsel, who has prepared a draft Open Space Easement and has been directed to commence and coordinate negotiations with the City for its consideration;
- * Is directing its biological consulting firm to finalize the regulatory permit package for submittal and to coordinate, as appropriate, the preparation of the Conservation Easement with the Open Space Easement to ensure all relevant

public agencies have reviewed and confirmed relevant provisions are acceptable;
and

* Is committed to reaching out to EBRPD to re-initiate discussions on its preferred alignment for the potential future trail and to commence negotiations relating to this public access trail easement.

In conclusion, the Property Owner has spent years of time and substantial monies to secure land use entitlements, permits and approvals necessary to develop the Chang Project, which will help implement the City's vision as reflected in the NWSP and bring numerous benefits to the community, including, among other things, high-quality housing (including affordable units); a public park; trail connections; and the permanent protection and preservation of significant amounts of land for open space, agricultural and other non-urban uses.

The Commission's approval of the Chang Property Reorganization furthers these objectives as well as the purposes of LAFCo law; is consistent with the spheres of influence of the affected agencies; and helps to implement the long-term planning goals of the City and the County for the Project Site and vicinity.

We are hopeful that the Commission will take into consideration the numerous, complex factors involved in obtaining the necessary land use entitlements, approvals and permits to bring the Chang Project to fruition and grant the requested one-year extension to allow the Property Owner to continue to diligently pursue this laudable goal.

If you have any questions regarding the foregoing, please do not hesitate to contact me to discuss further.

Very truly yours,

MILLER STARR REGALIA



Nadia L. Costa

NLC:/sls

cc: Cindy Yee, City of San Ramon
Vicky Chang
Eric Chen
Rikkie Ren
David Bowlby



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

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ALTERNATE MEMBERS

Diane Burgis
County Member

Stanley Caldwell
Special District Member

Charles R. Lewis, IV
Public Member

Edi Birsan
City Member

June 9, 2021 (Agenda)

**June 9, 2021
Agenda Item 12**

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

Special District Risk Management Authority (SDRMA) – 2021 Board Election Update

Dear Commissioners:

Contra Costa LAFCO is a member of SDRMA and purchases its workers' compensation and property/liability insurance through SDRMA, which is a joint powers public agency. SDRMA provides risk financing and services to over 760 member agencies, including special districts, municipalities, joint powers authorities, and LAFCOs.

In January 2021, LAFCO received correspondence from the SDRMA calling for nominations for the SDRMA Board of Directors. There were four director seats up for election. The deadline for nominations was May 3, 2021.

SDRMA recently announced that as of the May 3rd deadline, SDRMA received four nominations. Therefore, the 2021 SDRMA Board of Directors 2021 Election process will not require an election cycle.

The four candidates nominated were:

- David Aranda, Re-Elected, Stallion Springs Community Services District
- Mike Scheafer, Re-Elected, Costa Mesa Sanitary District
- Timothy Unruh, Re-Elected, Kern Mosquito and Vector Control District
- Tom Wright, Newly Elected, Clovis Veterans Memorial District (to be sworn in January 2022)

This is an informational item – no action by the Commission will be taken.

Sincerely,

Lou Ann Teixeira
Executive Officer



**June 9, 2021
Agenda Item 13**

AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

April 14, 2021, 9:00 a.m.

Due to the Contra Costa County and State of California Coronavirus (COVID-19) health orders, and as permitted by Executive Order N-29-20 issued on March 17, 2020, the Board of Retirement shall hold its meeting via teleconferencing. The meeting is accessible telephonically at 669-900-6833, Webinar ID: 968 9735 5359, Passcode: 817739, or via the web at:

<https://zoom.us/j/96897355359?pwd=NVdKcVgySlA5eVRSVXZxRm5JRvFwQT09> Passcode: 817739

Persons who wish to make public comment may submit their comment to:

publiccomment@cccera.org on the day of the meeting, either before or during the meeting.

Public comments are limited to any item of interest to the public that is within the subject matter jurisdiction of the Board of Retirement. (Gov't Code Section 54954.3(a).) All comments submitted will be included in the record of the meeting. The comments will be read into the record at the meeting, subject to a three-minute time limit per comment.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Recognition of Son Lu for 15 years of service.
3. Roll Call.
4. Accept comments from the public.
5. Approve minutes from the March 10, 2021 meeting.
6. Routine items for April 14, 2021.
 - a. Approve certifications of membership.
 - b. Approve service and disability allowances.
 - c. Accept disability applications and authorize subpoenas as required.
 - d. Approve death benefits.
 - e. Accept asset allocation report.
 - f. Accept liquidity 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

7. 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. Shawn Pate	Service Connected	Service Connected
b. Kim Willey	Service Connected	Service Connected

8. The Board will continue in closed session pursuant to Govt. Code Section 54957 to evaluate the performance of the following public employee:

Title: Chief Executive Officer

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. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al., Contra Costa County Superior Court, Case No. MSN12-1870*
 - b. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al., Contra Costa County Superior Court, Case No. C15-00598*

OPEN SESSION

10. Consider and take possible action to authorize the Chief Executive Officer to execute an agreement with Sagitec Solutions LLC to provide pension administration system software, implementation, hosting and support services in an amount not to exceed \$13,000,000.
11. Consider and take possible action to cause an election to be held to fill the upcoming vacancy in the third general seat of the Board of Retirement.
12. Consider and take possible action to authorize issuance of a Request for Proposal for death notification services.
13. Consider and take possible action on SACRS Board of Directors Election.
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

April 28, 2021, 9:00 a.m.

Due to the Contra Costa County and State of California Coronavirus (COVID-19) health orders, and as permitted by Executive Order N-29-20 issued on March 17, 2020, the Board of Retirement shall hold its meeting via teleconferencing. The meeting is accessible telephonically at 669-900-6833, Webinar ID: 978 3819 2662, Passcode: 934303, or via the web at:

<https://zoom.us/j/97838192662?pwd=QkRHZEJlVlg0eWZkWnQ4UzlLWm5Ldz09> Passcode: 934303

Persons who wish to make public comment may submit their comment to:

publiccomment@cccera.org on the day of the meeting, either before or during the meeting.

Public comments are limited to any item of interest to the public that is within the subject matter jurisdiction of the Board of Retirement. (Gov't Code Section 54954.3(a).) All comments submitted will be included in the record of the meeting. The comments will be read into the record at the meeting, subject to a three-minute time limit per comment.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Select a successor Board Chairperson and make any other necessary selection of board officers.
4. Audit committee member appointment.
5. Accept comments from the public.
6. Approve minutes from the March 24, 2021 meeting.

CLOSED SESSION

7. The Board will go into closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:

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.

- a. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. MSN12-1870
- b. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. C15-00598
- c. *Morant v. CCCERA*, EEOC Charge No. 555-2021-00303

OPEN SESSION

- 8. Presentation from Milliman regarding the December 31, 2020 Other Post-Employment Benefits (OPEB) valuation report.
- 9. Update from Verus regarding the firm and its role as the board's investment consultant.
- 10. Discussion with Board regarding potential modifications of the Investment Policy Statement.
- 11. Review of report on liquidity sub-portfolio.
 - a. Presentation from staff
 - b. Presentation from Dimensional Fund Advisors
- 12. Consider and take possible action to adopt Board of Retirement Resolution No. 2021-4, Investment Asset Allocation Targets and Ranges.
- 13. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

May 5, 2021, 9:00 a.m.

Due to the Contra Costa County and State of California Coronavirus (COVID-19) health orders, and as permitted by Executive Order N-29-20 issued on March 17, 2020, the Board of Retirement shall hold its meeting via teleconferencing. The meeting is accessible telephonically at 669-900-6833, Webinar ID: 941 7279 7036, Passcode: 633712, or via the web at:

<https://zoom.us/j/94172797036?pwd=ZkN4eklCY2FsZHRMUUlvSWowekxOUT09> Passcode: 633712

Persons who wish to make public comment may submit their comment to:

publiccomment@cccera.org on the day of the meeting, either before or during the meeting.

Public comments are limited to any item of interest to the public that is within the subject matter jurisdiction of the Board of Retirement. (Gov't Code Section 54954.3(a).) All comments submitted will be included in the record of the meeting. The comments will be read into the record at the meeting, subject to a three-minute time limit per comment.

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 April 14, 2021 meeting.
5. Routine items for May 5, 2021.
 - a. Approve certifications of membership.
 - b. Approve service and disability allowances.
 - c. Accept disability applications and authorize subpoenas as required.
 - d. Approve death benefits.
 - e. Accept travel report.
 - f. Accept asset allocation report.
 - g. Accept liquidity 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. Christopher Williams	Service Connected	Service Connected

7. The Board will continue in closed session pursuant to Govt. Code Section 54957 to consider the Hearing Officer's recommendation regarding the disability application for Shahla Rezwani.
8. 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. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. MSN12-1870
 - b. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. C15-00598
 - c. *Public Employees Union Local No. 1, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. N14-2021

OPEN SESSION

9. Consider and take possible action to amend the Policy on Determining "Compensation Earnable" Under Assembly Bill 197 For Purposes of Calculating Retirement Benefits For "Legacy" (Pre-PEPRA) Members.
10. Consider and take possible action concerning the SACRS legislative proposal to be voted on at the May 2021 SACRS Conference.
11. 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

May 26, 2021, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Executive Order N-29-20. The meeting is accessible telephonically at 669-900-6833, Webinar ID: 925 6489 6305, Passcode: 807968, or via the web at:

<https://zoom.us/j/92564896305?pwd=UjBZYW5KQlIMMGJvZVlaRXE1MjZRQT09> Passcode: 807968

Persons may request to make public comment by emailing publiccomment@cccera.org the day before the Board meeting or the day of the Board meeting either before or during the meeting. Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Both written and oral comments will be accepted, subject to a three-minute time limit per speaker. Written comments will be read into the record at the meeting. All comments submitted will be included in the record of the meeting.

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 April 28, 2021 meeting.

CLOSED SESSION

5. The Board will go into closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:
 - a. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al., Contra Costa County Superior Court, Case No. MSN12-1870*

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.

- b. *Contra Costa County Deputy Sheriffs Association, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. C15-00598
- c. *Public Employees Union Local No. 1, et al., v. Board of Retirement of CCCERA, et al.*, Contra Costa County Superior Court, Case No. N14-2021

OPEN SESSION

- 6. Review of total portfolio performance for period ending March 31, 2021.
 - a. Presentation from Verus
 - b. Presentation from staff
- 7. Consider and take possible action to amend the Investment Policy Statement.
- 8. Report from Audit Committee Chair on May 5, 2021 Audit Committee meeting.
- 9. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

CALAFCO Daily Legislative Report as of Wednesday, June 02, 2021

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[AB 339](#) (Lee D) Local government: open and public meetings.

Current Text: Amended: 5/4/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Last Amended: 5/4/2021

Status: 5/20/2021-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:

6/2/2021 #22 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided.

Attachments:

[AB 339 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services. The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak). The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

UPDATE AS OF 4/20/21 - The bill was significantly amended on 4-15-21. These amendments removed all state requirements as noted above. Further, they require public participation by phone or internet (with video/audio), and allow agencies to create a registration process for public comments so long as people can register to speak via phone and in person.

The amendments remove the blanket requirement to translate the agenda and meeting access information and makes those an on-request requirements. The amendments also remove the blanket requirement for agencies to have sufficient qualified bilingual translators during meetings and changes that requirement to on-request, and requires agencies to make public the process to make such a request.

All requirements remain unfunded mandates.

UPDATE: Amended on 5-4-21 as a result of the ALGC hearing, this version of the bill now:

- Limits the bill's applicability to the meetings of city councils and county boards of supervisors

only, the jurisdictions of which contain a population of at least 250,000 people;

- Requires public access via telephone OR internet (not both);
- Removes language requiring two-way operability for internet;
- Removes all language translation requirements;
- Removes language allowing local agencies to require members of the public to register in order to provide public comment;
- Removes language allowing teleconferencing to be used by members of the legislative body (to avoid inadvertently precluding the use of teleconferencing by the public);
- Refines language referring to "all meetings" to state "all open and public meetings" (to ensure closed sessions are not subject to the provisions of the bill);
- Restores current law allowing public comment before an agenda item is taken up; and,
- Adds a sunset date of December 31, 2023.

AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 5/10/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Last Amended: 5/10/2021

Status: 5/27/2021-Referred to Coms. on GOV. & F. and JUD.

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

Summary:

Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.

Attachments:

[AB 361 Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

UPDATE: As amended on 4/6/21, the bill now specifies that the new statute can be applied if meeting in person presents imminent risk to the health & safety of attendees; Requires the agenda to provide opportunity for anyone to attend via call-in or internet option; should there be a service disruption that prevents remote public participation, the agency must take no further action on any agenda item until service is restored; the agency cannot require submittal of public comments in advance of the meeting; and requires the legislative body, every 30 days after the initial declaration of emergency, should the emergency remain active, to make certain findings that the emergency still exists and prevents in-person meetings.

UPDATE: As amended on 5-10-21, the amendments tighten restrictions for in-person meetings to only the determination that meeting in person presents imminent risk to the health and safety of attendees (removing the option to consider if attendance by one of more members of the legislative body is hindered).

This bill is sponsored by the CA Special Districts Association (CSDA). The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amended: 4/29/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021)(May be acted upon Jan 2021)

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

Summary:

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

AB 1581 (Committee on Local Government) Local government: omnibus.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 3/9/2021

Last Amended: 4/19/2021

Status: 5/27/2021-Referred to Com. on GOV. & F.

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

Calendar:

6/10/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

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 a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires, when a proposed change of organization or reorganization applies to 2 or more affected counties, that exclusive jurisdiction vest in the commission of the principal county, unless certain things occur. This bill would add the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.

Attachments:

[LAFCo Support letter template](#)

[CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

As amended on 4/19, additional sections amended include 56066, 56123, 56124, 56375. Further the bill repeals sections 56375.2, 56387, 56388, 56747, 56760, 57001.1, 57075.5, 57202.1 and 57383.

SB 810 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 5/13/2021-Referred to Com. on L. GOV.

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

Calendar:

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 811 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 5/13/2021-Referred to Com. on L. GOV.

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

Calendar:

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 812 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 5/13/2021-Referred to Com. on L. GOV.

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

Calendar:

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

[AB 1195](#) (Garcia, Cristina D) Drinking water.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 5/28/2021-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

Attachments:

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

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.

UPDATE: 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.

AB 1250 (Calderon D) Water and sewer system corporations: consolidation of service.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amended: 5/24/2021

Status: 6/1/2021-Read third time. Passed. Ordered to the Senate.

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

Summary:

The California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. The bill would require the commission to approve or deny the application within 8 months, except as provided.

Attachments:

[AB 1250 Fact Sheet 2021](#)

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFCOs. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

SB 403 (Gonzalez D) Drinking water: consolidation.

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 4/27/2021

Status: 5/28/2021-Referred to Coms. on E.S. & T.M. and L. GOV.

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

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.

Attachments:

[CALAFCO Oppose Unless Amended Letter April 2021](#)

[SB 403 Fact Sheet 2021](#)

Position: Oppose unless amended

Subject: Disadvantaged Communities, Water

CALAFCO Comments: Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO's position letter is also posted there.

Specific to SB 403, we requested 3 amendments: (1) Define "at risk"; (2) Add a requirement for the SWRCB to consult with GSAs when considering a domestic well consolidation; and (3) Put a cap on the number of users to be added by the subsuming system or the extent to which the service is being extended. Additionally, CALAFCO recommended a comprehensive review of the current mandatory consolidation process citing a host of issues the current process creates.

UPDATE: As amended on 4/27/21, the bill now defines "at risk system" and "at risk domestic well"; creates an appeal process for potentially subsumed water systems; requires inspection or testing of wells to determine "at risk" status; and allows the Board to prioritize systems historically overburdened by pollution and industrial development or other environmental justice concerns. It also puts a cap of 3,300 or fewer connections on systems that can be subsumed. These amendments address 2 of our 3 requested amendments. We will continue to work with the author on requiring the SWRCB to consult with GSAs on wells.

3

AB 11 (Ward D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

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

Summary:

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Attachments:

[AB 11 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and

award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

[AB 473](#) **(Chau D) California Public Records Act.**

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 5/24/2021-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:

6/2/2021 #37 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 474](#) **(Chau D) California Public Records Act: conforming revisions.**

Current Text: Amended: 5/27/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amended: 5/27/2021

Status: 5/27/2021-Read third 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:

6/2/2021 #38 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Would enact various conforming and technical changes related to another bill, AB 473, which recodifies and reorganizes the California Public Records Act. This bill would only become operative if AB 473 is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 5/24/2021-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:

6/2/2021 #50 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

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 to encourage the inclusion of agencies with land use 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 897 Fact Sheet](#)

Position: Watch

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.

[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: 5/19/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
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.

AB 959 (Mullin D) Park districts: ordinances: nuisances: abatement.

Current Text: Amended: 5/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 5/10/2021

Status: 5/28/2021-Read third time. Passed. Ordered to the Senate. (Ayes 77. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes a city legislative body to declare what constitutes a nuisance. Current law authorizes the legislative body of a city, county, or city and county to provide for the summary abatement of any nuisance resulting from the defacement of the property of another by graffiti or other inscribed material, at the expense of the minor or other person creating, causing, or committing the nuisance, and, by ordinance, authorizes the legislative body to make the expense of abatement of the nuisance a lien against property of the minor or other person and a personal obligation against the minor or other person. This bill would authorize the board of directors of a district to declare what constitutes a nuisance, as provided. The bill would, among other things, authorize a district to exercise the authority granted to a city, as described above, for purposes of abating a nuisance, as provided.

Attachments:

[AB 959 Fact Sheet](#)

Position: Watch

CALAFCO Comments: As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

UPDATE: As amended on 5-10-21, the bill requires the district Board to adopt an ordinance declaring what constitutes a nuisance. It authorizes the district to initiate civil action and recover damages.

AB 975 (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.

Current Text: Amended: 5/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2021

Status: 6/1/2021-Ordered to inactive file at the request of Assembly Member Luz Rivas.

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

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

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).

AB 1021 (Mayes I) Imperial Irrigation District.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 6/1/2021-Read third time. Passed. Ordered to the Senate.

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

Summary:

Would require the commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of voting rights in the Imperial Irrigation District, options for providing electricity in the Imperial Irrigation District, and options for alternative governance structures for the Imperial Irrigation District board of directors, as specified. The bill would require the study to be published no later than July 1, 2023. By imposing new duties on the specified local agency formation commissions, the bill would impose a state-mandated local program.

Attachments:

[CALAFCO Oppose Unless Amended 5-26-21](#)

Position: Oppose unless amended

Subject: Special Districts Governance

CALAFCO Comments: As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFCOs to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFCOs (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position

on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

UPDATE AS OF 4/21/21 - As amended on 4/19/21, the bill makes substantive changes including: (1) Requires state funding for the study and prescribes an 18-month timeline for completion upon receipt of funds; (2) Adds study content of options for governance structure of the district; (3) Changes the number from 3 to 1 of nonvoting board members appointed to the district Board; and (4) Specifies requirements for the appointment.

UPDATE: The amendments of 5/24/21 remove the funding for the special study, making it an unfunded mandate. The bill also now requires the study to be completed by 7-1-23. As a result of the funding removal and the concerning precedent setting nature of requiring LAFco to conduct a special study without funding, CALAFCO has taken an OPPOSE UNLESS AMENDED position requesting funding be restored.

AB 1053 (Gabriel D) City selection committees: County of Los Angeles: quorum: teleconferencing.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/20/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/18/2021)(May be acted upon Jan 2021)

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

Summary:

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Attachments:

[CALAFCO Removal of Opposition Letter April 2021](#)

[CALAFCO Oppose Unless Amended April 2021](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

UPDATE: The bill failed to move out of committee so it is now a 2-year bill.

AB 1246 (Nguyen R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

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

Summary:

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

AB 1295 (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/4/2021)(May be acted upon Jan 2021)

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

Summary:

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Attachments:

[AB 1295 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

SB 10 (Wiener D) Planning and zoning: housing development: density.

Current Text: Amended: 5/26/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 5/26/2021

Status: 5/27/2021-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:

6/2/2021 #95 SENATE SENATE BILLS -THIRD READING FILE

Summary:

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would impose specified requirements on a zoning ordinance adopted under these provisions, including a requirement that the zoning ordinance

clearly demarcate the areas that are subject to the ordinance and that the legislative body make a finding that the ordinance is consistent with the city or county's obligation to affirmatively further fair housing.

Position: Watch

Subject: Housing

CALAFCO Comments: While not directly affecting LAFcos, the requirements in the bill are of interest. As amended on 4/13/21, the bill authorizes a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined in the bill. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is exempt from CEQA. The bill imposes specified requirements on a zoning ordinance adopted under these provisions. The bill would prohibit a legislative body that adopts a zoning ordinance pursuant to these provisions from subsequently reducing the density of any parcel subject to the ordinance and makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts a use or density authorized by an ordinance adopted pursuant to the provisions in the bill.

UPDATE: The amendment of 4/27/21 amends 65913.5(a)(3) to remove exemption of parcels excluded from specified hazard zones by a local agency pursuant to 51179(b).

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Current Text: Amended: 5/4/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 5/4/2021

Status: 6/1/2021-Read third time. Passed. (Ayes 31. Noes 8.) Ordered to the Assembly.

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

Summary:

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

SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.

Current Text: Amended: 5/11/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 5/11/2021

Status: 5/28/2021-Referred to Com. on L. GOV.

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 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot

program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

Attachments:

[CALAFCO Oppose Unless Amended letter May 2021](#)

Position: Oppose unless amended

Subject: CKH General Procedures

CALAFCO Comments: This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

UPDATE: As amended on 4/29/21, the bill now adds 56133.6 which seeks to address several projects in the City of St. Helena, and resolve a current law suit between the winery and the city. The amendments authorize Napa LAFCo to consider new or extended service by the city to specific parcels with certain conditions. The bill requires the Napa LAFCo make certain determinations if approving, include any decision in their required report to the Legislature and has a sunset of 1-1-26.

CALAFCO has made a request for several technical amendments to the version dated 4-29-21, and has concern this addition strays too far from the original intent of the pilot program. Requested amendments on the table now include: (1) Rewording of both sections 56133.5(a)(2) and 56133.6(a)(3) to explicitly state both (A) and (B) are required; (2) Reword the new addition to 56133.5(d) so that it does not presume Napa LAFCo will authorize the new or extension of service; and (3) Rewrite 56133.6(a)(1) to clarify that (A) must apply to both (B) and (C).

As amended on 5-11-21, all requested technical amendments were made, however the intent of the pilot program has changed with the addition of 56133.6 and Napa LAFCo's ability to approve extension of service for parcels that do not meet the pilot program's requirement of planned use as defined in 56133.5. For this reason, CALAFCO is opposed unless amended, requesting the removal of 56133.6. Our letter is in the bill detail section.

[SB 55](#) ([Stern D](#)) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/5/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

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

Summary:

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Attachments:

[SB 55 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting development as noted above by adding specificity. The bill prohibits development in either of the areas noted above

unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

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

Summary:

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

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

Summary:

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established

by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 5/13/2021-Referred to Coms. on L. GOV. and E.S. & T.M.

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

Calendar:

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

Attachments:

[SB 273 Fact Sheet](#)

Position: Support

Subject: Municipal Services

CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

CALAFCO is requesting an amendment to add a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

SB 274 (Wieckowski D) Local government meetings: agenda and documents.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amended: 4/5/2021

Status: 5/13/2021-Referred to Com. on L. GOV.

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

Calendar:

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the

legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Attachments:

[CALAFCO Support SB 274 \(3-15-21\)](#)

[SB 274 Fact Sheet](#)

Position: Support

Subject: Public Records Act

CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

The amendment on 4/5/21 was to correct a typo reflecting the authority to email information.

[SB 475](#) (Cortese D) Transportation planning: sustainable communities strategies.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

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

Summary:

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

[SB 499](#) (Leyva D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

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

Summary:

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Attachments:

[SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

SB 574 (Laird D) Agricultural preserves: Williamson Act.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/4/2021

Status: 5/13/2021-Referred to Coms. on AGRI. and L. GOV.

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

Calendar:

6/14/2021 Upon adjournment of Session - State Capitol, Room 4202

ASSEMBLY AGRICULTURE, RIVAS, ROBERT, Chair

Summary:

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

As amended on 3/4/21, the bill requires cities/counties to file annual maps on Act lands; and removes the requirement for state approval for the amount of security to be paid when paying cancellation fee.

CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

SB 813 (Committee on Governance and Finance) Local Government Omnibus Act of 2021.

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Last Amended: 4/12/2021

Status: 5/20/2021-Referred to Com. on L. GOV.

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

Summary:

Current law requires the officer of each local agency, who has charge of the financial records of the local agency, to furnish to the Controller a report of all the financial transactions of the local agency during the preceding fiscal year within 7 months of the close of each fiscal year in a form required by the Controller. Current law requires the report to include, among other things, the annual compensation of a local agency's elected officials, officers, and employees, as specified. This bill would specify that the reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 33

Total Tracking Forms: 33

6/2/2021 1:08:17 PM

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PENDING PROPOSALS – June 9, 2021

LAFCO APPLICATION	RECEIVED	STATUS
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 sphere of influence (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 21-02 – Byron-Bethany Irrigation District (BBID) – Lawrence Annexation – proposed annexation to BBID of 92.8± acres	March 31, 2021	Under review
LAFCO 21-03 – Beacon West & Willow Mobile Home Park – proposed SOI amendments to Contra Costa Water District (CCWD) (37.58± acres) and Diablo Water District (DWD) (30.1± acres)	April 19, 2021	Under review
LAFCO 21-03 – Beacon West & Willow Mobile Home Park – proposed annexations to CCWD (37.58± acres) and DWD (30.1± acres)	April 19, 2021	Under review

San Francisco Chronicle

California braces for extreme 2021 wildfire season - it's very dry out there

[J.D. Morris](#)

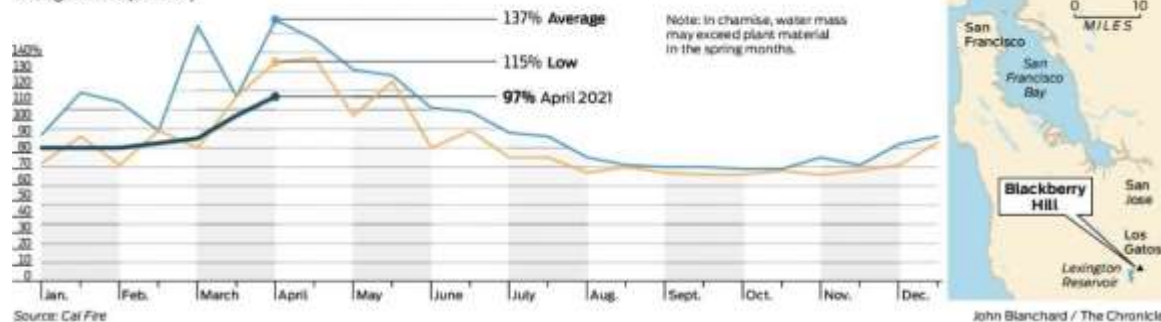
April 11, 2021 Updated: April 12, 2021 8:02 a.m.

They are highly flammable and abundant in wildland areas — and, for that reason, a bellwether to wildfire researchers. This month, a San Jose State University team analyzing moisture levels was shocked at what it found at study sites in the Santa Cruz Mountains.

At two locations researchers found no new growth to cut from the shrubs. It's an ominous sign of just how dry the vegetation is around California, where boundless numbers of plants and trees have been starved of life-sustaining water thanks to an entire winter of paltry precipitation. Those dry plants are fuel for wildfires, and they're primed to burn explosively.

Moisture content of the chamise plant at Blackberry Hill, Los Gatos

Average values (2013-21)



Craig Clements, director of San Jose State's Fire Weather Research Laboratory, said it was the first time he had ever found no new chamise growth to study. The plants are about as dry as they would normally be a few months from now, he said.

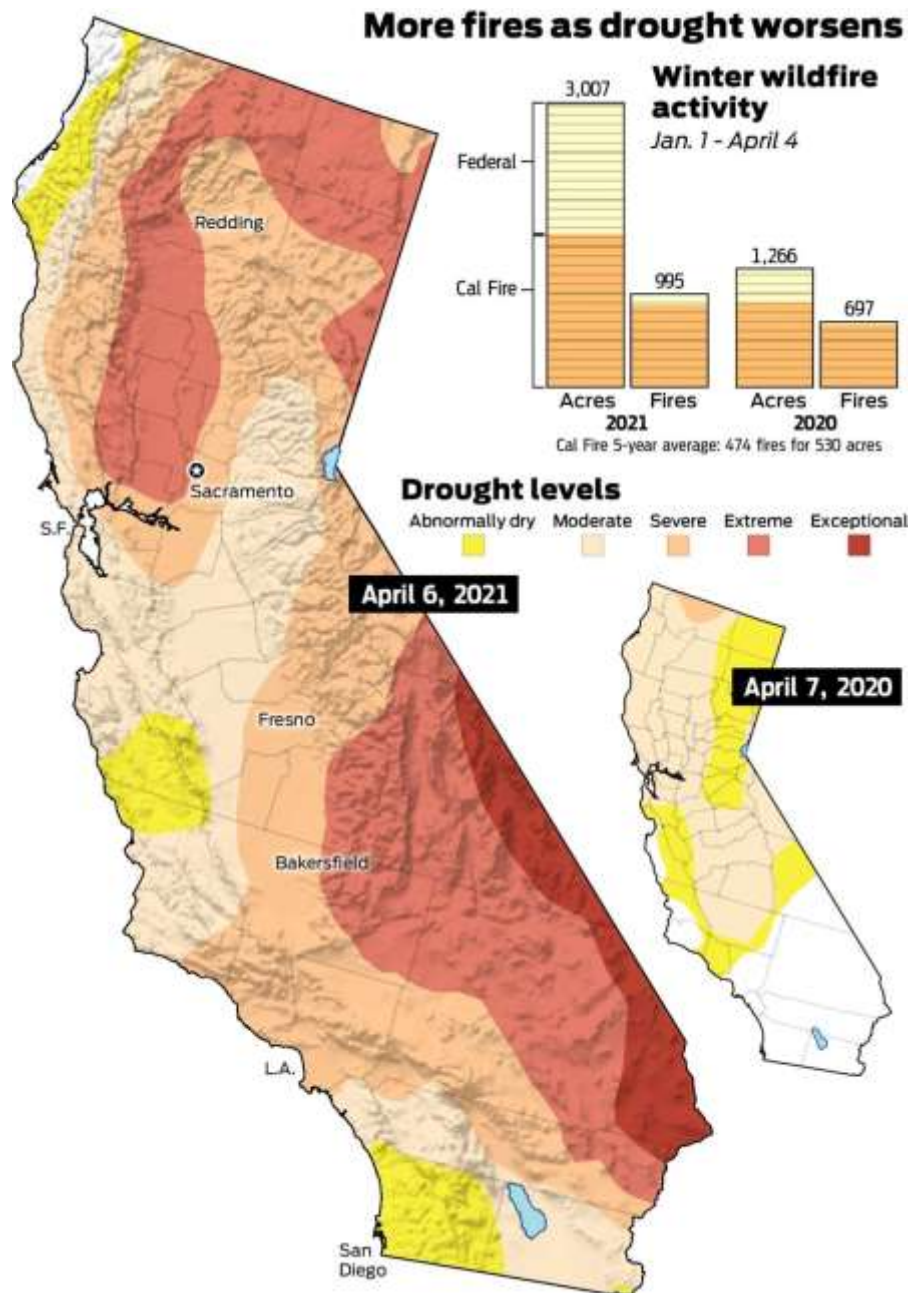
"The chamise was really, really problematic," Clements recalled. "They're not bringing enough soil moisture up into their woody stems to grow. They're remaining somewhat dormant."

To him, the implications are clear.

"We could have more intense fires earlier in the season, is what it suggests," Clements said.

California is barreling toward its driest and most fire-prone months, with many locations around the Bay Area and Central Coast having seen about 50% or less of their average precipitation levels for this time of year. And the time for improvement is rapidly ending, as the state's Mediterranean climate leaves essentially zero room for any substantial amount of rain or snow once April ends.

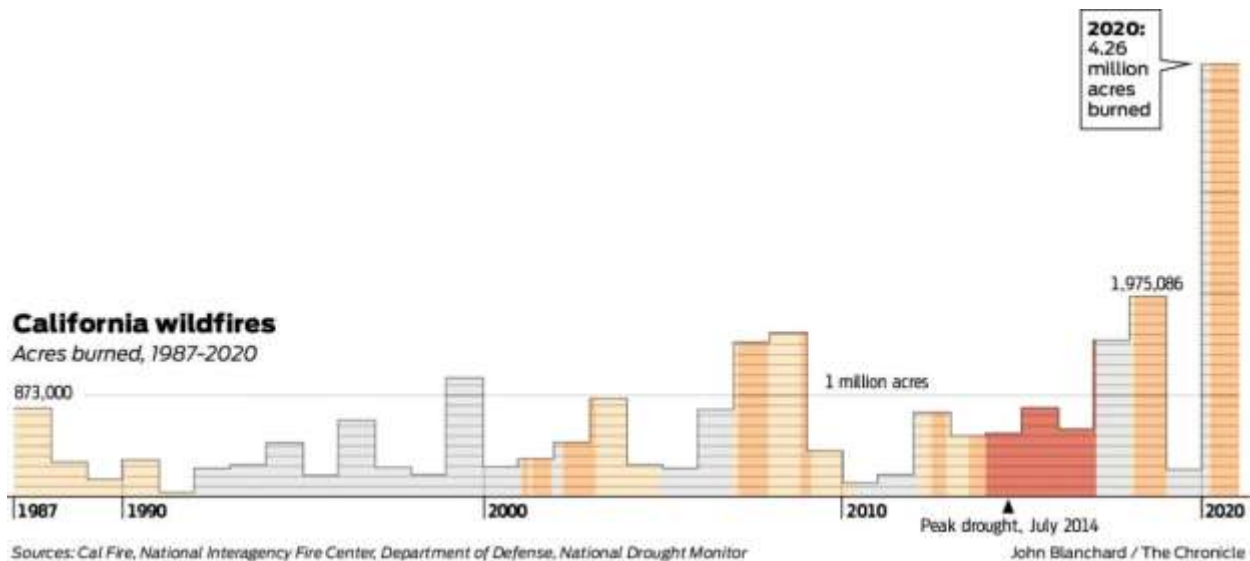
All but a small slice in the state's northwest is in some level of drought or, at a minimum, abnormally dry, according to the U.S. Drought Monitor. The parched conditions result from two consecutive winters of abysmal precipitation. State officials have already warned of water supply shortages and pleaded with the public to conserve. At last one Bay Area water district is considering imposing restrictions.



The persistent dryness has already provided ample room for unusual fire activity. A spate of small fires started around Northern California in January, when Pacific Gas and Electric Co. also initiated its first-ever wintertime power shut-offs to prevent blazes. From the start of the year

through April 4, firefighters in the state have fought 995 fires that burned 3,007 acres — a huge increase from the 697 fires that burned 1,266 acres in the same time period last year.

It's the opposite of where the state's fire-weary residents would like to be after the unceasing flames that burned last summer and fall, at one point turning the Bay Area skies deep orange because so much smoke had blocked the sun. A record 4.2 million acres burned in California in 2020.



April's outlook suggests little reprieve is in store during the warmer months ahead.

“It’s extraordinary that there’s any fire risk in a lot of California right now, and yet here we are,” said UCLA climate scientist Daniel Swain. “Normally, this would be the least flammable time of year throughout most of California.”

Swain said the 2021 fire season is unlikely to surpass the severity of 2020, given the particularly unlucky combination of factors — little rain, a freak August lightning storm and unrelenting autumn winds — that made last year so bad.

“It was just such an extreme, anomalous outlier,” he said. “I think it’s statistically unlikely that we achieve that level, partly because it took a bunch of things coming together in the worst possible way.”

Scientists broadly agree that climate change is elevating California’s wildfire risks, as rising temperatures dry out vegetation and shift precipitation patterns. Of particular concern to Swain is recent research showing how California’s wet season is starting later, thereby extending the tail end of peak fire season.

In a [February commentary in Geophysical Research Letters](#), Swain wrote that the “growing correspondence” between the projections of climate models and actual precipitation in California

“increasingly suggests these trends are unlikely to have arisen by random chance, and will likely continue in the future with further climate warming.”

Swain said he’s not yet worried about the intensity of wildfires over the next two months or so, but starting around mid-July, the risk of extreme fire behavior could escalate. The threat could be compounded if autumn rains are again delayed into November or even December — especially when fast, dry winds blow from the northeast. Those conditions have given rise to some of California’s worst wildfires, including the November 2018 Camp Fire that virtually leveled the town of Paradise in Butte County.

In the Santa Cruz Mountains, the 2020 fire season never truly ended. The area was hit hard in August by the 86,000-acre CZU Lightning Complex fires, which killed one person and destroyed about 1,000 homes in Santa Cruz and San Mateo counties. Some of the anomalous January fires were within the footprint of the CZU burn scar, suggesting that winds whipped up embers that had smoldered into winter.

Another “sleeper spot” in the CZU burn scar was responsible for one of five fires extinguished by Cal Fire since the end of March. Several others were started by escaped controlled burn piles, officials said. Some required aircraft to suppress — a step not normally needed until June.

Though the blazes burned just a handful of acres, the fact they were able to gain any traction at all alarmed firefighters, who have now sped up their seasonal staffing increases.

“With the lack of precipitation, it’s very concerning,” said Ian Larkin, unit chief of Cal Fire’s San Mateo-Santa Cruz Unit. “We are a month ahead of schedule on our staffing.”

The state government has tried to get ahead of the looming threat by adding 1,400 firefighters and unveiling a \$536 million plan to fund vegetation thinning, forest health initiatives, grants to make homes fire resistant and other measures.

Speaking about the plan on Thursday at Fresno County’s Shaver Lake, where the monstrous Creek Fire ignited in September, state Natural Resources Agency Director Wade Crowfoot said, “We are just getting out of our second consecutive dry winter, and what we can expect this summer in wildfire conditions is more of the same.”

That’s an unsettling reality for parts of the state that have been repeatedly battered by fires in recent years. One of them is Sonoma County, which was hit by major wildfires in 2017, 2019 and 2020. Santa Rosa, the county’s largest city, had by early April recorded just 40% of its average rainfall for this time of year.

Another indication of the widespread dryness: County water managers said reservoir capacities are lower than they were at the height of the last drought.

“The general trend is, nothing is looking good,” said Marshall Turbeville, chief of the Northern Sonoma County Fire Protection District.

Turbeville said his greatest concern is forested areas, even though some of them just burned last year during the Walbridge Fire, which made up the west portion of the North Bay's gargantuan LNU Lightning Complex.

"It's gonna be the conifers, where those big logs are just not having the opportunity to accrue the wintertime moisture," he said. "I'm really worried about forest fires."

But the year's wildfire outlook is embedded with uncertainty. Dryness and heat aside, all wildfires need a spark, often caused by a human. No one can predict if and when the sparks will occur. In any case, Swain, the UCLA climate scientist, said the state will hopefully not endure an extremely rare dry lightning siege two years in a row, which would eliminate nature's most menacing ignition source.

Perhaps the greatest unknown is the force behind the deadliest of recent fiery catastrophes: the powerful gusts that propelled flames into places such as Santa Rosa and Paradise. Their frequency and severity are impossible to ascertain several months in advance. As always, the wind will be the wild card.

J.D. Morris is a San Francisco Chronicle staff writer. Email: jd.morris@sfchronicle.com

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Written By

[J.D. Morris](#)

J.D. Morris covers energy and climate change, focusing on such areas as the electric grid, renewables, carbon emissions and disasters, particularly wildfires and earthquakes.

Before joining The Chronicle, he was the Sonoma County government reporter for the Santa Rosa Press Democrat, where he was among the journalists awarded a Pulitzer Prize for their coverage of the 2017 North Bay wildfires.

He was previously the casino industry reporter for the Las Vegas Sun. Raised in Monterey County and Bakersfield, he has a bachelor's degree in rhetoric from UC Berkeley.

Assemblymember Frazier Passes AB 903 to Dissolve Los Medanos Community Healthcare District

written by [ECT](#) Apr 17, 2021

SACRAMENTO, CA – This week, Assemblymember Jim Frazier (D-Fairfield) passed **AB 903** in the Assembly Local Government Committee.

“As all of you know, the COVID-19 pandemic has exposed critical shortfalls in healthcare and health services funding across the state. Communities of color have been especially impacted by the emergency,” said Assemblymember Frazier. “Now more than ever, we have seen the life-changing impacts of devoting every possible dollar to serving those we represent. AB 903 is a district bill that takes strides towards addressing this issue. The bill effectively creates hundreds of thousands of dollars in funding for badly needed healthcare services in the region.”

AB 903 will dissolve the Los Medanos Community Healthcare District and require the County of Contra Costa to be the successor of all rights and responsibilities of the district. AB 903 will also 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 in order to operate the Los Medanos Area Health Plan Grant Program.

The Contra Costa Local Agency Formation Commission (LAFCO) has approved of the dissolution of the existing healthcare district, and Contra Costa County already serves the communities within district boundaries.

The Los Medanos Community Healthcare District (LMCHD) was formed in 1948 to operate the Los Medanos Community Hospital. In rural communities, such districts were created to provide for hospitals that otherwise would not exist. LMCHD operated the hospital until 1994 when the hospital closed due to bankruptcy. Since then, LMCHD has not provided any hospital, physician, or emergency medical services. Instead of providing direct services, LMCHD funds third-party agencies that provide health-related programs.

“This bill effectively creates hundreds of thousands of dollars in funding for badly needed healthcare services in the region. A lot of this funding comes from the savings on LMCHD’s extremely high administrative expenses, which topped 60% in some years,” said Assemblymember Frazier. “That is simply unconscionable.”

“Comparable programs in the county average at about 15% admin cost, and a nearby healthcare district runs at a maximum of 20% in admin costs. Rather than lose over half the funding to wasteful administrative expenses, AB 903 dedicates those dollars to the community,” Assemblymember Frazier added.

If approved by the legislature and signed by the Governor, a [bill](#) introduced by Assemblyman **Jim Frazier** (D-Fairfield) would dissolve the Los Medanos Community Healthcare District by February 1, 2022.

This comes after a 2017-18 Contra Costa County Grand Jury Report recommended dissolving the district as it pays more in administrative costs than it does administering grants. In 2019, **Lamar Thorpe**, who is

now the Mayor of Antioch, was appointed as the Executive Director of the Los Medanos Community Healthcare District. According to a [District agreement](#), he is making \$96,000 per year.

According to the [13-page Grand Jury Report](#):

- The Grand Jury also found LMCHD grant program administrative expenses are high compared to the amount spent on For example, in FY2016-2017, LMCHD spent 40% of its revenue on grants and 36% administering those grants, with the remaining 24% going to reserves. LMCHD's FY2017-2018 budget allocates 42% for grant programs, and 51% for grant program administration.
- The FY2017-2018 budget shows a general fund revenue of \$1.0 million. Of that amount,\$0.5 million is allocated to administrative overhead, \$0.4 million to community health programs, and \$0.1 million to reserves.
- The Grand Jury found no evidence that LMCHD collaborated with the County, non-profit hospitals, or other local entities to avoid duplication of services. Several organizations received grants from both the County and This duplication of services occurred because the County grant administrator, Keller Canyon Mitigation Fund, supports some of the same programs funded through LMCHD. If the County were to assume administration of LMCHD grant programs, there would be no duplication of administrative expenses because the County grant process is already in place.
- LMCHD receives nearly all its annual revenue from property taxes. It uses this revenue to pay for program and wellness grants, as well as administrative expenses.

In 2017, the Contra Costa County Board of Supervisors voted 5-0 to dissolve the District with Supervisor **Federal Glover** [stating](#) the time for a health care district board of directors has come and gone. LAFCO has also rejected the bid for the District to stay open, however, a judge allowed it Meanwhile, the hospital closed in 1994.

The [District](#) services Antioch, Bay Point, Clayton, Concord, Pittsburg and other local communities within the county. Frazier's bill ([AB 903](#)), which he has not responded to a request for comment, aims to put this debate to rest through State Law.

In response to the proposed bill:

Dear Assemblymember Frazier:

On behalf of the Los Medanos Community Healthcare District, I am writing to you in response to your introduction of AB 903

Given that 98 percent of our healthcare district does not fall within your assembly district, or the fact that you have never attempted to build a relationship with our board or programs, I am quite perplexed as to why you would introduce this legislation without attempting to understand how we serve eastern Contra Costa County.

This letter is not intended to be interpreted as an attempt to appeal to your reason or logic, as we are well aware of the fact that you are taking political orders from your top political advisor in an effort to turn our district into a political slush fund for one of your top allies on the Contra Costa County Board of Supervisors.

Let me be clear in stating that, although to you this is simply a political game, to our healthcare district, you are jeopardizing a critical healthcare prevention lifeline for many in our community. From free reading glasses for children to HIV/AIDS prevention efforts, many of the community members we serve participate in our programs because they do not feel that they have their needs met via Contra Costa's public healthcare system.

Lastly, I have to state for the record that the manner by which you introduced this legislation has been interpreted to be highly disrespectful by both my board and community. I suspect that, if the makeup of our board were more in line with the makeup of the Oakley City Council, you would not have been as disrespectful as you have been to date.

Neither my board, nor my community will stand idly and accept to be treated in any manner less than the respect we deserve.

Sincerely,

*Patt Young
President, Los Medanos Community Healthcare District"*

AB 903 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 complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county in order to operate the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as described above, the bill would impose a state-mandated local program.

According to the Bill:

CHAPTER 11. Los Medanos Community Healthcare District Dissolution

32499.6.

(a) The Los Medanos Community Healthcare District shall hereby be dissolved, **effective February 1, 2022.**

(b) The County of Contra Costa shall be the successor to the district. All assets, rights, and responsibilities of the district are transferred to the county as the successor of the district. As of the effective date of dissolution, the county shall have ownership, possession, and control of all books, records, papers, offices, equipment, supplies, moneys, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgments, land, and other assets and property, real or personal, owned or leased by, connected with the administration of, or held for the benefit or use of the district. Accounts payable and all other contract obligations shall be transferred to the county.

(c) The county shall complete all of the following by the effective date of dissolution:

(1) The county board of supervisors shall **form a Los Medanos Health Advisory Committee** that reports directly to the county board of supervisors and shall develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services. The county board of supervisors

shall appoint five members to the Los Medanos Health Advisory Committee. The Los Medanos Health Advisory Committee shall:

- (A) Develop an area health plan that identifies major health disparities impacting residents in the district's territory and identify priorities for improving health outcomes.
- (B) Solicit proposals from service providers interested in participating in the Los Medanos Area Health Plan Grant Program and that are capable of addressing the priorities in an adopted health plan.
- (C) Monitor the efficacy of the programs to which grants are made.
- (D) Report to the county board of supervisors not less than once a year on the execution of a health plan and the status of the grant program.
- (2) The county board of supervisors shall commence and complete a property tax transfer process as outlined in Article 5 (commencing with Section 99) of Chapter 6 of Part 0.5 of Division 1 of the Revenue and Taxation Code to transfer the district's health-related ad valorem property tax revenues to the county.
- (3) The county board of supervisors shall direct the auditor-controller to establish a new special fund for the countytreasure to track the receipt and disbursement of ad valorem property tax revenues received by the county pursuant the property tax transfer process.
- (4) The Los Medanos Area Health Plan Grant Program shall be funded by ad valorem property tax funds received by the county as a result of the dissolution of the district and any other funds made available to the program.
- (5) The county shall accept all real and personal property, books, records, papers, offices, equipment, supplies, moneys, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgements, and all other assets and obligations transferred from the district in "as-is" condition, without any payment or repair obligations from the district.

SEC. 2.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances surrounding the Los Medanos Community Healthcare District.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Fire district gets \$500,000 boost for training exercises

By Judith Prieve

jprieve@

bayareanewsgroup.com

East Contra Costa Fire Protection District received a long-awaited \$500,000 check Friday to help it build a mobile fire training unit.

Assemblyman Jim Frazier, D-Fairfield, presented the check to the fire board nearly two years after he started pushing for the state budget allocation. A state spending freeze and setbacks associated with the coronavirus pandemic contributed to the delay, according to officials.

"Nothing is more important than continuing training assistance for our firefighter personnel, especially in this age of devastating fires," Frazier said in a written statement.

Brian Oftedal, president of the fire board, applauded the additional funding.

"East Contra Costa Fire has never had a dedicated training facility in the history of the organization," he said. "They have always had to be innovative, using dilapidated houses, parking structures, whatever they could find to do the training."

The new dedicated facility will not only allow firefighters to do live fire training but also to practice rescue skills and throw ladders. There will be enough space for mandated emergency medical training as well, Oftedal said.

Although the district has yet to secure a site for the new training tower, Oftedal said it likely will resume talks with Ironhouse Sanitary District to use a portion

of its land in Oakley.

"Now that the monies have been secured, we can start that conversation back up," he said.

"With the district's limited resources of only three stations available to respond to fires, our Prevention Division works to eliminate all potential fires within the district," Fire Marshal Steve Aubert said in a statement.

The fire district's three active fire stations — in Oakley Brentwood and Discovery Bay — serve 250 square miles and 128,000 residents. Another fire station has been built on East Cypress Road in Oakley, but the money to staff it has not been available.

That station is projected to open in March 2022.

Contact Judith Prieve at 925-779-7178.

Group sues city to stop large hillside development

PITTSBURG

By Judith Prieve

jprieve@bayareanewsgroup.com

Saying it would forever change “the beautiful hills” of the southern Pittsburg area, the environmental group Save Mount Diablo has filed a lawsuit challenging the city’s approval of a planned 1,500-home project.

The group contends the housing project by Faria Land Investors, a Seeno Homes/Discovery Builders company, would mar the hills between Pittsburg and Concord, which is home to rare habitat.

“Save Mount Diablo is simply trying to protect one of the East Bay’s most prominent and wellknown ridgelines,” said Ted Clement, Save Mount Diablo’s executive director. “If we do nothing, massive grading will take place, the project will be built, the ridge damaged, other natural resources including scenic vistas will be harmed, and the new regional

PITTSBURG » PAGE 4

Pittsburg

FROM PAGE 1

park, which we advocated for over many years, will be negatively impacted.” Plans to develop the hills date back to 2005 when voter-approved Measure P moved the Faria site within Pittsburg’s urban boundary. The city approved an agreement with the developer that established guidelines for a permanent greenbelt buffer along the inner edges of the boundary.

The Concord-based developer filed an application in 2010, modified it in 2014 and again in 2017, then resurrected its plans in 2020. Three months ago, on Feb. 22, the Pittsburg City Council approved the 1,500-unit residential housing project.

The subdivision will be clustered in valleys of the ridge and hillside grazing land in what is currently unincorporated Contra Costa County, immediately south of Pittsburg.

The extensive grading required for development would increase the potential for landslides and degrade creeks and streams, according to Save Mount Diablo. The subdivision also would strain Pittsburg’s firefighting services, the group says.

“Throughout the East Bay, residents have worked hard to protect our ridges and views and to defend our parks. Pittsburg residents deserve the same protections and quality of life,” Clement said.

approval of this project, the Pittsburg Planning Commission recommended approval of this project, and the City Council voted unanimously to approve this project.” Colopy also argued that the project was consistent with the city’s General Plan, which “has long provided for this land to be developed for housing.” “Given the city and their consultant diligently analyzed potential impacts of this project, my client is not concerned with this poorly drafted and baseless lawsuit filed solely for the purpose of delay,” he said.

Earlier, the East Bay Regional Park District also objected to the project, part of which would lie just above its planned 2,540-acre regional park at the former Concord Naval Weapons Station.

In turn, Seeno and Discovery Builders last summer counter-sued the park district, alleging its proposed park would impact the housing development, although it didn’t specify how.

A Save Mount Diablo spokesman said the group doesn’t oppose all growth. Pittsburg has thousands of housing units already approved but not yet built, including units at Seeno’s San Marco, Sky Ranch II, Montreux and Tuscany Meadows projects. But the nonprofit said a smaller, more compact Faria plan would better protect the ridge and could allow the new regional park to expand to the Pittsburg side, giving residents better access.

In an earlier interview, Save Mount Diablo senior land use manager Juan Pablo Galván noted that the "whole area is a wind tunnel," adding that "fire plus wind equals a bad situation." Save Mount Diablo maintains that the Faria project violates Pittsburg's General Plan, California planning and zoning laws and the California Environmental Quality Act because its numerous impacts on the environment, including biological resources, water supply, wildfire, traffic and land use, wasn't adequately analyzed.

The city did not respond to requests for comment, but attorneys for Albert Seeno III's Discovery Builders said Pittsburg and its environmental consultant did "a comprehensive and extensive analysis of potential impacts of this project." "Their work was thorough and well done," attorney James Colopy, of Farella Braun+Martel LLP, said. "Following that analysis, planning and engineering staff at the city recommended

According to Pittsburg's current project pipeline list, there are 5,853 housing units approved or under construction, 88% of them by Seeno's Discovery Builders.

Before the Faria project can be built, however, the Local Agency Formation Commission must first approve the annexation of the land in unincorporated Pittsburg. *Contact Judith Prieve at 925-779-7178.*



A lawsuit was filed against the city of Pittsburg challenging its approval of a housing project in its southern hills.

PHOTO BY SCOTT HEIN — SAVE MOUNT DIABLO

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Pittsburg approves plan to build 1,500 hillside homes

Critics said the hills, wildlife and views should be protected; others say project will bring tax dollars, jobs



Scott Hein

The hills southwest of the Pittsburg city border are seen beyond the San Marco development. Concord-based Discovery Builders is seeking approval from Pittsburg for its plan to build up to 1,500 homes in the area. (Scott Hein)

By **JUDITH PRIEVE** | jprieve@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: February 23, 2021 at 9:21 a.m. | UPDATED: February 24, 2021 at 8:38 p.m.



A Concord developer's long-planned proposal to build as many as 1,500 homes in the southwest hills of Pittsburgh received the City Council's unanimous nod Monday despite opposition from environmentalists, preservationists and some residents.

To allow Faria Land Investors to build homes on the hillside, the council had to approve its master plan, a development agreement and an amendment to the city's general plan.

The council also signed off on environmental documents for the project, which envisions construction of homes on 341 acres clustered in valleys and the preservation of 265 acres of open space. Minimum lot size of the low-density project would be 4,000 square feet, though many would be much larger than that, according to Faria Land Investors, a Seeno/Discovery Builders Inc. company.

"We know this is going to be a very nice community," Discovery Builders President Louis Parsons said, noting the ridge lines will be preserved.

As part of the deal, the project will also include long sought commercial development, a youth recreation center and trails that might connect to the East Bay Regional Park District's future park at the former Concord Naval Weapons Basin, he said.

"It's going to be a great location," Parsons said. "It's going to be nestled in these valleys and we think it's going to be a great place for executives and people of all types to live."

Plans to develop the hills date back to 2005 when voter-approved Measure P placed the Faria site within Pittsburgh's urban boundary. The city approved an agreement with Seeno that established guidelines for a permanent greenbelt buffer along the inner edges of the boundary.

The Concord-based developer filed an application in 2010, then modified it in 2014 and again in 2017 before resurrecting it in 2020. And although the Planning Commission recommended approval last summer, the hearing was continued shortly thereafter when a council member fell ill.

Then and now, critics have said the developer has not provided enough detail to assess the project's impacts.

Opponents also said the project will destroy the natural beauty of the area, impact wildlife, snarl traffic and increase fire risks. Groups opposing it included the East Bay Regional Park District, Save Mount Diablo, Greenbelt Alliance and Pittsburgh Youth Action.



Juan Pablo Galván, Save Mount Diablo's land use manager, said the proposal lacks an adequate project description and enforceable mitigation measures.

"Hundreds of Pittsburg residents have submitted comments on this project pointing to the need to protect Pittsburg's hills and wildlife habitat, address existing serious traffic issues and present to the public a complete description and analysis of this project," he said. "... It shows a complete disregard for the environment."

Galván and many others also warned of potential fire danger.

"It is an extremely windy area and you can't have much even in the way of trees ... and fire plus wind equals a bad situation," he said.

Zoe Siegel of Greenbelt Alliance also strongly urged the council to reject the proposal.

"A lot has changed in the past 20 years and we know a lot more now about the impacts of climate change," she said. "... Developments of this kind will put your community and our region at greater risks of climate change."

Pittsburg resident Mark Linde pointed to the potential impacts on local owls, turtles, frogs and bees.

"Mitigation fees, developers fees and oversight just can't remedy the insurmountable damage this development will do to the environment and mankind alike," he said.

William Goodwin, a housing advocate, questioned the developer's plan to build small accessory dwelling units or tiny homes instead of 150 affordable but comparable units, as the city's inclusionary housing program mandates.

"Is it not enough that we are in the middle of an affordable housing crisis, a recession and a pandemic when many families are suffering?" he asked. "No, this developer wants to cut an estimated \$60 million off their bottom line at the expense of affordable housing for the people of Pittsburg."

Among those supporting the project was former council member Pete Longmire. "It will bring millions of dollars in impact fees that will support our basic infrastructure like traffic, fire, police and other contributions," he said.

"This could be a turning point for our community to bring a lot of opportunities," he added.

Also for the project were various unions and residents who noted it would bring good-paying construction jobs.



Some council members questioned whether the project's open spaces would connect with the trails and staging areas of the future regional park over the hill in Concord.

"I want to make sure we comply on both sides to that commitment," Councilman Juan Banales said, suggesting that such a pledge be included in the agreement while voicing his support of the project overall.

Mayor Merl Craft said the council must look at the entire community it serves.

"We want to see what others have in their communities and we want these amenities as well," she said. "Upscale development means we can attract businesses, a grocery store. We will no longer be a food desert. Sometimes we have to say, 'what about us?'"

Craft added that the city already has 1,098 affordable housing units. "We are always looking to expand our housing stock. We need to have dollars in our community.

The development is expected to generate about \$2.75 million a year in property taxes for the city as well as \$1.1 million a year for public safety, \$122,000 for the fire district, \$153,000 for landscape and lighting and \$133,00 for park maintenance.

"All of these won't happen without the Faria project," she said.

"This was a big undertaking," Councilman Jelani Killings said. "You aren't taking away land. The reality is this was already designated by the voters of Pittsburg in the past (with Measure P)... The reality is it is development that pays for infrastructure."

"Another thing is it is close to BART," Councilwoman Shanelle Scales-Preston added. "I think the community benefit is huge compared to when this project was looked at 10 years ago."





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The Trust Project

Tags: [East Bay Regional Park District](#), [Housing Development](#), [Regional](#)

Judith Prieve | East County journalist

Judith Prieve is an East Bay journalist. A graduate of the University of Wisconsin-Madison, she has worked as a reporter, features editor and assistant metro editor at newspapers in Wisconsin and Northern California and has been at what is now the Bay Area News Group for more than 25 years.

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California's first community choice aggregator, MCE, built the Solar One project in Richmond to provide local solar power and green jobs to the community. The 10.5-megawatt, 60-acre solar farm produces enough electricity to power almost 4,000 local homes.

PHOTOGRAPH BY MCE

Americans want more renewable energy. Can ‘community choice’ help them get it?

Frustrated by slow uptake of renewable power sources, some communities are taking their power needs into their own hands.

BY ALEJANDRA BORUNDA PUBLISHED APRIL 20, 2021

The problem, as Dawn Weisz saw it back in the mid-2000s, was straightforward. She and other residents of Marin County wanted green power. But only 16 percent of the electricity that PG&E, the local utility, was delivering to its 250,000 customers was [renewable](#).

Frustratingly, Weisz and other community members didn't have any say about what went into that mix. The county government—for which Weisz worked at the time—had set ambitious decarbonization goals and had found that cleaning up their power supply would be the best first step forward. But they couldn't force the utility to go green any faster.

So she and others organized to form a “community choice aggregator,” or CCA—a nonprofit that took over buying electricity for Marin from a variety of producers. Within a year they were providing 50 percent renewable power to nearly everyone in the county. Today, 10 years after its founding, Marin Clean Energy, (now known as MCE since they serve more than just Marin), has expanded to cover more than a million people and provides just over [60 percent renewable power](#).

“To double, and then triple the amount of renewable content people are getting really had a dramatic impact on our carbon footprint, and that was really our goal,” Weisz says.

Marin is at the vanguard of a trend. The model of using CCAs as an environmental force has spread rapidly in recent years in the [nine states](#) where the law currently allows them; six other states are considering CCA legislation. Nationwide, some 100 CCAs are offering green electricity alternatives. The ones in California alone have 11 million customers.

“There is huge unmet demand for renewable energy,” says Kelly Trumbull, a researcher at UCLA who has analyzed California's CCAs. “Especially as the climate crisis gets worse, people are looking for ways to help move the transition forward.”

By popular demand

Polling confirms Trumbull's point: Americans really, really want green energy. Pew Research Center surveys show that 79 percent of respondents, across political lines, want the U.S. to develop more alternative energy resources, such as solar and wind. That support has increased [more than 15 percentage points since 2011](#).

Today, the power sector accounts for about 30 percent of U.S. greenhouse gas emissions. Its emissions have decreased about 8 percent over the last decade, as coal plants retired and renewable sources grew, buoyed by their plummeting cost. Photovoltaic power, for example, has gotten [82 percent cheaper since 2010](#).

And yet the energy transition hasn't been moving nearly fast enough to reach [net-zero emissions by 2050](#)—the goal scientists say is necessary in order to keep the planet from warming beyond 1.5 degrees Celsius, and the goal the Biden administration has now adopted for the United States. Even in California, which [in 2006 first instituted climate goals](#) that forced utilities to increase renewable power generation every year, those increases have been slow compared to the rate scientists recommend and many concerned citizens are demanding.

"There's definitely this grassroots interest in procuring renewable energy," says Michelle Davis, a solar expert at energy research firm Wood Mackenzie. "Customers are really wanting to take more control over their power."

Some who can afford it put solar panels on their homes, supplying their own electricity needs and perhaps even feeding some back to the grid. Others have banded together to form community solar "gardens" that do the same. But most Americans still have little ability to influence the greenness of their power, and by extension little clout with which to accelerate the transition from fossil fuels to renewables.

What's a CCA?

In CCAs, Weisz and others like her have found a tool that can help. Community choice aggregation lets a city, county, or a group of them take over the role of buying power for the community.

In states like California with so-called regulated electricity, utilities such as PG&E have traditionally had three distinct roles: *buying power* from generating plants; building and maintaining the *transmission* lines; and *providing service* to consumers. In other states like Massachusetts, which have "restructured" systems, utilities run the transmission and customer-service sides, but customers can choose from different power suppliers.

In both regulated and restructured states, provided a state law allows it, CCAs can take over the power-buying part of the process. Once a local government chooses to form or join a CCA, everyone in the service territory is automatically opted in (though they can choose to leave if they like). By grouping together lots of customers, a CCA gets more negotiating leverage.

Unlike utilities, CCAs are nonprofits and are governed locally, which advocates say makes them more reflective of the community's needs and desires. When they first emerged in the 1990s, they were mostly used to negotiate lower electricity rates; in states like Ohio and Illinois, that's still the primary goal for many CCAs.

But in California, CCAs started to use them explicitly to forward climate goals.

At first, adoption was slow. MCE formed in 2010 despite vigorous opposition from utilities. The next to form was Sonoma Clean Power, in 2014. “There’s been almost exponential growth since then,” says Trumbull. Now, 23 CCAs across the state are in charge of buying power for more than 11 million people—nearly a third of California residents.

“It’s not just California—we’re seeing rapid growth in Massachusetts and other states,” including heavily populated New York, says Joseph Nyangon, an energy economist at the University of Delaware. Legislation that would enable CCAs is in discussion from Arizona to Maryland.

“I would bet that several more have this by next year, and that could be quite significant for the [renewables] market,” Nyangon says.

Emissions impacts

So, are CCAs accelerating the energy transition? A recent [UCLA report](#) led by Trumbull suggests that in California, the answer is yes.

In 2018 the state updated its renewables goals, aiming to reach 100 percent carbon-free power by 2045, with an [interim goal of 33 percent by 2020](#). Almost all the California CCAs exceeded that interim goal: In 2019, they provided an average of about 50 percent renewable power, whereas large utilities averaged less than 40 percent (though they too exceeded the state goal). The UCLA report found that CCAs indirectly nudged the utilities into a more renewables-heavy energy mix, primarily because as customers leave the utilities for CCAs, the utilities—which still have green power contracts in hand—end up with more renewable energy serving their smaller customer base.

In total, CCAs caused nearly 50 million megawatt hours of renewables to be used in place of fossil fuel sources between 2011 and 2019. That contribution is still relatively small—California uses about [five times that much electricity](#) each year—but it’s expected to grow quickly: By the end of 2021, more than 40 percent of the state’s customers will likely be part of a CCA.

Several of the newer CCAs, such as southern California’s Clean Power Alliance, default their customers into 100 percent renewable power. Some 93 percent of the Alliance’s three million customers stick with that option, which pushes up demand for renewables and helps to “put steel in the ground,” says Ted Bardacke, the executive director. Across the state, CCAs have contracted for about 6,000 megawatts of new solar, wind, and other renewables projects, according to the trade association CalCCA.

California is going to get to 100 percent renewables one way or another, but “it’s safe to say that the CCAs are going to accelerate that,” says Eric O’Shaughnessy, an energy researcher with Lawrence Berkeley National Laboratory.

Nationally, the scale of CCAs’ potential is less clear. They have become the primary tool people use to get greener power than that required by their own state, O’Shaughnessy and colleagues found in a 2019 [analysis](#); in 2017, about 100 of the nation’s roughly 750 CCAs offered greener options than state baseline. Most of them were still focused on getting cheaper power rather than driving down emissions—though, as Nyangon notes, today those often go hand in hand.

If the states with CCA laws on the books continued to expand their green power customer base, and if the states considering CCA legislation pass it and follow in the same pattern, O’Shaughnessy and his

colleagues calculated that they could provide about 20 to 30 million megawatt hours of extra renewable energy per year. That works out to about 2 percent of the national load.

GO DEEPER

—See how the [EPA explains CCAs](#).

—What's the [status of legislation in your state?](#)

—Learn how communities [can start CCAs](#).

—How can you design a CCA with [energy justice at its core?](#)

Given the scale of the climate challenge, every nudge helps, says Bardacke. “I don’t think it’s an either-or situation,” he says. “It’s and, and.”

Value beyond carbon

Along with clean energy, many communities have been calling for equity in the energy transition. Some have demanded that CCAs provide local jobs while pursuing renewables, or help make rooftop solar and energy efficiency measures available to residents who can’t afford them.

Richmond, California, north of Berkeley on San Francisco Bay, is a good example: It wanted both local solar power and good jobs for community members. So the city government asked MCE to develop a 10.5-megawatt solar farm right in town. They negotiated a cheap lease of an unused 60-acre parcel at the Chevron refinery (Chevron offered it as [part of a “modernization” effort](#) undertaken a few years after a disastrous refinery fire). In the end, nearly 60 percent of the workers who built the “Solar One” plant lived within city limits—including 41 trainees from a low-income workforce training program called RichmondBUILD.

Today, the refinery’s rust-red tanks loom from a hill overlooking the solar farm. During peak sunshine hours, the high-pitched whine of inverters—like a constantly ringing fire alarm—signals that solar energy is being transformed into electricity, enough to power about 3,900 local homes. Turkeys strut and jackrabbits hop among the steel racks supporting the 78,000 panels, half of which follow the arc of the sun overhead.

The site accounts for only a few percent of MCE’s peak load, but for Fred Lucero, the director of RichmondBUILD, the value goes beyond the energy produced. “With a project like Solar One, we were able to lift all the boats in the harbor,” he says.

State Assembly Passes Frazier Bill to Dissolve Los Medanos Community Healthcare District

written by [ECT](#) May 12, 2021



The Los Medanos Community Healthcare District is one step closer to being dissolved after the California State Assembly voted 70-0 to support a bill by Assemblyman Jim Frazier.

Assemblyman **Tim Grayson** (D-Concord) has signed on to be the principal Co-Author.

[AB 903](#) will dissolve the Los Medanos Community Healthcare District and require the County of Contra Costa to be the successor of all rights and responsibilities of the district. AB 903 will also 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 in order to operate the Los Medanos Area Health Plan Grant Program.

The Contra Costa Local Agency Formation Commission (LAFCO) has approved of the dissolution of the existing healthcare district, and Contra Costa County already serves the communities within district boundaries.

The Los Medanos Community Healthcare District (LMCHD) was formed in 1948 to operate the Los Medanos Community Hospital. In rural communities, such districts were created to provide for hospitals that otherwise would not exist. LMCHD operated the hospital until 1994 when the hospital closed due to bankruptcy. Since then, LMCHD has not provided any hospital, physician, or emergency medical services. Instead of providing direct services, LMCHD funds third-party agencies that provide health-related programs.

“This bill effectively creates hundreds of thousands of dollars in funding for badly needed healthcare services in the region. A lot of this funding comes from the savings on LMCHD’s

extremely high administrative expenses, which topped 60% in some years,” said Assemblymember Frazier. “That is simply unconscionable.”

“Comparable programs in the county average at about 15% admin cost, and a nearby healthcare district runs at a maximum of 20% in admin costs. Rather than lose over half the funding to wasteful administrative expenses, AB 903 dedicates those dollars to the community,” Assemblymember Frazier added.

This comes after a 2017-18 Contra Costa County Grand Jury Report recommended dissolving the district as it pays more in administrative costs than it does administering grants. In 2019, **Lamar Thorpe**, who is now the Mayor of **Antioch**, was appointed as the Executive Director of the Los Medanos Community Healthcare District. According to a [District agreement](#), he is making \$96,000 per year.

According to the [13-page Grand Jury Report](#):

- The Grand Jury also found LMCHD grant program administrative expenses are high compared to the amount spent on For example, in FY2016-2017, LMCHD spent 40% of its revenue on grants and 36% administering those grants, with the remaining 24% going to reserves. LMCHD’s FY2017-2018 budget allocates 42% for grant programs, and 51% for grant program administration.
- The FY2017-2018 budget shows a general fund revenue of \$1.0 million. Of that amount, \$0.5 million is allocated to administrative overhead, \$0.4 million to community health programs, and \$0.1 million to reserves.
- The Grand Jury found no evidence that LMCHD collaborated with the County, non-profit hospitals, or other local entities to avoid duplication of services. Several organizations received grants from both the County and This duplication of services occurred because the County grant administrator, Keller Canyon Mitigation Fund, supports some of the same programs funded through LMCHD. If the County were to assume administration of LMCHD grant programs, there would be no duplication of administrative expenses because the County grant process is already in place.
- LMCHD receives nearly all its annual revenue from property taxes. It uses this revenue to pay for program and wellness grants, as well as administrative expenses.

In 2017, the Contra Costa County Board of Supervisors voted 5-0 to dissolve the District with Supervisor **Federal Glover** [stating](#) the time for a health care district board of directors has come and gone. LAFCO has also rejected the bid for the District to stay open, however, a judge allowed it. Meanwhile, the hospital closed in 1994.

The [District](#) services Antioch, Bay Point, Clayton, Concord, Pittsburg and other local communities within the county.

San Francisco Chronicle

California can fix its wildfire crisis - if politics don't get in the way

[J.D. Morris](#)

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Gov. Gavin Newsom stepped inside the hollow base of a majestic redwood tree in the Santa Cruz Mountains last month and marveled at the giant's ability to withstand a wildfire that ravaged the 118-year-old state park around him.

"How the hell do these things make it?" Newsom asked a park ranger.

The answer is that those trees evolved to endure a good burn. Fire is endemic to California. But the threat is changing now, thanks to the world's [warming climate and more than a century of poor forest management](#), among other reasons.

Newsom saw as much that day in September when he [toured the extensive fire damage](#) at Big Basin Redwoods, California's oldest state park.

It wasn't the first time he'd found himself in such a situation: Shortly after he was elected in 2018, Newsom and President Trump [walked](#) through the burned remains of Paradise, the Butte County town devastated by the historic Camp Fire.

About two weeks after Newsom's trip to Big Basin, he [met with Trump again](#). By then the state's fire season had intensified. Newsom urged the president to appreciate how "the plumbing of the world" had changed and that "climate change is real."

While the president has not embraced that reality, Newsom has since tried to press fast-forward on California's climate-change actions, betting they will help ease the endlessly growing threat of wildfires in the state.

He and other state officials have no time to waste.

California is burning more than ever, with a record 3.7 million acres blackened across the state so far and potentially weeks more of dangerous weather in store. The fiery crisis could quickly become a political one, too, as state leaders scramble to contain a worsening problem with myriad solutions, none of them easy to enact.

And it's not just a climate issue: To most effectively reduce the mounting risk of catastrophic wildfires, the state will need to grapple with its overgrown forests and misguided development patterns.

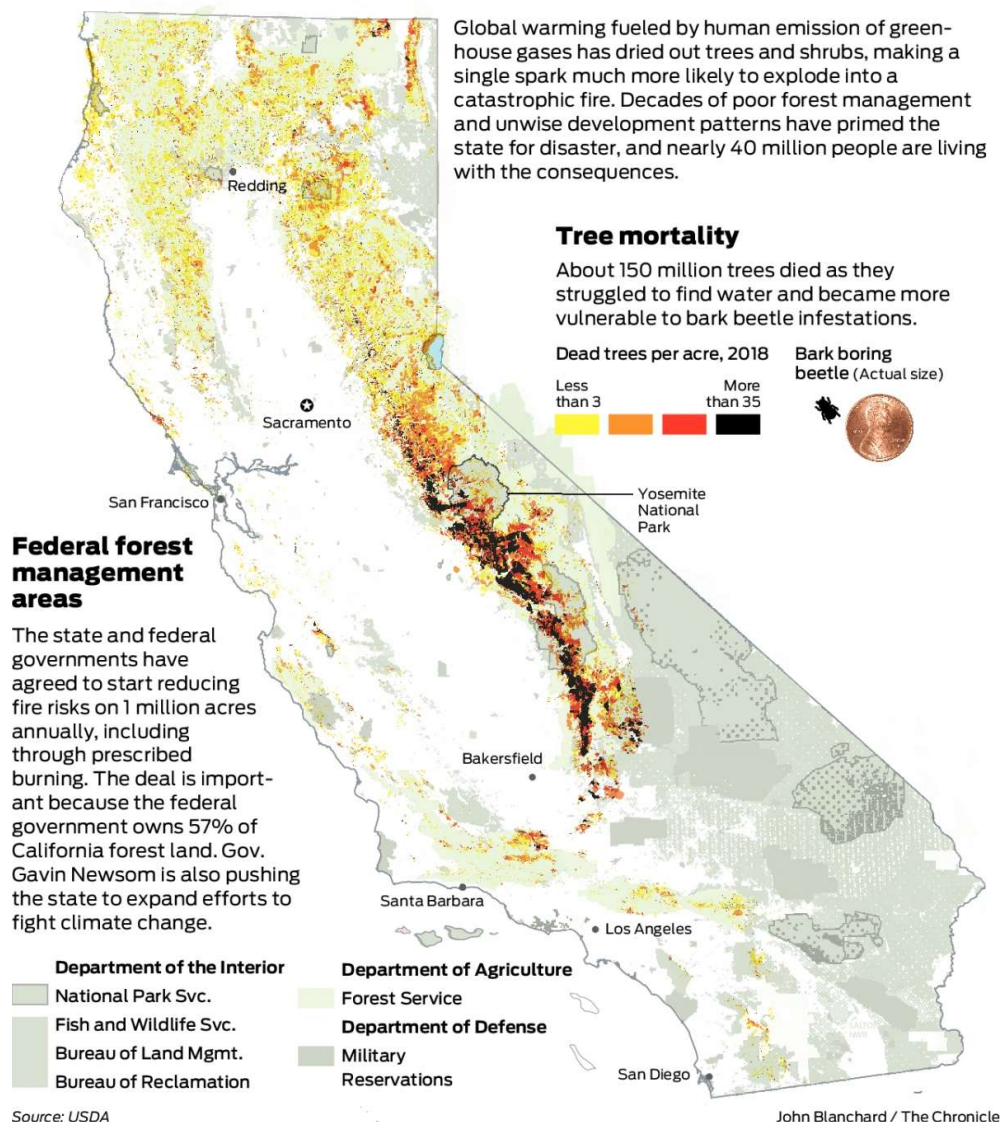
“We have not done enough,” said state Sen. Bill Dodd, D-Napa, who has taken a lead role in wildfire legislation in recent years as his district burned.

Politicians and policy experts broadly agree, though not necessarily on the best next steps. On the climate front, Newsom’s most ambitious measure was a recent executive order [prohibiting the sale of new gas-powered cars](#) by 2035.

He has also called for a ban on new permits for hydraulic fracturing, or fracking, a controversial method of extracting oil and gas from the ground. Sen. Scott Wiener, D-San Francisco, and two other lawmakers [said they will introduce such a bill](#) this year.

Much more is needed to prevent catastrophic fires, including more aggressive action to thin overgrown forests through measures such as controlled burns. California is trying to achieve that through a new partnership with the federal government that aims to reduce fire risks across 1 million acres of forest annually.

Fragile trees



But it will take years to achieve that goal, and a lot of reliable funding to maintain the endeavor in perpetuity. The state must also rethink its longstanding strategy of suppressing all fires, including nonthreatening ones that can help prevent places from burning more intensely later, said Henry McCann, a research associate at the Public Policy Institute of California.

Fireproofing homes in the riskiest regions is another urgent need, he said.

“There’s no slam dunk or silver bullet solution,” McCann said. “It’s an all-of-the-above type moment.”

Environmentalists have advocated for even stronger steps to protect the climate, and therefore lessen the risk of ruinous fires. Their ideas include moving up the state’s 2045 deadline to get all of its electricity from carbon-free sources and managing a responsible shift away from oil and gas production.

“We’ve got to stop being a drug dealer, essentially,” said Kathryn Phillips, director of the Sierra Club California.

Abandoning fossil fuel production would be a tough pill to swallow in places like Kern County, where oil and gas remain pillars of the economy. Petroleum is so woven into the culture of Bakersfield that the mascot of the city’s oldest high school, opened in 1893, is the drillers.

Newsom’s environmental policies face strong opposition from conservatives including Republican State Senate leader Shannon Grove, who represents Bakersfield.

“Republicans believe we need to have responsible forest management, not import oil from countries with appalling human rights violations that tear down rainforests and ignore environmental regulations,” Grove said in a statement to The Chronicle. “Californians deserve a governor with real solutions for issues that affect our families, not one who likes to grab headlines.”

Newsom has been cognizant of the difficulties in making a seismic economic shift.

“None of us are naive in the state of California, as a fossil fuel production state, that we need to focus on a just transition” for those who might otherwise lose work, Newsom said.

Part of the solution for places such as Kern County could be attracting electric vehicle manufacturing and renewable energy businesses, said Phillips of the Sierra Club.

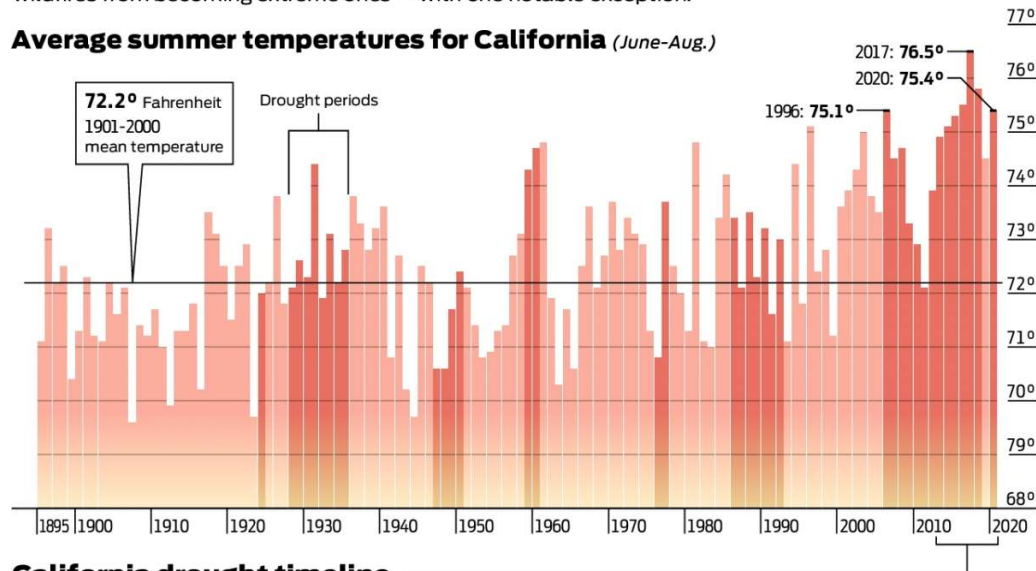
“The culture of oil is so embedded in the politics of the place that getting leadership there to think more broadly about how you develop a diverse, healthy economy has been a real struggle,” Phillips said.

Infrastructure investments will be essential as California tries to move toward a carbon-free electric grid, experts say.

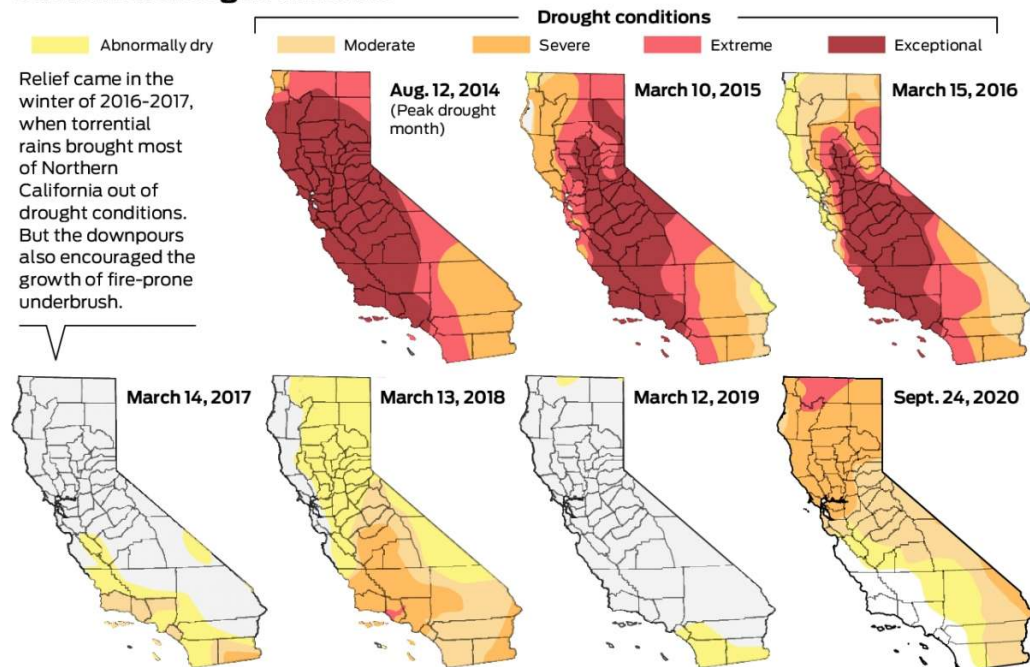
Rising temperatures, rising risks

Summer and fall in California have generally been getting warmer over time due to humans burning fossil fuels. The number of autumn days with high fire danger in the state has doubled since the early 1980s. Yet California got some reprieve in 2019, when another wet winter helped prevent most wildfires from becoming extreme ones — with one notable exception.

Average summer temperatures for California (June–Aug.)



California drought timeline



Sources: U.S. Drought Monitor, NOAA, drought.gov

John Blanchard / The Chronicle

The state has struggled in that area, suffering [rolling blackouts in August](#) caused by a power-supply shortage during a heat wave. State energy leaders [said](#) reliance on renewable power was not to blame but admitted that regulators may need to rethink rules governing electricity supplies and reserves. Others have [called for more spending on batteries](#) to store solar power for use when the sun does not shine.

“What we really need to be doing is building new stuff,” said Leah Stokes, a UC Santa Barbara professor with expertise in climate and energy policy. “We have to continue to create very strong incentives to build new, renewable energy as fast as possible.”

Paying for some of the needed efforts to lessen California’s wildfire burden will be a major challenge for state lawmakers in the years ahead. Dodd, the Napa state senator, said he might now be willing to support using revenue from the cap-and-trade program, through which large emitters can buy permits to release greenhouse gases, for fire-related issues.

“We don’t have an unlimited checkbook,” Dodd said. “What we’ve got to do is prioritize the existing money that we already have.”

The idea of spending climate funds on wildfires has been advocated before by Sen. John Moorlach, R-Costa Mesa (Orange County). Moorlach said the state must do more to reduce emissions from wildfires — a tricky dilemma. California’s history of fire means that [some amount of greenhouse gases from wildland blazes is natural](#).

This year, as of Sept. 24, fires had emitted an estimated 102.2 million metric tons of carbon dioxide, according to the California Air Resources Board. The tally is bigger than the equivalent metrics for fossil fuel pollutants from any sector except transportation in 2017, the most recent year available.

“If we’re serious about climate change, then neglecting addressing wildfires is disingenuous,” Moorlach said.

State lawmakers have also looked at ways to help homeowners cope with the greater risk of major wildfires. But progress has been modest.

State Assemblyman Jim Wood, D-Santa Rosa, introduced what he called a “big, audacious bill” in 2018 that intended to make homes in the highest-risk areas more resistant to fire — and set up a \$1 billion fund to help homeowners pay for retrofits.

The bill passed, but with watered-down language that did not go as far as Wood wanted. He said it “didn’t feel like Californians were ready for this,” a situation he called “really, really disappointing, because here we are again facing these fires.”

“I guess the challenge we really face here,” Wood added, “is that we have these fires in the fall, and then we come back in January and it’s raining and there’s something else to work on.”

California lawmakers need to recognize that “housing policy is climate change policy, or should be,” said state Assemblywoman Buffy Wicks, D-Oakland. Smarter laws dictating where and how homes are built — allowing for denser construction in urban cores, while improving public transit — can help the environment by reducing energy used in transportation, she said.

Wildfire is a familiar problem to Wicks, who grew up in the Sierra Nevada foothills of Placer County. Her father worked for the U.S. Forest Service for more than four decades and, though he retired years ago, still returns regularly to help fight fires, she said.

Wicks recalled walking her young daughter to school, just a few blocks away from their home, the day Bay Area skies turned an Armageddon orange because they were blanketed with so

“How do I explain to my 3-year-old that we basically destroyed the planet?” Wicks said.

She’s worried about the world her and others’ children will grow up in, in the absence of more decisive steps to address wildfires and climate change.

“Are they going to be living in an environment that allows them to go out and take a hike,” Wicks asked, “or are they going to grow up in a place where we have two or three months of toxic fumes that we’re all dealing with every single year?”

Wicks said she’s not deterred by the worsening fires, or California’s failure to solve other persistent problems. She has to keep pushing for bold policy changes, she said — she has no other choice.

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