



Lou Ann Teixeira
Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
40 Muir Road, 1st Floor • Martinez, CA 94553
e-mail: LouAnn.Teixeira@lafco.cccounty.us
(925) 313-7133

NOTICE AND AGENDA FOR REGULAR MEETING

Wednesday, February 9, 2022, 1:30 PM
***** BY TELECONFERENCE ONLY *****

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

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

Please click the link below to join the webinar:

<https://cccounty-us.zoom.us/j/89394604053?pwd=YW9JOFNjdndPeENJNXowbi93RU5Hdz09>

Passcode: 228366

Or join by telephone:

Dial: USA 888-278-0254 US Toll-free

Conference code: 220394

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.

FEBRUARY 9, 2022 CONTRA COSTA LAFCO AGENDA

1. Call to Order
2. Roll Call
3. Adoption of Agenda
4. **Selection of 2022 Chair and Vice Chair and Recognition of Outgoing Chair**
5. Approval of Minutes for the November 10, 2021 regular LAFCO meeting
6. Public Comment Period (please observe a three-minute time limit):
Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.
7. *Special Recognition – Pamela Miller, Executive Director, CALAFCO*

TELECONFERENCING

8. *Assembly Bill 361* – consider adopting a resolution authorizing LAFCO to conduct teleconference meetings under Government Code section 54953(e) and making related findings

SPHERE OF INFLUENCE AMENDMENTS/CHANGES OF ORGANIZATION

9. *Dissolution of County Service Area (CSA) R-10* – consider approving dissolution of CSA R-10 which comprises 7.37± square miles and serves unincorporated Rodeo; and consider a categorical exemption under the California Environmental Quality Act (CEQA) **Public Hearing**
10. *LAFCO 21-10 - Contra Costa County Fire Protection District (CCCFPD) Sphere of Influence (SOI) Expansion* - consider expanding CCCFPD's SOI to include the East Contra Costa Fire Protection District (249± square miles); and consider a categorical exemption under CEQA **Public Hearing**
11. *LAFCO 21-11 – Annexation of East Contra Costa Fire Protection District (ECCFPD) to Contra Costa County Fire Protection District (CCCFPD) and Dissolution of ECCFPD*- consider approving annexation of ECCFPD (249± square miles) to CCCFPD and dissolution of ECCFPD; and consider related action per CEQA **Public Hearing**

BUSINESS ITEMS

12. *Proposed Update to Contra Costa LAFCO's Legislative Platform* – review and approve minor revisions to the Contra Costa LAFCO Legislative Platform consistent with the CALAFCO 2021 Legislative Policies
13. *FY 2022-23 Budget Schedule and Work Plan* - provide input on FY 2022-23 proposed budget schedule and work plan
14. *Fiscal Year 2021-22 Mid-Year Budget Report* – receive FY 2021-22 mid-year budget report

INFORMATIONAL ITEMS

15. *Pending Applications* - receive an update on pending proposals – information only
16. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)
17. Commissioner Comments and Announcements
18. Staff Announcements/CALAFCO Updates/Newspaper Articles

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Executive Officer

CONFERENCE WITH LABOR NEGOTIATORS - Commissioners Skaredoff and Schroder

Unrepresented employee: Executive Officer

ADJOURNMENT

Next regular LAFCO meeting March 9, 2022 at 1:30 pm.

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



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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

February 9, 2022 (Agenda)

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

February 9, 2022
Agenda Item 4

Selection of Commission Officers for 2022

Dear Members of the Commission:

The procedure for selecting officers for the Contra Costa LAFCO is described in Section 1.4 (*Rules and Procedures*) of the Commission Handbook and provides for the following:

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

County member 1
Special District member 1
City member 1
Public member
County member 2
Special District member 2
City member 2

In 2021, Special District member Skaredoff served as Chair and City member Rob Schroder served as Vice Chair.

RECOMMENDATION – Per the Commission’s policy, it is recommended that the Commission select a City member as Chair and a County member as Vice Chair to serve until January 2023.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
DRAFT MEETING MINUTES
November 10, 2021

February 9, 2022
Agenda Item 5

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

Chair Skaredoff called the regular meeting of November 10, 2021, to order at 1:32 p.m.
The following Commissioners and staff were present:

Commissioner Andersen and her Chief of Staff Gayle Israel were thanked by Chair Skaredoff on behalf of the entire Commission for hosting the Commission Meetings via Zoom during the pandemic.

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

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 Glover, the Commission unanimously, by a 7-0 vote, adopted the agenda

VOTE:

AYES: Andersen, Butt, Glover, Lewis, McGill, Schroder, Skaredoff

NOES: NONE

ABSENT: Blubaugh

ABSTAIN: NONE

4. Approval of Minutes

Upon motion by Commissioner Glover and second by Commissioner Schroder, the Commission unanimously, by a 7-0 vote approved the September 8, 2021, meeting minutes

VOTE:

AYES: Andersen, Butt, Glover, Lewis, McGill, Schroder, Skaredoff

NOES: NONE

ABSENT: Blubaugh

ABSTAIN: NONE

5. Public Comments

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

TELECONFERENCING

6. ***Assembly Bill 361*** – consider adopting a resolution authorizing LAFCO to conduct teleconference meetings under Government Code section 54953(e) and making related findings

Following Commissioner comments and upon a motion by Commissioner McGill and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, approved to adopt Resolution No. 2021-01 allowing Contra Costa LAFCO to conduct teleconference meetings pursuant to GC section 54953(e) and make related findings

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

SPHERE OF INFLUENCE AMENDMENTS/CHANGES OF ORGANIZATION

7. ***County Service Area (CSAs) R-9 and R-10*** – consider initiating dissolution of CSA R-9 which comprises 3.1± square miles and serves unincorporated El Sobrante Valley including parts of Richmond, and dissolution of CSA R-10 which comprises 7.37± square miles and serves unincorporated Rodeo

Following comments from Public Works staff Rochelle Johnson and Carl Roner, comments and questions by the Commissioners and upon a motion by Commissioner Glover and second by Commissioner Schroder, unanimously, by a 7-0 vote, approved Option 1 - defer adopting a resolution initiating dissolution of CSA R-9 and request an update within 6-9 months regarding the status of CSA R-9 including future funding options; 2) adopt a resolution initiating dissolution of CSA R-10; and direct staff to proceed with dissolution proceedings to be considered by the Commission at a future meeting.

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

BUSINESS ITEMS

8. ***Request to Transfer Jurisdiction from Alameda LAFCO to Contra Costa LAFCO*** - consider assuming jurisdiction and authorizing staff to send a request to Alameda LAFCO to transfer jurisdiction in order to consider a proposed sphere of influence amendment and corresponding annexation to the East Bay Municipal Utility District. The subject property is located at 285 Lark Lane in unincorporated Alamo

Following Commissioner comments, and upon a motion by Commissioner McGill and second by Commissioner Glover, the Commission, unanimously, by a 7-0 vote, recommended that Contra Costa LAFCO agree to assume exclusive jurisdiction for these proposals and authorize LAFCO staff to send a letter to Alameda LAFCO requesting a transfer of jurisdiction in conjunction with these proposals.

VOTE:

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

9. ***FY 2021-22 First Quarter Budget Report*** – receive FY 2021-22 first quarter budget report

Upon motion of Commissioner Butt and second by Commissioner Schroder, the Commission unanimously approved, by a 7-0 vote, to receive the FY 2021-22 first quarter budget report

VOTE:

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

10. ***2021-22 Legislative Update*** – a legislative update will be provided – information only

INFORMATIONAL ITEMS

11. ***Pending Applications*** – receive an update on pending proposals –informational update – no action required by the Commission.
12. ***Correspondence from Contra Costa County Employee’s Retirement Association (CCCERA)***
13. ***Commissioner Comments and Announcements***

Commissioner McGill updated the Commission on CALAFCO’s activities:

- September 10, 2021 CALAFCO Legislative Committee Meeting
- September 15, 2021 CALAFCO Recruitment Committee Meeting
- October 21, 2021 CALAFCO Board of Directors Emergency Meeting
- October 22, 2021 CALAFCO Legislative Committee Meeting
- November 7, 2021 CALAFCO Virtual Business Meeting
- November 12, 2021 CALAFCO Board of Directors Meeting
- December 3, 2021 CALAFCO Legislative Committee Meeting

Commissioner McGill reported he will serve on the CALAFCO Legislative Committee another year and on the Program Committee.

Commissioner Caldwell gave an update on his health challenges.

14. ***Staff Announcements***

Executive Officer updates:

- The week of November 15, 2021 will begin 2nd round MSRs covering Mosquito and Vector Control and Resource Conservation Districts
- January 2022 we will release an updated directory of local agencies
- There will be upcoming an announcement of CALAFCO training sessions

Executive Officer Texeira once again thanked Commissioner Andersen and her Chief of Staff Gayle Israel for supporting the LAFCO by hosting our Commission meetings via Zoom meetings

The meeting adjourned at 2:12 p.m.

Final Minutes will be Approved by the Commission December 10, 2021

ADJOURNMENT

The next regular LAFCO meeting is December 10, 2021, at 1:30 pm.

By _____
Executive Officer

**RESOLUTION OF THE
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

RECOGNIZING PAMELA MILLER CALAFCO EXECUTIVE DIRECTOR

WHEREAS, since 2012 Pamela Miller served as Executive Director of the California Association of Local Agency Formation Commissions (CALAFCO) with dedication and distinction; and

WHEREAS, through Pamela Miller's efforts, CALAFCO has a stronger presence in Sacramento and enriched relationships with State Legislators and staff, and other professional associations; and

WHEREAS, Pamela Miller was instrumental in guiding in decisions which resulted in legislation that benefitted and helped LAFCos achieve their legislative charge; and

WHEREAS, Pamela Miller demonstrated extraordinary leadership and creativity during the pandemic by expanding CALAFCO resources to include virtual classes and meetings; and

WHEREAS, under Pamela Miller's guidance, CALAFCO greatly enhanced and expanded its educational programs and services to include courses on fire and EMS, fiscal health indicators for cities and districts, cyber & infrastructure security, forming community services districts, and courses pertaining to extreme weather, fire and water issues; and

WHEREAS, during Pamela Miller's tenure, CALAFCO expanded its resources, augmented the CALAFCO library, increased associate memberships and better engaged associate members, and expanded the CALAFCO website to include 15 archived webinars for member on-demand viewing; and

WHEREAS, Pamela Miller was also instrumental in CALAFCO's receipt of the *Platinum Seal of Transparency from GuideStar* for the organization's high level of nonprofit transparency; and

WHEREAS, Contra Costa LAFCo Commissioners and staff wish Pamela Miller continued happiness and success in her future endeavors.

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa LAFCo Commissioners and staff express our heartfelt appreciation to Pamela Miller for her valuable service to all 58 LAFCos, other local and State government agencies, and the general public.

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: February 9, 2022

Lou Ann Texeira, Executive Officer

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

Recitals

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

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

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

PASSED AND ADOPTED on February 9, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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: February 9, 2022

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

February 9, 2022 (Agenda)

February 9, 2022
Agenda Item 9

Dissolution of County Service Area R-10

SYNOPSIS

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

In October 2021, the Commission adopted a resolution initiating dissolution of CSA R-10 and indicating that Contra Costa County would be the successor agency to wind up the affairs of CSA R-10 pursuant to the *Cortese Knox Hertzberg Local Government Reorganization Act of 2000* (CKH). Contra Costa County staff supports the proposed dissolution.

BACKGROUND

History of CSA R-10 - CSA R-10 was formed in 1987 to provide recreation services. CSA R-10 serves the unincorporated Rodeo community and areas northeast of the City of Hercules. Since formation, there have been no boundary changes to CSA R-10. The CSA R-10 service area is approximately 7.37± square miles with an estimated population of 9,141 (2020). The Rodeo community is considered a “disadvantaged community” in that the median household income is less than 80% of the statewide median household income.

For many years, the John Swett Unified School District (JSUSD) provided recreation programs for the Rodeo community. However, over the years JSUSD experienced repeated budget reductions and eventually eliminated its involvement in public recreation programs. With JSUSD’s recreation programs gone, community members set out to find a way to make public recreation available in Rodeo. In 1993, the CSA R-10 Citizens Advisory Committee approached JSUSD regarding a long-term lease (50 years) for use of the Lefty Gomez Ballfield Complex as the site where recreation programs could be provided. JSUSD supported this proposal.

In January 1995, the County and JSUSD entered into a 50-year lease agreement which provides for lease of JSUSD’s real property and facilities (i.e., Lefty Gomez Community Center, two baseball fields, two tennis courts, a playground, picnic and BBQ areas, and a concession stand) to the County. The term of the lease is February 1, 1995, to January 31, 2045. The lease agreement provides that the County pay for all utilities, janitorial service, and maintenance. The lease agreement also includes provisions which allow for either party to cancel the lease with 180 days’ notice. The County intends to provide JSUSD with a notice of lease cancellation following LAFCO’s approval of the dissolution.

Current Status - Regarding facilities and capacity, at an annual net cost, CSA R-10 maintains the Lefty Gomez Community Center building. County staff reported that these facilities are in poor condition and in need of significant investment. Considerable infrastructure needs exist, however, there is currently no available funding. Further, the Community Center is not adequately sized to meet community needs.

As for funding and financial ability of CSA R-10 to provide services, CSA R-10 relies on Community Center rentals to generate revenue and has no other secure source of funding. The recent loss of a lease

with the County Office of Education and insufficient revenues to meet current obligations have resulted in deferred maintenance and ongoing financial burden. Further, the COVID pandemic has severely impacted CSA R-10 revenues. The Rodeo Baseball Association previously provided some maintenance of the ballfields as part of its contract with the County; however, County staff reports that CSA R-10 may also lose this funding. It is recommended that JSUSD contact the Rodeo Baseball Association regarding funding options.

Previously, CSA R-10 had a citizen advisory committee; however, each of the five seats is vacant, and the committee has effectively dissolved.

MSR Findings - The 2021 MSR includes two SOI options for CSA R-10: 1) adopt a zero SOI indicating future dissolution; or 2) retain the existing coterminous SOI. The recommendation was to adopt a zero SOI and dissolve CSA R-10.

In conjunction with the MSR, in November 2021, the Commission adopted a zero SOI for CSA R-10 signaling dissolution. In conjunction with dissolution, the County will be named the successor agency to wind up the affairs of CSA R-10. Following dissolution, maintenance of the facilities will be the responsibility of the JSUSD.

LAFCO staff recently spoke with the JSUSD Superintendent regarding the proposed dissolution. The Superintendent opposes dissolution indicating that the JSUSD has declining enrollment and revenue and that taking over maintenance of the facilities is cost prohibitive.

DISCUSSION

Factors for Consideration - Government Code (GC) §56668 sets forth factors the Commission is required to consider in evaluating any change of organization (e.g., dissolution). In the Commission's review and evaluation, no single factor is determinative. In reaching a decision, each is to be evaluated within the context of the overall proposal. These factors are analyzed in Attachment B. In addition, other factors are discussed below.

Tax Rates, Assessed Value, Assets and Liabilities - The subject area includes 11 tax rate areas: 62007, 62037, 62039, 62042, 62046, 62055, 62056, 62058, 62062, 85014 and 85025. The assessed value for the proposal area is \$846,484,835 based on the 2021 roll. CSA R-10 receives no property or special tax revenue.

Regarding assets and liabilities, CSA R-10 has no assets and no liabilities.

Designation of Successor Agency and Plan for Service - The CKH provides that should LAFCO dissolve a district, it shall identify the effective date of dissolution, designate a successor agency to wind up the affairs of the extinguished agency, and may apply other terms and conditions with its action pursuant to GC §§56885 – 56890.

If the territory of a dissolved district is located entirely within the unincorporated territory of a single county, the county is deemed the successor agency pursuant to GC §57451(b). CSA R-10 is located entirely in unincorporated Contra Costa County; and the County has agreed to be the successor agency.

Because CSA R-10 has no assets and liabilities, the County as successor agency would be responsible for coordinating with JSUSD regarding the Community Center and baseball fields.

Regarding a plan for service, the County will coordinate with the JSUSD regarding the Community Center and baseball fields.

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

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

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

Before LAFCO can dissolve a district, LAFCO must hold a public hearing. In conjunction with today's hearing, LAFCO published a 1/8-page display ad in the newspaper in lieu of individual mailed notices. The display ad was published in the West County Times. The CKH provides that if the number of mailed notices exceeds 1,000, LAFCO can publish a 1/8-page display ad in the newspaper of general circulation in lieu of individual notices to landowners and registered voters.

Should dissolution of CSA R-10 be approved, state law requires LAFCO to conduct a protest hearing to allow landowners and voters within the district boundary an opportunity to protest the dissolution. The protest hearing cannot be conducted less than 30 days after the Commission's approval of the dissolution. In the case of a LAFCO initiated proposal, a protest hearing is required (GC §57008). Due to COVID and in-person meeting restrictions, the protest hearing will be held via Zoom/teleconference.

The Commission has delegated authority to conduct the protest hearing to the LAFCO Executive Officer. Should the Commission approve the dissolution on February 9, 2022, LAFCO staff will conduct a noticed protest hearing in March 2022.

Environmental Impact of the Proposal - The LAFCO initiated proposal to dissolve CSA R-10 and name Contra Costa County as successor agency is a jurisdictional change and has no physical effects on land use or the environment. As Lead Agency, LAFCO finds the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15320 (Class 20 – Changes in Government Organization). The LAFCO Environmental Coordinator reviewed the document and finds it adequate for LAFCO purposes.

CONCLUSION

One of the fundamental goals of LAFCOs is to ensure the efficient and effective provision of municipal services in an accountable manner. The proposed dissolution will terminate a financially distressed district and defer to the successor agency to coordinate with the JSUSD regarding assets and liabilities.

ALTERNATIVES FOR COMMISSION ACTION

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

- Option 1**
1. Approve the dissolution and required findings as proposed pursuant to the following:
 - a. The affected territory is located entirely within an unincorporated area of Contra Costa County.
 - b. The reason for the proposal is to dissolve a district that is financially distressed and essentially inactive.
 2. Designate Contra Costa County as successor agency to CSA R-10.
 3. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15320 (Class 20 – Changes to Government Organization).
 4. Find that the subject territory is inhabited, and the proposal is subject to protest proceedings to be conducted no less than 30 days following the Commission's approval of the proposal.
 5. Adopt the LAFCO Resolution approving dissolution of CSA R-10 and setting forth the Commission's terms, conditions, findings, and determinations.

Option 2 DENY the proposal to dissolve CSA R-10.

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

RECOMMENDED ACTIONS:

Approve Option 1 to dissolve CSA R-10 and name Contra Costa County as successor agency.

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

Attachments:

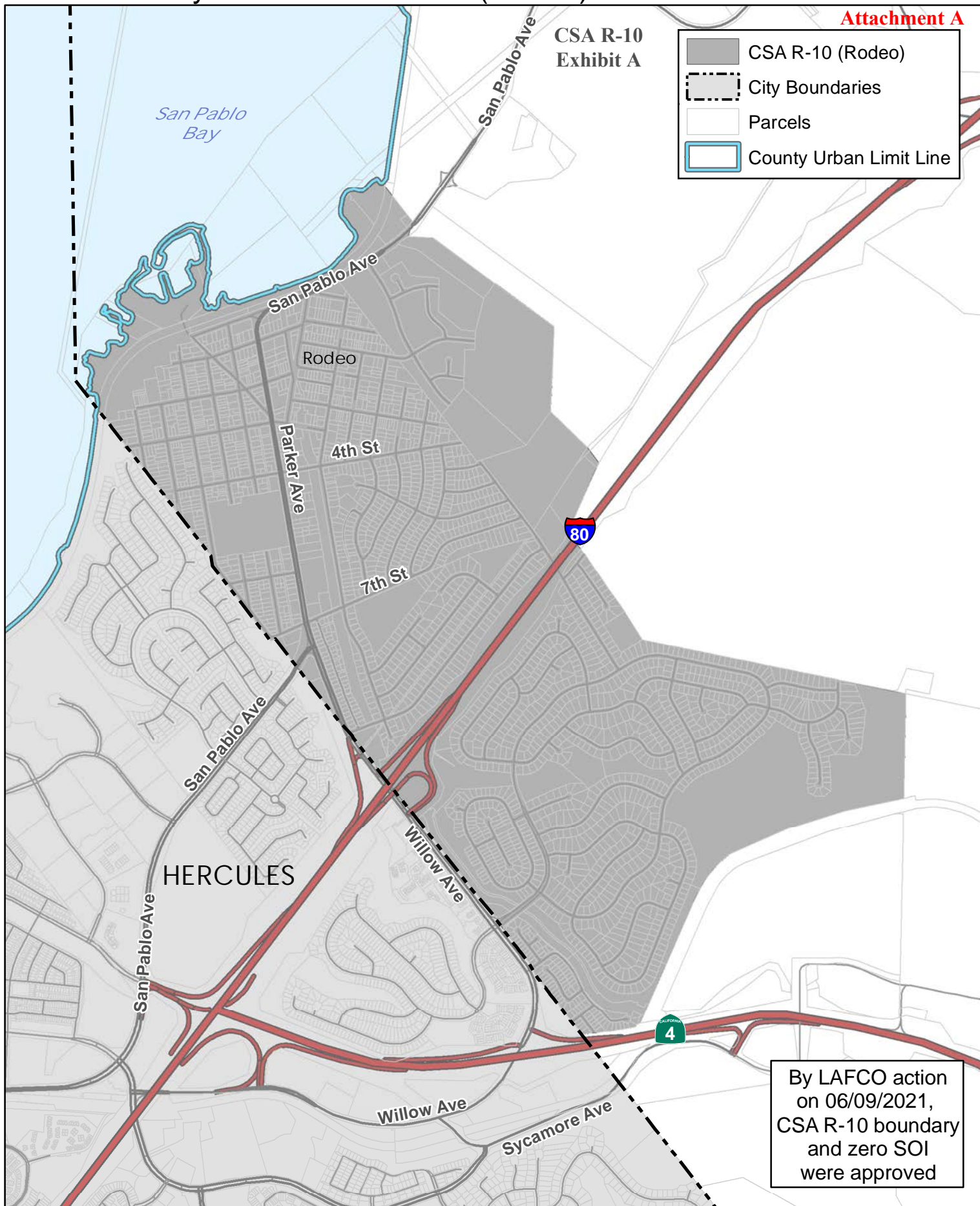
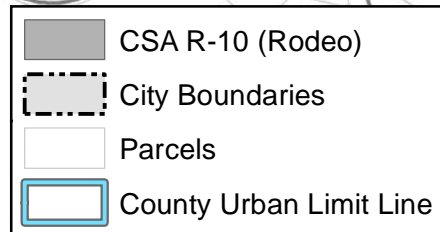
- A. Map of CSA R-10
- B. Factors for Consideration (GC §56668)
- C. Draft LAFCO Resolution Dissolving CSA R-10

c: Distribution

County Service Area R-10 (Rodeo) and Coterminus SOI

Attachment A

CSA R-10
Exhibit A



Factors for Consideration (California Government Code §56668)

FACTOR	COMMENTS
(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.	The subject area includes the unincorporated Rodeo community. The area comprises 7.37± square miles. The District boundary encompasses primarily residential and commercial uses. The population is approximately 9,141.
(b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.	There is a potential need for operation of the community center, baseball fields and other amenities. It is unlikely that CSA R-10 can continue to support these uses due to financial constraints.
(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.	It is not anticipated that dissolution of CSA R-10 would affect adjacent areas or the local government structure of the County.
(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. <i>(Note: Section 56377 encourages preservation of agricultural and open space lands)</i>	The subject area includes residential and commercial uses. The dissolution would have no effect on development or on policies and priorities in Section 56377.
(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.	The subject area includes residential and commercial uses. The dissolution would have no effect on agricultural lands.
(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.	The parcels that comprise the subject territory have specific boundary lines that are certain and identifiable.
(h) The proposal's consistency with city or county general and specific plans.	The dissolution will have no effect on the County General Plan.
(i) The sphere of influence (SOI) of any local agency which may be applicable to the proposal being reviewed.	The dissolution will have no effect on the SOIs of any local agency other than CSA R-10.

FACTOR	COMMENTS
(j) The comments of any affected local agency or other public agency.	The John Swett Unified School District (JSUSD) Superintendent voiced opposition to dissolution of CSA R-10 and lack of resources to maintain R-10 facilities.
(k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.	CSA R-10 has no established or secure source of revenue. As successor agency, the County will work with JSUSD on outstanding funding and maintenance issues.
(n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.	In accordance with LAFCO statutes, Contra Costa LAFCO published a display ad in the local newspaper. As of this LAFCO received no formal objections from landowners or registered voters.
(o) Any information relating to existing land use designations.	The County's General Plan designation for the area is primarily Single Family Residential – High Density (SH) and the zoning designation is Planned Unit. No changes to the present or planned land uses will result from this change of organization.
(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.	The dissolution will have no effect on environmental justice or to the fair treatment of people of all races, cultures and incomes.
56668.5. The commission may, but is not required to, 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 subregional basis. This section does not grant any new powers or authority to the commission or any other body to establish regional growth goals and policies independent of the powers granted by other laws.	Dissolution of CSA R-10 will not affect or be affected by Plan Bay Area, in that the Plan focuses on Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs); and the affected territory is neither.

Note:

Subsections (g) - regional transportation plan, (l) water supplies, (m) achieving respective fair shares of regional housing needs, and (q) local hazard mitigation plan are not applicable to this proposal.

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING DISSOLUTION OF
COUNTY SERVICE AREA R-10**

WHEREAS, County Service Area (CSA) R-10 is located entirely within unincorporated Contra Costa County in the unincorporated Rodeo community; and

WHEREAS, CSA R-10 comprises 7.37± square miles with a population of approximately 9,141 residents; and

WHEREAS, CSA R-10 was formed in 1987 to provide recreational services to the Rodeo community; and

WHEREAS, in 2021, the Contra Costa Local Agency Formation Commission (LAFCO) completed its 2nd round countywide Municipal Services Review covering parks and recreation services and learned that CSA R-10 is struggling with finances and the provision of municipal services; and

WHEREAS, on November 10, 2021, LAFCO adopted a resolution initiating dissolution of CSA R-10 pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); 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 to dissolve CSA R-10; and

WHEREAS, notice of today's Commission hearing was advertised, and a 1/8-page display ad was published in the West County Times pursuant to Government Code section 56157 in lieu of mailed notices due to the number of affected landowners and registered voters exceeding 1,000; 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, 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, Spheres of Influence and related information; and

WHEREAS, LAFCO determines that dissolution of CSA R-10 and naming Contra Costa County as successor agency to wind up the affairs of the district is in the best interest of the affected area and the total organization of local governmental agencies within Contra Costa County; and

WHEREAS, Contra Costa County has agreed to be the successor agency.

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

1. The subject proposal is assigned the following distinctive short-form designation:

DISSOLUTION OF COUNTY SERVICE AREA R-10

2. CSA R-10 is located entirely within unincorporated Contra Costa County. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Attachment A, attached hereto and made a part hereof.
3. The proposal was initiated by LAFCO, the subject territory is inhabited, and the proposal is subject to protest proceedings.
4. Contra Costa County shall be the successor agency of CSA R-10 to wind up the affairs of CSA R-10.

Contra Costa LAFCO Resolution
Dissolution of CSA R-10

5. All assets and liabilities associated with CSA R-10 will remain with the property owner – the John Swett Unified School District.
6. In reviewing this proposal, the Commission has considered the factors required by Government Code section 56668.
7. Pursuant to Government Code section 56881(b), Contra Costa LAFCO determines:
 - i. Public service costs of the LAFCO initiated dissolution are likely to be less than or substantially similar to the costs of alternate means of providing the service.
 - ii. The dissolution authorized by the Commission promotes public access and accountability for community service needs and financial resources.
8. The Commission finds that dissolution of CSA R-10 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15320 (Class 20 – Changes to Government Organization).
9. Pursuant to Government Code section 57008, as a proposal initiated by the commission, LAFCO shall hold a public protest hearing on the dissolution of CSA R-10. In light of the COVID pandemic, the protest hearing will be held remotely.
10. The effective date of the dissolution shall be the date of filing the certificate of completion of the proposal.

* * * * *

PASSED AND ADOPTED THIS 9th day of February 2022 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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: February 9, 2022

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

February 9, 2022
Agenda Item 10

February 9, 2022 (Agenda)

<u>LAFCO 21-10</u>	Contra Costa County Fire Protection District (CCCFPD) Sphere of Influence (SOI) Amendment to include the East Contra Costa Fire Protection District (ECCFPD)
<u>APPLICANT</u>	<p>CCCFPD – Resolution No. 2021/8, adopted by the CCCFPD Board of Directors on September 14, 2021</p> <p>Both CCCFPD and ECCFPD adopted substantially similar resolutions initiating proceedings to dissolve ECCFPD and annex ECCFPD into CCCFPD.</p>
<u>ACREAGE & LOCATION</u>	<p>The applicant proposes to expand CCCFPD’s SOI by 249± square miles to include ECCFPD.</p> <p>The subject area includes the cities of Brentwood and Oakley, and the unincorporated areas of Discovery Bay, Bethel Island, Knightsen, Byron, Marsh Creek, and Morgan Territory - see attached map (Exhibit A). The applicant also submitted a corresponding proposal to annex the subject area and dissolve ECCFPD.</p>
<u>PURPOSE</u>	The purpose of the proposal is to improve efficiency, effectiveness, and the economy of fire protection services in East Contra Costa County, and to better meet the fire, rescue, and emergency medical services (EMS) of the residents of the proposed reorganized district.
<u>BACKGROUND</u>	<p>ECCFPD was formed in 2002 through the consolidation of Bethel Island Fire District, East Diablo Fire District, and Oakley Fire District. ECCFPD encompasses 249± square miles and serves approximately 139,000 people.</p> <p>ECCFPD provides structural fire suppression, wildland firefighting, basic life support EMS and rescue services, deploying its apparatus and personnel from three fire stations. ECCFPD contracts with Cal Fire for winter staffing of a 3-person engine located near Morgan Territory on Marsh Creek Road. ECCFPD’s Fire Prevention Bureau provides inspections, code enforcement, plan reviews, fire investigations, and various public education programs. The Bureau also conducts inspections of public and private properties for compliance with its weed abatement ordinance.</p> <p>ECCFPD employs 37 uniformed and non-uniformed personnel, including 10 firefighters, nine engineers, nine Fire Captains, four Battalion Chiefs, one Fire Marshal, one Fire Chief, and administrative and support staff.</p> <p>ECCFPD relies heavily on CCCFPD for automatic and mutual aid assistance on a daily basis due to reduced staffing levels of ECCFPD. The lack of adequate fire and EMS resources within the ECCFPD service area leads to an overdependence on aid and support from CCCFPD which, in turn, places a burden on CCCFPD to provide support to East Contra Costa County.</p>

LAFCO Municipal Service Reviews (MSRs) – In 2009, LAFCO completed a comprehensive MSR covering fire and EMS. At that time, ECCFPD operated eight fire stations. The 2009 MSR identified significant governance, service, and fiscal issues for ECCFPD which needed to be addressed. The MSR also identified governance structure options for ECCFPD, including dissolution of ECCFPD and annexation to CCCFPD.

In 2016, LAFCO completed its 2nd round MSR covering fire and EMS. The 2016 MSR provided updates to the 2010 MSR and focused primarily on the two most distressed fire districts - ECCFPD and Rodeo Hercules FPD (RHFPD).

The 2016 MSR noted significant financial, service and governance deficiencies, and concluded that annexation of the ECCFPD into CCCFPD would provide improved levels of service, strengthen firefighter training programs, reduce response times, and improve efficiency and service delivery. Specific 2016 MSR findings included the following:

- **Financing** - For the most part, Contra Costa County fire service providers have the financial ability to deliver appropriate service levels, with the exception of ECCFPD and RHFPD.
- **Growth and Service Demand** - Continued population growth, job creation, and changes in health care services affect the volume and location of service calls, creating needs for new facilities and staff resources in order to sustain services.
- **Service Levels** – ECCFPD and RHFPD are unable to meet “Best Practices” for response times and staffing due to their current and possible future lack of personnel and equipment resources. The current three-station configuration of ECCFPD demonstrates the impacts of inadequate staffing and personnel to provide adequate fire suppression services. Longer response times for fire service and reduced emergency medical response are all outcomes of reductions in personnel that have occurred in recent years.
- **Disadvantaged Communities** - Several disadvantaged communities fall entirely within the current SOI of the ECCFPD. Areas include Bethel Island, and an area to the east of Brentwood that includes the community of Knightsen. Those two areas experience among the worse response times in the ECCFPD of 13:37 minutes and 18:18 minutes respectively (90% of responses fall within those times), which fall significantly below overall ECCFPD response times, and well below national standards for “Best Practices.”
- **Accountability** - In response to the MSR, agencies demonstrated accountability based on standard measures, which generally remains true. The ECCFPD, however, suffers from a number of accountability issues due to limited revenue.

The 2016 MSR identified two SOI options for ECCFPD including a “zero” SOI and a “provisional” SOI both signaling a future reorganization, and requiring ECCFPD to provide periodic updates to LAFCO on its progress in addressing the fiscal, governance and service challenges identified in the MSR. The Commission adopted a “provisional” SOI for ECCFPD in 2016.

2021 CCCFPD Annexation Study/Focused MSR – In July 2021, CCCFPD presented the *Fire District Annexation Feasibility Study/Focused MSR* to its Board of Directors. The study/MSR is available online at <https://www.cccfpd.org/annexation> The study/MSR analyzed annexation of ECCFPD and RHFPD to CCCFPD. RHFPD voted to defer action regarding annexation to CCCFPD. Both CCCFPD and ECCFPD voted to move forward with applications to LAFCO and adopted substantially similar resolutions.

The feasibility study analyzed revenue (recurring, non-recurring, existing and future), and service level costs (current, future, contractual, indirect, cost allocations, contractual obligations, etc.). The study concluded that annexation of ECCYPD into CCCYPD is feasible and viable. The annexation study also includes LAFCO municipal service review and SOI analysis pursuant to Government Code (“GC”) sections 56425 and 56430.

A summary of the annexation study presentation including findings, financial analysis, fiscal sustainability of the proposed annexations, recommendations, and enhancements is provided in Attachment 1.

DISCUSSION The Cortese-Knox-Hertzberg Act (CKH Act) authorizes LAFCO to develop and determine the SOI of each local agency within the County, and to enact policies designed to promote the logical and orderly development of areas within the spheres.

A SOI is defined as *a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO* (GC section 56076). The intent of a SOI is to identify the most appropriate area for an agency’s extension of services in the foreseeable future (e.g., 10-20 year horizon). Accordingly, territory included in an agency’s SOI is an indication that the probable need for service has been established, and that the subject agency has been determined by LAFCO to be the most logical service provider for the area.

Pursuant to GC section 56425, when amending a SOI for a local agency, LAFCO is required to prepare a written statement of determinations regarding the following factors:

1. *The present and planned 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. *Nature, location, extent, functions & classes of services to be provided (districts only)*

LAFCO’s determinations on the five factors specified in GC section 56425 are set forth in the LAFCO Sphere of Influence Resolution No. 21-10 (Attachment 2).

Environmental Impact of the Proposal – CCCYPD, as Lead Agency, found the project categorically from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*.

Contra Costa LAFCO Policy on Spheres of Influence and Annexations - Under the Commission’s policy on spheres of influence and annexations, “SOIs generally will not be amended concurrently with an action on the related change of organization or reorganization.” (*Section 2.1 Policies and Standards – subsection “D”- Policy on Spheres of Influence and Annexations*.) The Commission may waive this policy when circumstances warrant.

Due to timing issues and the unexpected cancellation of the January 12, 2022 LAFCO meeting, it is recommended that the Commission waive its policy on SOIs to allow it to consider the proposed SOI amendment and proposed boundary reorganization at this same February 9th meeting.

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** Adopt LAFCO Sphere of Influence Resolution No. 21-10 (Attachment 2) approving the proposed expansion of CCCYPD's SOI by 249± square miles to include the ECCYPD as depicted on the attached map (Exhibit A).
- A. Find, as a responsible agency, that the proposed expansion of CCCYPD's SOI is categorically exempt from CEQA pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*
 - B. Adopt this report and amend CCCYPD's SOI as described herein and shown on the attached map (Exhibit A).
 - C. Waive the Commission's policy to allow it to consider the proposed SOI amendment and proposed boundary reorganization at this same February 9th meeting.
- Option 2** Adopt this report and DENY the proposal.
- Option 3** If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDATION Option 1 – approve the SOI amendment as proposed.

If LAFCO amends CCCYPD's SOI as proposed (Option 1) and waives its SOI policy, the proposal to dissolve the ECCYPD and annex the ECCYPD territory into the CCCYPD will be presented to LAFCO for its consideration as the next agenda item.

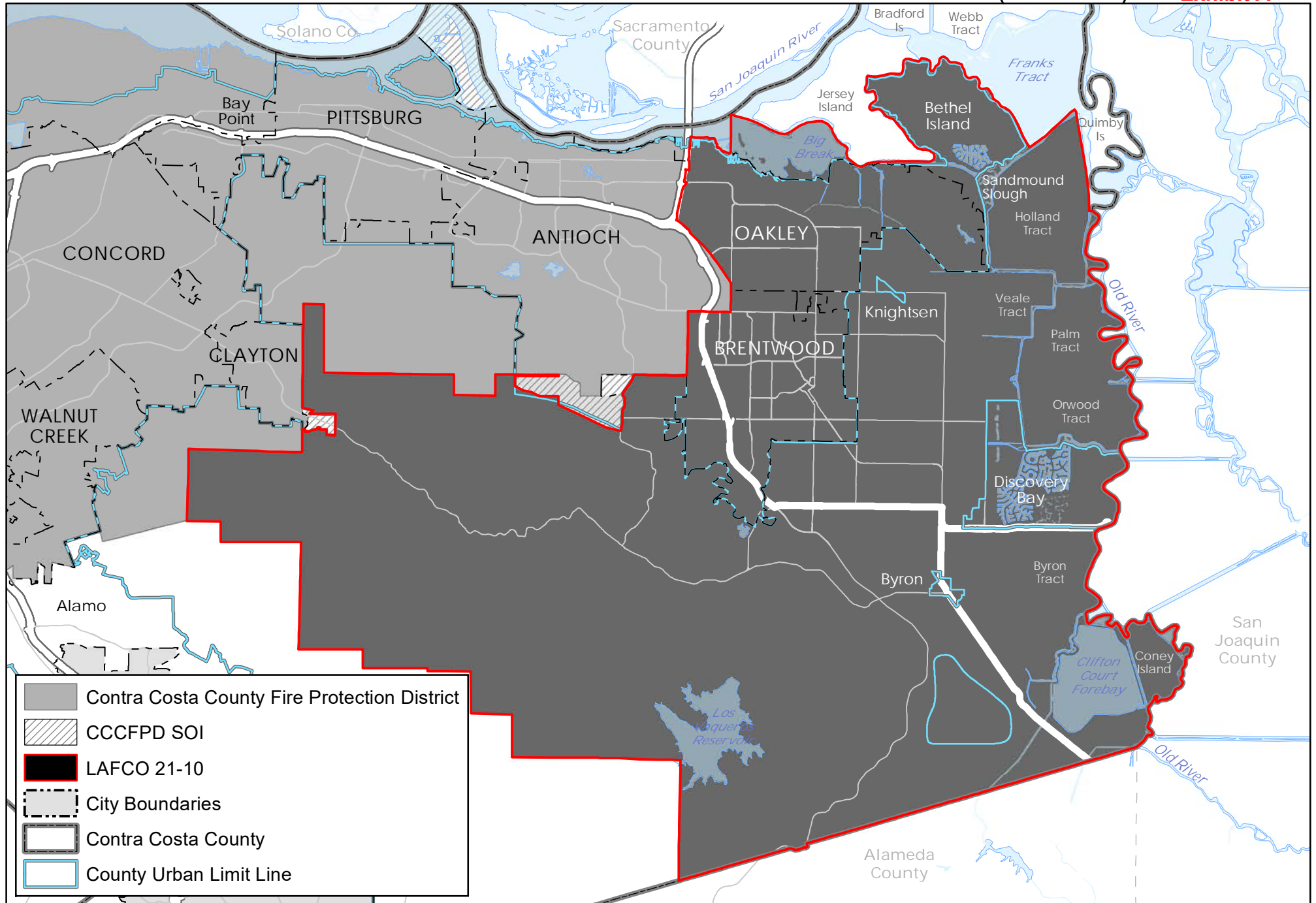
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Exhibit A - Map – Proposed CCCYPD SOI Amendment
Attachment 1 – Annexation Study Summary
Attachment 2 – Draft LAFCO Resolution – CCCYPD SOI Amendment

c: Lewis Broschard, Fire Chief, CCCYPD
Brian Helmick, Fire Chief, ECCYPD
Distribution

LAFCO 21-10: Contra Costa County Fire Protection District (CCCFPD) – Sphere of Influence Amendment to include East Contra Costa Fire Protection District (ECCFPD)

Exhibit A





**Contra Costa County FPD
East Contra Costa FPD
Rodeo-Hercules FPD**

FIRE DISTRICT ANNEXATION STUDY



AP TRITON

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Introduction

AP Triton, LLC (Triton) was retained to conduct a two-phase study. Phase One, which was completed in November of 2020, included Triton's review and comparison of the conceptual annexation of East Contra Costa Fire Protection District (ECCFPD) by Contra Costa County Fire Protection District (CCCFPD), utilizing projected operational costs provided by CCCFPD and historical and projected revenue data from ECCFPD to include:

- Sources of recurring and non-recurring revenue, including property taxes
- Existing revenue and projections for the next 3–6 years
- Costs of existing levels of service and projections for the next 3–6 years
- Contractual services provided to the district by CAL FIRE
- Indirect costs, cost allocations, and contractual obligations

Introduction *continued...*

The analysis conducted during Phase One concluded with a preliminary determination that the annexation of East Contra Costa Fire Protection District into Contra Costa County Fire Protection District was feasible and viable.

Introduction *continued...*

In December of 2020 and based on the positive results from the Phase One study, Triton was engaged to move forward with Phase Two of the study. Phase Two added the Rodeo Hercules Fire Protection District (RHFPD) and includes a comprehensive analysis of each district's financial, staffing, support programs, and operational capabilities related to the feasibility of annexation of ECCFPD & RHFPD into CCCFPD.

The study also includes Contra Costa County's Local Agency Formation Commission (LAFCO) Service and Sphere Review Requirements found in CGC sections 56430 and 56425.

Overview of All Agency Findings

- All three districts currently participate in a Regional Communications center. An opportunity exists to reduce operating and administrative costs through the proposed annexation while increasing service levels significantly.
- There are no deployment-related impediments to annexation.
- Combined projected recurring revenues are sufficient to provide for combined currently projected recurring expenses and anticipated expansion of services in CCCFPD and ECCFPD through the fiscal projection period identified in the project scope of work.

Overview of All Agency Findings

- Annexation will enhance and standardize training throughout the area.
- Annexation is projected to result in cost savings due to combining technology infrastructure, fleet maintenance, and other administrative functions.
- Command and control of multi-company incidents will be improved as a result of annexation.
- Annexation will enhance and standardize public education outreach.

Overview of Findings *continued...*

- Each fire district has a comprehensive and extensive training program; however, training emphasis was inconsistent between organizations.
- There appears to be minimal differences between the three organizations relating to specific code enforcement.
- Through existing reserves and future development fees, funding and other non-recurring receipts exists to provide for fire station construction, apparatus acquisition, and debt service on existing obligations on a combined basis through the fiscal projection period identified in the project scope of work.
- Combined projected reserve balances never fall below 35% (\$76,000,000) through the fiscal projection period identified in the project scope of work.

Financial Analysis

History of East Contra Costa & Rodeo-Hercules

East Contra Costa Fire Protection District

Summary of Page 20, Figure 11

	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Recurring Revenues	12,482,422	14,190,374	14,962,781	16,590,390	16,288,788
Non-Recurring Revenues	-	-	703,186	408,349	4,408
Special Restricted	168,524	169,161	172,916	175,881	392,587
Total Revenues	12,650,946	14,359,535	15,838,883	17,174,620	16,685,773

Financial Analysis

History of East Contra Costa & Rodeo-Hercules

Rodeo-Hercules Fire Protection District

Summary of Page 23, Figure 14

	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Recurring Revenues	5,794,164	5,937,178	5,408,365	6,324,504	6,373,816
Non-Recurring Revenues	1,093,555	555,204	23,917	-	-
Special Restricted	65,000	65,000	2,429,756	2,608,977	2,581,957
Total Revenues	6,952,719	6,557,382	7,862,038	8,933,481	9,055,773

Fiscal Sustainability of the Proposed Annexations

Combined Operations

Summary of Page 158/159, Figure 140/141, Recurring Revenues and Recurring Expenses

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Recurring Revenues	189,012,142	195,340,123	202,503,042	210,255,420	218,346,910
Recurring Expenses	167,916,948	180,189,434	190,433,310	201,294,915	212,777,124
Increase (Decrease)	21,095,194	15,150,689	12,069,732	8,960,506	5,569,785
Beginning Operating Reserve	-	21,095,014	36,245,883	48,315,615	57,276,121
Ending Operating Reserve	21,095,194	36,245,883	48,315,615	57,276,121	62,845,906

Fiscal Sustainability of the Proposed Annexations

Combined Special Revenues & Capital Expenditures

Summary of Page 161/162, Figure 142/143, Non-Recurring Revenues and Non-Recurring Expenditures

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Non-Recurring Revenues	318,087	7,318,087	318,087	318,087	318,087
Special Revenues	392,578	7,411,200	422,054	441,147	460,489
Debt Service	17,794,203	3,747,468	4,489,468	4,532,468	4,010,251
Capital Outlay	1,385,520	8,622,744	9,231,026	1,164,482	1,110,616
Increase (Decrease)	(18,479,058)	2,359,075	(11,980,354)	(4,937,716)	(4,342,291)
Beginning Capital Reserve	56,000,000	37,520,942	39,880,017	27,899,663	22,961,948
Ending Capital Reserve	37,520,942	39,880,017	27,899,663	22,961,948	18,619,656

Fiscal Sustainability of the Proposed Annexations

Combined Operating and Capital Reserve Balances
Summary of Page 163, Figure 144

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Beginning Reserves	56,000,000	58,616,136	76,125,900	76,215,278	80,238,068
Net Operations	21,095,194	15,150,689	12,069,732	8,960,506	5,569,785
Net Capital (Decrease)	(18,479,058)	2,369,075	(11,980,354)	(4,937,716)	(4,342,291)
Ending Reserves	58,616,136	76,125,900	76,215,278	80,238,068	78,818,681

Recommendations

Recommendation 1: ECCFPD, RHFPD, and CCCFPD should move forward with annexation.

Based on the analysis, annexation will increase both the effectiveness and efficiency of the service delivery system and the efficiency of the administrative functions.

Recommendations

Recommendation 2: Municipal Services Review Update

It is recommended that LAFCO review and adopt the proposed determinations associated with this MSR update at a public hearing.

Recommendations

Recommendation 3: Adopt Resolutions for Reorganization

Should the three districts decide to pursue annexation, the districts should adopt substantially similar resolutions initiating the reorganization, including provision for Sphere of Influence amendments of all three districts as outlined in the Sphere of Influence Update to meet LAFCO requirements that SOIs be consistent for any change of organization.

Recommendations

Recommendation 4: ECCFPD, RHFPD & CCCFPD Coordinate with LAFCO

Should the districts choose to move forward with an application for reorganization to LAFCO, it is recommended the agencies coordinate with LAFCO to process the necessary SOI update at a public hearing prior to consideration of the reorganization application, as required by LAFCO policy.

Recommendations

Recommendation 5: LAFCO Update Sphere of Influence

LAFCO consider and adopt the proposed SOI Update and associated determinations at a public hearing, consisting of Zero SOIs for ECCFPD and RHFPD and an expansion of CCCFPD's SOI to include the territory of the districts to be annexed.

Recommendations

Recommendation 6: Standardize training programs specific to special team response.

Station and apparatus crews will need to be combined with individuals from separate organizations. It will be the responsibility of the Training Division to ensure that all firefighters meet minimum expectations. Individuals from ECCFPD and RHFD will need focused training and certifications to support existing special assignments.

Recommendations

Recommendation 7: Develop a balanced training program.

A combined organization will need to determine a training philosophy and develop a standardized program that meets the community's needs.

Recommendations

Recommendation 8: Increase multi-company training for the annexed areas.

With the potential addition of two new areas to the CCCFPD system, the combined system should emphasize additional multi-company training.

Recommendations

Recommendation 9: Increase training and response capabilities for hazmat incidents.

Due to the large oil refineries in the response areas, a combined organization will need to continue focused training and response to potentially significant hazmat incidents.

Recommendations

Recommendation 10: Develop a standardized public education program throughout the newly annexed areas.

The development of an outreach program that can be documented and measured for effectiveness is essential to quality public outreach. A combined organization should develop a standardized public education program.

Recommendations

Recommendation 11: Develop a company inspection program for high occupancy/high-risk facilities.

AP Triton recommends on-duty engine companies perform building familiarization and pre-plan familiarization. This function supports firefighter safety as well as improved fire ground operations.

Recommendations

Recommendation 12: Reopen ECCFPD Station 55 to improve service.

Funding is increasing with increased tax values and special assessments and should be sufficient to complete and staff Station 55.

Recommendations

Recommendation 13: Acquire and staff a Ladder Company within ECCFPD's service area.

Recommendation 14: Reopen CCCFPD Station 4.

The deployment modeling has identified a gap in the area that would be served by Fire Station 4.

Enhancements

- Standardization of response protocols and service throughout the areas
- Training will be standardized throughout the area
- Standardization of apparatus and purchasing
- Operational consistency and enhanced firefighter safety
- Elimination of duplicative administrative and operational structures

Enhancements

- Reduced legal and auditing costs
- Reduced technology/software costs
- Reduction in insurance costs
- Possible reduction in Board expenses and election expenses
- Addition of Engine and Ladder Companies



QUESTIONS



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SPHERE OF INFLUENCE RESOLUTION NO. 21-10

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND EXPANDING THE SPHERE OF INFLUENCE
OF CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT TO INCLUDE THE
EAST CONTRA COSTA FIRE PROTECTION DISTRICT**

WHEREAS, in conjunction with a recent *Fire District Annexation Feasibility Study/Municipal Service Review* (“the study”) prepared for the Contra Costa County Fire Protection District (CCCFPD), a proposal to expand the sphere of influence (SOI) of CCCFPD and corresponding boundary reorganization proposal were filed with the Contra Costa Local Agency Formation Commission (LAFCO) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56425); and

WHEREAS, the Executive Officer has given notice of the Commission’s consideration of the proposed SOI expansion at the time and in the manner required by law; and

WHEREAS, 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, SOIs and applicable General and Specific Plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference;

NOW, THEREFORE, the Contra Costa LAFCO DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The matter before the Commission is the proposed expansion of CCCFPD’s SOI by 249± square miles to include the East Contra Costa Fire Protection District (ECCFPD).
2. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA); and in accordance with CEQA, the Commission finds the proposed expansion of CCCFPD’s SOI is categorically exempt from CEQA pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*, which is consistent with the determination of CCCFPD, the Lead Agency under CEQA.
3. The Commission has considered the criteria set forth in Government Code §56425 and determines as follows:

The present and planned uses in the area, including agricultural and open space lands –

The CCCFPD bounds encompass a variety of land uses in incorporated and unincorporated areas primarily in the central, east central, and northern portions of Contra Costa County. Land uses include residential, commercial, mixed-use, agricultural, recreational, open space, and watershed. CCCFPD has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact CCCFPD’s services. There is Williamson Act land within CCCFPD’s boundary and SOI.

Land uses in the SOI expansion area (ECCFPD) include residential, commercial, mixed-use, agricultural, recreational, open space and watershed uses located throughout ECCFPD. The predominant uses include agricultural and open space, with the agricultural core located west of Discovery Bay and Byron, and pasture lands throughout Morgan Territory, Marsh Creek, Knightsen and northern Bethel Island. The ECCFPD boundary also includes expansive open space including Morgan Territory Regional Park, Vasco Caves Regional Park, Contra Loma Regional Park, Round Valley Regional Preserve, Black Diamond Mines Regional Preserve, and the northern portion of Mount Diablo State Park. Residential and commercial areas are concentrated in the cities of Brentwood and Oakley, with some residential areas in the unincorporated communities of Discovery Bay and Bethel Island. Future growth is expected in both the CCCFPD and ECCFPD boundaries.

The proposed SOI expansion and pending boundary reorganization will not facilitate new development or changes in land use and will have no impact on agricultural land.

The present and probable need for public facilities and services in the area – Growth within CCCFPD and ECCFPD is anticipated and will increase demand for fire and emergency medical services from the subject agencies which will necessitate enhanced resources to maintain adequate service levels.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – According to the study, CCCFPD currently maintains 30 fire stations throughout the District, of which three stations were closed as of 2021. CCCFPD fire stations have a staffing capacity of approximately 192 personnel and 65 apparatus bays. The study concluded that CCCFPD is a large, well-funded all-risk fire district with a stable and growing revenue stream. Further, that expansion of CCCFPD's SOI and future annexation of ECCFPD will increase both the effectiveness and efficiency of the service delivery system and efficiency of administrative functions.

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency – Both CCCFPD and ECCFPD include Disadvantaged Communities (DACs). DACs within CCCFPD include San Pablo, portions of Mt. View and Vine Hill, Bay Point, Saranap, and portions of Antioch, Concord and Pittsburg. DACs within ECCFPD include portions of Brentwood and Oakley and Bethel Island. In accordance with LAFCO law, in updating or amending a SOI, LAFCO must consider needs or deficiencies related to sewer, municipal and industrial water, and structural fire protection in any DAC within or contiguous to the subject agency's SOI. There is a present and probable need for structural fire protection services in DACs.

Nature, location, extent, functions & classes of services to be provided – CCCFPD is an all-hazards fire district providing traditional fire service protection, wildland fighting, medical first-response, Advanced Life Support ambulance transport, various special operations (i.e., water rescue, hazardous materials response, marine firefighting, technical rescue), and a comprehensive life-safety and prevention program (i.e., inspections, fire investigation, code enforcement, plan reviews, public education). CCCFPD currently serves a population of 600,000 within 306± square miles including the cities of Antioch, Clayton, Concord, Lafayette, Martinez, Pleasant Hill, Pittsburg, San Pablo and Walnut Creek, and unincorporated communities of Alhambra Valley, Bay Point, Clyde, El Sobrante and Pacheco.

The SOI of CCCFPD is hereby expanded to include the area as shown on the attached map (Exhibit A).

* * * * *

PASSED AND ADOPTED THIS 9th day of February 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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: February 9, 2022

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

(925) 313-7133

Lou Ann Teixeira
Executive Officer

MEMBERS

Candace Andersen
County Member

Donald A. Blubaugh
Public Member

Tom Butt
City Member

Igor Skaredoff
Special District Member

Federal Glover
County Member

Michael R. McGill
Special District Member

Rob Schroder
City Member

ALTERNATE MEMBERS

Diane Burgis
County Member

Stanley Caldwell
Special District Member

Charles R. Lewis, IV
Public Member

Edi Birsan
City Member

February 9, 2022 (Agenda)

February 9, 2022
Agenda Item 11

Contra Costa Local Agency Formation Commission
40 Muir Road, 1st Floor
Martinez, CA 54553

Supplemental LAFCO Staff Report
Request to Continue LAFCO 21-11 – Annexation of East Contra Costa
Fire Protection (ECCFPD) District to Contra Costa County Fire
Protection District (CCCFPD) and Dissolution of ECCFPD

Dear Members of the Commission:

The above proposal was publicly noticed and included on the February 9, 2022 LAFCO meeting agenda. On February 1, 2022, LAFCO received a letter from the Contra Costa County Fire Protection District requesting that the matter be continued to the March 9, 2022 LAFCO meeting (see attached letter).

Pursuant to the letter, CCCFPD seeks clarification regarding successor agency, employees, and revenue transfer. Clarifications are sought to ensure consistency with the CCCFPD Board's intent regarding the transition of ECCFPD employees to CCCFPD employees and to provide accuracy and transparency on financial aspects of the annexation. Clarifications will be discussed at a special meeting of the CCCFPD Board on February 22, 2022.

RECOMMENDATION: It is recommended that the Commission continue the above matter to the March 9, 2022 LAFCO meeting to allow the parties to resolve their issues.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Letter dated February 1, 2022 Requesting Continuance of LAFCO 21-11 - Annexation of ECCFPD to CCCFPD and Dissolution of ECCFPD



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

February 1, 2022

Contra Costa LAFCO
Igor Skaredoff, Chair
40 Muir Rd 1st Floor
Martinez CA 94553

Dear Mr. Skaredoff,

The Contra Costa County Fire Protection District respectfully requests that LAFCO continue the hearing to consider the proposed dissolution of the East Contra Costa Fire Protection District (ECCFPD) and annexation of the ECCFPD territory into the District until its March 9 meeting. To be clear, this request does not concern LAFCO's consideration of the proposed expansion of the District's sphere of influence, which the District asks LAFCO to consider at its February 9 meeting.

The District seeks this continuance, so that the District Board can consider clarification of sections of its Resolution of Application, specifically section 2 Terms and Conditions, subsections (a) Successor Agency and (b) Employees and section (d) Revenue Transfer. Clarifications would be made to ensure consistency with the Board's intent regarding the transition of ECCFPD employees to employment as District employees and to provide accuracy and transparency on financial aspects of the annexation. Continuing this item will provide the District Board with sufficient time to discuss such clarifications at a special meeting of the District Board on February 22.

We thank you for your consideration of this request.

Respectfully,

A handwritten signature in blue ink, appearing to read "L. Broschard III", is written over a horizontal line.

Lewis T. Broschard III
Fire Chief

cc: Board of Supervisors
Monica Nino, County Administrator
Mary Ann Mason, County Counsel
Lou Ann Texeira, LAFCO Executive Officer

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

February 9, 2022 (Agenda)

LAFCO 21-11

Annexation of East Contra Costa Fire Protection District (ECCFPD) to Contra Costa County Fire Protection District (CCCFPD) and Dissolution of ECCFPD

APPLICANTS

CCCFPD Resolution No. 2021/8 adopted September 14, 2021 (Attachment 1)
ECCFPD Resolution 2021-32 adopted September 16, 2021 (Attachment 2)

The districts adopted substantially similar resolutions requesting a sphere of influence (SOI) amendment, boundary reorganization, and dissolution of ECCFPD. Pursuant to Government Code (“GC”) section 56853(a), because both districts adopted substantially similar resolutions, the Commission is required to approve, or conditionally approve, the proposal

SYNOPSIS

In October 2021, CCCFPD filed applications with LAFCO to expand CCCFPD’s SOI to include ECCFPD along with a corresponding application to expand the CCCFPD boundary to include ECCFPD territory and dissolve ECCFPD. The Commission will also consider the corresponding SOI amendment on February 9, 2022. These LAFCO proceedings are subject to the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (“CKH Act”) GC section 56000 et seq.

PURPOSE

The key purposes of the proposed CCCFPD SOI expansion, corresponding boundary reorganization, and dissolution of ECCFPD are summarized below:

- 1) To enhance and expand fire and emergency medical services to East Contra Costa County;
- 2) To improve the efficiency, effectiveness, and economy of fire protection services within the subject area; and
- 3) To better meet the fire, rescue, and emergency medical service needs of the residents of the reorganized district.

BACKGROUND

ECCFPD was formed in 2002 through the consolidation of the Bethel Island, East Diablo, and Oakley Fire Protection Districts. Historically, there were concerns regarding the adequacy of funding and standard of response coverage, as well as governance (dependent versus independent). LAFCO’s approval of the consolidation in 2002 included various conditions, including appointing the County Board of Supervisors as the governing body. No new funding was included with the consolidation.

ECCFPD is currently governed by a five-member elected board. The District covers 249± square miles including the cities of Brentwood and Oakley, and the unincorporated areas of Bethel Island, Byron, Discovery Bay, Knightsen, and Morgan Territory, serving a population of approximately 132,400 [*Census Bureau 2020 Decennial Census – Data analysis by CCC Dept. of Conservation & Development (DCD)*].

ECCFPD owns six fire stations. Three of which are utilized and staffed with personnel and apparatus (Brentwood, Discovery Bay, Oakley), and the other three are currently unstaffed without assigned apparatus. ECCFPD personnel includes 30 operations staff, four prevention staff, and six administrative staff including the Fire Chief. Several of these positions are funded but not filled.

ECCFPD is funded primarily by property tax revenues (ad valorem). Other revenue sources include pass-thru funding, intergovernmental revenue, homeowners tax relief, and other in-lieu taxes.

CCCFPD was formed in 1964 as a county-dependent district through the consolidation of the Central Fire District and the Mt. Diablo County Fire District. Subsequently, Mountain View FPD, Lafayette FPD, Bay Point FPD, Island FPD, Briones County FPD, Pinole FPD, Riverview FPD, and West County FPD also consolidated with CCCFPD. As a dependent district, the County Board of Supervisors serves as the governing board for CCCFPD.

The CCCFPD service boundary covers 306+ square miles and includes the cities of Antioch, Clayton, Concord, Lafayette, Martinez, Pleasant Hill, Pittsburg, San Pablo and Walnut Creek, and the unincorporated communities of Alhambra Valley, Bay Point, Clyde, El Sobrante and Pacheco, serving a population of 628,200 (*Census Bureau 2020 Decennial Census – Data analysis by CCC DCD*).

CCCFPD currently owns 29 fire stations throughout the District. Two were closed as of 2021, and one is a reserve station and a leased facility. CCCFPD personnel includes 335 operations staff, 21 dispatchers, 26 fire prevention staff, and 40 administrative/support staff.

CCCFPD is funded primarily by property tax revenues (ad valorem). Other revenue sources include charges for services, intergovernmental revenue, and other taxes.

SUMMARY TABLE

FACTOR	CCCFPD	ECCFPD
Service Area	306+ square miles	249+ square miles
Population	628,200	132,400
Stations	29 (26 staffed)	6 (3 staffed)
Staff		
-Operations	335	30
-Admin/Support	40	6
FY 2021-22 Budget		
-Total Expenditures	\$161,924,000	\$19,833,164
-Total Revenues	\$161,924,000	\$19,797,543

Special Study/Municipal Service Reviews (MSRs) - In December 2020, an annexation feasibility study was commissioned by CCCFPD to determine the feasibility of annexing ECCFPD and the Rodeo Hercules Fire Protection District (RHFPD) to CCCFPD. The study also includes a MSR and SOI component. A consultant, AP Triton, prepared the *Fire District Annexation Feasibility/Municipal Services Review*. The study/MSR is available online at <https://www.cccfpd.org/annexation>. In July 2021, the findings of the study were presented to the governing bodies of the three districts. Some of the key findings are presented below:

- ECCFPD previously experienced a significant reduction in funding due to an economic downturn, resulting in a decrease in staffing and the closure of fire stations.
- ECCFPD cannot meet the increased call load in the communities served with existing personnel and equipment levels without relying on mutual aid and automatic aid from neighboring agencies.
- ECCFPD struggles to create a sustainable funding system that will provide adequate services and response times to serve the communities properly. ECCFPD is experiencing some level of revenue growth.
- Standardize training programs specific to special teams response.

- Annexation will result in the implementation of Advanced Life Support (Paramedic) level service on ECCFPD apparatus.
- Increase multi-company training for the annexed areas.
- Develop a standardized public education program throughout the newly annexed areas.
- Open ECCFPD Station 55 and reopen CCCFPD Station 4 to improve service.
- Acquire and staff a Ladder Company within ECCFPD's service area.

The study concluded that annexation of both ECCFPD and RHFPD to CCCFPD is feasible and recommended that CCCFPD pursue annexation of both ECCFPD and RHFPD. Subsequently, CCCFPD and ECCFPD voted to pursue the boundary reorganization and adopted substantially similar resolutions. RHFPD declined to pursue annexation at this time.

In addition to the special study, Contra Costa LAFCO previously prepared two MSR/SOI updates covering fire protection and emergency medical services (2009 and 2016). Both MSRs identified significant governance, service, and fiscal issues for ECCFPD, along with governance structure options for ECCFPD, including dissolution of ECCFPD and annexation to CCCFPD.

Both MSRs noted that annexation of ECCFPD to CCCFPD would improve levels of service, strengthen firefighter training programs, reduce response times, and improve efficiency and service delivery. A summary of the 2016 MSR findings are included in the corresponding SOI LAFCO staff report. Both MSRs included governance/boundary options for ECCFPD including a "zero" SOI and a "provisional" SOI both of which signal future reorganization. In accordance with the 2016 MSR, LAFCO adopted a "provisional" SOI for ECCFPD and required ECCFPD to provide periodic updates to LAFCO on its progress in addressing the fiscal, governance and service challenges identified in the MSR.

DISCUSSION

The Government Code sets forth factors that the Commission is required to consider in evaluating a proposed boundary change as discussed below (GC §56668). In the Commission's review and evaluation, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal. These factors are analyzed in Exhibit B. In addition, other factors are discussed below.

LAFCO Applications and Plan for Services

In accordance with GC §56653, whenever a local agency submits a resolution of application for a change of organization or reorganization, the local agency must also submit a plan for providing services within the affected territory. The plan shall include all of 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.

In October 2021, CCCFPD submitted applications to LAFCO to expand the SOI for CCCFPD to include ECCFPD, a corresponding boundary reorganization application to annex ECCFPD to CCCFPD and subsequently dissolve ECCFPD, and a *Plan for Services* (Attachment 3), which covers a range of issues including the following:

- *Justification* for the proposed boundary reorganization (i.e., standardized training of firefighters, augmented service levels, service efficiency, cost savings)
- *Plan and description of services* including a description of current service delivery levels and services to be extended, infrastructure needs, and planned improvements
- *Level and range of services*, including increased staffing deployment; enhanced full-time fire prevention and fire investigation services, advanced life support, internal apparatus and fleet maintenance programs; reopening of fire stations in East Contra Costa County; equipment expansion; and other service enhancements
- *Fiscal analysis, financial projections, and appropriations limit*
- *Proposed transition plan, reorganization timeline*
- *Governance structure, personnel, training, and employment agreements*
- *Fiscal analysis*

The *Plan for Services* discusses benefits to the proposed boundary reorganization and includes conditions relating to successor agency, employees, duties, revenue transfer, oversight/advisory commission, land rights, service demand. Some of these factors are also summarized in Exhibit C – *Before & After Consolidation* table.

Assessed Value, Tax Rates and Indebtedness:

The reorganization area is within numerous tax rate areas (TRAs). The assessed value for the proposal area is \$22,849,699,241 based on the 2021-22 tax roll. According to the special study/MSR, it is estimated that ECCFPD will receive \$16,875,770 in property tax revenue in FY 2021-22. Property tax revenue is the largest source of revenue for both CCCFPD and ECCFPD. Following annexation of ECCFPD and dissolution of ECCFPD, CCCFPD will receive all ECCFPD assets, including property tax revenue generated in the territory.

LAFCO Proceedings and Public Comments:

Notice and Public Hearing – The proposed boundary reorganization is subject to a public hearing. Notice of this proposal was advertised in the *East Bay Times* (all editions) through publication of a 1/8-page display ad in accordance with the CKH Act. Also, individual notices were provided to affected and interested agencies, County departments, and those individuals and agencies that requested notification.

Public Comments and Pending Issues - As of this writing, Contra Costa LAFCO has received two letters – one from Staff Union Representative for AFSCME Council 57 (Attachment 4) and one from Shop Steward, Local 2700 (Attachment 5). Both letters include concerns regarding the transition of four administrative positions and the potential for significant pay cuts. Further, ECCFPD has expressed concerns regarding retirement benefit changes. As of this writing, we understand that discussions between labor, CCCFPD, and ECCFPD are ongoing. ECCFPD considers the pending employment, compensation, and retirement benefit issues to be significant. CCCFPD has requested that the annexation and dissolution be continued to the March 9th LAFCO meeting to allow additional time for labor and benefits issues to be resolved.

Reconsideration - Following LAFCO's approval of a proposal, there is a 30-day reconsideration period whereby any person or affected agency may file a written request with the LAFCO Executive Officer requesting amendments to, or reconsideration of, the LAFCO resolution. The request shall state the specific modification to the resolution being requested and shall state what new or different facts that could not have been presented previously are claimed to warrant the reconsideration. Upon a timely receipt, the LAFCO Executive Officer shall place the request on the agenda of the next meeting of the commission for which notice can be given. At that meeting, the commission shall consider the request and receive any oral or written testimony. The Commission may approve the request with or without amendment, wholly, partially, or conditionally, or disapprove the request. (GC §56895)

Protest Hearing - The subject territory is inhabited, and the proposal is subject to protest proceedings. Following the 30-day reconsideration period, LAFCO will publish a notice in the local newspapers and hold a protest hearing whereby affected landowners and voters within the subject area can file a written protest. The protest thresholds are shown in the table below.

INHABITED

Terminate Annexation	Order Annexation without an election	Order Annexation subject to an election
A majority of voters protest	Less than 25% of voters or landowners owning less than 25% of the assessed value of land protest	At least 25%, but less than 50% of voters, or at least 25% of landowners owning 25% or more of the assessed value of land protest

Boundaries and Lines of Assessment:

The boundary reorganization proposal will add ECCFPD territory to CCCFPD's service boundary as shown in Exhibit A. No plat and legal description are required for this boundary reorganization as determined by the State Board of Equalization.

CONCLUSION

One of the fundamental goals of LAFCOs is to ensure the efficient and effective provision of municipal services in an accountable manner. As detailed in the proposal, approval of this proposal will enhance and expand fire and emergency medical services to East Contra Costa County; improve efficiency, effectiveness and economy of fire protections services within the subject districts; and better meet the fire, rescue and emergency medical service needs of the residents of the reorganized district.

Environmental Impact of the Proposals:

CCCFPD, as Lead Agency, found the project categorically exempt from CEQA pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*. The LAFCO Environmental Coordinator reviewed the document and finds it adequate for LAFCO purposes.

ALTERNATIVES FOR COMMISSION ACTION

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

Option 1

- A. Adopt LAFCO Resolution No. 21-11 (Attachment 6) approving the annexation of ECCFPD to CCCFPD and dissolving ECCFPD as depicted on the attached map (Exhibit A), with the terms and conditions as proposed in Resolution No. 21-11.
- B. Find, as a responsible agency, that the proposed annexation of ECCFPD to CCCFPD and corresponding dissolution of ECCFPD are categorically exempt from CEQA pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*
- C. Adopt this report annexing ECCFPD to CCCFPD and dissolving ECCFPD as described herein and shown on the attached map (Exhibit A), subject to the terms and conditions as proposed in LAFCO Resolution 21-11.

Option 2

CONTINUE this matter to a future meeting.

RECOMMENDED ACTIONS:

It is recommended that the Commission approve Option 2 and continue the matter to the March 9, 2022 LAFCO meeting.

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

Attachments:

- Attachment 1 – CCCFPD Resolution of Application No. 2021/8
- Attachment 2 – ECCFPD Resolution 2021-32
- Attachment 3 – Plan for Service
- Attachment 4 – Letters from Staff Union Representative for AFSCME Council 57
- Attachment 5 – Letter from Shop Steward, Local 2700
- Attachment 6 – Draft LAFCO Resolution No. 21-11 – Boundary Reorg and Dissolution

Exhibits:

- Exhibit A – Map of Proposed Boundary Reorganization
- Exhibit B – Factors for Consideration Analysis (California Government Code §56668)
- Exhibit C – Before & After Consolidation Table

c: Distribution

THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

Adopted this Resolution on 09/14/2021 by the following vote:

		John Gioia
		Candace Andersen
AYE:	<input checked="" type="checkbox"/>	Diane Burgis
		Karen Mitchoff
		Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input type="checkbox"/>	
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



Resolution No. 2021/8

In the Matter of Resolution of Application by the Board of Directors of the Contra Costa County Fire Protection District requesting the Contra Costa Local Agency Formation Commission to initiate proceedings for the dissolution of the East Contra Costa Fire Protection District and Subsequent Annexation of those territories into the Contra Costa County Fire Protection District

RESOLVED, by the Board of Directors of the Contra Costa County Fire Protection District (the “District”) that: **WHEREAS**, the District, and the East Contra Costa Fire Protection District were formed pursuant to the same enabling legislation, the Fire Protection District Law of 1987, commencing with Section 13800 of the California Health & Safety Code, **WHEREAS**, the efficient operation of fire protection districts is an integral part of providing adequate fire protection services to a district’s residents and could potentially have significant impacts on public safety; and **WHEREAS**, the District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code for annexation, by the District, of the territory within the East Contra Costa Fire Protection District; and **WHEREAS**, the East Contra Costa Fire Protection District also desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for reorganization; and **WHEREAS**, notice of intent to adopt this resolution of application has been given to the East Contra Costa Fire Protection District; and **WHEREAS**, the territory proposed to be reorganized is considered to be inhabited and encompasses the areas described in the map attached to this Resolution and incorporated by reference as Exhibit A, and a map of the proposed boundary following reorganization is attached to this Resolution and incorporated by reference as Exhibit B; and **WHEREAS**, the East Contra Costa Fire Protection District has a current service deficit of three fire stations, based on previous fire station closures, and, once the deficit is remedied, is anticipated to need three additional fire stations, to keep up with land use plans already approved by the cities of Brentwood and Oakley and the County of Contra Costa, and development anticipated to occur over the next twenty years; and **WHEREAS**, the efficiency, effectiveness and the economy of fire protection services to individuals within the affected districts can be improved by the reorganization of the two districts into one entity; and **WHEREAS**, the reorganization of the two districts into one entity will enable the reorganized district to better meet the fire, rescue, and emergency medical service needs of the residents of the reorganized district, as described in the Plan for Services attached to this Resolution and incorporated by reference as Exhibit C; and **WHEREAS**, the District has assumed Lead Agency status for this project under the California Environmental Quality Act (CEQA), commencing at California Public Resources Code Section 21000, on behalf of the two districts; and **WHEREAS**, this reorganization is categorically exempt from CEQA pursuant to Class 20 (Changes in Organization of Local Agencies), Title 14, Chapter 3, Section 15320(b) of the California Code of Regulations; and **WHEREAS**, in accordance with Section 56853 of the California Government Code, the legislative bodies of the two districts are adopting substantially similar resolutions of application for this reorganization.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the District as follows:

1. Adoption of Resolution of Application. This Resolution of Application is hereby adopted and approved by the Board of Directors of the Contra Costa County Fire Protection District. The Contra Costa Local Agency Formation Commission is hereby requested to dissolve the East Contra Costa Fire Protection District and reorganize the territory described in Exhibit A and expand the sphere of influence for the Contra Costa County Fire Protection District as described in Exhibit B, and annex East Contra Costa Fire Protection District to the Contra Costa County Fire Protection District according to the terms and conditions stated below and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization

Act of 2000.

2. Terms and Conditions. The District requests that, under the Contra Costa Local Agency Formation Commission's conditioning powers under Government Code section 56886, the reorganization described above be subject to the following terms and conditions:
 - a. Successor Agency. Upon and after the date of recording in the official records of Contra Costa County of LAFCO's final and complete approval of the dissolution of the East Contra Costa Fire Protection District and the District's assumption of the duties and obligations of the East Contra Costa Fire Protection District (the "Effective Date"), the District shall be the successor to the of the East Contra Costa Fire Protection District. All rights, responsibilities, properties, contracts, assets and liabilities, and functions of the East Contra Costa Fire Protection District are to be transferred to the Contra Costa Fire Protection District as the successor to the East Contra Costa Fire Protection District.
 - b. Employees. From and after the Effective Date, all employees of the dissolved East Contra Costa Fire Protection District shall become employees of the District.
 - c. Duties. The District, as the successor agency, shall function under and carry out all authorized duties and responsibilities assigned to a Fire Protection District as outlined in the Division 12, Part 2.7, Chapter 1, Health & Safety Code, Fire Protection District Law of 1987 (commencing with Section 13800) and other applicable laws.
 - d. Revenue Transfer. Before LAFCO issues the Certificate of Filing for the reorganization (Revenue and Taxation Code Section 99(b)(6)), the Board of Directors of the District shall commence and complete a property tax transfer process to be effective Prior to issuance of the LAFCO Certificate of Filing, and take all other required steps to transfer from the East Contra Costa Fire Protection District to the District all income, from taxes or any other source, for which there is a continuing right to tax distribution, or historical distribution or allocation of funds, including but not limited to Measure H funds and Byron-Bethany Irrigation District funds. All previously authorized charges, fees, assessments, and/or taxes currently in effect, levied or collected by the East Contra Costa Fire Protection District, including through municipal and county development impact fees and community facilities districts, shall continue to be levied, collected, tracked, expended and administered by the successor agency in accordance with the authorizing actions of such financial mechanisms.
 - e. Oversight; Advisory Commission. The composition of the District Board of Directors shall remain unchanged. The composition of the Contra Costa County Fire Protection District Advisory Fire Commission shall be adjusted to ensure that at least one member of the advisory fire commission is a resident of land currently within the service area of the East Contra Costa Fire Protection District until the existing three-station deficit in the East Contra Costa Fire Protection District's service area is addressed and eliminated.
 - f. Land Rights. The reorganization does not change the rights the East Contra Costa Fire Protection District had in the lands in their respective territories immediately prior to the reorganization. Those rights run with the land and will become District rights as the successor.
 - g. Service Demand. The District will eliminate the current deficit of three fire stations within the East Contra Costa County Fire Protection District service area and will strive to do so within six years after the Effective Date and, thereafter, will build additional necessary stations as soon as practicable to meet the needs of the East Contra Costa County Fire Protection District service area, based on the anticipated development in the area over the next 20 years.
3. Other Acts. The Officers and staff of the District are hereby authorized and directed, jointly and severally, to do any and all things, to execute and deliver any and all documents, which, in consultation with District Counsel, they may deem necessary or advisable in order to effectuate the purposes of this Resolution, and any and all such actions previously taken by such Officers or staff members are hereby ratified and confirmed.

Contact: Lewis T. Broschard III, Fire Chief (925)
941-3300

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 14, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc:

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS**

* * *

STATE OF CALIFORNIA

RESOLUTION NO. 2021-32

**REQUESTING THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
TO INITIATE PROCEEDINGS FOR THE DISSOLUTION OF THE EAST CONTRA
COSTA FIRE PROTECTION DISTRICT AND SUBSEQUENTLY ANNEX THAT
TERRITORY INTO THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT**

WHEREAS, the Contra Costa County Fire Protection District (CCCFPD) has adopted a resolution to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for dissolution of the East Contra Costa Fire Protection District (ECCFPD) and annexation of ECCFPD territory into the CCCFPD; and

WHEREAS, ECCFPD also desires that the Contra Costa LAFCO initiate such proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act; and

WHEREAS, ECCFPD and CCCFPD are formed and operating pursuant to the same enabling legislation, the Fire Protection District Law of 1987, commencing with California Health and Safety Code Section 13800; and

WHEREAS, the efficient operation of fire protection districts is an integral part of providing adequate fire protection services to a district's residents and could potentially have significant impacts on public safety; and

WHEREAS, the territory proposed to be reorganized is considered to be inhabited and encompasses the areas described in the map attached to this Resolution and incorporated by reference as Exhibit A, and a map of the proposed boundary following reorganization is attached to this Resolution and incorporated by reference as Exhibit B; and

WHEREAS, the efficiency, effectiveness and the economy of fire protection services to individuals within the affected districts can be improved by the reorganization of the two districts into one entity, and will enable the reorganized district to better meet the fire, rescue, and emergency medical service needs of the residents of the reorganized district, as described in the Plan for Services attached to this Resolution and incorporated by reference as Exhibit C; and

WHEREAS, the reorganized CCCFPD will implement a phased plan for creating a uniform level of service within the entirety of its territory, which would allow better utilization of resources; enhanced capital asset planning and streamlined improvement process; enhanced response to emergency incidents based on expanded personnel, fleet, and station readiness; reduced operating and

administrative costs while increasing service levels; enhanced efficiency of management through combining of technology infrastructure, fleet maintenance, and other administrative functions; and enhanced and standardized public education outreach; and

WHEREAS, ECCFPD and CCCFPD both recognize that ECCFPD currently has a service deficit of three staffed fire stations and a future deficit of three additional stations based on land use plans adopted by the Cities of Brentwood and Oakley and the County of Contra Costa relative to development anticipated in the ECCFPD service area over the next ~20 years; and

WHEREAS, CCCFPD has assumed Lead Agency status for this project under the California Environmental Quality Act (CEQA) on behalf of the two districts; and

WHEREAS, CCCFPD has determined that this project is categorically exempt from CEQA pursuant to Public Resources Code Section 21084 and 14 CCR 15320(b) as a change in organization of local agencies and as a project determined not to have a significant effect on the environment; and

WHEREAS, the ECCFPD Board of Directors intends for this resolution supporting the application for this reorganization to be "substantially similar" to the Resolution of Adoption passed by the Board of Directors of CCCFPD on September 14, 2021, consistent with Section 56853 of the California Government Code.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the East Contra Costa Fire Protection District as follows:

1. Adoption of Resolution. This Resolution is hereby adopted and approved by the Board of Directors of the ECCFPD. The Contra Costa Local Agency Formation Commission (LAFCO) is hereby requested to dissolve the ECCFPD and reorganize the territory described in Exhibit A; expand the sphere of influence for the CCCFPD as described in Exhibit B; and annex the ECCFPD to the CCCFPD according to the terms and conditions stated below and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
2. Terms and Conditions. The ECCFPD requests that, under the LAFCO's conditioning powers under Government Code section 56886, the reorganization described above be subject to the following terms and conditions:
 - a. Successor Agency. Upon and after the date of recording in the official records of Contra Costa County of LAFCO's final and complete approval of the dissolution of the ECCFPD, and CCCFPD's assumption of the duties and obligations of the ECCFPD (the "Effective Date"), CCCFPD shall be the successor to and of the ECCFPD. All rights, responsibilities, properties, contracts, assets and liabilities, and functions of the ECCFPD are to be transferred to the CCCFPD as the successor to the ECCFPD.
 - b. Employees. From and after the Effective Date, all employees of the dissolved ECCFPD shall become employees of the CCCFPD.
 - c. Duties. The CCCFPD, as the successor agency, shall function under and carry out all authorized duties and responsibilities assigned to a Fire Protection District as outlined in the Division 12, Part 2.7, Chapter 1, Health & Safety Code, Fire Protection District Law of 1987 (commencing with Section 13800 et seq.), and other applicable laws, within its new service area.

- d. Revenue Transfer. Before LAFCO issues the Certificate of Filing for the reorganization, the Board of Directors of ECCFPD shall adopt a resolution agreeing to a property tax transfer process to be effective prior to issuance of the LAFCO Certificate of Filing (Revenue and Taxation Code Section 99(b)(6)), and take all other required steps to transfer from ECCFPD to CCCFPD all income, from taxes or any other source, for which there is a continuing right to tax distribution, or historical distribution or allocation of funds, including but not limited to Measure H funds and Byron-Bethany Irrigation District funds. All previously authorized charges, fees, assessments, and/or taxes currently in effect, levied or collected by the ECCFPD, including through municipal and county development impact fees and community facilities districts, shall continue to be levied, collected, tracked, expended and administered by the successor agency in accordance with the authorizing actions of such financial mechanisms.
 - e. Oversight; Advisory Commission. The composition of the CCCFPD Board of Directors shall remain unchanged. The composition of the Contra Costa County Fire Protection District Advisory Fire Commission shall be adjusted to ensure that at least one member of the advisory fire commission is a resident of land currently within the service area of the ECCFPD until the existing three-station deficit in the ECCFPD service area is addressed and eliminated.
 - f. Land Rights. The reorganization does not change the rights the ECCFPD had in the lands in its territory immediately prior to the reorganization. Those rights run with the land and will become CCCFPD's rights as ECCFPD's successor.
 - g. Service Demand. The CCCFPD will eliminate the current deficit of three fire stations within the ECCFPD service area and will strive to do so within six years after the Effective Date and, thereafter, will build additional necessary stations as soon as practicable to meet the needs of the ECCFPD service area, based on the anticipated development in the area over the next 20 years.
3. Other Acts. The Officers and staff of ECCFPD are hereby authorized and directed, jointly and severally, to do any and all things, and to execute and deliver any and all agreements or other documents, which, in consultation with District Counsel, they may deem necessary or advisable in order to effectuate the purposes of this Resolution, and any and all such actions previously taken by such Officers or staff members are hereby ratified and confirmed.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a special meeting thereof held on the 16th day of September, 2021, by the following vote:

AYES: Langro, Nash, Oftedal, Smith, Young

NOES:

ABSTENTIONS:

ABSENT:

DocuSigned by:
Brian J. Oftedal
67B8AF4209CF4AE...

Brian J. Oftedal, President
East Contra Costa Fire Protection District

ATTESTED:

DocuSigned by:

Regina Rubier

68C4D8A35D8C450...

Regina Rubier
Clerk of the Board

Attachments:

- Exhibit A – Map and Legal Description of Territory of East Contra Costa Fire Protection District
- Exhibit B – Map of Proposed Contra Costa County Fire Protection District Boundaries
- Exhibit C – Plan for Services

ATTACHMENT A

Plan for Services

**For annexation of
East Contra Costa Fire Protection District
to
Contra Costa County Fire Protection District**

September 14, 2021

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Executive Summary

In December 2020, an annexation study was commissioned to determine the feasibility of annexing either or both the East Contra Costa Fire Protection District (“ECCFPD”) and the Rodeo-Hercules Fire Protection District (“RHFPD”). The study was concluded and presented to the governing bodies of all three fire protection districts in mid-July by AP Triton, the consultant group that compiled the study. The study concluded annexation was feasible and recommended that Contra Costa County Fire Protection District (“CCCFPD”) pursue the annexation of both the other fire districts. On August 12, 2021, the CCCFPD received a written request from the RHFPD Fire Chief to remove RHFPD from consideration in the current annexation process per direction from the RHFPD Board of Directors.

Additional findings and recommendations of the study included:

- ECCFPD has previously experienced a significant reduction in funding due to an economic downturn, resulting in a decrease in staffing and the closure of fire stations.
- ECCFPD cannot meet the increased call load in the communities served with existing personnel and equipment levels without relying on mutual aid and automatic aid agencies.
- ECCFPD struggles to create a sustainable funding system that will provide adequate services and response times to serve the communities properly. ECCFPD is experiencing some level of revenue growth.
- Standardize training programs specific to special teams response.
- Annexation will result in the implementation of Advanced Life Support (Paramedic) level service on ECCFPD apparatus.
- Increase multi-company training for the annexed areas.
- Develop a standardized public education program throughout the newly annexed areas.
- Open ECCFPD Station 55 and reopen CCCFPD Station 4 to improve service.
- Acquire and staff a Ladder Company within ECCFPD’s service area.

The Board of Directors for each District accepted the AP Triton report in mid-July. At their July 20 meeting, the Board of Directors of the Contra Costa County Fire Protection District directed the Fire Chief to work with the County Administrator to develop a resolution of application for the proposed annexations. The proposal for annexation, with the additional facilities, equipment and staffing to be provided as described in this application, will improve fire, rescue, and emergency medical services in the areas served by the reorganized district. Additionally, fire prevention, public education programs, and administrative support functions will be improved and delivered in a consistent manner throughout the proposed service area.

Background and Setting

Legal Context

Applicable Law

This application is being submitted pursuant to the Cortese-Knox-Hertzberg Act, Government Code section 56000 et seq. This application is submitted by the Contra Costa County Board of Supervisors as the governing board of the Contra Costa County Fire Protection District (CCCFPD) and the Board of Directors of the East Contra Costa Fire Protection District (ECCFPD). CCCFPD and ECCFPD are enabled under the Fire Protection District Law of 1987 (Health & Safety Code 13800 et seq.).

Environmental Documentation

The proposed reorganization is Categorically Exempt from CEQA pursuant to 14 CCR 15320. Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised.

Summary of Proposed Reorganization

As agreed by the two applicant agencies and indicated in the Resolutions of Application included in this application, the Contra Costa County Fire Protection District proposes to annex the entirety of the territories of the East Contra Costa Fire Protection District, following which, ECCFPD would be dissolved.

Proposed Reorganization Conditions

1. Successor Agency. Upon and after the date of recording in the official records of Contra Costa County of LAFCO's final and complete approval of the dissolution of the East Contra Costa Fire Protection District and the District's assumption of the duties and obligations of the East Contra Costa Fire Protection District (the "Effective Date"), the District shall be the successor to the of the East Contra Costa Fire Protection District. All rights, responsibilities, properties, contracts, assets and liabilities, and functions of the East Contra Costa Fire Protection District are to be transferred to the Contra Costa Fire Protection District as the successor to the East Contra Costa Fire Protection District.
2. Employees. From and after the Effective Date, all employees of the dissolved East Contra Costa Fire Protection District shall become employees of the District.
3. Duties. The District, as the successor agency, shall function under and carry out all authorized duties and responsibilities assigned to a Fire Protection District as outlined in the Division 12, Part 2.7, Chapter 1, Health & Safety Code, Fire Protection District Law of 1987 (commencing with Section 13800) and other applicable laws.

4. Revenue Transfer. Before LAFCO issues the Certificate of Filing for the reorganization (Revenue and Taxation Code Section 99(b)(6)), the Board of Directors of the District shall commence and complete a property tax transfer process to be effective Prior to issuance of the LAFCO Certificate of Filing, and take all other required steps to transfer from the East Contra Costa Fire Protection District to the District all income, from taxes or any other source, for which there is a continuing right to tax distribution, or historical distribution or allocation of funds, including but not limited to Measure H funds and Byron-Bethany Irrigation District funds. All previously authorized charges, fees, assessments, and/or taxes currently in effect, levied or collected by the East Contra Costa Fire Protection District, including through municipal and county development impact fees and community facilities districts, shall continue to be levied, collected, tracked, expended and administered by the successor agency in accordance with the authorizing actions of such financial mechanisms.
5. Oversight; Advisory Commission. The composition of the District Board of Directors shall remain unchanged. The composition of the Contra Costa County Fire Protection District Advisory Fire Commission shall be adjusted to ensure that at least one member of the advisory fire commission is a resident of land currently within the service area of the East Contra Costa Fire Protection District until the existing three-station deficit in the East Contra Costa Fire Protection District's service area is addressed and eliminated.
6. Land Rights. The reorganization does not change the rights the East Contra Costa Fire Protection District had in the lands in their respective territories immediately prior to the reorganization. Those rights run with the land and will become District rights as the successor.
7. Service Demand. The District will eliminate the current deficit of three fire stations within the East Contra Costa County Fire Protection District service area and will strive to do so within six years after the Effective Date and, thereafter, will build additional necessary stations as soon as practicable to meet the needs of the East Contra Costa County Fire Protection District service area, based on the anticipated development in the area over the next 20 years.

Reorganization Process to Date

All districts considered in this proposed annexation, as well as the RHFPD, entered into a jointly funded study in December 2020. The comprehensive study was completed and presented to each districts' governing body in July 2021. Joint planning sessions with combined district executive leadership were initiated in January 2021 and are continuing. Substantially similar Resolutions of Application were adopted by the CCCFPD and ECCFPD and are included as part of the application.

History of the Reorganizing Districts

Contra Costa County Fire Protection District

The Contra Costa County Fire Protection District (CCCFPD) was originally formed in 1964 due to the Central Fire Protection District and Mt. Diablo Fire Protection District consolidation. Since then, ten other fire protection districts in the region have merged with CCCFPD.

CCCFPD's primary service area comprises approximately 306 square miles. More than 300 additional square miles comprises the response area for ambulance service and transport. Data from the U.S. Census Bureau indicates a 2010 resident population of 574,946 persons; however, the District estimates a population of approximately 600,000 persons. About half the District is considered "urban," 25% "suburban," and the remaining 25% "rural" or "remote."

Governance

The five-member elected Contra Costa County Board of Supervisors serves as CCCFPD's Board of Directors. The Board oversees the Fire Chief, sets general policies, and approves the budget. The Fire Chief is responsible for the administrative functions and daily operations of CCCFPD.

District Services

CCCFPD is an all-hazards fire district providing traditional fire protection, wildland firefighting, emergency medical services, Advanced Life Support (ALS), ambulance transport, various special operations (e.g., water rescue, hazardous materials response, marine firefighting, technical rescue, etc.), and a comprehensive life-safety and prevention program that includes inspections, a dedicated fire investigation unit, code enforcement, plan reviews, and public education. In 2005, the District was given an Insurance Services Office (ISO) Public Protection Classification (PPC®) score of 3/8b. The ISO PPC is a standardized fire department classification and ranking system established by the ISO and used by many insurance companies for determining capability of the fire department serving the insured property. CCCFPD is accredited through the Commission on Accreditation of Ambulance Services (CAAS).

CCCFPD deploys its apparatus from 26 staffed fire stations located throughout the District. Two other stations are currently closed due to a lack of funding with one projected to be reopened in mid-2022. An additional station is utilized for the District's reserve firefighters and staffed on a rotational basis. The District operates a wide variety of fire apparatus and ambulances (more detail provided under "Capital Facilities & Apparatus").

CCCFPD follows the National Fire Protection Association Standard 1710 (NFPA) for providing an effective firefighting force of at least 17 personnel on the initial response to a single family residential structure fire. Across the District, the travel time for the full first alarm contingent of 17 personnel is 12 minutes, 90% of the time, for suburban areas.

Ambulance Transport

In 2016, CCCFPD developed a unique arrangement with American Medical Response, Inc. (AMR) that they refer to as the “Alliance.” The program utilizes AMR EMS personnel to staff CCCFPD’s ALS ambulances, assisted by district firefighters certified as EMTs or Paramedics and functioning in a first-responder capacity.

Regional Fire Communications

CCCFPD operates the Contra Costa Regional Fire Communications Center (CCRFCC), which serves as a secondary Public Safety Answering Point (PSAP) for most fire and EMS 911 calls in the County. CCRFCC provides dispatch to its district, plus ECCFPD, RHFPD, and four other fire agencies. The Center dispatches more than 140,000 emergency and non-emergency fire and EMS incidents annually. CCRFCC’s 911 Call-Takers are all certified in Emergency Medical Dispatch through the *International Academies of Emergency Dispatch* (IAED) and provide pre-arrival instructions to callers reporting medical emergencies.

CCCFPD Organizational Structure

CCCFPD currently maintains approximately 435 funded positions, including staff in the dispatch center. Thirteen of these positions are financed via the District’s EMS Transport Fund. The following figure shows the 2021 organizational structure of CCCFPD.

As shown in the following figure, the Fire Chief and Deputy Fire Chief supervise seven divisions, six of which are managed by an Assistant Fire Chief and one by the Chief of Administrative Services.

East Contra Costa Fire Protection District

East Contra Costa Fire Protection District (ECCFPD) is a relatively new fire district, having been formed in 2002 by the consolidation of the East Diablo Fire District (EDFD), Oakley Fire District (OFD), and Bethel Island Fire District (BIFD). EDFD was originally formed through the consolidation of four much older fire districts. After a fire in 1924, the community formed the OFD. BIFD was created in 1947, was dissolved in 1994, and became part of CCCFPD. In 1999, BIFD was re-created and became part of East Contra Costa FPD.

The District encompasses an area of approximately 249 square miles. Data from the U.S. Census Bureau indicates a 2019 resident population of 143,473 persons with 85% considered to be located in urban areas and 15% in rural areas.

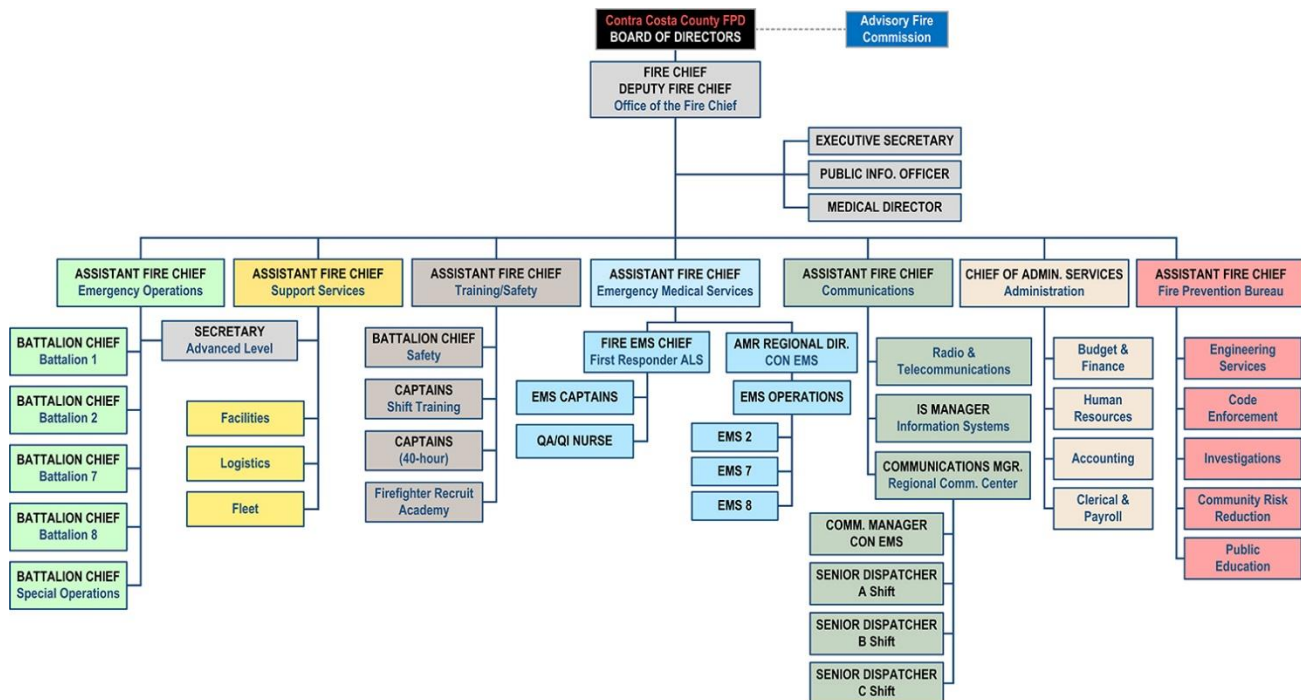
Governance

The East Contra Costa Fire Protection District is governed by a five-member elected Board of Directors responsible for budget approval and general policies. The Fire Chief manages the administration and daily operations of the District and answers directly to the Board.

District Services

ECCFPD is an all-hazards fire district providing traditional structural fire suppression, wildland firefighting, Basic Life Support (BLS) level emergency medical services (EMS), rescue, and hazardous materials response. ECCFPD deploys its apparatus and personnel from three fire stations and has an ISO PPC® rating of 4/9.

CCCFPD Organizational Structure (2021)



ECCFPD's service model is based on NFPA Standard 1710, applying the population density designations set forth in ECCFPD's Citygate Deployment & Staffing Study completed in 2016, available online at <https://www.eccfpd.org/eccfpd-master-plan-lafco-reports>, respectively.

The standards are expressed in the Citygate Report as follows:

Deployment Recommendations (Table 48, Volume 2, page 88)

Response Time Component	Structure Fire Urban Areas	Structure Fire Suburban Areas	Rural Areas
	>3,000 people/sq. mi.	500-3,000 people/sq. mi.	<500 people/sq. mi.
1st Due Travel Time (min/seconds)	4:00	8:00	12:00
Total Response Time	7:30	11:30	15:30
1st Alarm Travel Time	8:00	12:00	16:00
1st Alarm Total Response	11:30	15:30	19:30

ECCFPD applies these standards within its service area in accordance with the following geographic designations from the 2016 report (revised table in 2020):

Population Density of the East Contra Costa Fire Protection District

Community	Population	Square Miles	Population Density	Percentage of Area Coverage 249 sq.mi.
Brentwood	64,474	14.8	Dense Urban	5.96%
Oakley	42,543	16	Urban	6.49%
Bethel Island (CDP*)	2,161	5.6	Rural	2.25%
Knightsen	1,176	8.4	Rural	3.39%
Discovery Bay (CDP*)	16,159	7	Urban	2.82%
Byron (CDP*)	1,304	8.8	Rural	3.53%
Unincorporated Area	15,656	189	Rural	75.50%
Totals	143,473	249.6		

Population information taken from American Community Survey 2019.

(<https://www.census.gov/data/developers/data-sets/acs-5year.html>)

*Census Designated Place

ECCFPD's Fire Prevention Bureau provides inspections, code enforcement, plan reviews, fire investigations, and various public education programs. In addition, the Bureau conducts inspections of public and private properties for compliance with its weed abatement ordinance.

ECCFPD Organizational Structure

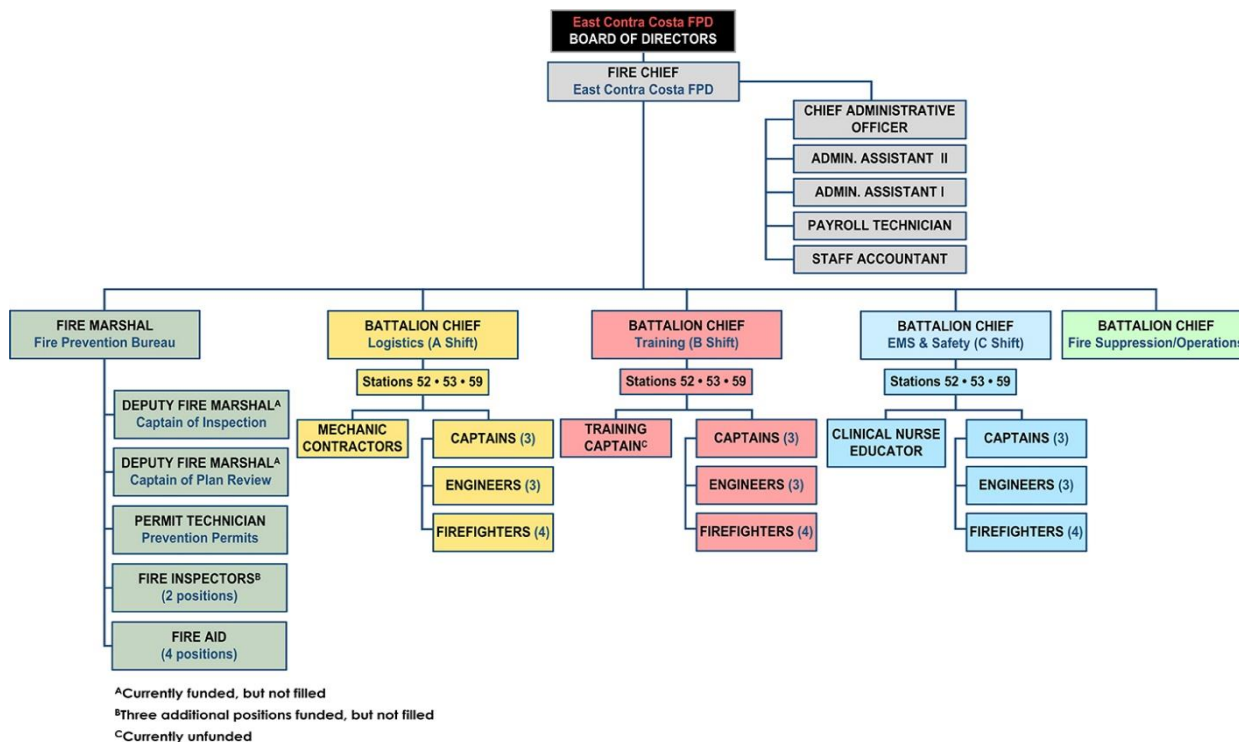
The East Contra Costa Fire Protection District employs 37 uniformed and non-uniformed personnel, which includes 10 firefighters, nine Engineers, nine Captains, and four Battalion Chiefs. The Fire Chief supervises four Battalion Chiefs (BCs), the Chief Administrative Officer, and the Fire Marshal.

Three Battalion Chiefs are responsible for their respective shifts (A, B, and C) in addition to managing one of three programs—Logistics, Training, or EMS & Safety. A fourth BC supervises Fire Suppression/Operations.

The Fire Marshal supervises a Deputy Fire Marshal, two Fire Inspectors, and other positions within the Bureau. The Fire Chief has direct supervision of the Chief Administrative Officer and several other administrative positions.

The following figure illustrates the current 2021 organizational structure of the East Contra Costa Fire Protection District.

ECCFPD Organizational Structure (2021)



Several positions within ECCFPD are funded but not yet filled. ECCFPD has elected not to fill these positions in anticipation of the potential annexation. Fire Aides are not full-time equivalent positions. The Clinical Nurse Educator is an independent contractor.

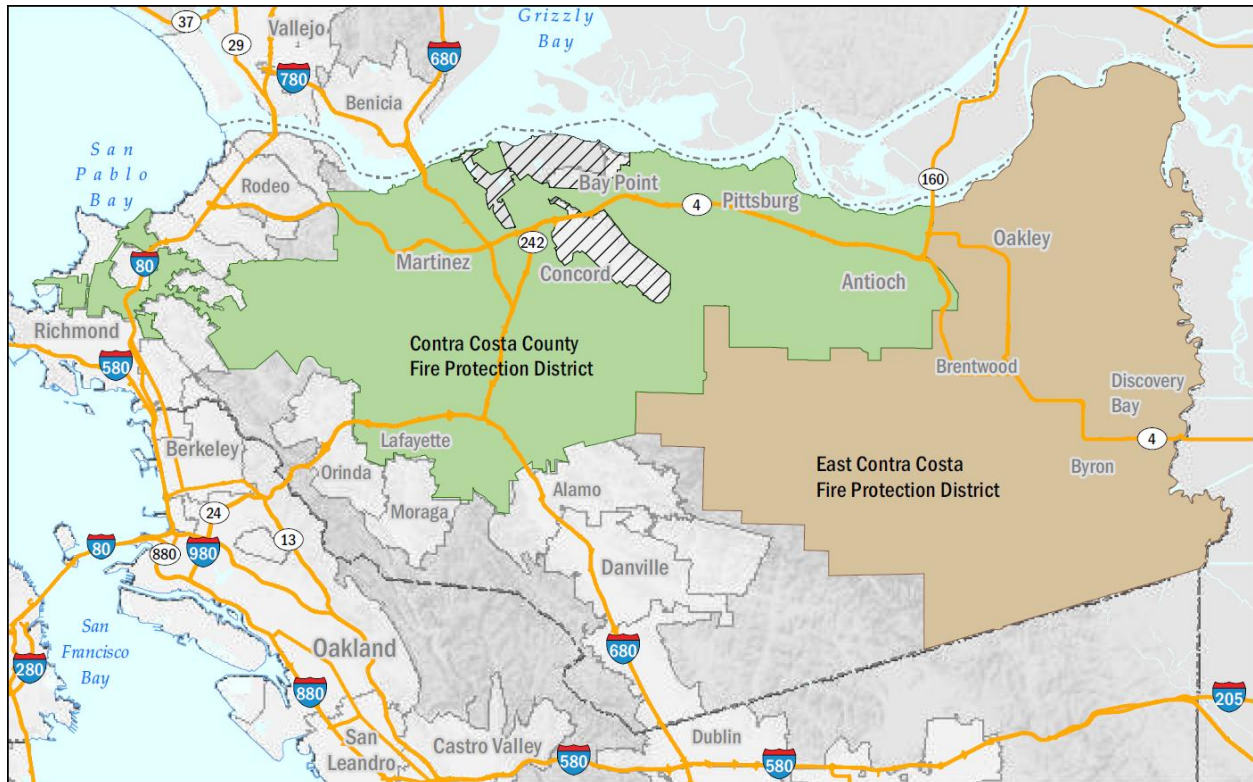
Proposed Annexation Territory Description

Boundaries

The following image shows the proposed annexation areas which consists of the boundaries of the ECCFPD and its location compared to CCCFPD's boundaries.

Upon reorganization, CCCFPD's boundaries are proposed to consist of approximately 550 square miles.

Annexation Areas



Topography

The combined annexation area contains waterfront, suburban, urban, rural, and remote service areas. The topography spectrum includes flat urban environments up to and including the remote back country on the east side of Mt. Diablo. The topography is typical of that found throughout the County.

Population

Following annexation, CCCFPD would have an estimated total resident population of over 750,000 persons.

Justification

Enhanced Standardization

The combined organization will standardize training delivery of recruit firefighters through the Contra Costa County Fire Protection District's academy. Continued training of firefighters will occur through one Training Division under a consistent, well-staffed, and properly supported system. Operational policies and procedures will become consistent and standardized under one organization. Fire prevention and code enforcement services will be based on one fire code and supporting ordinances throughout the new service area. Procurement of apparatus and equipment will be contained under one standard within the organization, reducing training issues and increasing flexibility in deployment and fleet sustainability. Operational and large incident management will be standardized under the single organization's leadership and emergency management goals and objectives. Responses to incidents, currently at varying levels based on each agency's own service policies, as described above, will become standardized to meet a single standard for deployment.

The standard applied across the expanded service area will ensure consistent response levels of equipment and personnel to structure fires, technical rescues, and vegetation or wildland fires matching with the current response matrix for CCCFPD. This will increase total response on the initial alarm for structure fires and vegetation or wildland fires in the ECCFPD service area post annexation.

Augmented Service Levels

Within the areas currently served by the East Contra Costa Fire Protection District there will be increases in total operational resources available by opening and staffing two additional three-person companies to protect the communities of Oakley and Bethel Island, as well as the City of Brentwood. This will increase total available fire companies from three to five within the first year of annexation. Currently, the East Contra Costa Fire Protection District does not provide first responder advanced life support (ALS) paramedic service. This service level will be added to the fire companies serving these communities in a phased approach to bring these communities into alignment with the same level of emergency medical services provided through the Contra Costa County Fire Protection District.

For the ECCFPD service area, additional enhancements will include access to specialized rescue and firefighting resources not currently provided directly by that district. These include marine firefighting and water rescue teams, heavy fire equipment resources such as fire bulldozers, wildland fire hand crews, as well as technical rescue apparatus, equipment, and personnel for confined space, trench, and building collapse. Fire and arson investigation services will be enhanced through use of Contra Costa County Fire Protection District's dedicated Fire Investigation Unit.

Fire prevention service will be standardized and, in some cases, augmented beyond the current level of service being provided by the former district. Comprehensive community risk reduction, code enforcement, plan review and new construction inspections, exterior hazard control and weed abatement, and development planning will be provided by full-time personnel. Public education and outreach efforts will be augmented with dedicated staff to perform this important service.

Service Efficiency

Annexation will increase both the effectiveness and efficiency of the service delivery system and the efficiency of the administrative functions through shared resources. Each of the districts has varying levels of uniformed administrative support positions—due primarily to their size. A challenge often faced by smaller districts is the necessity of individuals to serve in multiple capacities. An advantage to the annexation will be increased administrative and support services available to the combined organization (e.g., information technology, human resources, finance, contracts management, fleet maintenance, logistics and supply, etc.).

Operationally, the districts work together with existing automatic and mutual aid agreements. However, the differences in alarm assignments or types, kind, and number of resources assigned to different types of incidents would become standardized and, therefore, emergency operations will become more efficient.

Cost Savings

Cost savings in this annexation will be achieved through reduced redundancy of certain administrative and support functions in the areas of legal and accounting services, fleet maintenance, reduced spare and reserve fire apparatus needs, and by combining technology infrastructure and other administrative functions. Certain capital reserve funding programs or special programs unique to the needs of ECCFPD can also be eliminated or reduced. The cost savings of the areas identified will be used to increase operational resources for increased fire, rescue, and emergency medical services to those areas where service gaps have been identified in the communities served by the combined organization.

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Plan and Description of Services

Services to be Extended

Fire, rescue, and emergency medical services are currently provided at different levels within each district. Fire prevention, community risk reduction, and fire investigation services are provided at different levels in either full-time or contractual arrangements. Administrative and support services are also provided in different formats amongst the agencies in either full-time or contractual arrangements. All services would be provided consistent with the current configuration and delivery models within Contra Costa County Fire Protection District. The method to finance the services provided would be through the combined revenue streams of property taxes, fees for services, and other assessments, taxes, fees, or revenue components established in the respective districts.

The proposed reorganization would only affect the provision of fire, rescue and emergency medical services within the current boundaries of areas proposed for annexation. The reorganization will not alter or affect other municipal services.

Plan for Services

Service	Current Provider	Proposed Provider	Describe Level/Range of Service to be Provided	Approx. date service will be available	Method to finance service
Water	Brentwood, Byron Bethany ID, Contra Costa WD, CSA M-28, Diablo WD, EBMUD, East Contra Costa ID, Discovery Bay CSD	Unchanged	N/A	N/A	N/A
Sewer	Brentwood, Byron SD, EBMUD, Ironhouse SD, Discovery Bay CSD	Unchanged	N/A	N/A	N/A
Police	County and cities	Unchanged	N/A	N/A	N/A
Fire	ECCFPD and CCCFPD	CCCFPD	Described in <i>Proposed Service Delivery Plan</i> section	Upon effective date identified in Certificate of Completion	Described in <i>Fiscal Analysis</i> section
Streets	County and cities	Unchanged	N/A	N/A	N/A
Drainage	County, cities, BIMID, and various reclamation districts,	Unchanged	N/A	N/A	N/A

	Knightsen Town CSD				
Parks & Rec	Brentwood, Oakley, Discovery Bay CSD	Unchanged	N/A	N/A	N/A
Refuse	Republic Services	Unchanged	N/A	N/A	N/A
Street lighting	Cities, CSA L-100	Unchanged	N/A	N/A	N/A
Library	County	Unchanged	N/A	N/A	N/A

Current Service Delivery Levels

Service and Staffing Overview

An overview of services provided and description of staffing levels for each of the subject districts were previously discussed under the *History of the Reorganizing Districts* section.

Dispatch/Communications

CCCFPD operates the Contra Costa Regional Fire Communications Center (CCRFCC), which serves as a secondary Public Safety Answering Point (PSAP) for most fire and EMS 911 calls in the County. CCRFCC provides dispatch to its district, plus ECCFPD, and five other fire agencies. The Center dispatches more than 115,000 emergency and non-emergency fire and EMS incidents annually.

In 2018, the Center made substantial improvements to the system by adding more staff and upgrading radio, telephone, and information technology services.

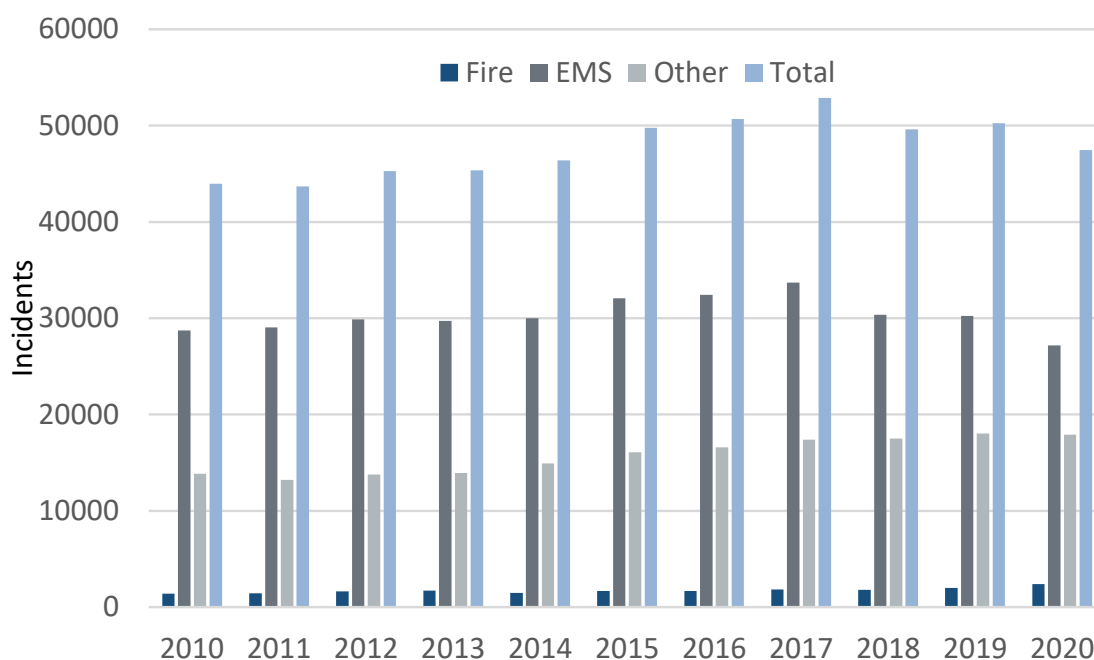
CCRFCC's 911 Call-Takers are all certified in Emergency Medical Dispatch through the *International Academies of Emergency Dispatch* (IAED) and provide pre-arrival instructions to callers reporting medical emergencies.

Along with its staff, CCRFCC houses 13 System Status Management Dispatchers employed by American Medical Response.

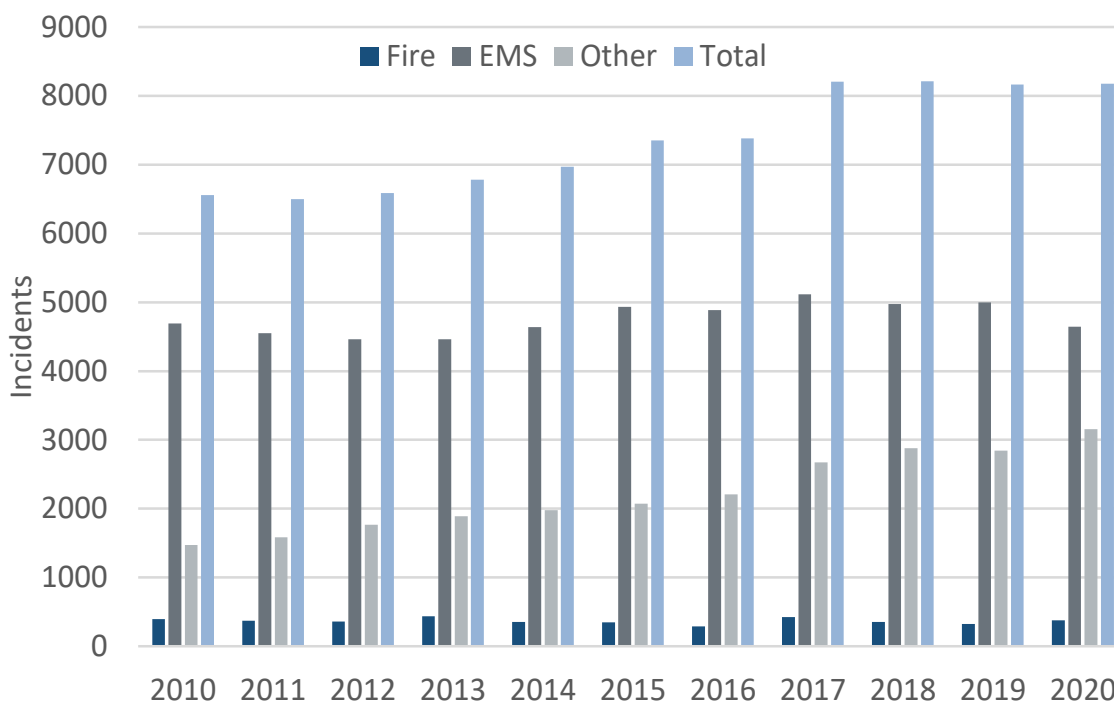
Level of Demand

The following figures show response workload for each agency over the past 11 years.

Response Workload History—CCCFPD



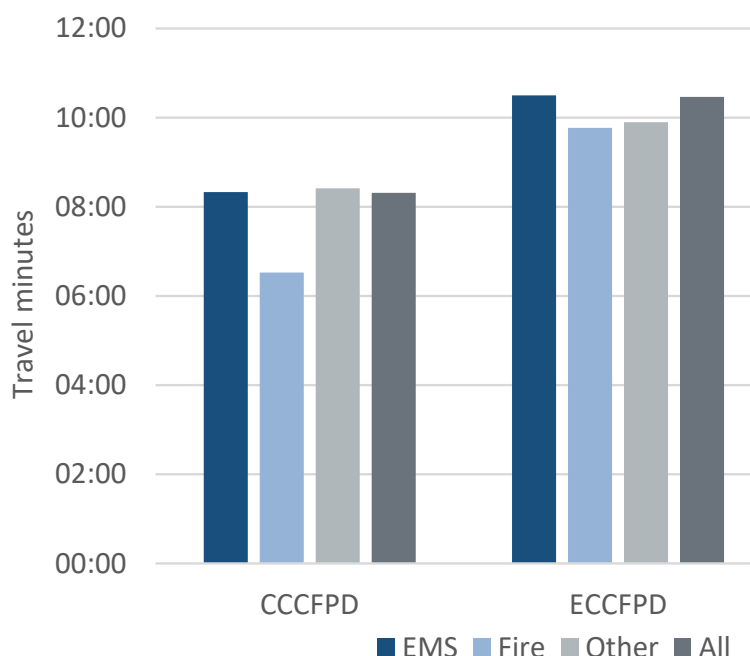
Response Workload History—ECCFPD



Response Times

The following figure shows travel time for all priority incidents as well as specific incident types for each agency.

Travel Time



Incident coverage was evaluated based on the six-minute travel model. The number of priority incidents within six-minutes travel of a fire station for each agency during 2020 was as follows:

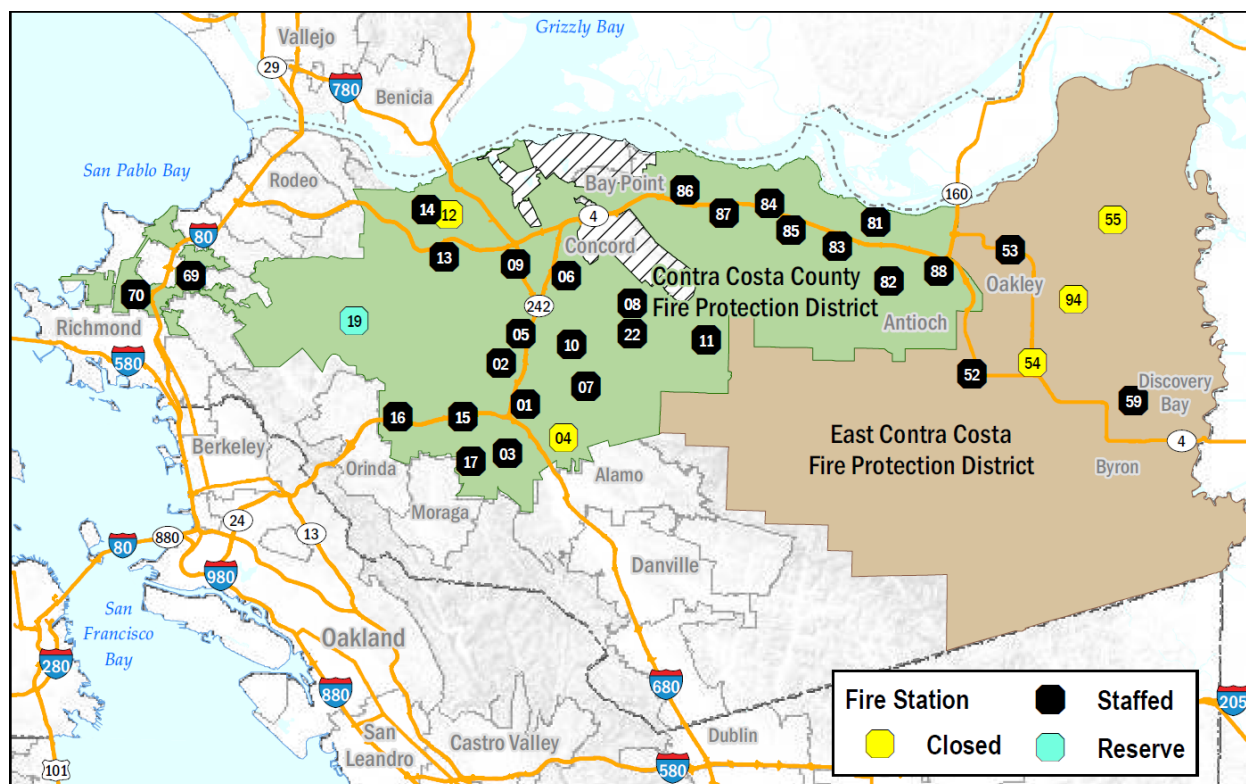
- CCCFPD: 31,074 of 32,161 total priority incidents—96.6%
- ECCFPD: 3,638 of 5,548 total priority incidents—65.6%

Travel Time Performance by Region

Travel time performance by region is variable and influenced by factors such as individual response unit workload, the size of the station area, and the street system serving it. Connected, grid-patterned street systems provide faster response times than do areas with meandering streets and numerous dead ends.

The following figure evaluates travel time performance by area using inverse distance weighting analysis (IDW). This process uses travel time for known points (actual incidents) to predict travel time for the area surrounding the actual incident. Better performance is generally noted near fire stations with progressively longer response times for those incidents more distant from the stations.

Facilities



Contra Costa County FPD Facilities

CCCFPD currently maintains 30 fire stations throughout the District, of which Stations 4, 12, and 18 were closed as of 2021. Station 19 is a reserve station and a leased facility. The following figures describe the features of each fire station operated by the District.

Combined, CCCFPD fire stations have a staffing capacity of approximately 192 personnel, 65 apparatus bays (although some are utilized for exercise equipment), and 144,976 square feet. The years in which CCCFPD's stations were built range from 1939 to 2021, with an average age of 43 years; however, several of the older stations have since been remodeled.

Of the 27 fire stations inventoried, 7% were listed in "Excellent" condition, 67% in "Good" condition, 15% in "Fair" condition, and 11% in "Poor" condition. The majority of the stations do not have modern seismic protection or meet Americans with Disability Act (ADA) standards. Twelve (44%) facilities have sprinkler systems installed.

East Contra Costa FPD Facilities

ECCFPD currently owns six fire stations, of which three are utilized and staffed with personnel and apparatus. Although ECCFPD owns these stations, Stations 54, 55, and 94 are unstaffed without assigned apparatus. Station 54 is a 64-year-old facility and used primarily for training and storage; it is not suitable for around-the-clock use by fire suppression personnel. Station 94 is utilized as a shop for the contract mechanic; it also is not suitable for use by fire suppression

personnel. ECCFPD has anticipated disposing of Station 94 as surplus property upon completion of a new training and shop facility on property owned by Ironhouse Sanitation District. Station 55, the newest station, functions as a facility for administrative and prevention staff; some capital improvements are required and are expected to be complete by the end of 2021 to enable around-the-clock use by fire suppression personnel.

Fire Stations 52, 53, and 59 are staffed and operational. These stations range in age from 10 to 20 years. Combined, the fire stations have an average age of 16 years. They have a combined staffing capacity of 11 personnel, seven apparatus bays, and a total of 22,053 square feet. The District rates Stations 52 and 59's overall condition as "Good," Station 53 as "Excellent," and Station 55 as anticipated to be "Excellent" by the end of 2021. When completing its evaluation of the various features and facilities (e.g., kitchen, showers, exercise equipment, etc.) within each fire station, the District rated most of these as either "Good" or "Excellent." In two fire stations, security was rated as "Fair."

Combined Fire Station Inventories

The following figure lists the inventories and features of all three fire districts combined.

Combined Station Inventories of the Fire Districts (2021)

Fire District	No. of Stations ¹	Maximum Staffing ²	Apparatus Bays	Average Age ³	Total Square Footage ⁴
CCCYPD	27	192	65	43 years	144,976
ECCYPD	4	16	9	12.5 years	29,535
Totals:	31	208	74	27.75 years	174,511

¹Unstaffed/unused stations excluded. ²Represents maximum staffing capacity.

³Average age of stations combined. ⁴Square footage of some stations not reported.

The combined fire station inventories comprise 31 fire stations with 74 bays (although in several of them, at least one bay is utilized for exercise equipment) and a capacity of 208 personnel (ECCYPD could house more staff).

Fire stations tend to be older amongst both fire districts. The average age of the combined stations is almost 28 years. However, this may be somewhat distorted, as this was based on the original construction dates, and several stations have since had significant remodeling completed (e.g., CCCYPD Stations 69 and 81).

Apparatus & Vehicles

A thorough review of each of the fire districts' fleet inventories is especially important if annexation is implemented. Annexation will likely result in a merger of apparatus inventories and other equipment.

Fire apparatus are unique and expensive pieces of equipment customized to operate for a specific community and defined mission. Other than its firefighters, officers, and support staff, the next most important fire protection district resources are likely the emergency apparatus and vehicles.

Apparatus must be sufficiently reliable to transport firefighters and equipment rapidly and safely to an incident scene. Such vehicles must be properly equipped and function appropriately to ensure that the delivery of emergency services is not compromised. For this reason, they are expensive and offer minimal flexibility in use and reassignment to other missions.

As a part of the Annexation Feasibility Study, Triton requested each fire district provide a complete inventory of their fleet (apparatus, command and support vehicles, specialty units, etc.).

Contra Costa County Fire Protection District

Except for new apparatus—which were rated as “Excellent”—the Contra Costa County FPD rated all of its frontline engines, aerial apparatus, and most other vehicles as in “Good” condition. This included apparatus in reserve and those assigned to the Training Division. Along with its substantial fleet of engines, ambulances, aerials, and other apparatus, the District maintains a range of special operations vehicles (e.g., hazmat unit, UTVs, command units, fire boat, rescue boat, etc.) and other equipment utilized for wildland and other operations (e.g., bulldozer, backhoe, dump truck, etc.).

CCCYPD owns multiple pickup trucks, SUVs, and other vehicles but has access to nearly 75 other pickup trucks, staff cars, cargo vans, and assorted miscellaneous vehicles from the “Enterprise Fleet.”

The District maintains an adequate inventory of reserve engines, aerial apparatus, rescue squads, and other vehicles. The Training Division has been assigned seven Type 1 engines along with two aerial apparatus (one being a Quint and the other a tiller), and several other apparatus.

East Contra Costa Fire Protection District

The following figure lists the current inventory of ECCFPD's frontline fleet. The District's apparatus fleet comprises Type 1 (structural) and Type 3 (wildland) engines and Water Tenders. All three of the Type 1 engines are nearly new, as they were built in 2020. Each is equipped with a 1500 gallon per minute (gpm) pump and carries 500 gallons of water.

ECCFPD Frontline Apparatus Inventory (2021)

Unit	Type	Manufacturer	Year	Condition	Features
Engines (Type 1)					
Engine 52	Type 1	Quantum	2020	Excellent	1500 gpm, 500 gal.
Engine 53	Type 1	Quantum	2020	Excellent	1500 gpm, 500 gal.
Engine 59	Type 1	Quantum	2020	Excellent	1500 gpm, 500 gal.
Engines (Type 3)					
Engine 352	Type 3	International	2005	Good	1250 gpm, 500 gal.
Engine 353	Type 3	International	2004	Good	1250 gpm, 500 gal.
Engine 359	Type 3	International	2004	Good	1250 gpm, 500 gal.
Water Tenders					
Tender 52	Type 1	Freightliner	2003	Fair	1250 gpm, 3000 gal.
Tender 53	Type 1	Freightliner	2002	Good	1250 gpm, 3000 gal.
Tender 59	Type 1	Freightliner	2001	Good	1250 gpm, 3000 gal.

The District's Type 3 engines average 17 years of age combined. ECCFPD maintains three frontline Water Tenders whose combined age is about 19 years. The tenders are each equipped with a 1,250-gpm pump and have a combined water-carrying capacity of 9,000 gallons. The District also has a reserve fleet of four Type 1 engines in "Poor" condition and one Water Tender in "Poor" condition. The next figure lists the inventory of East Contra Costa FPD's frontline command and support vehicles.

ECCFPD Frontline Command & Staff Vehicles Fleet Inventory (2021)

Unit	Type	Manufacturer	Year	Assigned To
Chief 5100	Command/Admin	Ford Expedition	2020	Fire Chief
BC 5111	Command	Ford F-250	2020	Administration
BC 5112	Command	Ford F-250	2019	Administration
BC 5113	Command	Ford F-250	2019	Administration
BC 5114	Command	Ford F-250	2015	Administration
5120	Staff Vehicle	Ford F-150	2020	Fire Marshal
5123	Staff Vehicle	Ford F-150	2020	Inspector
5124	Staff Vehicle	Ford F-150	2020	Inspector

Nearly all of East Contra Costa FPD's command and staff vehicles are less than three years of age, and all were rated to be in "Excellent" condition. The District has another eight vehicles in reserve in varying conditions. The District also maintains a 2008 Safe Boat and trailer (currently on loan to CCCFPD) and a utility trailer.

Collective Apparatus Inventories

The following figure lists the frontline fleet inventories of the three fire districts combined.

Collective Inventory of the Fire Districts Frontline Fleets (2021)

Fire District	Engines ^A	Aerials	Ambulances	Tenders	Wildland ^B	Others
CCCYPD	26	6	50	2	19	24 ^C
ECCYPD	3	—	—	3	3	—
Totals:	29	6	50	5	22	24

^AIncludes Type 1 only. ^BIncludes Type 3 & Type 6. ^CApproximate.

In the preceding figure, the “Wildland” category represents Type 3 apparatus. The “Others” category represents a broad range of vehicles from bulldozers to water craft.

Automatic and Mutual Aid

All agencies participate in local automatic aid agreements. Additionally, local and statewide mutual aid is provided under local agreement or under the California Master Mutual Aid Agreement. Contra Costa County Fire Protection District is the predominant provider of aid to the two agencies considered under this proposed annexation.

Public Outreach/Education

All agencies provide public education in various forms based on their current staffing and organization. Contra Costa County Fire Protection District is the only agency with dedicated full-time staffing for public education and public information services.

CCCYPD and ECCYPD have robust public education programs. Both CCCYPD and ECCYPD emphasize wildland interface issues. Programs include the use of Fire Wise® defensible space, hazard reduction, and community information sessions.

CCCYPD and ECCYPD have a unique bilingual education program for the juvenile fire starter team. Both organizations currently provide annual education at the grade school level; however, COVID-19 limited school activities in 2019.

Public Education Programs

Education Programs	CCCFPD	ECCFPD	
Annual fire prevention report distributed	Yes	Yes	
Babysitting safety classes	No	No	
Bilingual info available	Focused	No	
Calling 9-1-1	Yes	Yes	
Carbon Monoxide Alarm installations	Yes	No	
CPR courses, BP checks	Yes	No	
Curriculum used in schools	Yes	Yes	
Exit Drills in the Home (EDITH)	Yes	Yes	
Eldercare and safety	Yes	No	
Fire brigade training	No	No	
Fire extinguisher use	Yes	Yes	
Fire safety	Yes	Yes	
Injury prevention	Yes	Yes	
Juvenile fire-starter program	Yes	Yes	
Publications available to the public	Yes	Yes	
Smoke alarm installations	Yes	Yes	
Wildland interface education offered	Yes	Yes	

Support Services

Apparatus & Vehicle Maintenance

Contra Costa County FPD

The majority of Contra Costa County FPD's fleet maintenance is done internally by the District's Apparatus Shop. The Fire Apparatus Manager supervises a Fire Service Coordinator, Driver/Clerk, and six Fire Equipment Mechanics (FEM). The FEMs are certified by the *National Institute for Automotive Service Excellence (ASE)* in vehicle repair and the *California Fire Mechanics Academy (CFMA)* to maintain fire apparatus.

East Contra Costa FPD

ECCFPD utilizes a non-employee mechanic on contract who provides most of the fleet maintenance for the District.

Fire Prevention

CCCFPD and ECCFPD have a fully staffed prevention bureau. Both organizations face significant growth over the next few years due to numerous single-family neighborhoods in development.

Commercial growth is also increasing. In 2020, CCCFPD performed 7,267 mandatory code enforcement inspections and 333 non-mandatory inspections. Recent economic challenges associated with COVID-19 resulted in numerous business closures. There has been a significant increase in changes of occupancy, translating to a greater need for inspections. The following graphic shows a comparison of the current code enforcement by each district.

Code Enforcement Among the Fire Districts

Code Enforcement Activity	CCCFPD		ECCFPD	
Consulted on new construction	Yes		Yes	
Fees for inspections or reviews	Yes		Yes	
Hydrant flow records maintained	Partial		Yes	
Key-box entry program	Yes		Yes	
Perform occupancy inspections	Yes		Yes	
Perform plan reviews	Yes		Yes	
Sign-off on new construction	Yes		Yes	
Special risk inspections	Yes		Yes	
Storage tank inspections	County		Yes	
Company Inspections (pre-plan)	No		Limited	

There appears to be minimal differences between the organizations relating to specific code enforcement. Following are general guidelines for fire inspection frequency.

Fire-Cause Determination & Investigation

CCCFPD has staff who are certified peace officers with arresting powers and the capacity to perform all functions of a fire-cause investigation. ECCFPD is in the process of getting members qualified to be certified peace officers. The fire investigation team for CCCFPD conducted almost 900 investigations in 2020.

Administration

Each of the districts has varying levels of uniformed administrative support positions—due primarily to their size. The following figure illustrates the various positions in non-uniformed administrative positions.

Comparison of Uniformed Administrative & Support Staff

Position	CCCFPD	ECCFPD	
Fire Chief	1	1	
Deputy Chief	1	—	
Assistant Chiefs	5	—	
Medical Director	1	—	
Administrative Battalion Chiefs	3	1	
Administrative Captains*	3	—	
Fire Marshal	—	1	
Deputy Fire Marshal	—	1	
Fire Inspectors	20	2	
Public Educators	2	—	
Public Information Officer	1	FM	
Fire Investigation Supervisor	1 ^A	1	
Shift Fire Investigators (56-hour)	3	—	
Fire Investigators (40 hours)	1	—	
Fire Prevention Captains	4	—	
Code Enforcement Supervisor	1 ^A	—	
Plan Review Supervisor	1	—	
Building Plan Checker I	2	—	
Fire Prevention Technician	1	—	
Community Risk Reduction	1	—	

^ACCCFPD has one Plan review Supervisor, one Code enforcement Supervisor, one Community Risk Reduction Supervisor, one Investigative Supervisor, but all are also Prevention Captains.

An effective fire organization requires non-uniformed staff to support daily administrative activities. The following graphic shows the number of non-uniformed staff for each district.

Non-Uniformed Staff

Position	CCCFPD No. of Staff	ECCFPD No. of Staff	
Chief of Administrative Services	1	0	
Chief Administrative Officer	0	1	
HR Analyst II	2	0	
Executive Secretary	1	0	
Administrative Assistant	0	2	
Secretary Advanced Level	3	0	
Account Clerk Advanced	3	0	
District Aides	20	4	
Fiscal Specialist	1	0	
Fiscal Officer	1	0	
Staff Accountant	0	1	
Payroll Technician	0	1	
Senior Level Clerk	5	0	
Clerical Supervisor	1	0	
Permit Technician	0	1	
Totals:	38	9	

Training

The following figure summarizes the general training topics and certification levels provided in each district.

While each fire district has a comprehensive and extensive training program, CCCFPD places more emphasis on fire-related training. A contributing factor to the difference in fire-related training was the special teams, truck operations, boat operations, and CCCFPD flight training. ECCFPD had a higher percentage of HazMat-related training. A combined organization will need to determine a training philosophy and develop a standardized program that meets the community's needs.

General Training Competencies by Fire District

Training Competencies	CCCFPD	ECCFPD	
Incident Command System	ICS Series	ICS Series	
Accountability Procedures	Yes	Yes	
Training SOGs	Yes	Yes	
Recruit Academy	Internal	Internal	
Special Rescue Training	Yes	Yes	
HazMat Certifications	Technician & Specialist	Operations	
Vehicle Extrication Training	Basic	Basic	
Driving Program	No	DO 1A and 1B	
Wildland Certifications	S190/130	S190/130	
Communications & Dispatch	Yes	Yes	
Truck Company Operations	Yes	No	
Air Operations	Yes	No	
Fire Boat Operations	Yes	No	

Following is a summary of the current training resources and facilities available for each district.

Training Facilities & Resources by District

Facilities & Resources	CCCYPD	ECCYPD	
Adequate training ground space	Yes	No	
Training building/tower	Yes	No	
Burn room at the training building	Yes	No	
Live fire props	Yes	No	
Driver's course	No	No	
SCBA obstacle course/CFS	No	No	
Adequate classroom facility	Yes	Yes	
Computers & simulations	Yes	No	
EMS props & mannequins	Yes	No	

Personnel/Recruitment

Both districts use their own recruitment processes and have differing recruit academies. Contra Costa County Fire uses their training campus to facilitate a 20-week recruit academy. East Contra Costa Fire sends recruits through other agency academies or provides on the job training.

Recruitment of support, admin, and executive chief positions is similar with each agency having different methods.

Proposed Service Delivery Plan

Service Overview

The combined organization will provide fire, rescue, and first responder emergency medical services, including special operations capabilities, to all the communities within the reorganized district in a manner consistent with services provided in the existing Contra Costa County Fire Protection District. Full-time and full-service fire prevention and fire investigation services, along with internal apparatus and fleet maintenance programs, facilities management, administrative and support services will be provided. An increase in service level from basic life support (EMT) to advanced life support (paramedic) will be phased in for the stations in the East Contra Costa Fire Protection service areas.

Staffing

Additional firefighters and fire, rescue, and emergency medical services response capacity will be deployed as a result of the annexation. Within the next 18 months, daily staffing will be increased by nine firefighters across three stations planned to be reopened or re-staffed for a total of at least 27 additional firefighters. Existing fire prevention and administrative capacity in the District will be augmented by staff from East Contra Costa Fire being added to support the reorganized organization.

Dispatch/Communications

There would be no changes to dispatch and emergency communications. There would be increased support provided by Contra Costa County Fire Protection District staff for radio and communication servicing, repairs, and radio programming under the combined organization.

Level of Demand

It is anticipated that immediately following annexation, demand for services as defined by calls for service would total the sum of the existing demand in the two service areas. In subsequent years, demand would continue to increase in conjunction with anticipated population increases, new development and infrastructure, and other factors influencing need for fire protection, rescue, and EMS services.

Response Times

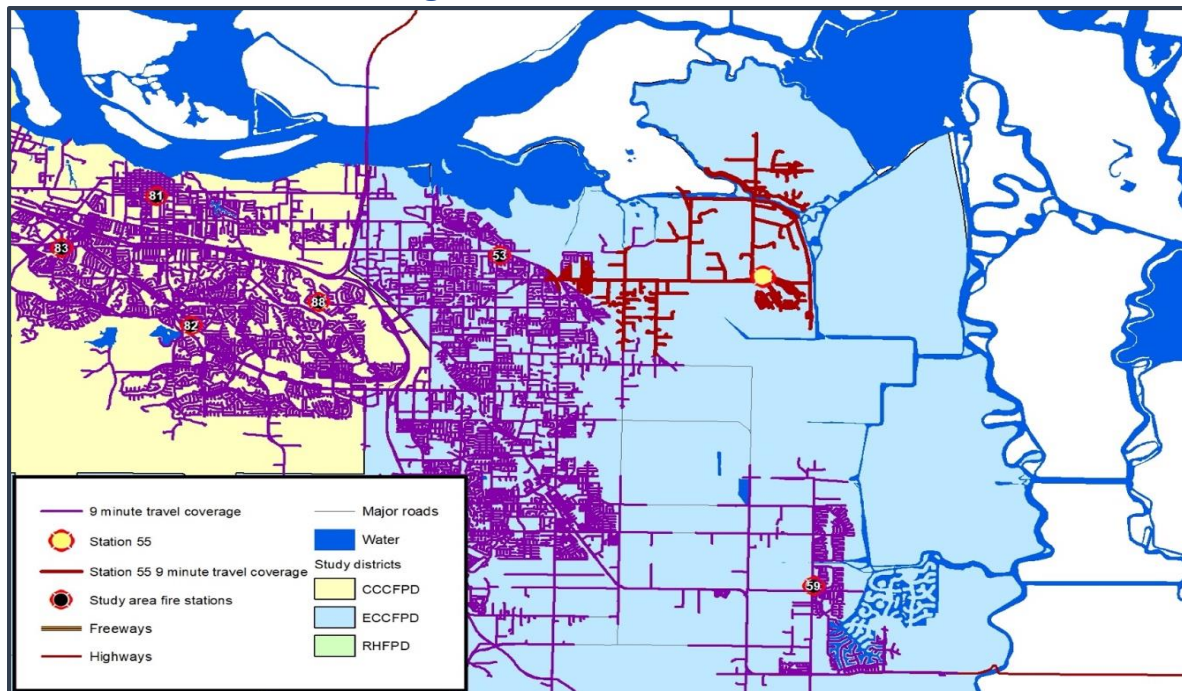
Current response times would be significantly improved in the areas served by the East Contra Costa Fire Protection District due to the addition of multiple fire companies to serve Oakley, Bethel Island, and Brentwood. As a result of these additional resources, the reliance on units from Antioch will be reduced increasing response reliability and availability of those units which will reduce response times with a corresponding reduction of occurrences where Antioch stations are uncovered due to responses into Brentwood or Oakley.

Reopening Station 4 in Walnut Creek will have a positive impact on reducing response times into the areas served by Station 4 that are currently being provided by the fire station in downtown Walnut Creek on Civic Drive.

The proposed annexation includes plans to open Station 55 to serve Oakley and Bethel Island with a staffed engine company. The proposed annexation will also result in the addition of a staffed ladder truck to Station 52 in Brentwood. This will improve travel times, and overall response times.

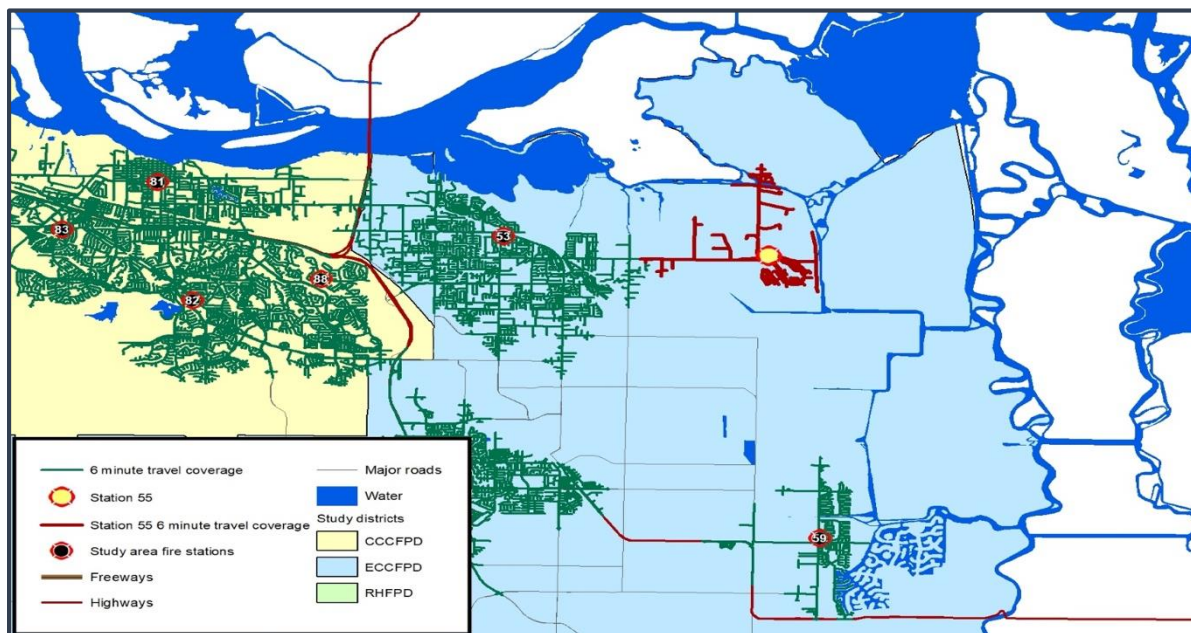
The next figure illustrates the nine-minute travel coverage from Station 55 along with nine-minute travel coverage from existing stations. There is some overlap of coverage from Station 55 into Station 53's area.

Nine-minute Travel Coverage from Station 55



The following figure illustrates the six-minute travel coverage from Station 55 along with six-minute travel coverage from existing stations. This station would have put 228 incidents within six minutes of travel from this station.

Six-minute Travel Coverage from Station 55



Staffing a ladder truck at Station 52 will also provide some improvement to travel times. Engine 52's current unit hour utilization is high at 12 percent. This reduces its reliability for subsequent incidents. The ladder truck will provide a second unit in that station area to cover concurrent incidents.

Facilities and Apparatus

Fire Station 55 (Oakley/Bethel Island)

Currently constructed but not staffed, is planned to be staffed in the spring of 2022 and replaces the formerly closed station on Bethel Island (FS 95). A new Type I engine and wildland engine has been ordered to serve this station.

Fire Station 52 (Brentwood)

A staffed ladder truck is planned for station 52 to be staffed in the summer of 2022, and then expected to be transferred to a station 51 in Brentwood once the new station is constructed and ready to be occupied. Apparatus will be provided from current CCCFPD inventory and additional apparatus will be ordered in summer of 2021.

Fire Station 4 (Walnut Creek)

Planned to be reopened in summer of 2022. Apparatus is on order for the station and improvements and repairs are being made to the existing station.

Fire Station 54 (Brentwood)

Planned to be constructed and staffed within six years of the effective date of the annexation. Current funding for construction and ongoing operations is contingent on receiving Measure X funds. Anticipated funding required for construction of the fire station is estimated at \$10 Million, however this will be contingent on the construction costs and building environment at the time of project initiation. The site identified for Fire Station 54 is smaller in size, located in downtown Brentwood, and this may reduce the overall size and corresponding cost of the station as compared to other, larger fire stations.

Automatic and Mutual Aid

The combined, the larger organization would continue to support automatic and mutual aid commitments at the local level. The ability to respond to regional and statewide mutual aid would be enhanced by additional capacity and personnel.

Public Outreach/Education

Public education and public information services would be consolidated with dedicated staff of the already existing Contra Costa County Fire Protection District.

Fire Prevention

Fire prevention and fire investigations will be combined with 22 Fire Inspectors and an increase of one fire prevention supervisor. Current members of the ECCFPD fire investigation team have

worked in the past with CCCFPD, which speaks well for a smooth transition to a combined organization. Staffing levels will be reviewed annually to determine appropriate staffing levels for current and anticipated workloads and changes in mandated programs.

Administration

A combined organization would have a 13% administrative/support staffing to line staffing based on current staffing levels. This is consistent with similarly sized organizations, and, except for the Fire Chief position, there does not appear to be duplication of support staff. Grant management, contract administration, and cost recovery programs would be appropriately staffed with the new combined administrative resources.

Maintenance

Vehicle maintenance would be performed by the Contra Costa County Fire Protection District apparatus shop. This will increase consistency and uniformity in quality by ASE certified fire mechanics.

Training

Training of recruit firefighters will be conducted through the Contra Costa County Fire Protection District academy. This state Accredited Local Academy will increase consistency in the training provided and the quality and capability of the recruits who will become firefighters serving the various communities of the combined organization upon graduation.

Continuing training will be delivered using the systems developed under the Contra Costa County Fire Protection District's Training Division. Increased use of decentralized training at locations in east county will need to be used to reduce travel times of crews.

The Training Division is increasing staffing by one 40-hour Training Captain and adding a civilian training specialist in mid-2021. The Training Division will continue providing consistent continuing education and training.

Personnel/Recruitment

Recruitment processes will be standardized under the current practices of the Contra Costa County Fire Protection District based on existing district practices and policies.

Level and Range of Proposed Services

Capacity Availability

Current capacity will need to be increased in the areas served by the East Contra Costa Fire Protection District to meet emergency service delivery demands and has been factored into the overall fiscal analysis. Previously closed fire stations will be reopened serving Brentwood, Oakley, Bethel Island, and Walnut Creek communities. Capacity within the fire prevention bureau will be evaluated on an ongoing basis, as is the current practice, to match staffing with service demand, particularly given potential development and new construction trends.

Willingness to Serve

Contra Costa County Fire Protection District is prepared to serve the areas under the proposed annexation. The ability to serve the new areas is complemented by existing personnel from the annexed districts being incorporated into the ranks and structure of the new organization, as well as the planned recruitment, training, and deployment of additional resources as needed.

Service Adequacy

The level of service provided in the annexed territory will be consistent with current CCCFPD practices, policies, and standards outlined in the *Proposed Service Delivery Plan* section.

Infrastructure Needs/Planned Improvements

As identified in the *Proposed Service Delivery Plan* section, reopening and plans for equipment expansion are in place to enhance the level of services provided within ECCFPD's boundaries. Station 55 (Oakley/Bethel Island) is constructed and ready for administrative use. ECCFPD is preparing the station to be ready for operational purposes and anticipates completing this work by the end of 2021 so that it can and planned to be staffed in the spring of 2022. Station 52 (Brentwood) is planned to have a staffed ladder truck in the Summer 2022 (which is anticipated to then move to Station 51 in Brentwood, once this new station is constructed). Station 4 (Walnut Creek) is undergoing improvement and repairs to be reopened Summer 2022. The projected costs of the improvements and expansions referenced above have been accounted for in the following Fiscal Analysis section. Fire Station 54, to be located in downtown Brentwood, is currently contingent on receiving Measure X funds to construct and ultimately staff and operate the station.

Correlation with Agency Plans and Operations

CCCFPD maintains an operational plan that is updated annually as well as an apparatus replacement plan and capital improvement plan. The proposed annexation is consistent with CCCFPD's planning documents and operations. It is anticipated that operations within the annexed area will become entirely consistent with CCCFPD's operational plan and capital improvement plans once operations are taken over by CCCFPD. Additionally, these plans will be updated to incorporate needs specific to the annexed area.

Alternative Service Structures and Related Affects

There are two alternatives to the reorganization as proposed here—status quo and consolidation. Status quo would be retaining the existing service and governance structure and would result in the service level changes currently planned for and able to be funded by each agency, independently, e.g., the opening of Station 55 in Oakley in mid-2022 and the construction of Station 51 over the next half-decade by ECCFPD alone.

Consolidation, as opposed to the reorganization (annexation) proposed here, would result in a combining of the two districts into a new district. While the outcome would ultimately look the same as the proposed annexation/dissolution, the process would result in a new district being formed and would not capitalize on the already existing structure of CCCFPD as the proposed successor agency. The costs and impacts to service levels would likely be similar for both reorganization and consolidation.

Fiscal Analysis

Background

This section of the application describes the financial resources which are available to fund the services provided following reorganization, and the projected expenditures based on assumptions previously described in the service delivery plan and transition plan. Based on a projection of fund balance, revenues, and expenditures, CCCFPD will be able to provide the services described in this plan.

Revenue Sources

Each district has a mix of revenue sources with property taxes being the primary source. The revenue sources of the reorganized district would include property taxes, fees for services, development impact fee revenue, community facilities district revenue, grants and inter-governmental revenue from other agencies, as well as a specific sales tax (San Pablo), and potentially other special taxes and benefit assessments.

Post-Reorganization 5-Year Financial Projections

Operations

Combined property tax revenue is projected to increase annually at a 4% rate. Combined property tax revenue is forecasted to increase from \$160,930,000 in FY 21/22 to \$195,800,000 in FY 26/27. Other recurring revenues are projected to increase at an annual average rate of 1.6%. In view of the trends from the historical information, it is felt these escalator rates are conservative. Including the adjustment for dispatch services, recurring revenues in the forecast model increase from \$180,217,000 in FY 21/22 to \$216,692,000 in FY 26/27, a 3.4% annual rate.

Salaries and benefits, which include Medicare payroll taxes, health insurance, and pension costs for the line positions—Captains, Engineers, and Firefighters—were assumed to be entering the CCCFPD system at the Step 3 level in the CCCFPD salary schedule for this analysis. The ECCFPD Captain and Engineer classifications include nine positions each in the first year of the operation and grow to fifteen in the second year. Ten ECCFPD firefighter positions are included in the initial year of operations, but the additional six positions added in the second year will be firefighter/paramedics.

Overtime is calculated at 13% of personnel costs based on CCCFPD's historical overtime cost experience. As previously stated, the projections include maintaining the existing staffing levels of three stations with the expansion of adding two additional three-person companies to be staffed over the following 12–18 months. These personnel costs are projected to increase 9% annually in the first five years and 6% annually beginning in the sixth year of the projections.

Other post-employment benefits (OPEB) prepayments and retiree health costs are additional benefit costs that are projected to increase 3% annually. Fire prevention personnel are assumed to be “cost neutral” for this analysis due to fee revenue associated with fire prevention activities.

Administrative personnel (one Chief Administrative Officer, one accountant, two clerical positions, one payroll clerk and one Permit Tech position) will be absorbed into the existing CCCFPD staffing. Additional program support for grant applications and grant management, as well as cost recovery, may be able to be fully supported by these additional positions. OPEB and retiree health insurance benefit costs for ECCFPD are stated separately to indicate those long-term costs are considered in the projections.

The financial projection of the combined organization contemplates adding personnel for specific expansion of services. In FY 21/22, the combined organization anticipates reopening ECCFPD Station 55 and staffing ECCFPD Truck 52, and, in FY22/23, CCCFPD will reopen Station 4. These additions, combined with the previously identified escalators, increase total salaries and benefits from \$136,960,000 in FY 21/22 to \$145,055,000 in FY 22/23. Annual compensation and benefits increase between \$8,000,000 to \$10,000,000 for each of the following four years. Funding for construction of a replacement for Fire Station 54 in Brentwood and the ongoing staffing and operational costs are not accounted for in the present financial projections. Alternative funding sources, such as Measure X, would be required to build and staff Fire Station 54.

Services and supplies expenses include, but are not limited to, station and apparatus operating costs, repairs and maintenance, small tools and equipment replacement, training costs, radio and technology costs, medical and firefighting supplies, turnout gear and uniform costs, and professional services. These costs are estimated to increase 3% annually. It is anticipated that there will be a significant benefit in consolidating certain administrative costs such as technology, training, and apparatus maintenance.

The operations portion of the combined districts is anticipated to produce positive cash flow for each of the six years of the projections. This allows the combined operation to accumulate a significant reserve balance or to take advantage of other opportunities during the projection period. The following figure combines the revenues from the previous projections for each agency with expected operating expenses and anticipated modifications from increased staffing and related expenses to develop annual operating cash flows and accumulated operating fund balances through FY 26/27.

Recurring Revenue/Expense Projections—Combined Operations (Part 1)

Revenue/Expenses	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
Operations						
Property Taxes						
CCCYPD	144,055,800	149,818,032	155,810,753	162,043,183	168,524,911	175,265,907
ECCYPD	16,875,770	17,550,801	18,252,833	18,982,946	19,742,264	20,531,955
Total Property Tax Revenues	160,931,570	167,368,833	174,063,586	181,026,129	188,267,175	195,797,862
Other Recurring Revenue						
CCCYPD	17,767,300	17,413,580	17,607,688	18,113,807	18,670,537	19,282,941
ECCYPD	2,037,534	2,087,569	2,124,847	2,163,075	2,202,265	2,242,456
Total Other Recurring Revenue:	19,804,834	19,501,149	19,732,535	20,276,882	20,872,802	21,525,397
Total Recurring Revenue:	180,736,404	186,869,982	193,796,121	201,303,011	209,139,977	217,323,259
Adjustments to Revenue						
Reduced Dispatch Revenue	(519,000)	(539,760)	(561,350)	(583,804)	(607,156)	(631,442)
Revised Recurring Revenues:	180,217,404	186,330,222	193,234,771	200,719,207	208,532,821	216,691,817
Current Salaries & Benefits (CCCYPD Rates)						
CCCYPD	127,022,889	134,180,390	141,835,095	149,946,066	158,540,531	167,647,339
ECCYPD - line positions	9,037,150	9,920,865	10,891,752	11,877,510	12,955,640	13,732,979
ECCYPD - admin positions	900,000	954,000	1,011,240	1,071,914	1,136,229	1,204,403
Total Salaries & Benefits:	136,960,039	145,055,255	153,738,086	162,345,094	172,632,400	182,584,720
OPEB & Retiree Health Insurance						
ECCYPD						
OPEB	275,000	283,250	291,748	300,500	309,515	318,800
Retiree Health Insurance	363,000	373,890	385,107	396,660	408,560	420,816
Total Health Insurance:	638,000	657,140	676,855	697,160	718,075	739,616

Recurring Revenue/Expense Projections—Combined Operations (Part 2)

Revenue/Expenses	FY21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
Staffing Increases by Agency						
CCCFPD						
Reopening Station 4	—	2,664,371	2,850,877	3,050,438	3,263,969	3,492,447
ECCFPD						
Station 55	2,422,155	2,664,371	2,850,877	3,050,438	3,263,969	3,492,447
Truck 52	2,422,155	2,664,371	2,850,877	3,050,438	3,263,969	3,492,447
Total Salary & Benefits Increases:	4,844,310	7,993,113	8,552,631	9,151,314	9,791,907	10,477,341
Total Salaries & Benefits:	142,442,349	153,705,508	162,967,572	172,193,568	183,142,382	193,801,677
Services & Supplies						
CCCFPD						
Station 4 Maintenance	—	51,500	53,045	54,636	56,275	57,964
Station 4 Equip Costs	—	25,000	25,750	26,523	27,318	28,138
ECCFPD						
	1,157,903	1,194,269	1,231,792	1,325,144	1,366,730	1,416,761
Total Services & Supplies:	18,358,852	18,912,900	19,407,136	19,970,902	20,497,014	21,046,109
Total Recurring:	160,801,201	172,618,408	182,374,708	192,164,470	203,639,396	214,847,786
Increase to Operating Funds:	19,416,203	13,711,814	10,860,063	8,554,737	4,893,425	1,844,031
Beginning Op Fund Reserve:	—	19,416,203	33,128,017	43,988,080	52,542,817	57,436,242
Ending Op Fund Reserve:	19,416,203	33,128,017	43,988,080	52,542,817	57,436,242	59,280,273

Capital

The second component of the proposed annexation to be analyzed is the funding available to acquire capital resources such as fire stations and equipment. Each of the districts receives funding from special assessments that are restricted to use only within the jurisdiction from which the revenues are received. These restricted revenues include developer fees from subdivisions that are being developed outside the response areas of existing fire stations. The funds are to be used to build and equip new stations. Certain funds are to staff and operate stations or to provide specialized services, and, again, those funds are restricted to the area from which the funding is derived.

A fire station (currently referred to as "station 51") is projected to be constructed in Brentwood, within the boundaries of ECCFPD's service area. Funding for a portion of the building has been identified as development fees in the amount of approximately \$7,000,000 from the City of Brentwood. It is anticipated that the remaining \$7,000,000 would be provided by financing, with the debt service payment being \$700,000 per year.

Each of the districts will require the expenditure of funds for debt service payments, capital expenditures for apparatus and equipment, and the remodel or construction of fire stations during the next six years. CCCFPD has a debt obligation related to the issuance of bonds to extinguish a portion of its unfunded actuarial liability for employee pension costs. An additional payment for "Pension Bond Stabilization" is required in addition to the debt service; however, FY 21/22 is the final year of the debt and stabilization obligation. The extinguishment of the obligation will free up \$14,056,000 annually.

Several apparatus of various types are anticipated to be acquired during the next six years. Funding for these acquisitions is expected to be from the use of cash from the reserve funds existing at the time of the annexation, as well as the additions to the reserves from the restricted revenue streams.

The balance in the Capital Reserve Fund is anticipated to decrease five of the six years in the projection period as significant debt is extinguished and apparatus are acquired for cash. The following figure combines the non-recurring revenues, including restricted revenues from development fee assessments, loan proceeds and other receipts from the previous projections for each agency with expected debt payments and capital expenditures and anticipated modifications from increased staffing and related expenses to develop annual operating cash flows and accumulated operating fund balances through FY 26/27.

Non-Recurring Projections—Capital Costs (Part 1)

Revenue/Expenses	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
Capital						
Non-Recurring Revenues						
CCCYPD	100,000	100,000	100,000	100,000	100,000	100,000
ECCYPD	218,087	218,087	218,087	218,087	218,087	218,087
	—	—	—	—	—	—
Total Non-Recurring Receipts:	318,087	318,087	318,087	318,087	318,087	318,087
Loan/Lease Proceeds						
CCCYPD	—	—	—	—	—	—
ECCYPD	—	7,000,000	—	—	—	—
	—	—	—	—	—	—
Total Loan/Lease Proceeds:	—	7,000,000	—	—	—	—
Funding from Development Fees						
CCCYPD	—	—	—	—	—	—
ECCYPD	292,578	311,200	322,054	341,147	360,489	380,088
City of Brentwood	—	7,000,000	—	—	—	—
Total Development Fee Funding:	292,578	7,311,200	322,054	341,147	360,489	380,088
Total Non-Recurring Receipts:	610,665	14,629,287	640,141	659,234	678,576	698,175
Lease & Debt Payments						
CCCYPD	2,944,538	2,944,538	2,944,538	2,944,538	2,944,538	2,944,538
ECCYPD	534,217	614,217	1,356,217	1,399,217	877,000	877,000
Total Payments:	3,478,755	3,558,755	4,300,755	4,343,755	3,821,538	3,821,538
Apparatus & Equipment Acquisition						
CCCYPD	698,390	630,000	630,000	630,000	630,000	630,000
ECCYPD	—	800,000	—	—	270,000	800,000
	—	—			—	—
Total Acquisition:	698,390	1,430,000	630,000	630,000	900,000	1,430,000
Fire Station Construction						
CCCYPD	—	—	—	—	—	—
ECCYPD	500,000	7,000,000	7,000,000	—	—	—
	—	—	—	—	—	—
Total Fire Station Construction:	500,000	7,000,000	7,000,000	—	—	—

Non-Recurring Projections—Capital Costs (Part 2)

Revenue/Expenses	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
Additions to Replacement Reserves						
CCCYPD	—	—	—	—	—	—
ECCYPD	130,930	134,858	138,904	143,071	147,363	151,784
Increases to Replacement Reserves	130,930	134,858	138,904	143,071	147,363	151,784
Other Non-Recurring Payments						
CCCYPD						
Pension Bonds	11,451,540	—	—	—	—	—
Bond Stabilization	2,604,794	—	—	—	—	—
Total Other Non-Recurring:	14,046,334	—	—	—	—	—
Total Non-Recurring Expenses:	18,854,409	12,123,613	12,069,659	5,116,826	4,868,901	5,403,322
Increase (Decrease) to Operating:	(18,243,744)	2,505,674	(11,429,518)	(4,457,592)	(4,190,325)	(4,705,147)
Capital Reserves						
CCCYPD	38,000,000	—	—	—	—	—
ECCYPD	13,000,000	—	—	—	—	—
		—	—	—	—	—
Beginning Capital Reserves:	51,000,000	32,756,256	35,261,930	23,832,412	19,374,820	15,184,495
Ending Capital Reserves:	32,756,256	35,261,930	23,832,412	19,374,820	15,184,495	10,479,348

Combined Reserve Balances

It is prudent to review the reserve balance in its totality to understand the impact of the annexation on the combined financial strength of the District. The combined reserve balances project a viable condition for the District and annexed area for the foreseeable future. The following figure combines the beginning reserve balances with both the annual operating results and the annual net capital improvement expenditures through FY 26/27.

Projected Combined Operational & Capital Reserve Balances

Revenue/Expenses	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
Beginning Reserves						
CCCFPD	38,000,000	—	—	—	—	—
ECCFPD	13,000,000	—	—	—	—	—
		—	—	—	—	—
Total Beginning Reserves:	51,000,000	52,172,459	68,389,947	67,820,492	71,917,637	72,620,737
Combined Net Operations:	19,416,203	13,711,814	10,860,063	8,554,737	4,893,425	1,844,031
Combined Net Capital (Decrease)	(18,243,744)	2,505,674	(11,429,518)	(4,457,592)	(4,190,325)	(4,705,147)
Combined Ending Reserves:	52,172,459	68,389,947	67,820,492	71,917,637	72,620,737	69,759,621

Findings

As of 2016, ECCFPD was facing significant financial challenges forcing the closure of five of its stations since 2009 and resulting in significantly increased response times. The 2016 MSR found that ECCFPD faces a number of significant and some severe challenges related to financing that will require extraordinary efforts to address, including low property tax shares in a majority of the District's tax rate areas, fiscal impact of Contra Costa County Employees' Retirement Association (CCCERA's) reallocation of costs, and voter fatigue and resistance to additional ongoing charges due to impacts of benefit assessments and community facility districts.

Since then, circumstances have somewhat improved for ECCFPD as a result of increased property tax revenues. In particular, the reallocation of property tax funding from the Byron Bethany Irrigation District to ECCFPD, beginning in FY 17/18, has provided more than \$800,000 annually to the District.

Similarly, CCCFPD faced declining revenues associated with the decline in property values and thus property tax income after 2008, combined with increased costs associated with retirement liabilities. A significant increase in property tax revenues over the last four fiscal years has strengthened CCCFPD's financial position.

Fiscal Determinations

Between FY 16/17 and FY 19/20, each of the districts has benefitted from significantly increasing property tax revenues—CCCFPD's increased by 20% and ECCFPD increased by 40%. Property tax revenues in upcoming years are somewhat unpredictable due to the unknown extent of the economic effects of the pandemic; however, enhanced demand for real estate is anticipated to drive continued growth in property values.

ECCFPD has greatly improved its financial position, since 2016, in part through increased property tax revenue and a reallocation of property tax funds from Byron-Bethany Irrigation District (~\$750,000 per year), will enable the scheduled opening of fire station 55 in FY 21/22. Revenues for the District are anticipated to continue to increase by about 4% annually through FY 25/26, indicating the ability to continue to provide the existing level of service.

CCCFPD has faced financial constraints in prior years associated with declining property tax revenues and increased pension liabilities. More recently, the area within CCCFPD is experiencing significant growth in both residential as well as commercial developments, resulting in significantly increased property tax revenues and enabling the re-staffing of five companies and the reopening of three fire stations over the last decade. Property tax revenues are projected to continue to grow approximately 4% annually through FY 25/26.

Projected combined finances of the districts for operational and capital expenditures indicate that the annexation of ECCFPD by CCCFPD is a financially feasible option. The combined finances of the reorganized agency would allow for expansion of reopening two additional three-person companies to be staffed over the following 12 months at stations 4 in Walnut Creek and station 55 in Oakley as well as expanding an additional three-person company in Brentwood with a new station to be constructed in Brentwood and acquisition of fire apparatus. This financing structure capitalizes on cost savings resulting from combining technology infrastructure, fleet maintenance, reduced capital reserve needs of the smaller agency, and other administrative functions.

Appropriations Limit

The existing appropriations limit (the "Gann Limit"), according to "County of Contra Costa, 2021-2022 County Special Districts Final Budgets" publication and the budget documents of the agencies are: CCCFPD = \$4,788,422,954 and ECCFPD = \$49,653,677. The adjusted Gann Limit for Contra Costa County Fire Protection District would be a combination of the two Gann Limits of the individual districts or approximately \$4,838,076,631.

Proposed Transition Plan

This application includes the transition plan described below to describe the process for complete organizational and service reorganization of the two districts.

Reorganization Timeline

The application to LAFCO will be submitted in mid-September 2021. It is anticipated the LAFCO review process will take six months to complete with an annexation implementation date tentatively of April 1, 2022.

Implementation Plan

Facilities and Apparatus Transfer

All facilities, equipment, and other apparatus existing as of finalization of the annexation which are owned by the East Contra Costa Fire Protection District shall be transferred to the Contra Costa County Fire Protection District.

Financial Transfer

Property Tax Sharing

It is assumed that all property taxes, which would otherwise be allocated by the Contra Costa County Auditor-Controller to the East Contra Costa Fire Protection District, would be allocated to the Contra Costa County Fire Protection District upon filing of the Certificate of Completion of the annexation and in each year thereafter.

Operating and Capital Reserve Funds

All fund balances that have been accumulated by the East Contra Costa Fire Protection District shall be transferred from their existing accounts to the Contra Costa County Fire Protection District. CCCFPD will deposit capital funds into appropriate accounts for their stated purpose consistent with current CCCFPD budgeting and accounting practices.

Other Assets and Liabilities

All other assets (including land and improvements) and liabilities existing as of the annexation shall be transferred from the East Contra Costa Fire Protection District to the Contra Costa County Fire Protection District.

Governance Structure

The reorganized Fire District will be governed by the Board of Supervisors, acting as the Board of Directors of the Contra Costa County Fire Protection District. The Advisory Fire Commission will be modified to provide one member from the area formerly within the East Contra Costa Fire Protection District until the existing three-station deficit in the East Contra Costa Fire Protection District service area is addressed and eliminated.

Personnel and Employment Agreements

All personnel from ECCFPD are planned to be absorbed into CCCFPD. Personnel will be transitioned into positions most closely matched with their current job classifications. In some cases, these positions will be represented by the same labor organization and in some cases the labor organization will change, depending on the representation at CCCFPD. CCCFPD is working with labor and County HR representatives to determine appropriate steps, actions, and processes to perform a smooth transition of all impacted personnel.

Conditions of Service Required by the Land Use Agency

While this annexation is not for the purpose of serving new development, CCCFPD will comply with all conditions of service as defined by each land use agency within the annexed territory, such as development approval conditions, facility/impact charges, and fire flow requirements. Within East Contra Costa Fire Protection District, land use authorities consist of the County and the cities of Oakley and Brentwood.

Lou Ann Texeira

From: Dan Harper <dan.harper@ca.afscme57.org>
Sent: Wednesday, January 19, 2022 5:16 PM
To: Federal Glover; 'Supervisor Candace Andersen' supervisorandersen@bos.cccounty.us; Diane.Burgis@bosccccounty.us
Cc: Lou Ann Texeira; Sherrie Weis; Thomas Geiger; Brian Oftedal; Carrie Nash; Adam Langro; Stephen Smith; Joe Young; Lewis Broschard (cccfd); Brian Helmick; Regina Rubier; Danicia D Harrison (president@afscmelocal2700.org); AFSCME, LOCAL 2700; David Sanford; Alvan Mangalindan
Subject: Amended Letter - Reconsideration of Position Placement administrative positions ECCFPD in Contra Costa County Fire Protection District
Attachments: 2022.01.19_AFSCME Local 2700_Ammended_Letter_CCC_LAFFCO.pdf; Fire Annexation Questions

Dear Contra Costa County LAFCO Board,

My name is Dan Harer I am the Staff Union Representative for AFSCME Council 57 and cover the four Administrative positions represented by AFSCME Local 2700 in the East Contra Costa County Fire Protection District ECCFPD. Please see the attached amended letter in regards to the [Contra Costa County Fire Protection District \(CCCFPD\) Sphere of Influence \(SOI\) Expansion](#) which was agenda Item 9 at the cancelled Wednesday January 12th meeting.

Sincerely,

Dan Harper,
Pronouns: (he, him, his)
Union Representative
AFSCME District Council 57
Email: dan.harper@ca.afscme57.org
4057 Pt Chicago Highway, Suite 100 Concord, CA 94520
Cell: (510) 207-5881

Click [HERE](#) to sign a Membership Card



Please consider the environment before printing this e-mail.



Council 57

4057 Port Chicago Hwy Suite 100
Concord, CA 94520
Phone 925-228-1600
Fax 925-825-1812
www.afscme57.org

Wednesday January 19, 2022

Contra Costa County LAFCO County Commissioners and Staff
40 Muir Rd 1st Fl
Martinez CA 94553

RE: Reconsideration of Position Placement administrative positions ECCFPD in Contra Costa County Fire Protection District

Dear Contra Costa County LAFCO Board,

My name is Dan Harper, and I am the Staff Union Representative for AFSCME Council 57 and cover the four administrative positions represented by AFSCME Local 2700 in the East Contra Costa Fire Protection District ECCFPD. AFSCME Council 57 represents over 35,000 public and private sector employees in California. AFSCME Local 2700 represents over 1800 public sector employees in Contra Costa County, Contra Costa County Superior Courts, and Contra Costa County Employees Retirement Association CCCERA.

As you are aware the process of annexing the East Contra Costa Fire Protection District is moving forward. The County has been slow to respond on bargaining and has chosen positions to transition our current ECCFPD members into that are not a good match and could lead to a pay cut for some of almost \$1000.00 per month as proposed. This is completely unacceptable, and we cannot stand by and let this happen.

We were under the impression coming into this process that our members would be made whole in whichever position they landed in Contra Costa County. We implore you to do everything in your power to speak with County Human Resources and Labor Relations to help transition our members into positions that won't leave them having to take on such devastating cuts which will surely cause undue hardship on themselves, their families, and communities.

We are recommending that the current AFSCME Local 2700/Administrative positions at East Contra Costa Fire Protection District transfer into the positions listed below and highlighted in yellow. We are requesting that for all positions our members are transitioned into that there not be a loss in pay, that work locations remain in East County, and that there not be loss of vacation accruals in the transition.

Brunilda Rodriguez current ECCFPD position - Administrative Assistant I

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay rate monthly	Class code
Administrative Assistant I	Current position at ECCFPD	AFSCME Local 2700		\$5101.00 current step \$5,267.00 step as of July 1, 2022	N/A
Administrative Aide (Deep Class)	County	no	\$42,585.12 - \$66,063.48 Annually	\$3,548.76 - \$5,505.29 Monthly	AP7A
Secretary Journey Level	AFSCME Local 2700	AFSCME Local 2700	\$45,900.00 - \$63,273.72 Annually	\$3,825.00 - \$5,272.81 Monthly	J3TF

Secretary Journey Level – Class Code (J3TF) – Job Description -

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=3910&headerfooter=0>

Patricia Hubbard ECCFPD Administrative Assistant II

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay Rate Monthly	Class code
Administrative Assistant II	Current position at ECCFPD	AFSCME Local 2700		\$6000.00 current step \$6,195.00 step as of July 1, 2022	N/A
Administrative Aide (Deep Class)	County	no	\$42,585.12 - \$66,063.48 Annually	\$3,548.76 - \$5,505.29 Monthly	AP7A
Admin Services Assistant II	AFSCME Local 2700	IFPTE Local 21	\$70,046.40 - \$85,141.80 Annually	\$5,837.20 - \$7,095.15 Monthly	APVA

Admin Services Assistant II Class Code APVA -

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=4267&headerfooter=0>

Nicole Donovan ECCFPD Permit Technician

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay Rate Monthly	Class code
Permit Technician	Current position at ECCFPD	AFSCME Local 2700		\$7833.00 current \$8088.00 step as of July 1, 2022	N/A
Principal Building Plan Checker	Originally proposed by ECCFPD	IFPTE Local 21	\$78,036.60 - \$110,263.80	\$6,503.05- \$9,188.65	FRHA
*Fire Inspector I	AFSCME Local 2700	IAFF Local 1230	\$81,425.52 - \$109,117.92 Annually	\$6,785.46 - \$9,093.16 Monthly	RJWJ

Principal Building Plan Checker (Class Code – FRHA)

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=1079372&headerfooter=0>

Fire Inspector I (Class Code RJWJ) -

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=1043236&headerfooter=0>

*Nicole Donovan would only be interested in the Fire Inspector I position if it is in the Brentwood area.

Edlyn Calilan - ECCFPD Payroll Technician

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay Rate Monthly	Class code
Payroll Technician	Current position at ECCFPD	AFSCME Local 2700		\$7833.00 current step \$8088.00 step as of July 1, 2022	N/A
Payroll Systems Accountant	AFSCME Local 2700	IFPTE Local 21	\$87,007.68 - \$105,758.40 Annually	\$7,250.64 - \$8,813.20 Monthly	SATC



Council 57

4057 Port Chicago Hwy Suite 100
Concord, CA 94520
Phone 925-228-1600
Fax 925-825-1812
www.afscme57.org

Pay Roll Systems Accountant (Class Code SATC) – Job Description

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=4144&headerfooter=0>

Contra Costa County Labor Relations in the County Administrators office have responded to several our questions but are still recommending positions that we believe are a bad fit and would lead to devastating pay cuts. We will be advocating for the best fit of positions, which some of the positions the County has identified do not appear to be.

Thank for your time and attention in addressing this situation. We look forward to working collaboratively with all parties involved to resolve this matter and I have listed my contact information below.

Sincerely,

Dan Harper,

Pronouns: (he, him, his)

Union Representative

Email: dan.harper@ca.afscme57.org

Cell: (510) 207-5881

Attachments: email - Fire Annexation Questions sent January 12, 2022

CC: Lewis Broschard, Contra Costa Fire Protection District, Fire Chief

East Contra Costa County Fire Protection District Board

Brian Helmick – ECCFPD County Fire Chief

Regina Rubier – ECCFPD, Business Services Manager

Danicia Harrison – President AFSCME Local 2700



Council 57

4057 Port Chicago Hwy Suite 100
Concord, CA 94520
Phone 925-228-1600
Fax 925-825-1812
www.afscme57.org

Wednesday January 12, 2022

Contra Costa County LAFCO County Commissioners and Staff
40 Muir Rd 1st Fl
Martinez CA 94553

RE: Reconsideration of Position Placement administrative positions ECCFPD in Contra Costa County Fire Protection District

Dear Contra Costa County LAFCO Board,

My name is Dan Harer I am the Staff Union Representative for AFSCME Council 57 and cover the four Administrative positions represented by AFSCME Local 2700 in the East Contra Costa County Fire Protection District ECCFPD. AFSCME Council 57 represents over 35,000 public and private sector employees in California. AFSCME Local 2700 represents over 1800 public sector employees in Contra Costa County, Contra Costa County Superior Courts, and Contra Costa County Employees Retirement Association CCCERA.

As you are aware the process of annexing the East Contra Costa County is moving forward. The County has been slow to respond on bargaining and has chosen positions to transition or current ECCFPD members into that are not a good match and could lead for some to a pay cut of almost \$1000.00 per month as proposed. This is completely unacceptable, and we cannot stand by and let this happen.

We have a list of positions below that we believe makes a better fit for the personnel transition into the County. We implore you to do everything in your power to speak with County Human Resources and Labor Relations to help transition our members into positions that won't leave them in position having to take on such devastating cuts which will surely cause undue hardship on themselves, their families, and communities.

We are proposing that the current AFSCME Local 2700/Administrative positions at East Contra Costa Fire Protection District Transfer into the following positions.

Brunilda Rodriguez current ECCFPD position - Administrative Assistant I

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay rate monthly	Class code
Administrative Assistant I	Current position at ECCFPD	AFSCME Local 2700		\$4858.00	N/A
Administrative Aide (Deep Class)	County	no	\$42,585.12 - \$66,063.48 Annually	\$3,548.76 - \$5,505.29 Monthly	AP7A
Secretary Journey Level	AFSCME Local 2700	AFSCME Local 2700	\$45,900.00 - \$63,273.72 Annually	\$3,825.00 - \$5,272.81 Monthly	J3TF

Secretary Journey Level – Class Code (J3TF) – Job Description -

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=3910&headerfooter=0>

Patricia Hubbard ECCFPD Administrative Assistant II

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay Rate Monthly	Class code
Administrative Assistant II	Current position at ECCFPD	AFSCME Local 2700		\$6000.00	N/A
Administrative Aide (Deep Class)	County	no	\$42,585.12 - \$66,063.48 Annually	\$3,548.76 - \$5,505.29 Monthly	AP7A
Admin Services Assistant II	AFSCME Local 2700	IFPTE Local 21	\$70,046.40 - \$85,141.80 Annually	\$5,837.20 - \$7,095.15 Monthly	APVA

Admin Services Assistant II Class Code APVA -

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=4267&headerfooter=0>

Nicole Donovan ECCFPD Permit Technician

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay Rate Monthly	Class code
Permit Technician	Current position at ECCFPD	AFSCME Local 2700		\$7105.00	N/A
Fire Inspector I	AFSCME Local 2700	IAFF Local 1230	\$81,425.52 - \$109,117.92 Annually	\$6,785.46 - \$9,093.16 Monthly	RJWJ

Fire Inspector I Class Code RJWJ -

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=1043236&headerfooter=0>

Edlyn Calilan - ECCFPD Payroll Technician

Job Classifications	Who proposing?	Union Represented	Pay rate annually	Pay Rate Monthly	Class code
Payroll Technician	Current position at ECCFPD	AFSCME Local 2700		\$7833.00	
Payroll Systems Accountant	AFSCME Local 2700	IFPTE Local 21	\$87,007.68 - \$105,758.40 Annually	\$7,250.64 - \$8,813.20 Monthly	SATC

Pay Roll Systems Accountant (Class Code SATC) – Job Description

<https://agency.governmentjobs.com/contracosta/default.cfm?action=specbulletin&ClassSpecID=4144&headerfooter=0>

We have asked for the following information from County Labor relations and have not heard anything back as of now.

- 1.) We are concerned that the Y-Rating in the “CON-CCE Local 2700 Position Crossover 9-15-21” is based on salary information that is not current in the attached “CON-CCE Local 2700 Position Crossover 9-15-21” that we received from Chief Brochard in September 2021. Provide an updated copy of the attached excel spreadsheet entitled “CON-CCE Local 2700 Position Crossover 9-15-21” with the ECCFPD employees current wage rates.
- 2.) Current Local 2700 members at ECCFPD that are proposed to transfer into management or non-represented positions are being given any information on if

they will be working with in the Contra Costa County Fire Protection District Department.

- a. Will they be working in the CCCFPD or another County Department?
 - b. If working in the CCCFPD what will be their bureau, division, unit, and work location?
 - c. If it is another County Department please provide that department, bureau, division and/or work location.
- 3.) What will their hours of work be?
 - 4.) Within that department who will they be reporting to for supervision?
 - 5.) We are advocating that they will not have to serve a probationary period. Our understanding it that they won't please confirm this
 - 6.) How will seniority in the County be calculated with in the County and Department they are working both for purposes of CCERA but also for layoffs and other MOU and Personnel Management Regulations?
 - 7.) How will sick time vacation time be rolled over from ECCFPD to CCCFPD or another department the employee may be working in?
 - 8.) Will there be positions in CCCFPD for these affected employees to work at in Brentwood or at other work locations in East County?
 - 9.) Are the positions that the County is proposing to move these affected employees into vacant and funded by the County?
 - 10.) Did the CCCFPD receive the Recommendations number 4 at the end of page 2 of the attached MEMO Consolidation Payroll Analysis 2700? Was this used to determine the current classifications the County is planning on placing the affected employees?

We will need all this information before this process can move forward. We will be advocating for the best fit of position which some of the positions the County has identified do not appear to be.

Thank for you time attention in addressing this situation. We look forward to working collaboratively with all parties involved to resolve this matter and I have listed my contact information below.

Sincerely,

Dan Harper,

Pronouns: (he, him, his)

Union Representative

Email: dan.harper@ca.afscme57.org

Cell: (510) 207-5881



Council 57

4057 Port Chicago Hwy Suite 100
Concord, CA 94520
Phone 925-228-1600
Fax 925-825-1812
www.afscme57.org

Attachments: CON-CCE Local 2700 Position Crossover 9-15-21

CC: Lewis Broschard, Contra Costa Fire Protection District, Fire Chief
East Contra Costa County Fire Protection District Board
Brian Helmick – ECCFPD County Fire Chief
Regina Rubier – ECCFPD, Business Services Manager
Danicia Harrison – President AFSCME Local 2700

[illegible]

[illegible]

ConFire - Regional 1 - PEMHCA

2021 HEALTH Rates

	EMPLOYEE ONLY			EMPLOYEE +1			EMPLOYEE + FAMILY		
	Monthly Premium	ER Monthly	EE Monthly	Monthly Premium	ER Monthly	EE Monthly	Monthly Premium	ER Monthly	EE Monthly
Kaiser Permanente (Unrep Safety)	813.64	630.77	182.87	1,627.28	1,261.52	365.76	2,115.46	1,639.98	475.48
Kaiser Permanente (1230)	813.64	671.17	142.47	1,627.28	1,342.33	284.95	2,115.46	1,745.04	370.42

2021 DENTAL Rates - Unrepresented Safety & Non-Safety

	Total Premium	EE Rate	ER Rate
Delta Detnal Premier PPO			
EE ONLY	46.52	\$3.17 to \$12.50	Varies
EE + 1	105.08	\$7.27 to \$28.31	Varies
FAMILY	105.08	\$7.27 to \$28.31	Varies

	Total Premium	EE Rate	ER Rate
Delta Care (HMO)			
EE ONLY	25.35	\$0.00 to \$4.04	Varies
EE + 1	54.78	\$0.00 to \$8.73	Varies
FAMILY	54.78	\$0.00 to \$8.73	Varies

2021 DENTAL Rates - 1230

	Total Premium	EE Rate	ER Rate
Delta Detnal Premier PPO			
EE ONLY	46.52	\$1.08 to \$10.41	Varies
EE + 1	105.08	\$2.43 to \$23.47	Varies
FAMILY	105.08	\$2.43 to \$23.47	Varies

	Total Premium	EE Rate	ER Rate
Delta Care (HMO)			
EE ONLY	25.35	\$0.00 to \$5.58	Varies
EE + 1	54.78	\$0.00 to \$23.47	Varies
FAMILY	54.78	\$0.00 to \$23.47	Varies

ConFire - Non-Safety Plans

2021 HEALTH Rates

	EMPLOYEE ONLY			EMPLOYEE +1			EMPLOYEE + FAMILY		
	Monthly Premium	ER Monthly	EE Monthly	Monthly Premium	ER Monthly	EE Monthly	Monthly Premium	ER Monthly	EE Monthly
Kaiser Permanente A	909.04	730.82	178.22	1,818.08	1,461.64	356.44	2,727.12	2,192.46	534.66
Kaiser Permanente B	722.50	702.50	20.00	1,445.00	1,405.00	40.00	2,167.50	2,107.50	60.00
Kaiser Permanente -High Deductible	579.96	579.96	-	1,159.92	1,159.92	-	1,739.88	1,739.88	-
Teamsters 856 Trust - Kaiser Plan *	724.50	659.50	65.00	1,487.83	1,362.83	125.00	2,132.70	1,957.70	175.00

* Only available to Teamsters (Building Plan Checker II)

East County Fire

2021 VSP ER Rates

Same for all

Plan Type	Employer Rate
EE ONLY	9.98
EE + 1	19.94
EE + CHILDREN	32.12
FAMILY	32.12

2021 HEALTH Rates

2021 MONTHLY RATES

MEDICAL PLAN

	EMPLOYEE ONLY			EMPLOYEE +1			EMPLOYEE + FAMILY		
	Monthly Premium	ER Monthly	EE Monthly	Monthly Premium	ER Monthly	EE Monthly	Monthly Premium	ER Monthly	EE Monthly
Anthem Blue Cross Select	925.60	695.38	230.23	1,851.20	1,390.74	460.46	2,406.56	1,807.97	598.60
Anthem Blue Cross Traditional	1,307.86	695.38	612.49	2,615.72	1,390.74	1,224.98	3,400.44	1,807.97	1,592.48
Health Net SmartCare	1,120.21	695.38	424.84	2,240.42	1,390.74	849.68	2,912.55	1,807.97	1,104.59
Kaiser Permanente	813.64	695.38	118.27	1,627.28	1,390.74	236.54	2,115.46	1,807.97	307.50
PERS Choice	935.84	695.38	240.47	1,871.68	1,390.74	480.94	2,433.18	1,807.97	625.22
PERS Select	566.67	566.67	-	1,133.34	1,133.34	-	1,473.34	1,473.34	-
PERSCare	1,294.69	695.38	599.32	2,589.38	1,390.74	1,198.64	3,366.19	1,807.97	1,558.23
UnitedHealthcare SignatureValue Alliance	941.17	695.38	245.80	1,882.34	1,390.74	491.60	2,447.04	1,807.97	639.08
Western Health Advantage	757.02	695.38	61.65	1,514.04	1,390.74	123.30	1,968.25	1,807.97	160.29

2021 DENTAL Rates

		22%	78%
Election Plan	Total Premium	EE Rate	ER Rate
EE ONLY	52.63	11.57	41.06
EE + 1	88.68	19.50	69.18
FAMILY	134.93	29.67	105.26

2021 VSP ER Rates

Plan Type	Employer Rate
EE ONLY	8.80
EE + 1	15.09
EE + CHILDREN	15.41
FAMILY	24.84

Lou Ann Texeira

From: David Sanford <David.Sanford@cao.cccounty.us>
Sent: Wednesday, January 12, 2022 12:26 PM
To: Dan Harper (ca.afscme57)
Cc: Alvan Mangalindan; Broschard Lewis
Subject: Fire Annexation Questions

Hi Dan,

I realize there is a demand for some written information for your members on where the County intends to place them. I had though Alvan provided some helpful information in his email on the 28th, but the following table may be more helpful:

East County Fire

EMPLOYEE NAME	EAST CONTRA COSTA COUNTY TITLE	Wage	CONTRA COSTA COUNTY FIRE TITLE	Union	Step	Proposed Base Wage	Y-Rate Target
RODRIGUEZ, BRUNILDA	ADMIN ASST I	4,636.17	ADMINISTRATIVE AIDE	B8	6	4,529.22	4,636.17
HUBBARD, PATRICIA	ADMIN ASST II	5,811.00	ADMINISTRATIVE AIDE	B8	10	5,505.29	5,534.29
CALILAN, EDLYN	PAYROLL TECHNICIAN	7,330.00	PAYROLL TECHNICIAN	3R	5	6,161.71	6,733.07
DONOVAN, NICOLE	PERMIT TECHNICIAN	7,330.00	BUILDING PLAN CHECKER II	TB	5	6,419.94	7,015.24

The County intends to discontinue the Y-rates on July 1, 2024.

The unrepresented employees would be subject to the benefits in the Management Resolution, while the others would be covered by their respective MOUs. I've linked to those below:

https://www.contracosta.ca.gov/DocumentCenter/View/61149/Management-Benefits-Resolution-No-2019_507-which-Supersedes-Resolution-No-2018_612?bidId=

<https://www.contracosta.ca.gov/DocumentCenter/View/1404/AFSCME-Local-2700-United-Clerical-Technical-and?bidId=>

https://www.contracosta.ca.gov/DocumentCenter/View/62460/FINAL_EXTENSION-MOU_2016-2022_TEAMSTERS-856?bidId=

We received your email with specific questions on the annexation and Alvan will be providing a response.

Thank you,



David Sanford
Chief of Labor Relations
Office of the County Administrator
1025 Escobar, 2nd Floor
Martinez, California 94553-1229
TEL: 925-655-2070

Commissioners and Staff of the Local Agency Formation Commission

I am writing to you as the shop steward on behalf of the members of Local 2700. As our shop steward, I have grave concerns for all of our members and what is transpiring in regards to the pending annexation.

On January 5th 2022, Local 2700 representative Dan Harper emailed a document with proposed positions and compensation for each member of Local 2700, upon the completion of annexation of ECCFPD into CCCFPD. This document (*CON-CCE Local 2700 Position Crossover 9-15-21*) is the same spreadsheet Mr. Harper had forwarded to the union members on September 16th 2021.

Our members are besides themselves, what is being proposed will drastically effect their ability to support their families and maintain security in their positions. As a group, we are the minority and do not have the strength of numbers to protect us. Our members have not received adequate representation which has resulted in devastating outcomes that will drastically effect our lives and well-being.

This email further informed members, that Local 2700 staff would not represent the majority of our members in negotiating with the County, leaving us blindsided without representation or a means to bargain or negotiate.

When we met with Mr. Harper in January 7th2022, during this meeting he was aloof and repeatedly dodged our questions while inferring many possible negative outcomes. One such case being the possibility of a new probationary period for our members, calling into question the mere security of our positions after the annexation is complete. He continued to say that 2700 could not represent the majority of our members in negotiations, as the positions proposed by the County were not represented by 2700. The conclusion of this meeting left the members with no answers or options and in complete dismay.

We had met with Mr. Harper on many occasions to discuss our concerns, and pleaded for any information or assistance that he could provide regarding our future with CCCFPD. He repeatedly told us that he had not been provided any information. He stated not to worry as proposed positions or compensation were not final and the county were required to bargain with 2700 before annexation could proceed.

Our members are deeply troubled as we are facing significant pay cuts ranging from 15 to 26%; \$20,000 per year, while members of Local 1230 stand to make significant increases, with some as much as \$40,000 per year. Members are being relocated to new offices which will increase their cost and time to commute, while being paid less. Others are being moved into unrepresented positions and are fearful that they will not have a guarantee of employment. We feel as though we are being sacrificed, and made to accept the stipulations of employment which are unreasonably different than what we were promised.

I am trying to understand why we are being penalized when we were assured that we would remain whole in this transition. Why are we not being held in the same importance as Local 1230? We have all proven that even though we are not in the field, we are essential to the success of this district. Yet with what has been proposed we feel as though we are not being held in the same regard as Local 1230.

The possibility of not being able to meet our obligations and support our families, has pushed us to begin to question the integrity of the district and those elected to represent us. We have waited patiently for information and have been told time and again that we would be left whole in this transition, but that is not the case.

We need your assistance and appreciate consideration of our concerns.

Sincerely,

Nicole Donovan Shop Steward on behalf of the concerned members of Local 2700

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE ANNEXATION OF EAST CONTRA COSTA
FIRE PROTECTION DISTRICT TO THE CONTRA COSTA COUNTY FIRE PROTECTION
DISTRICT AND DISSOLVING THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT**

WHEREAS, on September 14, 2021 and on September 16, 2021, the Contra Costa County Fire Protection District (CCCYPD) and East Contra Costa Fire Protection District (ECCYPD), respectively, adopted substantially similar resolutions (CCCYPD Resolution No. 2021/18 and ECCYPD Resolution No. 2021-32) to annex ECCYPD to CCCYPD, dissolve ECCYPD and name CCCYPD as successor agency pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH Act”), Government Code (“GC”) §56000 et seq.); and

WHEREAS, when substantially similar resolutions are adopted by the affected local agencies, the Commission is required to approve, or conditionally approve, the proposal; and

WHEREAS, in October 2021, CCCYPD submitted a “Plan for Services” and applications to LAFCO to expand its sphere of influence (SOI) to include ECCYPD territory (249± square miles), annex ECCYPD territory to CCCYPD, dissolve ECCYPD, and name CCCYPD as the successor agency; and

WHEREAS, pursuant to GC §56653, the CCCYPD application includes a “Plan for Services” which provides (1) an enumeration and description of services currently provided or to be provided; (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 improvements and augmented services levels; and (5) information on how the services will be financed; and

WHEREAS, the LAFCO Executive Officer reviewed the proposal, special study/municipal service review (MSR), and written comments, and on January 31, 2022, issued a Certificate of Filing deeming the application complete and setting the matter for hearing; and

WHEREAS, LAFCO’s 2009 and 2016 MSRs, along with the 2021 special study/MSR submitted with the LAFCO application, note that ECCYPD has experienced significant fiscal, service, and governance deficiencies and relies heavily on CCCYPD for mutual aid assistance; and

WHEREAS, the efficiency, effectiveness, and economy of fire protection and emergency medical services (EMS) to individuals within the affected districts can be improved through the boundary reorganization, and will enable the reorganized district to better meet the fire protection and EMS needs of the residents in the reorganized district; and

WHEREAS, CCCYPD, as applicant, has delivered an executed indemnification agreement between CCCYPD and Contra Costa LAFCO providing for CCCYPD as applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the CCCYPD boundary reorganization and dissolution of ECCYPD; and

WHEREAS, at the time and in the manner required by law the Executive Officer gave public notice of the Commission’s consideration of this proposal. Notice of the Commission’s hearing regarding this proposal was advertised in all editions of the *East Bay Times*; and

WHEREAS, a public hearing was held by the Commission on February 9, 2022; and at the hearing the Commission heard and received oral and written comments.

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

1. The matter before the Commission is the proposed annexation of ECCFPD territory to CCCFPD, the dissolution of ECCFPD, and naming CCCFPD as successor agency.
2. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, the Commission find the proposed boundary reorganization is categorically exempt from CEQA pursuant to CEQA guidelines §15320(b) (Class 20 – *Changes of Organization in Local Agencies*), which is consistent with the determination of CCCFPD, the Lead Agency under CEQA.
3. The Commission determines that the annexation of ECCFPD territory to CCCFPD, the dissolution of ECCFPD, and naming CCCFPD as successor agency, is in the best interest of the affected area and the total organization of local government agencies in Contra Costa County.
4. The subject proposal is assigned the distinctive short-form designation and description:

ANNEXATION OF EAST CONTRA COSTA FIRE PROTECTION DISTRICT TO CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT AND DISSOLUTION OF EAST CONTRA COSTA FIRE PROTECTION DISTRICT

5. ECCFPD was formed in 2002 and encompasses the cities of Brentwood and Oakley and incorporated areas including Bethel Island, Byron, Discovery Bay, Knightsen and Morgan Territory. ECCFPD serves a population of 132,400 within 249± square miles. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
6. In reviewing this proposal, the Commission has considered the factors specified in GC §56668.
7. The effective date of the boundary reorganization and dissolution shall be the date of filing the LAFCO Certificate of Completion of the proposal.
8. This proposal is subject to a 30-day request for reconsideration period pursuant to GC §56895.
9. The subject territory is inhabited and is subject to a protest hearing to be conducted no less than 30 days following the Commission's approval of the proposal.
10. Following the Commission's approval and the 30-day reconsideration period, the Executive Officer will conduct a protest hearing pursuant to GC §57000 et seq.
11. Approval of the boundary reorganization and dissolution of ECCFPD is subject to the following terms and conditions pursuant to GC §§57450-57463 and §§56885-56890:
 - a. **Successor Agency.** Upon completion of the LAFCO proceedings and the recording of the LAFCO Certificate of Completion, CCCFPD, as successor agency to ECCFPD, shall function under and carry out all authorized duties and responsibilities assigned to a fire protection district as provided in the Health & Safety Code, Fire Protection District Law of 1987, Division 12, Part 2.7, Chapter 1 (§13800 et seq.). All rights, responsibilities, properties, contracts, assets and liabilities, and functions of ECCFPD will be transferred to CCCFPD as the successor agency to ECCFPD.
 - b. **Revenue Transfer.** Upon completion of the LAFCO proceedings and the recording of the LAFCO Certificate of Completion, CCCFPD shall levy, collect, track and administer all revenue, income, and previously authorized funds, charges, fees, assessments, and taxes currently in effect, levied, or collected by ECCFPD, including, but not limited to, property

and other taxes, Measure H funds, previously authorized Byron Bethany Irrigation District funds, and development impact and community facilities fees.

c. **Transfer of Functions & Responsibilities.**

Upon the effective date of the boundary reorganization, the functions of ECCFPD will transfer to CCCFPD as the successor agency. All laws, ordinances, resolutions, rules and regulations, and policies and procedures that were enacted, adopted or passed by the CCCFPD Board of Directors prior to the boundary reorganization shall remain in effect after the boundary reorganization and shall apply in the territory of the former ECCFPD until superseded, amended, modified or repealed by the CCCFPD Board of Directors.

d. **Transfer of Assets & Liabilities.**

All equipment, assets, liabilities, debts, pension,/contractual/other obligations, facilities, property, cash, fund balances and other fiscal matters of ECCFPD shall accrue to CCCFPD as the successor agency.

e. **Successor Agency Revenue Sources.** CCCFPD, as successor agency, will continue to be financed through property taxes, benefit assessments, special assessments and taxes, fees and charges, and all other revenue currently in effect and being collected by CCCFPD and ECCFPD. As successor agency, CCCFPD shall have full authority to impose, administer, and collect special taxes and fire suppression benefit assessments within the former ECCFPD territory.

f. **Employees.** From and after the LAFCO effective date, all ECCFPD employees (i.e., suppression, public safety, prevention, administrative, other) of the dissolved ECCFPD shall become employees of CCCFPD.

Upon the effective date of the boundary reorganization, all ECCFPD employees shall become employees of CCCFPD as successor agency without interruption in service, compensation, seniority, and benefits. Said employees shall be retained in their respective or equivalent capacities and shall be subject to the same terms and conditions of employment that governed the employees in their prior employment with ECCFPD; provided however, that the successor agency may alter such terms and conditions of employment from time to time as provided by law.

g. **Successor Agency Fire Chief.** The current CCCFPD Fire Chief Lewis Broschard shall continue to serve as Fire Chief of the reorganized district.

h. **Oversight – Advisory Committee.** The total composition of the CCCFPD Board of Directors shall remain the same. Composition of the CCCFPD Advisory Commission shall be adjusted to ensure that at least one member of the advisory fire commission is a resident within the current ECCFPD service boundary until the existing three-station deficit in the ECCFPD service area is addressed and eliminated.

i. **Service Demand.** CCCFPD will eliminate the current deficit of three fire stations within the ECCFPD service area and will strive to do so within six years after the effective date of the boundary reorganization and dissolution of ECCFPD. Thereafter, CCCFPD will build additional necessary fire stations as soon as practicable to meet the needs of the ECCFPD service area, based on anticipated development in the area over the next 20 years.

j. **Plan for Service.** Upon the effective date of the boundary reorganization, the successor agency shall serve the ECCFPD territory through implementation of the Plan for Service until and unless it is determined by the CCCFPD Board of Directors that fiscal or service requirements justify changes to the Plan for Services. Within one year of LAFCO's approval

of the boundary reorganization, CCCFPD shall provide LAFCO with a written update on how the Plan for Services included with the LAFCO application has been implemented.

PASSED AND ADOPTED THIS 9th day of February 2022 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CHAIR, CONTRA COSTA LAFCO

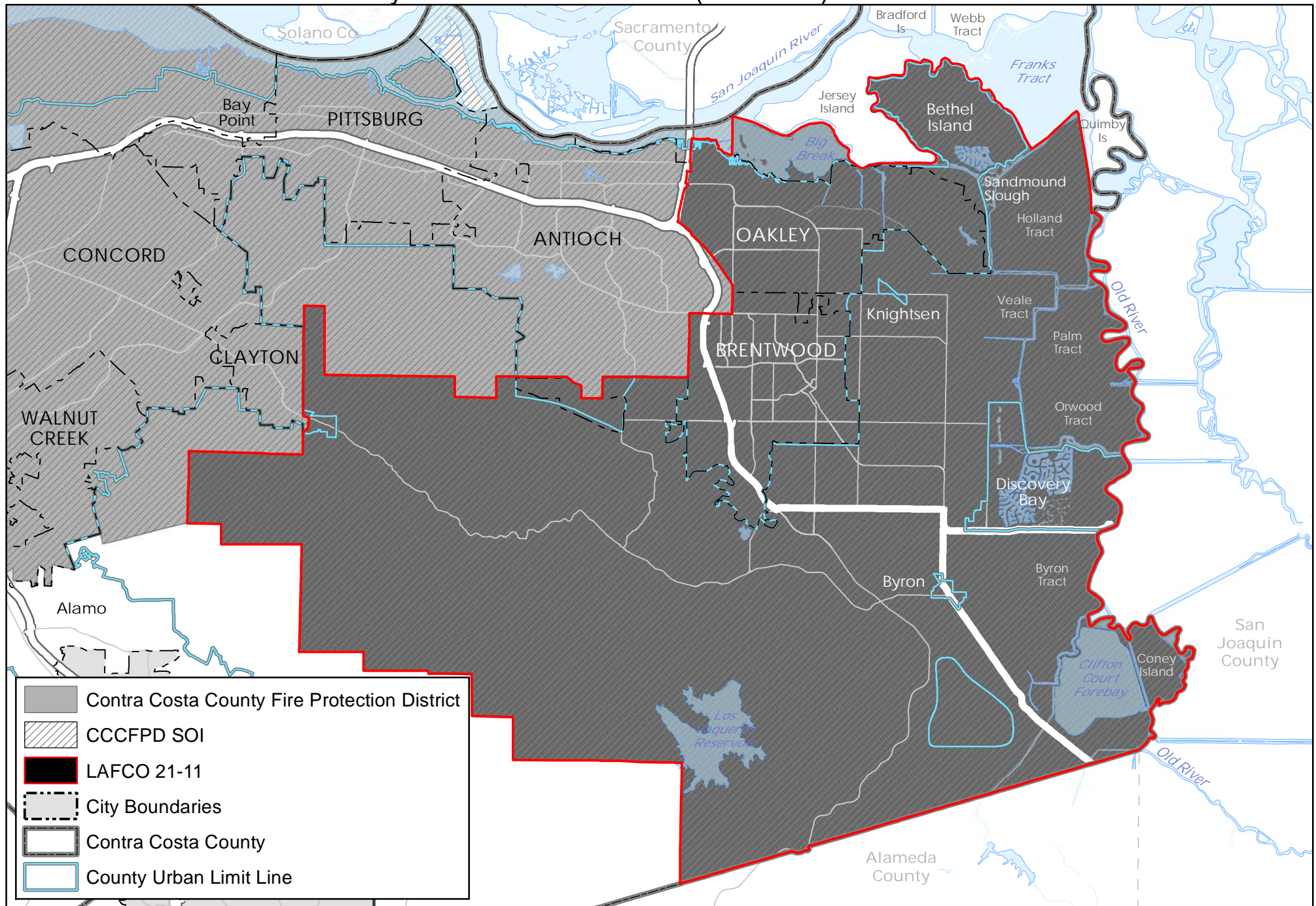
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated.

Dated: February 9, 2022

Lou Ann Texeira, Executive Officer

LAFCO 21-11: Annexation of East Contra Costa Fire Protection District (ECCFPD) to Contra Costa County Fire Protection District (CCCFPD) and Dissolution of ECCFPD

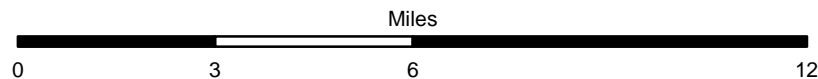
Exhibit A



- Contra Costa County Fire Protection District
- CCCFPD SOI
- LAFCO 21-11
- City Boundaries
- Contra Costa County
- County Urban Limit Line

Map created 01/05/2022
by Contra Costa County Department of
Conservation and Development, GIS Group
30 Muir Road, Martinez, CA 94553
37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



Factors for Consideration (California Government Code §56668)

FACTOR	COMMENTS
(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.	The subject area includes the Contra Costa County Fire Protection District (CCCFPD) comprising 306± square miles with a population of 628,200 and the East Contra Costa Fire Protection District (ECCFPD) comprising 249± square miles with a population of 132,400. The subject areas include a range of land uses, topography, and incorporated and unincorporated areas. Within the subject areas there is potential for growth within the next 10 years. No changes in land use will result from the boundary reorganization.
(b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.	There is an ongoing and future need for fire protection and emergency medical services (EMS) within the subject area. LAFCO Municipal Service Reviews identified significant governance, service, and fiscal issues for ECCFPD, along with governance structure options for ECCFPD, including dissolution of ECCFPD and annexation to CCCFPD. Annexation of ECCFPD to CCCFPD will enhance the provision of sustainable, cost-effective fire protection services and EMS in East Contra Costa County. As proposed, there is adequate funding to support the boundary reorganization.
(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.	The boundary reorganization promotes service and governance efficiency and is expected to improve the provision of fire protection services and EMS in East Contra Costa County. The boundary reorganization proposes no additional costs to residents.
(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. <i>(Note: Section 56377 encourages preservation of agricultural and open space lands)</i>	The subject area includes a range of land uses. The boundary reorganization will have no direct effect on development or on policies and priorities in Section 56377.
(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.	The subject area has specific boundary lines that are certain and identifiable.
(h) The proposal's consistency with city or county general and specific plans.	The boundary reorganization will have no effect on the city or county General Plans.
(i) The sphere of influence (SOI) of any local agency which may be applicable to the proposal being reviewed.	The CCCFPD SOI was amended to facilitate the boundary reorganization.

FACTOR	COMMENTS
(j) The comments of any affected local agency or other public agency.	CCCYPD and ECCYPD initiated the boundary reorganization. As of this writing, no comments from affected local agencies or other public agencies were received.
(k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.	CCCYPD, as the receiving entity, has adequate capacity and funding to extend fire protection services and EMS to the ECCYPD area. The annexation study shows benefits with the boundary reorganization.
(n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.	On January 12, 2022, LAFCO received letters from two labor representatives – <i>Council 57 – AFSCME</i> and <i>Local 2700 of AFSCME</i> Council 57 expressing concerns with the transition of four administrative positions from ECCYPD to CCCYPD and potentially significant pay cuts.
(o) Any information relating to existing land use designations.	There are numerous land use designations in the subject area per the County and cities' General Plans. No changes to the present or planned land uses in the subject area will result from this boundary reorganization.
(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.	The boundary reorganization will have no negative effect on environmental justice or the fair treatment of people of all races, cultures and incomes. There are several disadvantaged communities within the ECCYPD service area (i.e., Bethel Island, portions of Brentwood and Oakley). Fire protection and emergency medical services are expected to improve following the boundary reorganization.
(q) Local hazard mitigation plan	There are very high fire hazard zones with the subject areas. The boundary reorganization will improve response to these areas.
56668.5. The commission may, but is not required to, 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 subregional basis. This section does not grant any new powers or authority to the commission or any other body to establish regional growth goals and policies independent of the powers granted by other laws.	The boundary reorganization will not affect or be affected by Plan Bay Area, in that the Plan focuses on Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs); and the affected territory is neither.

Note:

Subsections (e) effect of proposal on agricultural land; (g) - regional transportation plan; (l) water supplies; and (m) achieving respective fair shares of regional housing needs and are not applicable to this proposal.

Table C – Before & After Boundary Reorganization
Exhibit C

Type	Current	Proposed	Change
Governance	Two Boards of Directors <u>CCCYPD</u> 5 Board members <u>ECCYPD</u> 5 Board members	One Board of Directors <u>Successor Agency/CCCYPD</u> 5 Board members	Reduction in Board Members Change from two separate Boards to one Board
Level of Service	Separate ISO Ratings <u>CCCYPD</u> ISO PPC® rating of 3/8 <u>ECCYPD</u> ISO PPC® rating of 4/9	Comprehensive ISO Rating <u>Successor Agency/CCCYPD</u> TBD	Change in Level of Service Change in Level of Service unknown at this time
Fire Chief	Two Fire Chiefs <u>CCCYPD</u> One Fire Chief <u>ECCYPD</u> One Fire Chief	One Fire Chief <u>Successor Agency/CCCYPD</u>	Reduction in Fire Chiefs Change from two Fire Chiefs to one Fire Chief
Employees	Two Personnel Departments <u>CCCYPD</u> 355 Active Employees <u>ECCYPD</u> 47 Active Employees	One Personnel Department <u>Successor Agency/CCCYPD</u> 402 Active Employees	No change in Operations Admin/Support Staff All personnel of ECCYPD will become employees of Successor Agency/CCCYPD
Pension Benefits	Existing Pension Plan <u>CCCYPD</u> CCCERA <u>ECCYPD</u> CCCERA	Existing Pension Plan <u>Successor Agency/CCCYPD</u> CCCERA	No change to Existing Pension Plans The existing pension plans under CCCERA will be transferred to the successor agency/CCCYPD
Fire Stations & Equipment	Two Inventory Lists <u>CCCYPD</u> 30 fire stations (26 staffed) <u>ECCYPD</u> 6 fire stations (3 staffed)	One Inventory List <u>Successor Agency/CCCYPD</u> 36 fire stations (29 staffed)	No Immediate Changes to Existing Stations or Equipment All apparatus, facilities, and buildings will be transferred over to the successor agency/CCCYPD
Assets & Liabilities Revenues & Expenditures	Two Budgets <u>CCCYPD – FY 2020-21</u> Total Assets = \$118,361,000 Total Liabilities = \$15,431,000 Fund Balance = \$45,600,000 Total Revenue = \$157,800,000 Total Expenses = \$151,200,000 <u>ECCYPD – FY 2019-20</u> Total Assets - \$32,086,040 Total Liabilities - \$23,567,397 Total Revenues = \$19,833,164 Total Expenses = \$19,797,543	One Budget <u>Successor Agency/CCCYPD</u>	Consolidated Budget Change from two separate budgets to one budget with potential cost savings due to economies of scale All existing ECCYPD revenue will be transferred to the successor agency/CCCYPD



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

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

(925) 313-7133

Lou Ann Teixeira
Executive Officer

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February 9, 2022 (Agenda)

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

**February 9, 2022
Agenda Item 12**

Proposed Update to Contra Costa LAFCO's Legislative Platform

Dear Members of the Commission:

Contra Costa LAFCO is a member of the California Association of Local Agency Formation Commissions (CALAFCO) which provides its member LAFCOs with educational, technical, and legislative resources.

The CALAFCO Board adopted Legislative Policies that are comprehensive and cover a range of issues including *LAFCO Purpose and Authority*, *LAFCO Organization*, *Agricultural and Open Space Protection*, *Orderly Growth*, *Service Delivery*, *Local Agency Effectiveness* and *Legislative Priorities*. CALAFCO's Legislative Policies support legislation that enhances LAFCO's authority to carry out the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 based on local conditions.

CALAFCO's Legislative Policies serve as a guide for its Legislative Committee, comprised of CALAFCO Board members and LAFCO staff from around the State. Commissioner McGill currently serves as a member of the CALAFCO Legislative Committee, which acts on behalf of the CALAFCO Board in developing and taking positions on legislation based on the Board's legislative policies and priorities.

The CALAFCO Legislative Committee conducts an annual review of the CALAFCO Legislative Policies and makes recommendations to the Board regarding policy modifications. Subsequently, the CALAFCO Board reviews and amends its legislative policies accordingly.

At their November 12, 2021 meeting, the CALAFCO Board approved edits to its Legislative Policies along with a new policy relating to "climate adaptation" which recognizes sea level rise, sand erosion, and levee protection (attached).

Contra Costa LAFCO adopted CALAFCO Legislative Policies as its own legislative platform. In conjunction with the recent updates to the CALAFCO Legislative Policies, it is timely that Contra Costa LAFCO adopt the updated legislative platform.

RECOMMENDATION: The Contra Costa LAFCO Policies & Procedures Committee recommends adoption of the updated CALAFCO Legislative Policies as the Commission's legislative platform.

Respectfully submitted,
Don Blubaugh and Chuck Lewis

Attachment – CALAFCO's Legislative Policies with Amendments

CALAFCO 2021 Legislative Policies **DRAFT** **AMENDMENTS**

As adopted by the Board of Directors on January 22, 2021



1. LAFCo Purpose and Authority

- 1.1. Support legislation ~~which that~~ enhances LAFCo authority and powers to carry out the legislative findings and authority in Government Code §56000 et seq., ~~and oppose~~ Oppose legislation ~~which that~~ diminishes LAFCo authority.
- 1.2. Support authority for each LAFCo to establish local policies to apply Government Code §56000 et seq. based on local needs and conditions, ~~and oppose~~ Oppose any limitations to that authority.
- 1.3. Oppose additional LAFCo responsibilities ~~which that~~ require expansion of current local funding sources. Oppose unrelated responsibilities ~~which that~~ dilute LAFCo ability to meet its primary mission.
- 1.4. Support alignment of responsibilities and authority of LAFCo and regional agencies ~~which that~~ may have overlapping responsibilities in orderly growth, agricultural and open space preservation, and municipal service delivery, ~~and oppose~~ Oppose legislation or policies ~~which that~~ create conflicts or hamper those responsibilities.
- 1.5. Oppose grants of special status to any individual agency or proposal to circumvent the LAFCo process.
- 1.6. Support individual commissioner responsibility that allows each commissioner to independently vote his or her conscience on issues affecting his or her own jurisdiction.

2. LAFCo Organization

- 2.1. Support ~~the independence of~~ LAFCo independence from local agencies.
- 2.2. Oppose the re-composition of any LAFCo to create special seats and recognize the importance of balanced representation provided by cities, the county, the public, and special districts in advancing the public interest.
- 2.3. Support representation of special districts on all LAFCos in counties with independent districts and oppose removal of special districts from any LAFCo.
- 2.4. Support communication and collaborative decision-making among neighboring LAFCos when growth pressures and multicounty agencies extend beyond an individual LAFCo's boundaries.

3. Agricultural and Open Space Protection

- 3.1. Support legislation ~~which that~~ clarifies LAFCo authority to identify, encourage and ensure the preservation of agricultural and open space lands.
- 3.2. Encourage a consistent definition of agricultural and open space lands.
- 3.3. Support policies ~~which that~~ encourage cities, counties and special districts to ~~direct discourage~~ development ~~away from on~~ all types of agricultural lands, including prime agricultural lands and open space lands.
- 3.4. Support policies and tools ~~which that~~ protect all types of agricultural lands, including prime agricultural lands and open space lands.

CALAFCO 2021 Legislative Policies

As adopted by the Board of Directors on January 22, 2021

2

- 3.5. Support the continuance of the Williamson Act and restoration of program funding through State subvention payments.

4. Orderly Growth

- 4.1. Support the recognition and use of spheres of influence as a ~~management-planning~~ tool ~~pertaining to provide better planning of~~ growth and development, and ~~to the preserve preservation of~~ agricultural and open space lands.
- 4.2. Support recognition of LAFCo spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.
- 4.3. Support orderly boundaries of local agencies and the elimination of islands within the ~~sphere of influence and~~ boundaries of agencies.
- 4.4. Support communication among cities, counties, ~~and~~ special districts, ~~stakeholders and affected parties~~ through a collaborative process that resolves service, ~~infrastructure~~, housing, land use, and fiscal issues, prior to application to LAFCo.
- 4.5. Support cooperation between counties and cities on decisions related to development within ~~the a~~ city's designated sphere of influence.
- ~~4.6. Support cooperation between cities and special districts on decisions related to development within city and district spheres of influence that overlap.~~
- ~~4.6.4.7.~~ Support the recognition of extreme natural disasters and disaster preparedness when considering growth and service delivery issues.

5. Service Delivery and Local Agency Effectiveness

- 5.1. Support the use of LAFCo resources to review Regional Transportation Plans, ~~including with a focus on~~ sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, ~~sustainable communities~~, and conformity with LAFCo's legislative mandates. Support efforts that enhance meaningful collaboration between LAFCos and regional planning agencies.
- 5.2. Support LAFCo authority as the preferred method of local governance. Support the availability of LAFCo tools ~~which that~~ provide options for local governance and efficient service delivery, including the authority to impose conditions that assure a proposal's conformity with LAFCo's legislative mandates.
- 5.3. Support ~~the creation or reorganization of local governments in~~ a deliberative, ~~and~~ open process ~~for the creation or reorganization of local governments that which will fairly evaluates~~ the proposed new or successor agency's long-term financial viability, governance structure and ability to efficiently deliver proposed services.
- 5.4. Support the availability of tools for LAFCo to insure equitable distribution of revenues to local government agencies consistent with their service delivery responsibilities.
- 5.5. Support ~~legislation and~~ collaborative efforts among agencies and ~~LAFCos-LAFCos~~ that encourage opportunities for sharing of services, staff and facilities to provide more efficient and cost-effective services. ~~Support legislation which provides LAFCo with additional opportunities to encourage shared services.~~

2021 Legislative Priorities

Primary Issues

Authority of LAFCo

Support legislation that maintains or enhances LAFCo's authority to condition proposals in order to address any or all financial, growth, service delivery, and agricultural and open space preservation issues. Support legislation that maintains or enhances LAFCo's ability to make decisions regarding boundaries and formations, as well as and to enact recommendations related to the delivery of services and the agencies providing them, including changes of organization and reorganizations.

Agriculture and Open Space Protection

Support policies, programs and legislation that recognize LAFCo's mission to protect and mitigate the loss of all types of agricultural lands, including prime agricultural lands and open space lands and that encourage other agencies to coordinate with local LAFCos on land preservation and orderly growth. Support efforts that encourage the creation of habitat conservation plans.

Water Availability

Support policies, programs and legislation that promote an integrated approach to water availability and management. Promote adequate water supplies and infrastructure planning for current and planned growth and disadvantaged communities, and that as well as to support the sustainability of all types of agricultural lands, including prime agricultural lands and open space lands. Support policies that assist LAFCo in obtaining accurate and reliable water supply information in order to evaluate current and cumulative water demands for service expansions and boundary changes. Such policies should include including the impacts of expanding water company service areas on orderly growth, and the impacts of consolidation or dissolution of water companies providing services.

Viability of Local Services

Support policies, programs and legislation that maintains or enhances LAFCo's ability to review and act to determine the efficient and sustainable delivery of local services and the financial viability of agencies providing those services to meet current and future needs including those identified in regional planning efforts such as sustainable communities strategies. Support legislation which that provides LAFCo and local communities with options for local governance and service delivery to that ensures efficient, effective, and quality service delivery. Support efforts which that provide tools to local agencies to address aging infrastructure, fiscal challenges, the maintenance declining levels of services, and inadequate services to disadvantaged communities.

Issues of Interest

Housing

Provision of territory and services to support housing plans consistent with State affordable housing mandates, regional land use plans and local LAFCo policies.

Transportation

Effects of Regional Transportation Plans and expansion of transportation systems on future urban growth and service delivery needs, and the ability of local agencies to provide those services.

Flood Control

The ability and effectiveness of local agencies to maintain and improve levees and protect current infrastructure. Carefully consider the value of uninhabited territory, and the impact to public safety of proposed annexation to urban areas of uninhabited territory ~~which is~~ at risk ~~of~~ flooding. Support legislation that includes assessment of agency viability in decisions involving new funds for levee repair and maintenance. Support efforts that encourage the creation of habitat conservation plans.

Adequate Municipal Services in Inhabited Territory

Consistency of Expedited ~~expedited~~ processes for inhabited annexations ~~should be consistent~~ with LAFCo law ~~and be that include~~ fiscally viability. ~~To promote~~ Promote environmental justice for underserved inhabited communities, funding sources should be identified for extension of municipal services, including options for annexation of contiguous disadvantaged unincorporated communities. Support policies, programs, and legislation ~~which that~~ would provide adequate municipal services to disadvantaged communities. Promote the delivery of adequate, sustainable, efficient, and effective levels of municipal services through periodic updates and reviews of Municipal Service ~~reviews~~ Reviews, Spheres of Influence, and ~~other related~~ studies prepared by LAFCos.

Climate Adaptation

The ability and effectiveness of local agencies to proactively and effectively address issues that impact municipal service infrastructure and service delivery that include sea level rise, sand erosion, and levee protection. Adequate resources for local agencies to prepare for and appropriately respond to extreme disasters related to climate change. Ensure local agencies are considering climate resiliency when considering future development.

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

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

(925) 313-7133

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February 9, 2022 (Agenda)

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

February 9, 2022
Agenda Item 13

Fiscal Year 2022-23 Budget Schedule and Work Plan Preview

Dear Members of the Commission:

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

LAFCO staff anticipates bringing a proposed budget to the Commission in April 2022 and a final budget to the Commission in June 2022. In conjunction with the proposed budget, the Commission receives an annual work plan which includes a summary of recent activities and accomplishments along with upcoming projects and activities as summarized below.

ACCOMPLISHMENTS

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

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

- June 2014 – Water/wastewater covering eight cities, 19 special districts, and private water companies
- November 2015 – Reclamation services covering 14 special districts
- October 2016 – Fire/EMS covering three cities and eight special districts
- January 2018 – Healthcare covering three special districts and Contra Costa County health services
- June 2019 – “City Services” covering all 19 cities and four community services districts (CSDs)
- June 2021 – “Parks & Recreation Services” covering all 19 cities, four community services districts, three parks & recreation districts, one regional park district, and eight county service areas
- August 2021 – “Cemetery Services” covering two cemetery districts

As part of the FY 2021-22 work plan and budget, the Commission approved preparing a 2nd round MSR covering “*Mosquito & Vector Control Services*” and “*Resource Conservation Services*” which is currently underway.

Policies and Procedures Updates – In the past several years, the Commission made progress updating its policies and procedures, including revisions to the island annexation provisions and to the following sections: *Rules and Procedures*, *CALAFCO*, *Roster of Cities and Special Districts*, *City Annexations and Detachments*, and *District Annexations and Detachments*. Further, the Commission updates its Legislative policies annually to coincide with CALAFCO’s Legislative Platform.

Staffing - In accordance with the FY 2020-21 and FY 2021-22 reduced budgets, LAFCO deferred hiring an Analyst. LAFCO is currently staffed with 1.5 employees.

LAFCO supplements its staff with consultants and contract service providers, including contract environmental planning, website and financial auditing services, along with legal, information technology, and GIS/mapping services provide by Contra Costa County.

Activities and accomplishments to date during FY 2021-22 include the following:

- Processed 11 new applications including four SOI expansions, four annexations, two boundary reorganizations, and initiated one dissolution. FY 2021-22 application activity reflects a 44% over FY 2020-21 activity.
- Tracked and provided comment letters on legislation affecting LAFCOs.
- Provided comments on six local agency environmental documents.
- Monitored ongoing litigation (Los Medanos Community Healthcare District).
- Completed an Actuarial Evaluation – Post-Employment Medical Benefits Plan GASB 75. Supplemental Schedules – Measurement Period July 1, 2019 to June 30, 2020.
- Completed FY 2019-20 financial audit.
- Updated LAFCO Directory of Local Agencies. – nearly complete
- Commissioners and LAFCO staff participated in various CALAFCO sponsored teleconference training sessions and workshops.
- In January 2022, LAFCO staff initiated the election process for two Special District seats on LAFCO – a regular member seat (Igor Skaredoff) and the alternate member seat (Stan Caldwell).

FY 2022-23 WORKPLAN PREVIEW

In addition to the day-to-day administration, proposal processing, coordination of Commission meetings, budget and contract administration, the 2022-23 work plan includes the following:

1. Municipal Service Reviews (MSRs)/SOI Updates

Complete 2nd round “*Mosquito & Vector Control and Resource Conservation*” MSRs/SOI updates and initiate another 2nd round MSR/SOI update to be determined by the Commission. Potential candidates for a 2nd round MSR include wastewater services, water services, and miscellaneous county service areas (CSAs) - see attached MSR status report.

2. *Special Projects/Assignments*

- Continue to work with the County, cities, and districts on boundary and service issues.
- Work with the LAFCO webmaster and LAFCO EA/Clerk on updates to the LAFCO website.
- Work with Policies & Procedures Committee on developing/updating policies and procedures as determined by the Commission.
- Continue to participate in and support CALAFCO.
- Continue to monitor ongoing litigation (LMCHD).

It would be beneficial to hear from the Commission regarding priorities and other items of interest in anticipation of preparing the FY 2022-23 LAFCO budget.

RECOMMENDATION: Provide input regarding 2nd round MSRs and other workplan goals as desired.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment A - Contra Costa LAFCO MSR/SOI Status Report

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

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
CURRENT APPLICATIONS – February 9, 2022

File No.	APPLICATION NAME/LOCATION	APPLICATION SUMMARY	STATUS
16-06	Tassajara Parks Project: proposed annexations to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) to support development of 125 residential lots and related improvements. On July 13, 2021, the County Board of Supervisors certified the project EIR, amend the ULL, executed a land preservation agreement, and acted on various discretionary project approvals.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
16-07	Tassajara Parks Project: proposed SOI expansions to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to amend the SOIs for CCCSD and EBMUD in anticipation of annexation.	Application is currently incomplete. Await certified EIR, updated application, and other information.
17-13	Dissolution of Los Medanos Community Health Care District (LMCHD)	Application submitted in November 2017 by Contra Costa County to dissolve LMCHD.	Dissolution was approved by LAFCO in September 2018. The Court of Appeal has ruled in favor of LAFCO and Contra Costa County.
21-05	Faria Southwest Hills Reorganization: proposed annexations to City of Pittsburg, CCWD and DD of 606± acres located southwest of the City of Pittsburg	Application submitted in June 2021 by City of Pittsburg to annex 606± acres to the City, Contra Costa Water District (CCWD) and Delta Diablo (DD) to support hillside estate development of up to 1,500 units.	Application is currently incomplete. <i>Notice of Incomplete Application</i> issued on 7/21/21.
21-06	Pantages: proposed SOI amendment to Town of Discovery Bay Community Services District (DBCSD)	Application submitted in September 2021 by DBCSD to amend the District's SOI by 133.37± acres in anticipation of annexation	Currently under review
21-07	Pantages: proposed annexation to DBCSD	Application submitted in September 2021 by DBCSD to annex 202.47± acres to support development of 277 single family homes	Currently under review

File No.	APPLICATION NAME/LOCATION	APPLICATION SUMMARY	STATUS
21-08	SOI Amendment to EBMUD – 285 Lark Lane – Alamo	Application submitted in September 2021 by the landowner to amend EBMUD's SOI by 3.14 \pm acres in anticipation of annexation	Currently under review
21-09	Annexation to EBMUD – 285 Lark Lane – Alamo	Application submitted in September 2021 by the landowner to annex 3.14 \pm acres to EBMUD	Currently under review
21-12	Annexation to Mt. View Sanitary District (MVSD)	Application submitted in October 2021 by the landowner to annex two parcels to MVSD	Currently under review
21-13	SOI Amendments – DD – Evora Road Self Storage	Application submitted in November 2021 by the landowner to expand CCCWD & DD SOIs by 7.75 \pm acres in anticipation of annexation	Currently under review
21-14	Annexations to CCWD & DD – Evora Road Self Storage	Application submitted in November 2021 by the landowner to annex 7.75 \pm acres to CCWD & DD	Currently under review
21-16	Laurel Ranch IV, Subdivision 9495, 5175 Laurel Drive – Annexation to City of Concord	Application submitted in December 2021 by the landowner to annex 3.60 \pm acres to City of Concord	Currently under review



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Contra Costa Local Agency Formation Commission
40 Muir Road, 1st Floor
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February 9, 2022
Agenda Item 14

Mid-Year Budget Report - Fiscal Year 2021-22

Dear Members of the Commission:

This is the mid-year budget report for FY 2021-22, which compares adopted and actual expenses and revenues for the period July 1, 2021 through December 31, 2021.

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

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

DISCUSSION

On June 9, 2021, LAFCO adopted its final FY 2021-22 budget with total appropriations of \$874,131, which includes an \$80,000 contingency/reserve fund, a contribution of \$25,000 to fund the Other Post-Employment Benefits liability (OPEB), and a contribution of \$30,000 to pre-fund LAFCO’s retirement account with the Contra Costa County Employees’ Retirement Association (CCCERA). Both the OPEB contribution of \$25,000 and the CCCERA pre-fund contribution of \$22,000 were made. The CCCERA contribution was reduced from the \$30,000 budgeted amount to \$22,000 due to a true-up surplus from FY 2020-21.

With 50% of the fiscal year elapsed, the Commission’s total expenditures are \$298,023 or 34% of total appropriations. The Commission budgeted \$380,045 in *salaries/benefits* for FY 2021-22; at the end of the second quarter, actual expenses total \$178,630 or 47% of the budgeted amount. The

Commission budgeted \$359,086 in *services/supplies*; and at the end of the second quarter, actual expenses total \$72,393 or 20% of the budgeted amount.

The primary sources of revenues are local agency contributions, application fees, and available fund balance. Total revenues received during the first half of FY 2021-22 are \$883,416 (including appropriated fund balance) or approximately 101% of estimated revenues. All funding agencies (i.e., County, cities, independent special districts) have remitted their annual apportionments to LAFCO.

Regarding application activity, mid-year 2021-22 application activity is significantly greater than 2020-21 activity. During the first half of FY 2021-22, LAFCO received 11 new applications, and during the first half of FY 2020-21 LAFCO received two new applications.

Other revenues include investment earnings through the OPEB trust account, which remains in that account, and fund balance. LAFCO budgets fund balance to offset agency contributions. The FY 2021-22 budget includes \$175,000 in budgeted fund balance. See table below for a summary of mid-year expenditures and revenues.

Account	FY 2021-22 Final Budget	Mid-Year Actuals
Salaries & Benefits	\$ 380,045	\$ 178,630
Services & Supplies	359,086	72,393
Contingency/Reserve	80,000	0
OPEB Trust	25,000	25,000
CCCERA Pre-Fund	30,000	22,000
Total Appropriations	\$ 874,131	\$ 298,023
Agency Contributions	\$ 674,131	\$ 674,131
Application/Other Revenue	25,000	34,285
Interest Earnings	-	-
Fund Balance	175,000	175,000
Total Revenues	\$ 874,131	\$ 883,416

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

RECOMMENDATION: It is recommended that the Commission receive the FY 2021-22 mid-year budget report.

Sincerely,

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

(925) 313-7133

Lou Ann Teixeira
Executive Officer

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February 9, 2022

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

February 9, 2022
Agenda Item 15

Current and Potential Future LAFCO Applications

Dear Members of the Commission:

SUMMARY

This report identifies active applications on file with Contra Costa LAFCO. This report also identifies several potential future applications. This report is presented for information only.

DISCUSSION

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates LAFCOs with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving and disapproving boundary changes, boundary reorganizations, formations, mergers, consolidations, dissolutions, incorporations, sphere of influence (SOI) amendments, and extension of out of agency services. Applications involving jurisdictional changes filed by landowners or registered voters are placed on the Commission’s agenda as information items before action is considered by LAFCO at a subsequent meeting (Gov. Code §56857).

There are currently two approved proposals awaiting completion, 10 current applications that are either incomplete and/or awaiting a hearing date, and several potential future applications.

Current Proposals – Approved and Awaiting Completion

Dissolution of Los Medanos Community Healthcare District (LAFCO 17-13)

The Commission approved the dissolution in September 2018. On December 23, 2021, the Court of Appeal ruled that an election is not required to dissolve the healthcare district because the district did not obtain enough valid signatures to trigger an election.

✚ Chang Property Reorganization (LAFCO 18-06)

This is an application filed by the landowner to annex 66.92± acres to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) and detach the same area from County Service Area (CSA) P-6. The subject area is located at the intersection of Crow Canyon and Bollinger Canyon Roads in unincorporated San Ramon. The Commission approved the boundary reorganization in August 2017 with conditions. One of the conditions has not yet been met. The applicant has requested and received several extensions of time with the current extension to July 9, 2022.

Current Applications – Under Review

✚ LAFCO Tassajara Parks Project – Boundary Reorganization (LAFCO 16-06)

This is an application filed by the landowner to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD). The project includes development of 125 single-family homes. The subject area is located east of the City of San Ramon and the Town of Danville. The application is currently incomplete.

✚ LAFCO Tassajara Parks Project – SOI Amendments (LAFCO 16-07)

This is an application filed by the landowner to amend the SOIs for CCCSD and EBMUD by 30± acres in anticipation of corresponding annexations. The application is currently incomplete.

✚ Faria Southwest Hills – Boundary Reorganization (LAFCO 21-04)

This is an application filed by the City of Pittsburg to annex 606± acres to the City of Pittsburg, Contra Costa Water District (CCWD) and Delta Diablo (DD). The project includes development of up to 1,500 residential units. The application is currently incomplete.

✚ Pantages – Town of Discovery Bay Community Services District (DBCSD) - SOI Amendment (LAFCO 21-06)

This is an application filed by DBCSD to amend the District's SOI by 133.37± acres in anticipation of a corresponding annexation. The application is currently under review.

✚ Pantages – Annexation to DBCSD (LAFCO 21-07)

This is an application filed by DBCSD to annex 202.47± acres. The project includes development of up to 277 single family homes. The application is currently under review.

✚ EBMUD SOI Amendment – 285 Lark Lane – Alamo (LAFCO 21-08)

This is an application filed by the landowner to amend the District's SOI by 3.14± acres in anticipation of a corresponding annexation. The application is currently under review.

✚ Annexation to EBMUD – 285 Lark Lane – Alamo (LAFCO 21-09)

This is an application filed by the landowner to annex 3.14± acres to EBMUD. The application is currently under review.

✚ Annexation to Mt. View Sanitary District (MVSD) – 2984 & 2994 Upton Road – Martinez (LAFCO 21-12)

This is an application filed by the landowner to annex two parcels (2.59± acres) to MVSD. The application is currently under review.

✚ Evora Road Self Storage Facility - SOI Amendment – DD (LAFCO 21-13)

This is an application filed by the landowner to expand the DD SOI by 7.75± acres (three parcels)

✚ Evora Road Self Storage Facility - Annexations to CCWD and DD (LAFCO 21-14)

This is an application filed by the landowner to annex 7.75± acres (three parcels) to CCWD and DD

✚ Laurel Place IV, Subdivision 9495 – 5175 Laurel Drive - Annexation to City of Concord

This is an application filed by the landowner to annex 3.60± acres (eight parcels) to City of Concord

Potential Future Applications

On April 14, 2021, LAFCO approved the extension of out of agency water service by the City of Martinez to the Bay's Edge Subdivision 9065 located in unincorporated Martinez (Mt. View). LAFCO's approval was conditioned on commitment from the City to submit to LAFCO an application to annex the subject parcels to the City of Martinez by August 31, 2022, in the event the entirety of Mt. View is not annexed to the City prior to that date.

On June 9, 2021, LAFCO approved the extension of out of agency wastewater service by the City of Concord to the Akins property located in unincorporated Concord (Ayers Ranch). LAFCO's approval was conditioned on a commitment from the landowners to submit to LAFCO an application to annex the subject parcel to the City of Concord by May 31, 2022.

There are currently several potential applications that may be submitted to Contra Costa LAFCO in the future including annexations to Byron Bethany Irrigation District, City of Brentwood, City of Concord, Stege Sanitary District, and West County Wastewater District.

RECOMMENDATION – Informational item – no actions required.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Current Applications Table

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
CURRENT APPLICATIONS – February 9, 2022**

File No.	APPLICATION NAME/LOCATION	APPLICATION SUMMARY	STATUS
16-06	Tassajara Parks Project: proposed annexations to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) to support development of 125 residential lots and related improvements. On July 13, 2021, the County Board of Supervisors certified the project EIR, amend the ULL, executed a land preservation agreement, and acted on various discretionary project approvals.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
16-07	Tassajara Parks Project: proposed SOI expansions to CCCSD and EBMUD of 30± acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to amend the SOIs for CCCSD and EBMUD in anticipation of annexation.	Application is currently incomplete. Await certified EIR, updated application, and other information.
17-13	Dissolution of Los Medanos Community Health Care District (LMCHD)	Application submitted in November 2017 by Contra Costa County to dissolve LMCHD.	Dissolution was approved by LAFCO in September 2018. The Court of Appeal has ruled in favor of LAFCO and Contra Costa County.
21-05	Faria Southwest Hills Reorganization: proposed annexations to City of Pittsburg, CCWD and DD of 606± acres located southwest of the City of Pittsburg	Application submitted in June 2021 by City of Pittsburg to annex 606± acres to the City, Contra Costa Water District (CCWD) and Delta Diablo (DD) to support hillside estate development of up to 1,500 units.	Application is currently incomplete. <i>Notice of Incomplete Application</i> issued on 7/21/21.
21-06	Pantages: proposed SOI amendment to Town of Discovery Bay Community Services District (DBCSD)	Application submitted in September 2021 by DBCSD to amend the District's SOI by 133.37± acres in anticipation of annexation	Currently under review
21-07	Pantages: proposed annexation to DBCSD	Application submitted in September 2021 by DBCSD to annex 202.47± acres to support development of 277 single family homes	Currently under review

File No.	APPLICATION NAME/LOCATION	APPLICATION SUMMARY	STATUS
21-08	SOI Amendment to EBMUD – 285 Lark Lane – Alamo	Application submitted in September 2021 by the landowner to amend EBMUD's SOI by 3.14 \pm acres in anticipation of annexation	Currently under review
21-09	Annexation to EBMUD – 285 Lark Lane – Alamo	Application submitted in September 2021 by the landowner to annex 3.14 \pm acres to EBMUD	Currently under review
21-12	Annexation to Mt. View Sanitary District (MVSD)	Application submitted in October 2021 by the landowner to annex two parcels to MVSD	Currently under review
21-13	SOI Amendments – DD – Evora Road Self Storage	Application submitted in November 2021 by the landowner to expand CCCWD & DD SOIs by 7.75 \pm acres in anticipation of annexation	Currently under review
21-14	Annexations to CCWD & DD – Evora Road Self Storage	Application submitted in November 2021 by the landowner to annex 7.75 \pm acres to CCWD & DD	Currently under review
21-16	Laurel Ranch IV, Subdivision 9495, 5175 Laurel Drive – Annexation to City of Concord	Application submitted in December 2021 by the landowner to annex 3.60 \pm acres to City of Concord	Currently under review



EMPLOYER NEWS

FUTURE ONLINE PORTAL

The CCCERA Retirement Board recently approved a contract with Sagitec Solutions, an application platform provider, to deliver a new pension administration system. This new system will include a portal for members to access their accounts online, as well as an employer self-service portal, where employers can upload active payroll files, view their employees membership contributions, rates and more. Contra Costa County and the Contra Costa County Superior Court, will help as pilot employers during the testing phase of the new system next year. Final testing with all employers will begin in 2023 when the employer platform is expected to go live. More details will follow; the project is estimated to be completed in 2024.

CONTRIBUTION RATES

RATE IMPLEMENTATION & CALCULATOR

Contribution rates have been updated effective July 1, 2022. CCCERA employee contribution rates for members are based on two factors: the members' employer and their retirement tier. Contribution rates are set to provide an average retirement annuity at the specific tier for their benefit structure.

Contribution Rate Implementation

In order to allow employers to more accurately budget for pension contributions and other

practical considerations, the contribution rates determined in each valuation (as of December 31) apply to the 12-month period beginning 18 months after the valuation date. For example, the December 31, 2020 rates will be in effect July 1, 2022 through June 30, 2023. Any shortfall or excess contributions as a result of the implementation lag will be amortized as part of CCCERA's Unfunded Actuarial Accrued Liability (UAAL) in the following valuation.

Contribution Calculator

Contribution rates for members and employers change annually on July 1. Members can find their contribution rate effective July 1, 2022 by visiting cccera.org/contributioncalculator.

EMPLOYER RESPONSIBILITIES

BOARD REGULATIONS, CERTIFICATION REMINDERS & PENALTIES

The CCCERA Board of Retirement Regulations has many requirements that pertain to employers and is available at cccera.org/governance-and-policies.

Establishing and Reporting Newly-Eligible Members

Employers submit the following three forms on behalf of new members upon membership to CCCERA:

1. Enrollment Affidavit (Form 101) – **NEW FORM AVAILABLE**

Please note this form, as well as the New Member Enrollment Packet, has been updated. For the latest versions, visit cccera.org/forms.

Reciprocal members must complete Section 2 of Form 101. Upon receiving Form 101 with Section 2 completed, CCCERA will mail a Reciprocity Affidavit Form (Form 109) to the member.

2. Beneficiary Designation Form (Form 102)

Members who choose a beneficiary other than their spouse/registered partner must complete Section 5 of Form 102.

3. Death During Active Membership (Form 104)

This form should be filled out if the member would like to authorize CCCERA to file an application for non-service connected disability on a member's behalf, in the event that a member is permanently incapacitated by reason of injury or other disability leading to death while the member is an active member of CCCERA.

Eligible Members Effective Entry Date

A new member's effective entry date is the first of the month following their date of hire or transfer into an eligible position. New hire documents should be submitted to CCCERA within the first week of the employee's hire date or date of transfer to an eligible position. Employers must submit all new hire documents for the month to CCCERA no later than the 10th of the following month.

In accordance with CCCERA Board Regulation Sections III.3, every employee of the County or participating district must, upon entry into CCCERA, complete a sworn statement (Enrollment Affidavit Form 101) as provided for in Gov. Code Section 31526(b). A certified copy of the member's birth certificate or other evidence of birth may be required by the Board.

It is the employer's responsibility to assure compliance with this regulation. CCCERA will assess the employer with a five hundred (\$500) dollar per employee penalty for every month or fraction thereof that the required certification is not submitted. CCCERA will notify the employer in writing of the imposition of assessment at least thirty days before the assessment.

Due Dates for Contributions, I-29 and I-30 Reports, Adjustment and Retiree Health Files, and Member Data

Each employer must provide reports and contributions to CCCERA in a manner and frequency as determined by the CCCERA Board of Retirement sufficient for CCCERA to credit contributions and service to each member's record. Unless otherwise specified, reports will be due no later than the 10th of each month for the previous month's payroll and will be accompanied by member and employer contributions. Generally, the retiree health file is due no later than the 20th of each month. If the 10th or 20th of the month falls on a weekend or holiday, the due date will be the last working day before the 10th or 20th.

Reports that are unreadable or incorrect will not be accepted and will be returned to the employer. Reports and contributions received after the due date will be considered late and subject to a late reporting penalty equal to the prime rate in effect on the due date computed on a daily, non-compounding basis and applied to the contributions due. (CCCERA Board of Retirement Regulations, Section IV. 2.)

Direct all inquiries regarding secure site access and file transmission issues to employers@cccera.org.

New Pay Codes - Approval Process

When an employer has negotiated a new compensation item with its represented or unrepresented employees, the employer is required to seek advice from CCCERA as

to whether the compensation item would be considered as compensation earnable for retirement purposes.

Employers must submit a list of pay codes to CCCERA annually – both pensionable and non-pensionable for CCCERA review. New or changed codes must be reported to CCCERA in writing no later than 30 days prior to implementation. Notifications received after the 30 days will be considered late and subject to a late reporting penalty equal to the prime rate in effect on the due date computed on a daily, non-compounding basis and applied to the contribution rate. (CCCERA Board of Retirement Regulations, Sections VI. 2. C. and IV. 2.) Inquiries and notifications should be sent to employers@cccera.org for review.

Social Security Form 1945

Signed copies of Social Security Form 1945 must be submitted to CCCERA for employees who are not covered under social security.

In compliance with Social Security Administration (SSA) requirements, employers must submit copies of signed Form SSA-1945 “Statement Concerning Your Employment in a Job Not Covered by Social Security” to CCCERA for employees of your organization not participating in social security. Information about the SSA requirements can be found on the SSA website at ssa.gov/forms/ssa-1945.pdf.

Copies of signed Form SSA-1945 should be submitted to CCCERA for all current active employees that are not covered under social security. New employee enrollments should submit completed Form SSA-1945 with the employee Enrollment Affidavit (Form 101) to CCCERA. Questions? Email employers@cccera.org.

What is submitted on the I-29 File?

- Name changes
- Address changes
- Position changes

- Bargaining unit changes
- New hires
- Terminations
- Leaves of absences (LOA). If a member is on a LOA and contributions were not taken, regular monthly earnings with no retirement contributions for LOA member must be reported on a I-30 File.

What is submitted on the I-30 File?

- Earnings code
- Monthly hours
- Member and employer contribution amounts (basic and COLA contributions)
- Accruals

Employers should report all earnings/pay codes separately on the I-30 File. Please note, the I-30 headers *must* have the correct reporting dates (first day to the last day of the month). Corrections to data previously submitted on a I-30 File should be reported on an adjustment file.

What goes in Retiree Deduction Files?

The employer should provide a health deduction file which lists the retiree, the benefit deduction type and the amount of the monthly deduction.

EMPLOYER WORKSHOPS

Would your organization like a virtual meeting with CCCERA staff to review report and form submission requirements? Email employers@cccera.org.

OVERVIEW WORKSHOP VIDEO

CCCERA Overview Workshops, which are intended for members who have more than five years from retirement, is now available as a video on our website at cccera.org.

AB 197 LAWSUIT

In 2012, the Governor signed Assembly Bill 197, with an effective date of January 1, 2013. The measure changed how county retirement boards were permitted to calculate their current members' retirement allowances. Later that year members and their representative bargaining units filed a lawsuit challenging the new law. By operation of a court-imposed Stay Order, CCCERA was prohibited from implementing the new law for members whose effective date of retirement was on or before July 11, 2014. In 2020, the California Supreme Court issued a unanimous decision upholding the constitutionality of the legislative changes contained in AB 197 to the definition of "compensation earnable."

In September 2021, the Board of Retirement considered the issues of member contributions and retirement benefit adjustments in connection with elements of pay no longer pensionable under AB 197 and the California Supreme Court's *Alameda* decision. The Board adopted Resolution 2021-5 that authorizes actions in compliance with the *Alameda* decision and applicable state and federal law, to commence upon the final resolution of the three AB 197 lawsuits involving CCCERA. For more information and frequently asked questions, visit cccera.org/post/ab-197.

NOTICE

The materials in this newsletter are intended to provide a general reference or resource only and are not to be construed as providing financial, legal, tax, or any other professional service or advice. CCCERA is governed by the County Employees Retirement Law of 1937 (CERL or 1937 Act) and PEPRRA; the CCCERA retirement system is administered in accordance with these laws. If there is any conflict between statements made herein and provisions of the applicable retirement law, the law will prevail.

CALENDAR DATES

UPCOMING CCCERA CLOSURES

December 24

Christmas Holiday

December 31

New Year's Day Holiday

VIRTUAL PRE-RETIREMENT WORKSHOPS

Workshops fill up fast. Please advise members to call or email CCCERA for availability and to sign up.

December 2, 2021, 3 p.m. – 5 p.m.

December 16, 2021, 9 a.m. – 11 a.m.

January 20, 2022, 2 p.m. – 4 p.m.

February 17, 2022, 9 a.m. – 11 a.m.

UPCOMING BOARD MEETINGS

December 8, 2021

January 12, 2022

January 26, 2022

NEWSLETTER SUGGESTIONS?

Please email employers@cccera.org.

CONTACT US

Contra Costa County
Employees' Retirement Association
1200 Concord Ave, Suite 300,
Concord, CA 94520
(925) 521-3960
info@cccera.org

Our office is now open to the public.

Open Monday – Friday
8 a.m. – 5 p.m.;
Closed noon to 12:30 p.m.

RETIRING SOON? KNOW YOUR NEXT STEPS

Active Members

STEP 1 - Determine your eligibility.

Pension benefits can only be received if you are eligible, meaning you meet the age and service requirements. Generally, you can retire at:

Legacy Tiers (1, 3, A or C)

- Any age, with 30 (20 for safety members) or more years of service
- Age 50, with 10 or more years of service
- Age 70 or older, regardless of service

PEPRA Tiers (4, 5, D or E)

- Age 52 (50 for safety tiers), with five or more years of service
- Age 70 or older, regardless of service

If you have left employment with a CCCERA employer before you are eligible to retire, you can defer your retirement until you become eligible, withdraw your funds, or rollover your funds to an Individual Retirement Account.

STEP 2 - Attend a workshop. Sessions are available year-round to all members but the Pre-Retirement Workshop (currently offered virtually) is particularly helpful for those planning to retire within five years. If you are *more* than five years away from retirement, you may find the Overview Workshop Video on our website helpful.

STEP 3 - Request your benefit estimate.

An estimate will give you an idea of your monthly benefit amount when you retire. It also gives you the opportunity to purchase or convert any eligible service time, consider your estimated benefit amounts at potential retirement ages and at which age retirement will be most beneficial. Calculate your own basic estimate for retirement at cccera.org/pension-calculator.

Members may request a maximum of two benefit estimates per year; the retirement dates should be within five years of the date of the request.

How does your salary contribute to your pension? *In a nutshell, you contribute to CCCERA to receive a pension. Then CCCERA uses a formula to determine your pension...*

During your employment you contribute a percentage of your pretax pay each pay period through automatic payroll deductions which are submitted to CCCERA and posted into your retirement account. If you withdraw these funds before retirement, you'll receive a lump sum payout, paying income tax on your contributions. Or, you can leave your contributions in your account and wait until you are eligible to retire and receive a pension.

CCCERA calculates your pension benefit using a formula based off your highest final average salary, years of service and your retirement age factor.

Highest Final Average Salary	X	Years of Retirement Service Credit	X	Retirement Age Factor	=	Monthly Pension Benefit
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Visit cccera.org/benefit-handbooks for details based on your tier.

STEP 4 - Speak with a retirement

counselor. Once you have decided on a retirement date, call CCCERA to make a virtual appointment with a retirement counselor. If you are ready, the retirement counselor may send you the Application for Service Retirement Packet, or you can download the packet from cccera.org/forms. During your appointment, the retirement counselor will discuss your specific situation and go over your application.

STEP 5 - Submit your Application to

Retire. Your application must be submitted within 60 days of your planned retirement date. By statute, CCCERA cannot accept your application more than 60 days prior to your final day at work. While you are not required to notify your employer, we highly encourage you to give your employer as much notice as possible. Once you have submitted your application, a notice will be sent to your employer, which states your decision to retire and the effective date.

Your application must include the following documents (please provide copies):

- Application to Retire (at cccera.org/forms)
- Social Security card.
- Beneficiary's Social Security card.
- Birth certificate or passport.
- Beneficiary's birth certificate or passport.
- Marriage certificate or registration if you are currently married or a State of California Registered Domestic Partner.
- If applicable, court documents stating whether your former spouse/partner has any entitlement to your benefit if you were married and divorced, or dissolved a registered domestic partnership during your membership.

If you have any service in Tier 2, you will also need to provide a current Social Security Estimate for your Tier 2 service from the Social Security Administration before your final benefit calculation can be completed.

After CCCERA receives all the necessary documentation, a retirement counselor will process your application. Generally, the time frame from your last paycheck to receipt of your Options Election Package is about eight to 12 weeks (see Step 6).

Submit Documents at Any Time

You can streamline the processing of your retirement benefits by having the necessary documents on file with CCCERA before you submit your retirement application.

What about reciprocity?

Reciprocity is an agreement among public retirement systems to allow members to move from one public employer to another public employer within a specific time limit without losing some privileges related to your retirement benefits. There is no transfer of funds or service credit between retirement systems when you establish reciprocity. You become a member of both systems and are subject to the membership obligations and rights of each system (for example, minimum retirement age may vary between systems), except as modified by the reciprocity agreement.

If you have reciprocity with another public retirement system(s), you must apply to retire from each system separately, and you will receive separate retirement allowances from each system. You must retire on the same date from each public retirement system participating in a reciprocal agreement for all benefits of reciprocity to apply. For more information, visit cccera.org/reciprocity.

STEP 6 - Choose your benefit payment

option. An Options Election Package will be sent for your signature about eight to 12 weeks after your last paycheck. Your option selection must be signed, witnessed, and received by CCCERA before your first pension check can be issued. Your option choice is irrevocable.

There are five benefit payment options you could be eligible for:

- **The Unmodified Allowance** gives you the highest monthly benefit with a 60% continuing benefit after your death to a eligible beneficiary(ies).
- **Option 1** reduces your benefit but leaves a lump sum amount of the remaining refundable employee contributions, if any, for your eligible beneficiary(ies).
- **Option 2** reduces your benefit, but leaves your eligible beneficiary a lifetime benefit of up to 100% of your benefit.
- **Option 3** reduces your benefit and provides a 50% lifetime continuance for your surviving, eligible beneficiary.
- **Option 4** reduces your benefit and provides a lifetime continuance for multiple, eligible beneficiaries.

To learn more, visit cccera.org/getting-ready-retire.

AB197

Retirees and Payees, Active Members

In 2012, the Governor signed Assembly Bill 197, with an effective date of January 1, 2013. The measure changed how county retirement boards were permitted to calculate their current members' retirement allowances. Later that year members and their representative bargaining units filed a lawsuit challenging the new law. By operation of a court-imposed Stay Order, CCCERA was prohibited from implementing the new law for members whose effective date of retirement was on or before July 11, 2014. In 2020, the California Supreme Court issued a unanimous decision upholding the constitutionality of the legislative changes contained in AB 197 to the definition of "compensation earnable."

In September 2021, the Board of Retirement considered the issues of member contributions and retirement benefit adjustments in connection with elements of pay no longer pensionable under

AB 197 and the Alameda decision. The Board adopted Resolution 2021-5 that authorizes the following actions in compliance with the Alameda decision and applicable state and federal law:

1. Determine all member contributions attributable to excluded Terminal Pay Items and On-Call Pay Items made on and after July 12, 2014 and credit or refund all such contributions, with appropriate interest, to the affected members, in a manner that complies with applicable federal tax rules and California law.
2. Determine all overpayments of benefits made to retired members due to excluded Estoppel Benefits and On-Call Pay Items since July 12, 2014 and recover those overpayments from the affected members, with appropriate interest, net of any contributions made on and after July 12, 2014 attributable to such excluded items, in a manner that complies with applicable federal tax rules and California law.
3. Determine appropriate adjustments to the future retirement benefits paid to affected members in Item 2 above and implement those adjustments at the earliest practicable time.

The above actions will commence upon the final resolution of the three AB 197 lawsuits involving CCCERA. Please contact CCCERA with specific questions affecting your retirement decisions. For more information and frequently asked questions, visit cccera.org/post/ab-197.

UPDATE YOUR INFORMATION

Retirees and Payees, Active Members

Recently married or divorced? Did you move? Need to update your electronic funds transfer or your tax withholding election? Visit cccera.org/forms. Forms can be printed and mailed to CCCERA; only original forms are accepted (they cannot be photocopied or submitted electronically).



Contra Costa County Employees'
Retirement Association

1200 Concord Avenue, Suite 300, Concord, CA 94520
Phone: (925)521-3960 Fax: (925)521-3969 cccera.org

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CALL OR VISIT OUR OFFICE

CCCERA is open Monday to Friday, from 8 a.m. to 5 p.m. The office is closed from noon to 12:30 p.m.

2021 CALENDAR DATES

UPCOMING CLOSURE SCHEDULE

November 11 **November 25 & 26**
Veterans Day Holiday Thanksgiving Holiday

December 24
Christmas Holiday

VIRTUAL PRE-RETIREMENT WORKSHOPS

In-person workshops are currently on hold, and are now offered virtually. Sessions are available year-round to all members but the Pre-Retirement Workshop is particularly helpful for those planning to retire within five years. Visit cccera.org/retirement-counseling to see when the next workshops are scheduled. Reservations are required and fill up fast; please call CCCERA to sign up.

UPCOMING BOARD MEETINGS

October 27, 2021 **November 3, 2021**
November 17, 2021 **December 8, 2021**

2021 RETIREE PAYROLL DATES

Month	Pay Date	Month	Pay Date
January	February 1	July	August 2
February	March 1	August	September 1
March	April 1	September	October 1
April	May 3	October	November 1
May	June 1	November	December 1
June	July 1	December	January 3

NOTICE

This newsletter is intended to provide members with general information about the benefits available through CCCERA, but it does not describe every plan provision in detail. CCCERA is governed by the County Employees Retirement Law of 1937 (CERL, Government Code Section 31450 et. seq.) and the California Public Employees' Pension Reform Act of 2013 (PEPRA). The laws governing public retirement systems are complex. If conflict arises between this newsletter and the law, the law shall govern.



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

December 8, 2021, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 816 3480 6212, Passcode: 574719, or via the web at:

<https://us06web.zoom.us/j/81634806212?pwd=d2JHYU5Lb1pwQ200ZVNkNmdMczFGQT09>

Passcode: 574719

Persons who wish to address the Board of Retirement during public comment may call in during the meeting by dialing the phone number and passcode above. Access via Zoom is also available at the weblink above. To indicate you wish to speak during public comment, please select *9 on your phone or “raise your hand” in the Zoom app.

Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Comments will be received in real time via telephone or Zoom, subject to a three-minute time limit per speaker.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Accept comments from the public.
4. Approve minutes from the November 3, 2021 meeting.
5. Approve the following routine items:
 - a. Certifications of membership.
 - b. Service and disability allowances.
 - c. Death benefits.
 - d. Investment 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.

6. Accept the following routine items:
 - a. Disability applications and authorize subpoenas as required.
 - b. Investment asset allocation report.

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. Oscar Aranda	Service Connected	Service Connected
b. Jason Hoschouer	Service Connected	Service Connected
c. Melissa O'Reilley	Service Connected	Service Connected

8. 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 Da'Kiesha Malone.
9. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(2) to confer with legal counsel regarding potential litigation (one case).
10. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:
 - a. *Nowicki v. CCCERA, et al.*, Court of Appeal, First Appellate District, Division Two, Case No. A160337
 - b. *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

OPEN SESSION

11. Information session on retirement process.
12. Legislative update.
13. Consider and take possible action to issue RFI for integrated investment portfolio analytics and risk management solution.
14. Notice of planned termination of Parametric Volatility Risk Premium strategy.

<p>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.</p>
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15. Presentation of the Contra Costa County Fire Protection District employer audit report.
16. Presentation of 2022 Compliance Activity Plan.
17. Report out from Audit Committee Chair on November 17, 2021 Audit Committee meeting.
18. Consider authorizing the attendance of Board:
 - a. SACRS Board of Directors Meeting, December 14, 2021, Rancho Mirage, CA.
 - b. 40th Annual Sit Investment Associates Client Workshop, February 17-20, 2022, Scottsdale, AZ.
19. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

November 17, 2021, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 849 9279 7484, Passcode: 805759, or via the web at:

<https://us06web.zoom.us/j/84992797484?pwd=YkFnZ1FXb20rdEhuaURCME1iWTlidz09>

Passcode: 805759

Persons who wish to address the Board of Retirement during public comment may call in during the meeting by dialing the phone number and passcode above. Access via Zoom is also available at the weblink above. To indicate you wish to speak during public comment, please select *9 on your phone or “raise your hand” in the Zoom app.

Public comments are limited to any item that is within the subject matter jurisdiction of the Board of Retirement. Comments will be received in real time via telephone or Zoom, subject to a three-minute time limit per speaker.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Roll Call.
3. Accept comments from the public.
4. Approve minutes from the October 27, 2021 meeting.
5. Review of total portfolio performance for period ending September 30, 2021.
 - a. Presentation from Verus
 - b. Presentation from staff
6. Private Equity Review
 - a. Presentation from staff
 - b. Presentation from StepStone

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.

7. Presentation of alternative investment fees and expense report.
8. Consider and take possible action to issue a Request for Proposal for a Member Service Analysis.
9. Consider and take possible action effective January 1, 2022 to add CCCERA staffing:
 - a. Add two Retirement Services Counselors positions, cancel one Investment Officer position (currently vacant), establish classifications for Senior Investment Officer and Senior Investment Analyst, and add one Senior Investment Officer position and one Senior Investment Analyst position; and
 - b. Amend Attachment A of Resolution 2021-3 providing salary and benefits for unrepresented employees of CCCERA.
10. Consider and take possible action to adopt the 2022 CCCERA budget.
11. Consider and take possible action to authorize the Board to conduct teleconference meetings under Government Code section 54953 (e) and to make related findings.
12. Consider and take possible action on Board meeting schedule for 2022.
13. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

ANTIOCH

By Chris Campos

Bay City News Foundation

The Antioch City Council has approved the hiring of Cornelius Johnson, a retired San Francisco police captain, as interim city manager for a oneyear contract.

Johnson will become the first Black city manager in the city's history. Johnson also served as Mayor Lamar Thorpe's campaign manager in his successful election.

Johnson has no city administrative

management experience. He earned a bachelor's degree in public administration and a master's degree in public administration from the University of San Francisco.

Thorpe, calling from a conference in the Dominican Republic, said Wednesday, "The city made history last night. I'm pretty excited."

Ron Bernal, the current city manager, has announced he will retire at the

end of this year. Earlier this year, the city's Police Chief Tammany Brooks resigned to take a position in Idaho. The 3-2 vote Nov. 9 once again followed a tense split between the three Black members and the two dissenting white colleagues.

Councilmember Michael Barbanica pleaded with his colleagues to put off the vote. "This is premature," he said while emphasizing his friendship with Johnson and their common background in law enforcement. "We have rushed this."

One public comment said, "This smells like quid pro quo."

Councilmember Lori Ogorchock also wanted to put the hiring on hold

and joined Barbanica in voting no on the appointment.

Thorpe said that he hopes Johnson can serve as a "bridge" between Bernal's retirement and the search for a permanent city manager. Most of the council members indicated support for hiring a national search firm. Johnson will be paid \$20,137 a month.

\$1 billion project to expand major Bay Area reservoir gains momentum

Plans moving forward to enlarge Los Vaqueros Reservoir in Contra Costa County by 72%



BRENTWOOD, CALIF. — NOV. 8 : View of Los Vaqueros Reservoir in Brentwood, Calif., on Monday, Nov. 8, 2021. The Contra Costa Water District is working with other Bay Area water agencies to expand the region's water supply, is moving forward with a \$1 billion plan to significantly expand the reservoir by raising the height of its dam. Currently the dam is at 231 feet and plan to raise it to 287 feet. (Jose Carlos Fajardo/Bay Area News Group)

The rolling hills and ranchlands of eastern Contra Costa County are known for wineries, cattle ranches, wind turbines and growing subdivisions.

But soon they may be known for something else: The biggest new water storage project in the Bay Area in years. And now, amid the current drought, nearly every major water agency in the region wants a piece of it.

The Contra Costa Water District is moving closer to breaking ground on plans to expand Los Vaqueros Reservoir, south of Brentwood, by raising the reservoir's earthen dam by 56 feet, to 287 feet high. That would make it the second tallest dam in the Bay Area, eclipsed only by Warm Springs Dam on Lake Sonoma near Healdsburg, which is 319 feet high.

Construction, slated to begin in late 2023 and finish by 2030, would expand Los Vaqueros from its current 160,000 acre-feet capacity to 275,000 acre-feet, enough water when full for the annual needs of 1.4 million people.

At a time when other efforts to build new dams and reservoirs in California have struggled for lack of money, ballooning costs and opposition from environmental groups, Los Vaqueros is gaining momentum. The idea is that part of the \$1 billion cost would be shared by other Bay Area water agencies, who would receive some of the water. “It’s about water supply reliability,” said Marguerite Patil, assistant general manager of Contra Costa Water District. “It’s not a big enough project to solve everybody’s problems, but it’s a good tool to have in the tool kit.”



BRENTWOOD, CALIF. – NOV. 8 : Contra Costa Water District assistant general manager Marguerite Patil, left, and Contra Costa Water District engineering manager Chris Hentz are photographed near the spillway of the Los Vaqueros Reservoir in Brentwood, Calif., on Monday, Nov. 8, 2021. (Jose Carlos Fajardo/Bay Area News Group)

Recently, the project has cleared [several significant hurdles](#).

Last month, the Contra Costa Water District and seven other agencies formed a legal partnership to oversee the design, construction and funding of the reservoir — including negotiating in the coming year how much money each agency will contribute and how much water they will secure.

That partnership, called a Joint Powers Authority, held its [first public meeting Wednesday](#).

Environmental studies are finished. Engineering plans are expected to be reviewed in the spring by state dam safety officials for final approval.

Two weeks ago, the California Water Commission, a nine-member agency appointed by the governor, voted unanimously to confirm that the project qualifies to receive \$470 million from Proposition 1, a state water bond passed by voters in 2014.

The project also has \$223 million in federal funds. The rest of the funding would come from other Bay Area water agencies.

“We’re feeling great,” Patil said.

There are still challenges ahead. To raise the dam, the reservoir will have to be drained in 2027 for three years. The district says it will provide water during that time to Contra Costa County residents directly from the Sacramento-San Joaquin River Delta and from transfers and exchanges with other districts.

Los Vaqueros Reservoir is 3 miles long. It was built in 1998, paid for by the customers of the Contra Costa Water District. In 2010, the same customers approved an advisory measure to expand the reservoir from 100,000 acre-feet to 160,000 acre-feet, by raising the dam 34 feet. That project was finished in 2012. The reservoir, now 63% full, has reduced the impact of the last two droughts on Contra Costa County residents.

Of note: The project has never been opposed by environmental groups. Part of the reason is that Los Vaqueros is an off-stream reservoir, filled from the Delta, rather than a dam on a free-flowing river.

“They reached out early on to understand our concerns,” said Jonas Minton, senior water advisor to the Planning and Conservation League, a Sacramento environmental group. “They incorporated ways to reduce environmental impacts.”

Among those were putting in state-of-the-art fish screens on Delta intake pipes to reduce harm to fish, building a 55-mile network of public trails around the reservoir, and in the new expansion, guaranteeing some water will go to Central Valley wildlife refuges.

A decade ago, plans to expand the reservoir were discussed, but the economy was struggling and Contra Costa officials couldn’t find other agencies to help foot the bill.

RESERVOIR EXPANSION PROPOSAL

A \$1 billion project could expand Los Vaqueros Reservoir and connect it with other water systems as far south as San Jose.



Source: Contra Costa Water District

BAY AREA NEWS GROUP

Now the partnership is a who's-who of Bay Area water leaders: The Contra Costa Water District, Alameda County Water District, East Bay Municipal Utility District, Santa Clara Valley Water District, San Francisco Public Utilities Commission, and Zone 7 Water Agency in Livermore, along with the San Luis & Delta-Mendota Water Authority, and Grassland Water District in Los Banos.

To the south, the Santa Clara Valley Water District has proposed building a major new reservoir in southern Santa Clara County near Pacheco Pass. But its costs doubled to \$2.5 billion this year when the site was found to have unstable geology. It has no local funding partners so far. Environmentalists and San Jose Mayor Sam Liccardo are opposed. Pacheco Reservoir is still being planned, but the district, based in San Jose, is studying other ideas also.

“Los Vaqueros has a lot of merit,” said Tony Estremera, chairman of the Santa Clara Valley Water District, which serves 2 million people. “We are looking really hard to solve our storage problems. This is one of the best options we’ve found.”

The region’s largest water agency, the San Francisco Public Utilities Commission, which runs the Hetch Hetchy system for 2.7 million people in four counties, also is at the table.

“We still have questions about how much water we can get and how much it will cost us,” said Steve Ritchie, the commission’s assistant general manager.

Ritchie said Los Vaqueros is one of 15 projects San Francisco is considering — including raising its own Calaveras Dam east of Fremont and expanding recycled water — to help reduce water shortages over the next 50 years as the population grows and the city battles state regulators and environmentalists over how much water it can take from the Tuolumne River.

“Reservoirs are really hard to build,” Ritchie said. “They are expensive. The idea of being part of a project where new storage is actually being built, having that in the future, is a fairly tempting proposition. These opportunities don’t come along very often.”



BRENTWOOD, CALIF. – NOV. 8 : Fisherman Nick Nakano, of Oakley, hikes back to his car after spending the morning fishing at Los Vaqueros Reservoir in Brentwood, Calif., on Monday, Nov. 8, 2021. (Jose Carlos Fajardo/Bay Area News Group)

DROUGHT

Water proposal resulting in rancor

Measure signature
gathering underway

By Paul Rogers

*progers@
bayareanewsgroup.com*

California has not built enough new reservoirs, desalination plants and other water projects because there are too many delays, too many lawsuits and too much red tape.

That's the message from a growing coalition of Central Valley farmers and Southern California desalination supporters who have begun collecting signatures for a statewide ballot measure that would fast-track big water projects and provide billions of dollars to fund them, potentially setting up a major political showdown with environmentalists next year shaped by the state's ongoing

WATER » PAGE 5

Water

FROM PAGE 1

ing drought.

The measure, known as the "Water Infrastructure Funding Act of 2022," needs 997,132 signatures of registered voters by April 29 to qualify for the November 2022 statewide ballot.

If approved by a majority of voters, it would require that 2% of California's general fund — about \$4 billion a year — be set aside for projects to expand water supplies. Those could include new dams and reservoirs, desalination plants, recycled water plants and other projects like upgrading canals and pipes.

The money would continue flowing each year until 5 million acre-feet of new water supply was created, an increase of about 13% in the roughly 39 million acre-feet used in an average year by all the state's residents, farmers and businesses. That could take several decades and cost \$100 billion,

according to an analysis by the non-partisan State Legislative Analyst's Office.

"We think conservation has an important role to play," said Edward Ring, a spokesman for the campaign, known as More Water Now. "But you can't get there any more just with conservation. If you want to be resilient against a prolonged drought, you have to have new supplies."

Supporters say California hasn't kept pace expanding its water supplies, leading to severe shortages for farmers in recent years and likely water rationing next year for many urban residents if the state's two-year drought continues.

With climate change, they note, scientists say California's droughts are becoming more severe. The state needs more reservoirs to save water in wet years, they say, particularly as hotter temperatures melt the Sierra Nevada snowpack.

"When we have big storm events, there is surplus water and we need to harvest it," Ring said.

The measure has been endorsed by 27 state lawmakers, including 18 Republicans, one independent and eight Democrats, including one from the Bay Area, Assemblyman Tim Grayson, D-Concord.

Environmentalists, however, say the measure goes too far, and are preparing to fight it.

"For next November's ballot, this is the Number 1 priority of environmental groups," said Jonas Minton, a senior water adviser to the Planning and Conservation League, a Sacramento nonprofit. "That's due to the destruction to California's environment that would result from the unsupervised spending of billions of dollars each year without environmental oversight."

Under the measure, the money would be spent each year by the California Water Commission, a nine-member panel appointed by the governor.

The measure would streamline environmental reviews. For water projects on the coast, the California

Coastal Commission would be required to make a decision within 90 days, and could be overruled by the state's Secretary for Natural Resources.

Environmental impact reports would still be required. But if opponents filed lawsuits, courts would be required to rule on them within 270 days.

Minton noted that many of the state's political power players could oppose the measure because money guaranteed for water projects means less for other spending in the state budget.

"This is the largest scam in California history to take over \$100 billion of taxpayer funds away from nurses, teachers and firefighters in order to pay for the sponsors' special interest projects," he said.

Political observers say the measure will have a challenge collecting enough signatures to qualify for the ballot. But if the drought continues and water restrictions are tightened statewide, as local and state water officials have predicted

will occur, it could become a populist issue that might have a chance at passage.

"The drier it gets, the better the prospects for this measure," said Jack Pitney, a professor of political science at Claremont McKenna College in Los Angeles County.

"If I were running the no campaign, I would frame it as a giveaway to agribusiness," he said. "But for a lot of Californians, if we get to August and are in a severe drought, the attitude is going to be 'to heck with the environment, I want my shower.'"

Supporters have so far raised about \$100,000, mostly from Central Valley farm interests. The organizers include Wayne Western Jr., a board member of the California Farm Water Coalition; Geoffrey Vanden Heuvel, director of regulatory and economic affairs for the California Milk Producers Council; and several supporters of building a new desalination plant in Huntington Beach: Steve Sheldon, president of the Or-

ange County Water District board of directors and Shawn Dewane, a member of the Mesa Water District board of directors in Costa Mesa.

California voters approved a major water bond, Proposition 1, in November 2014 during the last drought. That \$7.45 billion measure has funded projects from upgrades to drinking water plants to recycled water efforts. It also included \$2.7 billion for new storage projects.

But none have been built yet. In 2018, the California Water Commission approved spending \$2.5 billion on eight storage projects — four new dams and four underground storage projects — including expanding Los Vaqueros Reservoir in Contra Costa County and building a new reservoir in Santa Clara County near Pacheco Pass.

But before the projects can receive the money, they need to obtain all permits, finish environmental studies and identify other funds to pay more than 50% of their costs.

State to stop water deliveries

CALIFORNIA DROUGHT

Urban areas must find other sources, tighten conservation

By Paul Rogers

progers@bayareanewsgroup.com

In a stark indicator of California's worsening drought, the Newsom administration announced Wednesday that cities and farms should expect to receive virtually no water next year from the State Water Project, a massive system of dams, pipes and canals that typically provides water to 27 million people from Silicon Valley to San Diego.

The unprecedented announcement — with only small amounts of emergency supplies possible for some urban areas— means that unless this winter brings significant rainfall, more stringent conservation measures are likely in San Jose, parts of the East Bay and other communities across the state in 2022, including strict limits on landscape watering.

“We’re coming off an historic set of conditions,” said Karla Nemeth, director of the state Department of Water Resources.

Nemeth also said that if significant

rainfall does not occur this winter, Gov. Gavin Newsom is likely to impose mandatory urban water conservation targets, similar to those put in place by former Gov. Jerry Brown during California's last drought from 2012-16.

“We’ll see that probably late winter, early spring if these dry conditions persist,” she said. This summer, Newsom asked California residents and businesses to reduce urban water use by 15% from last year’s levels. But they are falling far short, cutting by only 3.9% in September.

The past two years have been the driest back-to-back years in Northern California since 1976-77, leaving major reservoirs at record-low levels. Lake Oroville, in Butte County, the second-largest reservoir in the state and the largest in the State Water Project, was just 30% full Wednesday.

Even though Northern California received heavy rain in October, much of it soaked into the dry ground instead of running off into reservoirs. Since then, very little rain has fallen.

The State Water Project, approved by voters in 1960 and a key legacy of former Gov. Pat Brown, moves water from Northern California to the south. It takes melting snow from the Sierra Nevada and transports it from Lake Oroville through the Sacramento- San Joaquin River Delta all the way to the Los Angeles Basin. In normal times, it supplies drinking water to 2

the Santa Clara Valley Water District in San Jose, which provides drinking water to 2 million South Bay residents. Also hit: Alameda County Water District, which provides water to 360,000 people in Fremont, Newark and Union City; and Zone 7 Water Agency, which serves Livermore, Pleasanton and Dublin.

The news does not affect customers of the East Bay Municipal Utility District, Contra Costa Water District, Marin Municipal Water District or San Francisco Public Utilities Commission, who receive their water from other sources and projects.

Urban areas such as San Jose, Fremont and Livermore, along with Los Angeles and Napa, will have to find other water sources, including local reservoirs, groundwater, more conservation and purchases from farm agencies to get through next year. And many farmers will have to pump more groundwater or fallow fields.

“With the conditions we’ve been seeing, and the reservoir levels where they are, I don’t think we are surprised,” said Aaron Baker, a chief operating officer with the Santa Clara Valley Water District. “It is symbolic of the dry, warmer conditions we are in.”

Baker said the Santa Clara Valley Water District will use local groundwater, conservation and purchases from farm agencies in the Sacramento Valley with senior water rights to avoid severe shortages. Its 10 local reservoirs are only 11% full now.

out of 3 Californians — and irrigates about 750,000 acres of farmland.

Nemeth said her department is in discussions with seven of the 29 urban and agricultural agencies that contract to receive StateWater Project water for them to receive “very modest” amounts of “health and safety” water next summer for firefighting, hospitals and some indoor uses, including drinking water, toilets, showers and clothes washing, but not for landscape irrigation.

That amount will be 55 gallons per person per day, she said. The state could provide the difference if local water agencies cannot meet that amount, she added. The total the state expects to deliver of such “health and safety” water is 340,000 acre-feet. By comparison, all cities and farm districts have state contracts for 4.2 million acre- feet.

Wednesday’s announcement is the first time since January 2014, during the depths of the last drought, for a 0% allotment, and the first time ever that such an announcement was made in December, at the beginning of winter.

Among the agencies affected by Wednesday’s news are

This summer, the district asked Santa Clara County residents to cut water use 15% from 2019 levels to preserve supplies. So far, they have reduced by only 7%.

Baker said that if it doesn’t rain significantly this winter, Santa Clara County residents should expect more stringent water conservation rules next summer.

On Wednesday, the Marin Municipal Water District, which serves 190,000 people in Marin County, prohibited all outdoor landscape watering seven days a week, with fines for violators. Healdsburg, in Sonoma County, has had similar rules in place for months.

“We need local leaders to step up and make those decisions,” Nemeth said. “If they won’t, the state will.”

Frazier announces resignation from Assembly to pursue career in transportation, spend time with family, friends

December 2, 2021 By [Publisher](#) [Leave a Comment](#)



Assemblyman Jim Frazier. *Source: Twitter*

“It was the best job in the world, helping people and solving problems.”– Jim Frazier

Currently serves most of East County

By Allen Payton

In a post on his [official Facebook page](#) and [Twitter feed](#), Wednesday, Dec. 1, 2021 State Assemblyman Jim Frazier (D-11) announced he will be resigning from his position at the end of the month.

In addition to posting his letter of resignation, at 12:32 pm Wednesday, he tweeted, “It has been a joy and a privilege to represent District 11. I extend my sincerest appreciation to each of you. Thank you all.” Frazier posted a similar comment on his Facebook page, writing, “It has been a joy and a privilege to represent District 11. I extend my sincerest appreciation and love for an incredible 9 years of service. Thank you all.”

His announcement dispels the rumors that Frazier, who moved from Oakley to Fairfield a few years ago, would run for supervisor in Solano County, State Senate or Congress, if Rep. John Garamendi was going to retire. But the Assemblyman, was first elected to the Assembly in 2012 following his time on the Oakley City Council, could have served one more term, since members of the state legislature can only serve a total of 12 years in either the Assembly or State Senate or a combination of both, due to [term limits in Proposition 28](#) passed by voters in 2012.

When reached for comment Frazier said, “it’s time to move on and I have a strong urge to get back into the transportation sector, pursue my passion, and help people achieve their goals in transportation.”

“It was the best job in the world, helping people and solving problems,” he continued. I’ve served for 14 years in public service. It’s time to move on.”

Asked about the rumors he might run for another office, Frazier laughed and said, “nobody asked me.”

The press release reads: [Jim Frazier resignation ltr 12-02-21](#)

“California State Assemblymember Jim Frazier (D-Fairfield) today announced his resignation from the California State Assembly, District 11, effective December 31, 2021. Mr. Frazier will be seeking new opportunities in the field of transportation.

Assemblymember Frazier said, “This is the best job that I have ever had. I have enjoyed serving the State of California and the 11th Assembly District and greatly appreciate the confidence that my constituents have shown in me over the last nine years. I am proud of the many successes that we achieved together. My future plans are to put to use my passion and experience in the transportation sector, explore new career opportunities and spend additional time with family and friends.”

Mr. Frazier was elected to the California State Assembly, District 11 in November of 2012. The 11th District encompasses portions of Solano, Contra Costa and Sacramento counties and includes the following cities, towns, and areas: Antioch, Bethel Island, Birds Landing, Brentwood, Byron, Collinsville, Discovery Bay, Fairfield, Isleton, Knightsen, Locke, Oakley, Pittsburg (partial), Rio Vista, Suisun City, Travis Air Force Base, Vacaville and Walnut Grove.

Assemblymember Frazier currently serves as Chair of the powerful Assembly Governmental Organization Committee, providing oversight of open meeting laws, Offices of the Governor, Lieutenant Governor, State Controller, and State Treasurer, State holidays, seals, and official acts, emergency services, Outdoor Advertising Act (billboards), alcohol, gaming, horse racing, the State Lottery, and tobacco. He has been an advocate for enhanced unemployment and disability policy as chairman of Select Committee on Intellectual and Developmental Disabilities. As a key member of the Assembly Veteran’s Committee, he supported legislation to improve lives of veterans. Mr. Frazier oversaw and helped coordinate state public works activities while serving as the Assembly Speaker’s appointee to the State Public Works Board. Mr. Frazier previously served as chairman of the Assembly Transportation Committee, overseeing transportation infrastructure managing \$2.3T in annual commerce, and promoting system improvements and job creation.

Additional key accomplishments:

- Delivered numerous improvements to transportation infrastructure across high-speed rail, highways, and public transportation, securing \$30B in total transportation funding and \$5.2B for highly impactful SB1 infrastructure project.
- Fostered legislation to obtain \$1.2B in funding for special needs population, supporting and overseeing series of hearings throughout the State of California, evaluating the mission and effectiveness of relevant state agencies.
- Established reputation as champion for California Delta, serving as key member of Delta Protection Commission focused on protecting fish and wildlife, safeguarding farmers, and

ensuring continuous environmental and economic viability of delta by promoting water conservation, improved water quality, and improved management of land use and development.

- Secured \$12 million to remove abandoned and derelict commercial marine vessels throughout the Delta region through the 2021 State Budget.
- Secured funding for Special Olympics for 6 years, including \$20M funding through the 2021 State Budget.
- Secured funding for Solano First 5 in the amount of \$2 million to create a Fairfield First 5 Center through the 2021 State Budget.
- Secured \$500,000 for East Contra Costa Fire Protection District's training program.
- Authored legislation for a Veteran Designation of CA Driver's License to recognize military service, resulting in hundreds of thousands of additional dollars for Veterans.

Mr. Frazier's was recognized with many awards during his Assembly career. His accomplishments include (partial list): 2018, Legislator of the Year from the California State Commanders Veterans Council, 2017 California Transportation Foundation Elected Official of the Year, Director's Special Recognition for Infrastructure Advocacy by American Society of Civil Engineers, 2016 Special Olympics Volunteer of the Year, 2016 AMVETS Legislator of the Year, 2015 Decoding Dyslexia: Assemblymember of the Year, 2015 California Transportation Foundation: Elected Official of the Year, 2015 Small Business Legislator of the year by California Small Business Association (CSBA) and California Small Business Roundtable (CSBR), 2015 CA Waterfowl Association, Grant Kenyon Award, Legislator of the Year, Appreciation Award: Sikh Communities of Napa and Solano Counties and Fairfield- Suisun Unified School District.

An avid supporter of non-profits, Mr. Frazier was a Founder and Vice President of the Friends of Oakley Community Foundation from 2007 until 2013. A dedicated volunteer, Mr. Frazier served on the Boys and Girls Club Advisory Board, a Board of Director member for Impact Teen Drivers and dearest to his heart, he has been a volunteer with Special Olympics since 2005."

2 more run to replace Mitchoff

Debora Allen, Roxanne Garza join contest for District 4 supervisor's seat; field now at five

CONTRA COSTA COUNTY

By Shomik Mukherjee

smukherjee@bayareanewsgroup.com

Two more people have announced they intend to run for Contra Costa County Supervisor Karen Mitchoff's open District 4 seat next June, bringing to five the number of candidates who want to represent a largely suburban region with the county's major business centers.

District 4 encompasses much of Concord and Walnut Creek, as well as Pleasant Hill, Clayton and some of the area around Mount Diablo.

Area City Council members Carlyn Obringer, Ken Carlson and Edi Birsan earlier filed statements of their intention to succeed Mitchoff, who is known for her candid and often confrontational approach at supervisors meetings.

The two new candidates are Debora Allen, who represents the central county on the BART Board of Directors, and Roxanne Garza, a Pleasant Hill resident with years of experience at Healthy Richmond and Contra Costa Health Services.

Here's a rundown of the new additions to a growing field of candidates:

Roxanne Garza

While she is the only candidate so far to never have held public office, Garza said her work as senior director at Healthy Richmond — a nonprofit focused on health equity and racial justice — has provided on-the-ground know-how



Allen



Garza

and helped her foster relationships with west county community leaders.

Prior to her tenure there, she worked as a public health program manager at the county health department, where she also volunteered to boost testing and vaccine distribution among the county's uninsured front-line workers during the pandemic.

When UC Berkeley proposed a since-abandoned plan for a new research facility in Richmond, Garza was among those pushing it to offer generous community benefits in exchange for approval. She has also focused some of her nonprofit work on tenant assistance: "I want people who grew up here to be able to stay here," she said.

Kramer for county assessor. She switched races recently after her community was split off from Supervisor Diane Burgis' district, allowing her to vie for Mitchoff's open seat.

Prior to her time on the BART board, Allen unsuccessfully pursued the Republican nomination for a state Assembly seat. But the small-business consultant doesn't bill herself as a conservative — just a data-driven official committed to making the county's transportation, housing and local economy more efficient.

"If we want to focus on the quality of life for the average residents of Contra Costa County, one of the things we can help them with is providing good jobs inside of our county, so their commute times are

Garza contends every inequity in the county is related, a belief that stems from her work in public health, whose shortcomings she said were laid bare by the pandemic.

“The issue is not just about lifting the voices of residents,” Garza said. “It’s about, how do you set the table where residents are meeting with decisionmakers?”

Garza’s advocacy recently led to her appointment by Supervisor John Gioia to a committee that makes recommendations to the Board of Supervisors on how to spend sales tax revenue.

The board recently gave \$2.5 million in tax revenue to the Contra Costa County Sheriff’s Office, enraging some committee members, including Gioia’s appointees, who had opposed that move. Mitchoff strongly defended the allocation and accused opponents of harboring a “personal animus” toward Sheriff David Livingston.

Garza, who was appointed to the advisory committee after that meeting, said she would’ve pushed for other spending priorities besides sheriff’s funding, and believes District 4 voters agree with her.

“I think the central county is looking for different solutions to some of these issues as well,” Garza said. “It’s not about progressive versus conservative when it comes to community safety. It’s about, how do we transform these systems and look at the root causes of (c r i m e) ? ”

Debora Allen

As a BART board director, Allen has consistently managed to stand out for her views, which some of her colleagues often find polarizing. Six of the nine board directors endorsed her challenger in last year’s election, although Allen won anyway.

She pushed for job cuts and more conservative spending policies during the pandemic and vigorously defended funding for BART police amid last year’s movement for public safety alternatives. Her BART district includes Walnut Creek, Concord, Martinez, San Ramon, Danville and Pleasant Hill.

A resident of unincorporated Clayton, Allen initially filed with the elections office to challenge Gus

reduced,” Allen said. “We need to look for ways to... keep people from needing to travel outside of the county for work.”

Despite the federal stimulus money that poured into BART in the past year, Allen maintains her stance on cutting jobs, saying the agency cannot sustainably limp along on federal subsidies. She attributes her fellow directors’ lack of support to what she described as the “labor unions’ control over BART.”

If train ridership does not return on its own after the pandemic, then the county needs to focus on boosting transportation into the future, she said. That includes automated vehicle testing at GoMentum Station in Concord, as well as the transit- adjacent Naval Weapons Station development that promises 13,000 new homes in the city.

Allen has built a political alliance with law enforcement — receiving a \$1,000 campaign contribution last year from the union that represents BART police officers, which additionally spent more than \$10,000 in advertising to support her re- election.

In 2019, she published an op-ed for this news organization arguing for more security enforcement in the train systems and calling the agency’s community safety program “toothless” for its reliance on unarmed civilians.

Allen says she supports more mental health services and crisis response in the county but wants law enforcement to remain a core part of the equation.

“I don’t believe in throwing out police and putting some replacement in that has no police training,” she said. “It’s easy to look back after someone gets hurt (by police) and say they should have done this or that. But you don’t know which person in crisis is a danger, until they’re a danger — there’s no way to predict that.”

Levee breach marks end of initial phase of restoration



PHOTOS: RAY SAINT GERMAIN — BAY CITY NEWS

The levee holding back water from Suisun Bay is breached, allowing water to flow into the 232-acre Pacheco Marsh in Martinez on Friday. The flooding follows seven months of heavy civil construction as part of the marsh and lower Walnut Creek watershed restoration project.

Ceremonial flooding culminates nearly 20 years of work to restore habitat

By Tony Hicks
Bay City News Foundation

Before breaching the last levee preventing seawater from rushing into Pacheco Marsh for the first time in generations, workers scrambled to make sure water wouldn't flow the wrong way.

The recent record-setting storms brought more than 7 inches of rain to the marsh southeast of the Benicia-Martinez Bridge, forcing workers to pump out more than a million gallons of rainwater to get the desired effect at Friday's ceremonial flooding.

"The storm we had Sunday was off the charts," said Paul Detjens, the project manager and senior civil engineer from the Contra Costa County Flood Control District. "Locally, it created some problems for us out here. A week ago, this channel was bone dry. And now it's filled with rainwater,



Spectators gather to watch the event Friday at Pacheco Marsh.

and in an hour it's going to be full of tidal water. Bring it on. We're ready."

An hour later, as earthmovers dug out the last dirt barrier to scattered applause among guests, event emcee and tele-

vision personality Doug McConnell announced, "Water's in. And it's coming home."

Friday culminated nearly 20 years of work restoring 200 of the project's 300 acres to its natural habitat, before 19th-cen-

tury industry changed its landscape.

Contra Costa County spent \$11 million on the Lower Walnut Creek Restoration Project, the largest public works project in county history. The site is just over the hill from the Al McNabney Marsh, across Interstate 680 from the Martinez Refining Company.

Once the county Board of Supervisors approved the \$11.285 million contract with Four M Contracting in March, shovels were in the dirt just weeks later. Now that tidal water is surging back into the marsh, the John Muir Land Trust can finish transforming the area into a birdwatcher's paradise and recreation destination.

"From here, the foundation of the public access has been set," said Linus Eukel, executive director of John Muir Land Trust. "We're basically icing that with public access. Our hope is we'll

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Four M equipment operator Steve Berens removes the levee holding back Suisun Bay at the 232-acre Pacheco Marsh in Martinez on Friday. The flooding follows seven months of heavy civil construction as part of the marsh and lower Walnut Creek watershed restoration project.

RAY SAINT GERMAIN
BAY CITY NEWS



Levee

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have that accomplished by 2023.”

The earthmoving isn't done. Three elevated vistas more than 20 feet high will be created, surrounded by new hiking trails, boardwalks, interpretative displays and bridges over the marsh's northern reach. A massive haul of native plants will be re-introduced, rich habitat for the marsh's endangered salt marsh harvest mouse.

The Mt. Diablo Audubon Society has already recorded more than 80 species of birds at Pacheco Marsh, species like the short-eared owl, white-tailed kite, American kestrel, northern harrier and loggerhead shrike.

“This habitat will just be flooded with new bird life, and we expect it's going to be an international destination, but also an important local destination for kids and families to learn about it as well,” Eukel said, adding the group has raised \$3.5 million of its \$5 million goal. “We're in really good shape,” he said.

The Walnut Creek watershed is Contra Costa County's largest, draining more than 150 square miles from eight cities into a marsh that, over the past century, became a dumping ground

for dredging and an industrial buffer to the bay.

Engineers want to enhance the area's flood-carrying capacity, while naturalists want conditions closer to those existing before humans channelized the marsh and brought industry.

The marsh and Walnut Creek were home to grizzly bears, elk, salmon and steelhead until the mid-1800s.

Then humans began filling in wetlands and building dikes. Merchant ships sailed up Walnut Creek, and other creeks feeding into Walnut Creek were diverted for humans developing Contra Costa County. Refineries were built, and the area was used as a dumping ground for dredging projects all over the Bay Area.

The county bought 122 acres of the marsh in 2003 from a towing company that once planned a junkyard there. Nearby Marathon Oil refinery bought another 18 adjacent acres formerly used for sand mining and donated it to the land trust in 2020.

Planners envision the Iron Horse Regional Trail, which now ends near State Highway 4, to extend another 3 miles along Walnut Creek into Waterbird Regional Preserve near Martinez. There will be another 2.4 miles of trails into the marsh, with a staging area,

parking lot, bird-watching blinds and interpretive panels in the elevated areas.

The project will not only alleviate stress on neighboring shores as the seas rise in coming years, but it was also designed with sea rise in mind. As the marsh transforms, rising water will blend with more sediment, acting as a carbon filter helping to restrain greenhouse gases.

Workers will add 31,000 new native plants to the area. There's also talk of other amenities, like a kayak launch, which is still up in the air. Though the entire project is called Lower Walnut Creek Restoration, the northern reach the section north of Waterfront Road will be managed by the land trust and called Pacheco Marsh. The southern reach will include levee improvements.

Detjens called Friday “a real high point of my career.”

“I've been with it from the beginning,” Detjens said. “I'm really happy to see the turnout. Typically, a levee breach like this, maybe 20 people show up, some people in orange vests and some people who gave some money. But we have like 250 people. I'm blown over by it. Whether you call it lower Walnut Creek or Pacheco Marsh — they're really the same thing — and it's a really a cool place.”