



Lou Ann Texeira
Executive Officer

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

Wednesday, June 8, 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/87386635595>

Or join by telephone:

USA 214 765 0478 US Toll

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Conference code: 220394

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

NOTICE TO THE PUBLIC

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

Campaign Contribution Disclosure

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

Notice of Intent to Waive Protest Proceedings

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

American Disabilities Act Compliance

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

JUNE 8, 2022 CONTRA COSTA LAFCO AGENDA

1. Call to Order
2. Roll Call
3. **Recognition of Outgoing Commissioner and Welcome New Commissioner**
4. Approval of Minutes of the April 13, 2022 regular LAFCO meeting
5. Public Comment Period (please observe three-minute time limit): Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.

TELECONFERENCING

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

OUT OF AGENCY SERVICE REQUESTS

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

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

8. ***Dissolution of County Service Area (CSA) R-10*** – approve dissolution of CSA R-10 comprising 7.37± square miles and serving unincorporated Rodeo; and consider a categorical exemption under CEQA ***Public Hearing continued from February 9, 2022 and April 13, 2022 LAFCO meetings***
9. ***LAFCO 21-08 – SOI Amendment – East Bay Municipal Utility District (EBMUD) – Lark Lane – Alamo*** – consider expanding EBMUD's SOI to include one parcel (198-230-017) totaling 18.38± acres located at 285 Lark Lane in unincorporated Alamo and consider a categorical exemption under CEQA ***Public Hearing***
10. ***LAFCO 21-14 – Annexations to Contra Costa Water District (CCWD) and Delta Diablo (DD) – Evora Road Self Storage*** – consider annexing to CCWD and DD three parcels (APNs 098-220-015/-018/-019) totaling 7.75± acres located on Evora Road in unincorporated Bay Point; and consider making determinations and findings as a responsible agency under CEQA ***Public Hearing***

BUSINESS ITEMS

11. ***LAFCO 18-06 – Chang Property Reorganization: Annexations to City of San Ramon, Central Contra Costa Sanitary District, and EBMUD and Detachment from County Service Area P-6*** – receive update regarding the open space easement and consider a request for extension of time
12. ***FY 2022-23 Final Budget*** - consider approving the final budget & work plan for FY 2022-23 ***Public Hearing***
13. ***Municipal Service Reviews (MSRs)*** – authorize staff to execute a contract with Swale, Inc and Baracco Associates (subcontractor) to prepare a third round MSR/SOI updates covering wastewater services
14. ***Policy, Procedures, and Application Form - Fire Protection Services Contract Gov Code §56134*** – consider approving LAFCO policy, procedures, and application form relating to fire service contracts

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

INFORMATIONAL ITEMS

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

ADJOURNMENT

Next regular LAFCO meeting July 13, 2022 at 1:30 pm.

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

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

**June 8, 2022
Agenda Item 3**

Detachment of Commissioner Igor Skaredoff from the Contra Costa Local Agency Formation Commission

WHEREAS, the above-referenced proposal was filed with the Executive Officer of the Contra Costa Local Agency Formation Commission (“CC LAFCO”); and

WHEREAS, at the time and in the manner prescribed, the Executive Officer gave notice of the Commission’s consideration of the proposal; and

WHEREAS, the Commission has reviewed and discussed all information prepared in conjunction with the proposed detachment; and

WHEREAS, CC LAFCO determines that Commissioner Skaredoff’s sphere of influence is prominent and extensive and covers important local and regional matters; and

WHEREAS, CC LAFCO also determines there will be unmitigated impacts resulting from detachment of Commissioner Skaredoff from LAFCO; and

WHEREAS, at the CC LAFCO meeting today, the Commission heard many positive comments regarding the qualities and contributions of Commissioner Skaredoff; and

WHEREAS, CC LAFCO finds and determines as follows:

1. Commissioner Skaredoff was elected by the Contra Costa Special Districts Association to CC LAFCO as a Special District Member (Regular) in August 2014.
2. During his tenure, CC LAFCO acted on 76 proposals including dozens of boundary changes and reorganizations including Dougherty Valley, Northeast Antioch, and the recent fire district reorganization; and dissolution of four special districts including two LAFCO initiated dissolutions.
3. During Commissioner Skaredoff’s tenure CC LAFCO completed the following 2nd round municipal service reviews (MSRs): “*Reclamation Services*”, “*Fire/Emergency Medical Services*”, “*Healthcare Services*”, “*City Services*”, “*Parks & Recreation Services*”, and “*Cemetery Services*”, and initiated its 2nd Round MSRs covering mosquito & vector control and resource conservation services.
4. CC LAFCO has benefitted from Commissioner Skaredoff’s regional leadership with the Contra Costa Resource Conservation District and with the East Bay Regional Park District Park Advisory Committee.
5. During Commissioner Skaredoff’s tenure the CC LAFCO Commission was named “*Most Effective Commission*” in California at the annual CALAFCO conference in recognition of the Commission’s diligence and leadership, and their efforts to promote healthy and sustainable local agencies.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED:

That the detachment of Commissioner Igor Skaredoff be approved, subject to the following terms and conditions:

1. That the Commission and LAFCO staff thank and commend Commissioner Skaredoff for his leadership and service to CC LAFCO; and
2. That during these challenging times during the COVID-19 pandemic Chair Skaredoff showed resilience and leadership; and
3. That Commissioner Skaredoff apply similar resolve to his activities and journeys, and that his compass guide him to new adventures in the future.

PRESENTED THIS 8th day of June 2022.

Candace Andersen, Commissioner, County
Edi Birsan, Commissioner, City
Don Blubaugh, Commissioner, Public
Patricia Bristow, Commissioner, District
Diane Burgis, Commissioner, County
Tom Butt, Commissioner, City

Stanley Caldwell, Commissioner, District
Federal Glover, Commissioner, County
Chuck Lewis, Commissioner, Public
Michael R. McGill, Commissioner, District
Rob Schroder, Commissioner, City

Lou Ann Texeira, LAFCO Executive Officer
Thomas Geiger, LAFCO Legal Counsel
Sherrie Weis, LAFCO Executive Assistant

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
DRAFT MEETING MINUTES
April 13, 2022

June 8, 2022
Agenda Item 4

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

Chair Schroder called the regular meeting of April 13, 2022, to order at 1:30 p.m.
The following Commissioners and staff were present:

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

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. Approval of Minutes

Upon motion by Commissioner Andersen and second by Commissioner McGill, the Commission unanimously, by a 7-0 vote approved the March 9, 2022, meeting minutes.

VOTE:

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

NOES: None

ABSENT: None

ABSTAIN: None

4. Public Comments

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

TELECONFERENCING

5. *Future LAFCO Meeting Format and Resolution Authorizing Teleconference Meetings Pursuant to Assembly Bill 361* – discuss and provide direction regarding format of future LAFCO meetings; and adopt a resolution authorizing LAFCO to conduct teleconference meetings under Gov. Code §54953(e) and making related findings.

Following Commissioner comments the Commission provided direction to LAFCO staff regarding future meeting format. Commissioners indicated a preference for hybrid meetings, agreed to meet remotely for the next meeting, and revisit the topic for future meetings. Upon a motion by Commissioner Andersen and second by Commissioner McGill, the Commission, unanimously, by a 7-0 vote, adopted Resolution No. 2022-03 allowing Contra Costa LAFCO to conduct teleconference meetings pursuant to GC section 54953(e) and make related findings

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

SPHERE OF INFLUENCE AMENDMENTS/CHANGES OF ORGANIZATION

6. ***LAFCO 21-11 – Annexation of East Contra Costa Fire Protection District (ECCFPD) to Contra Costa County Fire Protection District (CCCYPD) and Dissolution of ECCFPD – Results of Protest Hearing*** – on March 9, 2022, the Commission approved annexation of ECCFPD to CCCYPD and dissolution of ECCFPD subject to a protest hearing. On April 11th a protest hearing was conducted by the LAFCO Executive Officer. On April 13th, the Commission will receive the results of the protest hearing.

The Commission was informed that no protests were filed at the April 11th Protest Hearing. Following comments and questions by the Commissioners and upon a motion by Commissioner Blubaugh and second by Commissioner Glover, unanimously, by a 7-0 vote, to receive the results of the protest hearing, order the boundary reorganization, and direct staff to execute the Executive Officer's determination.

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

7. ***Dissolution of County Service Area (CSA) R-10*** – approve dissolution of CSA R-10 comprising 7.37± square miles and serving unincorporated Rodeo; and consider a categorical exemption under the California Environmental Quality Act (CEQA) ***Public Hearing – Continued from February 9, 2022 LAFCO Meeting***

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

Following comments and questions by the Commissioners and upon a motion by Commissioner Glover and second by Commissioner Andersen, unanimously, by a 7-0 vote, approved to continue the public hearing to the June 8, 2022 LAFCO meeting.

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

8. ***LAFCO 21-07 – Annexation to Town of Discovery Bay Community Services District (DBCSD) – Pantages Project*** - consider annexing to DBCSD 205.21± acres located adjacent to DBCSD (Point of Timber Road); and consider making determinations and findings as a responsible agency under CEQA ***Public Hearing***

Chair Schroder opened the public hearing

1. Victoria Brown – homeowners association manager of a property adjacent to the Pantages Project expressed concerns regarding lighting and landscape maintenance on Bixler Road (Zone 61).
2. Trevor Smith – representing the Pantages Landowner responded to Ms. Brown’s concerns of additional work the new project would impact Zone 61 maintenance. He explained, each building permit issued a fee paid to the Town for improvements to existing park facilities. Maintenance of the Pantages project will be covered by the Pantages HOA.

Chair Schroder closed the public hearing

Following comments and questions by the Commissioners and upon a motion by Commissioner Glover and second by Commissioner Blubaugh, unanimously, by a 7-0 vote, approved Option 1 – adopt this report and approve LAFCO Resolution No. 21-07, making CEQA findings and approving the proposal, to be known as *Annexation to Town of Discovery Bay Community Services District – Pantages Project*.

VOTE:

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

9. ***LAFCO 21-13 – Delta Diablo (DD) Sphere of Influence (SOI) Amendment – Evora Road Self Storage*** – consider expanding DD’s SOI to include three parcels (APNs 098-220-015/-018/-019) totaling 7.75± acres located on Evora Road in unincorporated Bay Point; and consider making determinations and findings as a responsible agency under CEQA ***Public Hearing***

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

Following Commissioner comments, and upon a motion by Commissioner Glover and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, approved Option 1 – Adopt this report and adopt Resolution No. 21-13 making CEQA findings approving the proposed Delta Diablo SOI expansion of 7.75± acres.

VOTE:

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

BUSINESS ITEMS

10. ***Fiscal Year 2022-23 Proposed Budget and Work Plan*** - consider approving the proposed budget and work plan for FY 2022-23 ***Public Hearing***

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

Following Commissioner comments, and upon a motion by Commissioner Blubaugh and second by Commissioner Andersen, the Commission, unanimously, by a 7-0 vote, adopted the FY 2022-23 Proposed Budget; authorized staff to distribute the Proposed Budget to the County, cities and independent special districts as required by Government Code Section 56381; and scheduled a public hearing for June 8, 2022 to adopt the Final FY 2022-23 LAFCO Budget.

VOTE:

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

NOES: None

ABSENT: None

ABSTAIN: None

11. *Legislative Update and Position Letter* - receive legislative update and position letter

Informational item – no action needed

12. *FY 2021-22 22 Third Quarter Budget Report* - receive FY 2021-22 third quarter budget report

Informational item – no action needed

INFORMATIONAL ITEMS

13. *Pending Applications* - receive an update on pending proposals

Informational item – no action needed

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

15. *Commissioner Comments and Announcements*

Commissioner McGill updated the Commission on CALAFCO's activities:

- Rene LaRoche new CALAFCO Executive Officer is doing an excellent job
- March 11, 2022 – CALAFCO Legislative Committee meeting
- April 22, 2022 – CALAFCO Board meeting
- April 29, 2022 – CALAFCO Legislative Committee meeting
- CALAFCO is planning to have its Annual Conference, October 19-21, 2022, in person. Commissioner McGill is a member of the Program Committee. He is interested in program ideas.
- Commissioner McGill is up for reelection to the CALAFCO Board October 2022

Commissioner Skaredoff is running for reelection as a Special District member to the CALAFCO Commission. He also shared that Commissioner Caldwell is running unopposed as the Special District Alternate Commission member.

16. *Staff Announcements*

Executive Officer updates:

- 2nd Round MSRs covering Mosquito & Vector Control and Resource Conservation underway
- Continuing to update directory of local agencies

ADJOURNMENT

The next regular LAFCO meeting is June 8, 2022, at 1:30 pm.

By _____
Executive Officer



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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Lou Ann Teixeira
Executive Officer

MEMBERS

Candace Andersen
County Member

Donald A. Blubaugh
Public Member

Tom Butt
City Member

Igor Skaredoff
Special District Member

Federal Glover
County Member

Michael R. McGill
Special District Member

Rob Schroder
City Member

ALTERNATE MEMBERS

Diane Burgis
County Member

Stanley Caldwell
Special District Member

Charles R. Lewis, IV
Public Member

Edi Birsan
City Member

June 8, 2022

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

**June 8, 2022
Agenda Item 6**

Adoption of Resolution 2022-03 (AB 361) and Future Commission Meetings

Dear Members of the Commission:

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

In April 2022, the Commission discussed format options for future LAFCO meetings, including virtual teleconference, in-person, and hybrid. The Commission favored holding future meetings using a hybrid format (i.e., in-person and Zoom/teleconference). The Commission decided that the June 8th LAFCO meeting be conducted via Zoom/teleconference, and that the Commission will revisit the circumstances surrounding the pandemic and format for future meetings (i.e., Zoom/teleconference or hybrid).

RECOMMENDATIONS: Adopt Resolution No. 2022-03 authorizing LAFCO to conduct teleconference meetings under Government Code section 54953(e) and make related findings; and 2) discuss future LAFCO meeting format.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – AB 361 – LAFCO Resolution 2022-04

RESOLUTION NO. 2022-04

**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 May 16, 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, case rates and COVID-19 hospitalizations remain high in the County.
- I. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Contra Costa Local Agency Formation Commission (LAFCO) intends to

invoke the provisions of 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 June 8, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

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

Dated: June 8, 2022

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 8, 2022 (Agenda)

June 8, 2022
Agenda Item 7

LAFCO 22-02

City of Concord - Out of Agency Service Request (1965 Ayers Road)

SYNOPSIS

This is a request by the City of Concord to provide municipal wastewater service outside its jurisdictional boundary to one parcel located at 1965 Ayers Road in unincorporated Concord. The parcel (APN 116-091-025) is 0.5± acres as shown on Exhibit A.

Currently, there is one single family home on the subject parcel. The existing home has City wastewater service. The existing septic system is failing, and municipal wastewater services area needed. The parcel is not contiguous to the City boundary; thus, annexation is not possible at this time.

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

DISCUSSION

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

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

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

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

The out of agency service request is intended to serve one existing single-family unit with a failing septic system.

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

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

The subject parcel is not contiguous to the City boundary and cannot be annexed at this time.

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

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

5) *Form of Request*

Request in Anticipation of Annexation

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

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

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

Given the subject property is not contiguous to the City boundary, annexation is not possible at this time. The subject parcel will be included with the future annexation. The landowners signed a pre-annexation agreement consenting to the future annexation and agreeing not to protest any subsequent future annexation proceeding which provides that the landowners agree to 1) not protest any simultaneous or subsequent annexation proceedings, and 2) consent to annex the property to the City of Concord pursuant to any LAFCO terms and conditions.

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

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

Out of Agency Service Request by City of Concord – The City requests to provide out of agency sewer service to property located at 1965 Ayers Road unincorporated Concord. There is currently one existing single-family unit on the subject parcel. The law permits LAFCO to authorize the City to extend services outside its jurisdictional boundary either in response to an existing or impending threat to the public health or safety, or in anticipation of an annexation. This request by the City to provide sewer service to the subject property in response to a failing septic system and in anticipation of a future annexation per the City's resolution.

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

8-inch main and extended across Ayers Road to the subject property. It is estimated that one single family home will generate approximately 80-150 gallons of wastewater per day. The property owner is responsible for the capital costs; future operations and maintenance costs will be the responsibility of the individual homeowners.

Environmental Review – The City of Concord, as Lead Agency, found the project exempt per section 15303(a) in accordance with the California Environmental Quality Act (CEQA).

ALTERNATIVES FOR COMMISSION ACTION

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

- Option 1** **Approve** the attached resolution approving the extension of out of agency wastewater service.
- A. Find the project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15303(a).
 - B. Authorize the City of Concord to extend sewer service outside its jurisdictional boundary to the 0.5± acre parcel (APN 116-091-025) located at 1965 Ayers Road in the Ayers Ranch area in unincorporated Contra Costa County subject to the following terms and conditions:
 - 1. Sewer infrastructure and service is limited to the existing single-family home, and
 - 2. The City of Concord has delivered to LAFCO an executed and recorded pre-annexation agreement.
- Option 2** **Deny** the request, thereby prohibiting the City of Concord from providing sewer service to the subject property.
- Option 3** **Continue** this matter to a future meeting to obtain more information.

RECOMMENDATION: Option 1

LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LAFCO

Exhibit

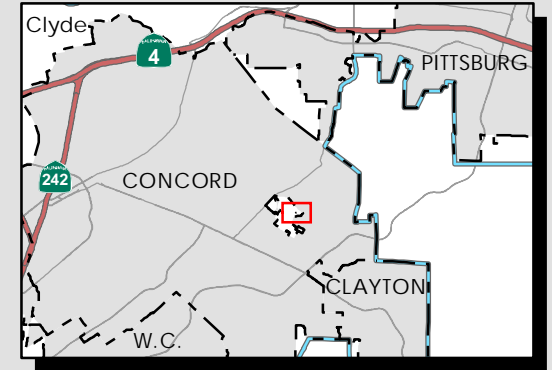
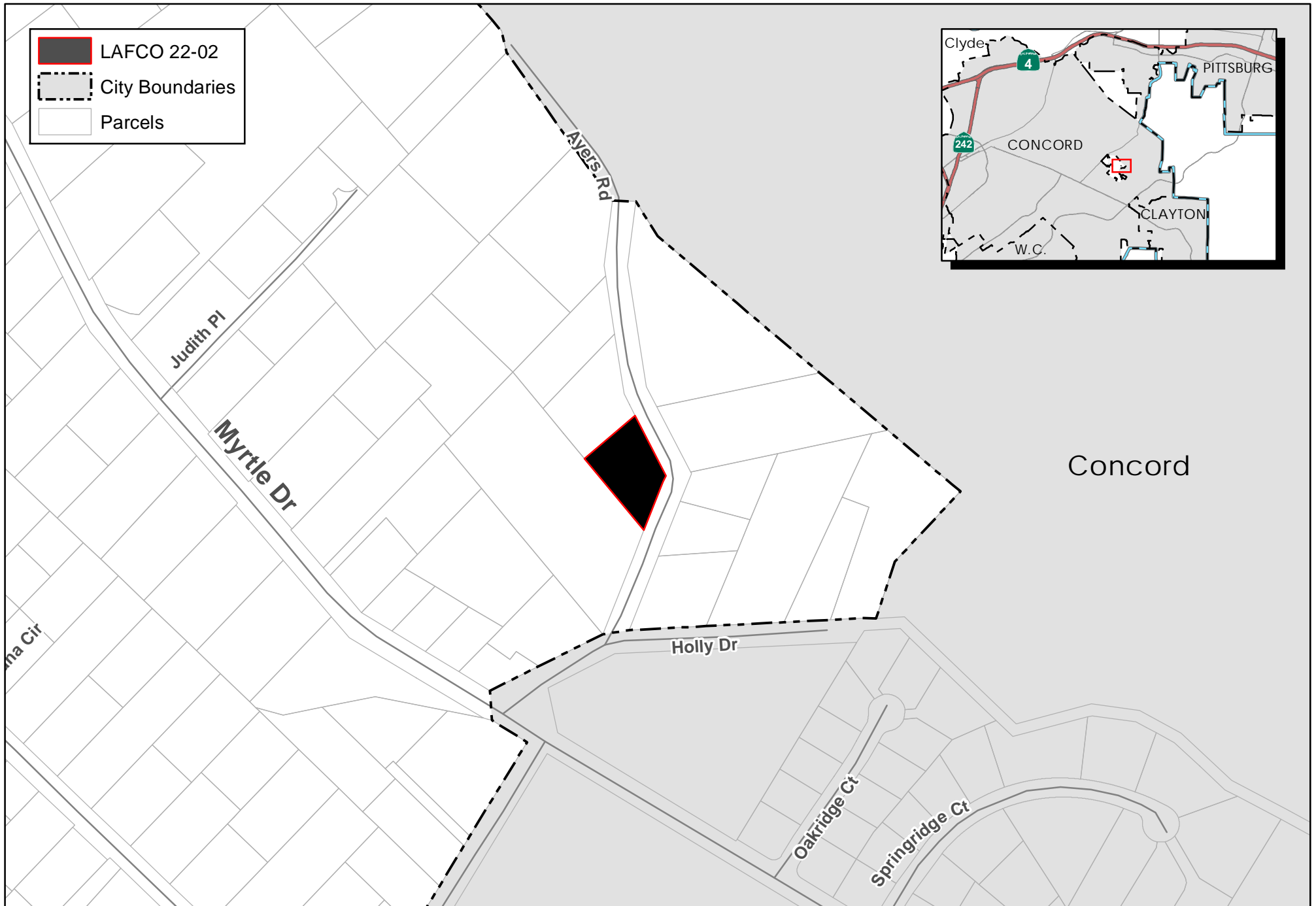
- A. Map of Property (APN 116-092-007)

Attachment

- 1. Draft LAFCO Resolution 22-02
- c: Mitra Abkenari, Civil Engineer, City of Concord
Bruce Davis, Interim City Engineer, City of Concord
Theresa & Jose Rivera, Landowners

LAFCO 22-02 City of Concord - Out of Agency Service (1965 Ayers Rd)

Exhibit A



RESOLUTION NO. 22-02

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION AUTHORIZING THE CITY OF CONCORD TO PROVIDE
OUT-OF-AGENCY WATER SERVICE TO APN 116-091-025 (1965 AYERS ROAD)**

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

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

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

WHEREAS, out of agency service approval is needed to provide wastewater services to the property due to a failing septic system; and

WHEREAS, the City of Concord and the property owner have entered into a Deferred Annexation Agreement (DAA) and contract for sewer service in support of a future annexation of the property to the City of Concord by 2030 as described in the City of Concord Resolution No. 15-59 adopted September 8, 2015; and

WHEREAS, the City of Concord has delivered to LAFCO an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the out of agency service.

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

- A. Find that the project is exempt pursuant to section 15303(a) of the CEQA Guidelines, consistent with the determination of the City of Concord, as Lead Agency.
- B. Authorize the City of Concord to extend wastewater service outside its jurisdictional boundary to APN 116-091-025 located at 1965 Ayers Road in unincorporated Contra Costa County (Concord area) subject to the following terms and conditions:
 - 1. Wastewater infrastructure and service is limited to the existing single-family residential unit on the subject parcel, and
 - 2. The City of Concord and the property owner have signed a DAA which was recorded as prescribed by law and runs with the land so that future landowners have constructive notice that their property is encumbered by a DAA, and
 - 3. Approval to extend City of Concord services beyond those specifically noted herein is withheld and is subject to future LAFCO review.

* * * * *

PASSED AND ADOPTED THIS 8th day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

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

Dated: June 8, 2022

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 8, 2022 (Agenda)

June 8, 2022
Agenda Item 8

Dissolution of County Service Area R-10

SYNOPSIS

This item was continued from the February 9, 2022 and April 13, 2022 LAFCO meetings.

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.

In May 2022, John Swett Unified School District (JSUSD) terminated its lease agreement with Contra Costa County and entered into a lease agreement with the Rodeo Baseball Association (RBA) for the use of the Lefty Gomez facility. The initial term of the lease agreement is three years. Pursuant to the new lease agreement, the leased premises will be made available for planned, organized, and regularly scheduled recreational activities for the Rodeo community and surrounding areas. The RBA will have access to the community center. The lease agreement provides that the RBA maintain the premises and provide repairs as needed; pay for utilities, provide its own janitorial services; make improvements, alterations and fixtures; and other standard provisions. The JSUSD Superintendent of Schools recently informed LAFCO staff that JSUSD no longer opposes the dissolution of CSA R-10.

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 (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. As noted above, JSUSD provided the County with notice of cancellation of the lease agreement between JSUSD and the County.

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. It is anticipated that the new lease agreement between JSUSD and the RBA will provide for continuation of community and recreational activities.

Also, as noted in the MSR, CSA R-10 previously 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.

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 1. 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 noticed public 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. Today's hearing was continued from the February 9, 2022, LAFCO meeting.

If the dissolution of CSA R-10 is 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. If the Commission approves the dissolution, LAFCO staff will conduct a noticed protest hearing no less than 30 days after the Commission's approval.

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. The project is therefore 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 notice of exemption 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. As lead agency, 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

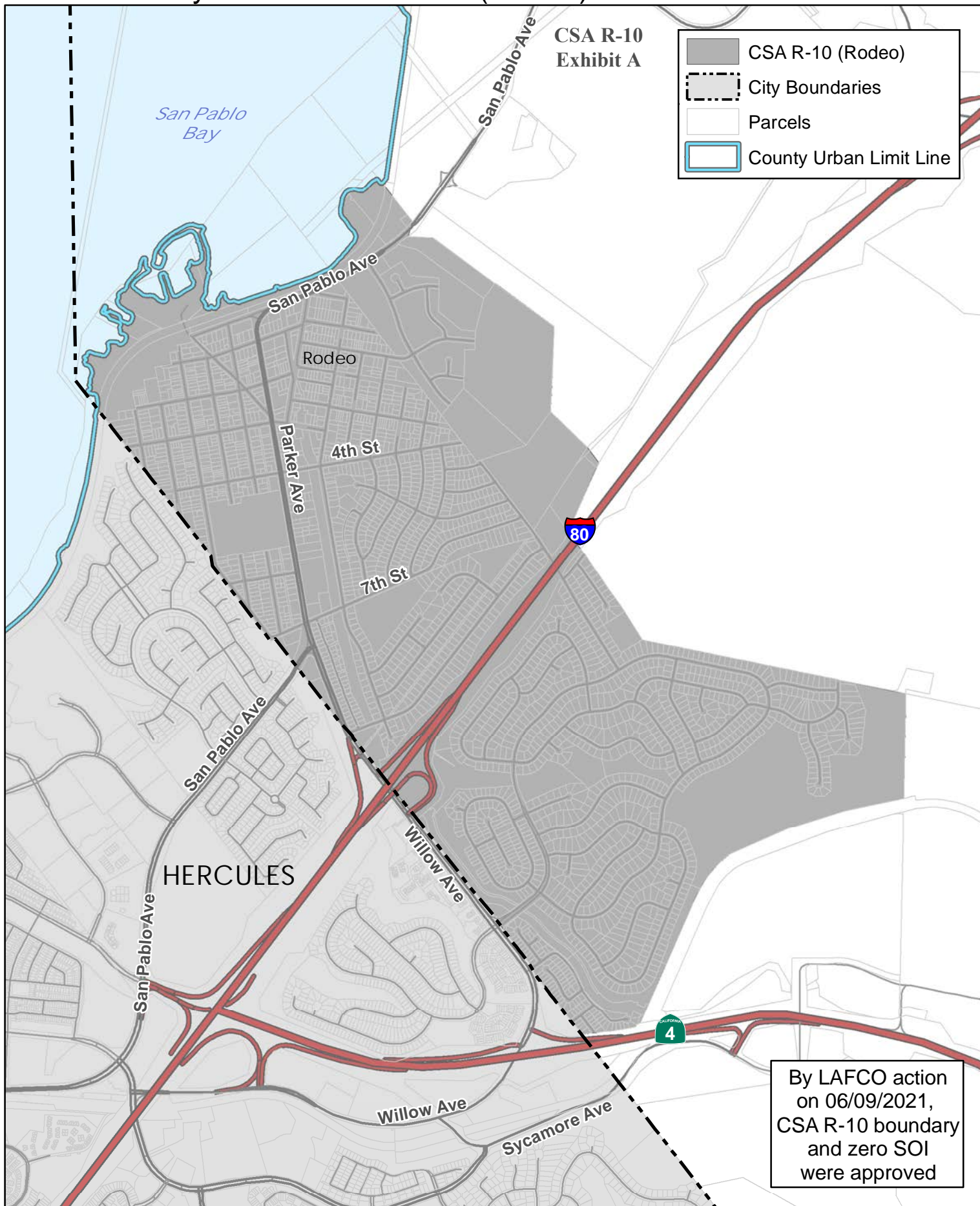
Exhibit

A. Map of CSA R-10

Attachments

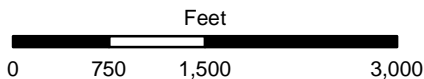
1. Factors for Consideration (GC §56668)
 2. Draft LAFCO Resolution Dissolving CSA R-10
- c: Distribution

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



Map created 05/13/2021
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 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) entered into a lease agreement with the Rodeo Baseball Association to provide recreational and community activities for the Rodeo community and surrounding areas.
(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 Exhibit 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.
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 8th day of June 8, 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: June 8, 2022

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 8, 2022 (Agenda)

LAFCO 21-08 East Bay Municipal Utility District (EBMUD) Sphere of Influence (SOI) Amendment - 285 Lark Lane, Alamo (unincorporated)

APPLICANT Taso Tsakos, Landowner, Managing Member

ACREAGE & LOCATION The applicant proposes to expand EBMUD's SOI by 18.38± acres. The property includes one parcel (APN 198-230-017), is located at 285 Lark Lane in Alamo - see attached map (Exhibit A). The applicant also submitted a corresponding application to annex the parcel to EBMUD.

PURPOSE The purpose of the proposal is to allow for the extension of municipal water services to facilitate development of one single-family home. The landowner reports that numerous attempts at local well drilling have been unsuccessful.

BACKGROUND In September 2021, the landowner submitted applications to Contra Costa LAFCO to amend EBMUD's SOI and annex the subject property to EBMUD. Included with the applications was a request that Alameda LAFCO transfer jurisdiction to Contra Costa LAFCO to process the applications. Alameda is designated the principal county for LAFCO proceedings, as defined by Government Code ("GC") §56066 (i.e., the county having the greatest portion of the assessed value, as shown on the last equalized assessment roll of the county or counties, of all taxable property within the district). Contra Costa LAFCO submitted a request to Alameda LAFCO for transfer of jurisdiction, which Alameda LAFCO approved on January 13, 2022.

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.

An SOI is defined as *a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO*. The intent of an 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 §56425, when amending an SOI for a local agency, LAFCO is required to consider and prepare a written statement of determinations with respect to the following:

1. ***The present and planned uses in the area, including agricultural and open space lands*** – The project site is vacant undeveloped land. The planned land use is construction of a single-family home. The County General Plan (GP) designation for the subject parcel is *Agricultural Land* (AL) and the zoning designation is *General Agricultural* five acre minimum (A-2). The parcel is inside the Contra Costa County Urban Limit Line (ULL). The subject parcel is not under an active Williamson Act contract. There are lands under Williamson Act contracts south and southwest of the subject parcel.

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

2. ***The present and probable need for public facilities and services in the area*** – The land is currently vacant with no public services. The landowner proposes to build one single-family home which will require municipal water service, as local well water is not available. The subject parcel is within the Central Contra Costa Sanitary District and San Ramon Valley Fire Protection District service boundaries.

3. ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** – EBMUD provides potable water services and limited wastewater collection and treatment services in portions of the District’s service area. The EBMUD service area is 332± square miles (Contra Costa and Alameda counties). EBMUD provides potable water to 1.4± million people within the two-county service area. Within Contra Costa County, EBMUD provides water service to a 225± square mile service area, serving an estimated 473,000 residents per the 2020 Urban Water Management Plan.

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

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

The Freeport Regional Water Facility is a regional water supply project that provides supplemental water supply to EBMUD during dry years. During periods of drought, EBMUD receives Central Valley Project (CVP) water from its Freeport Regional Water Facility to augment its water supply. Through a contract with the U.S. Bureau of Reclamation (USBR), EBMUD can receive supplemental water supply during dry and multiple dry years to ensure the reliability of EBMUD’s water supply. In conjunction with the request to annex the property, EBMUD is also seeking approval from the USBR to amend the service area delineated in its contract.

EBMUD has adequate capacity to serve the project from the District’s Danville Pressure Zone, which serves an elevation range of 250 feet to 450 feet. Water service may not be provided (upon approval) via a Conditional Low Pressure Service Agreement under EBMUD’s Regulations Governing Water Service Section 4C5 “Main Extensions: Exceptions.”

Additionally, the proposed project is required to comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD’s Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all applicable water-efficiency measures described in the regulations are installed.

The costs associated with the water supply system as described, as well as development system capacity and service connection fees, will be borne by the landowner. Ongoing maintenance of the system will be funded through usage fees collected by EBMUD. The estimated water demand for the project is 300 gallons per day. EBMUD provided a will serve letter indicating has the capacity to serve the project.

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*** – The subject parcel is within the unincorporated community of Alamo and is surrounded by vacant land/open space to the north, south and west, with some residential development to the east. The subject parcel will benefit from municipal water service provided by EBMUD.

5. ***Nature, location, extent, functions & classes of services to be provided*** – EBMUD’s water supply system collects, transmits, treats, and distributes high quality water to an area of 332± square miles in Contra Costa and Alameda counties. EBMUD provide wastewater treatment to 88 square miles in Contra Costa and Alameda counties. EBMUD provides potable water to over 1.4 million customers within the two-county service area, and wastewater treatment to over 740,000 residential, business and industrial customers. In Contra Costa County, water service is provided to Crockett, Rodeo, Hercules, Pinole, Richmond, El Sobrante, El Cerrito, San Pablo, Orinda, Moraga, Lafayette, Pleasant Hill, Walnut Creek, Alamo, Danville, Diablo, Blackhawk and San Ramon; and wastewater services are provided to El Cerrito, parts of Richmond, and Kensington. EBMUD is expected to provide water service to the subject area dependent on receiving approval from the USBR of inclusion of the area in EBMUD’s CVP Contractor Service Area.

Environmental Impact of the Proposal – The EBMUD SOI expansion is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15303(a) and (d).

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 this report and adopt Resolution No. 21-08 (Attachment 2) approving the proposed EBMUD SOI expansion of 18.38± acres and determining that the SOI expansion is exempt from CEQA.
- 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.**

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

Exhibit

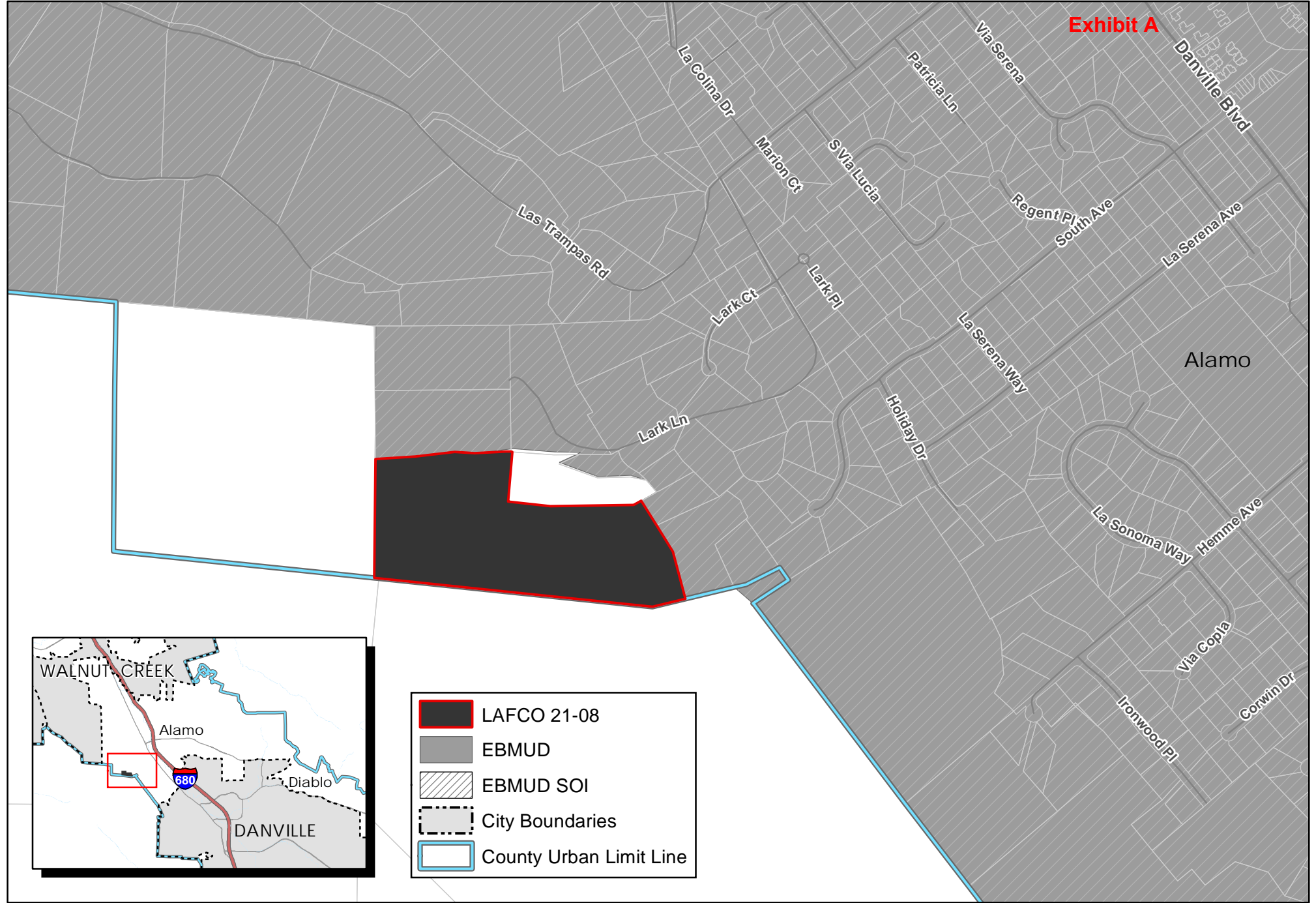
- A. Map – Proposed EBMUD SOI Expansion

Attachment

1. Draft LAFCO Resolution 21-08

- c: Taso Tsakos, Landowner, Managing Member
 Jack Flynn, Customer Services Manager, EBMUD

LAFCO No. 21-08 East Bay Municipal Utility District (EBMUD) SOI Amendment - 285 Lark Lane, Alamo



SPHERE OF INFLUENCE RESOLUTION NO. 21-08

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND EXPANDING THE SPHERE OF INFLUENCE
OF EAST BAY MUNICIPAL UTILITY DISTRICT (285 LARK LANE – ALAMO)**

WHEREAS, a proposal to expand the sphere of influence (SOI) of the East Bay Municipal Utility District (EBMUD) and corresponding annexation 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 LAFCO Executive Officer gave 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 EBMUD's SOI by 18.38± acres (one parcel), located at 285 Lark Lane in unincorporated Alamo.
2. The Commission finds that the EBMUD SOI expansion is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15303(a) and (d).
3. The SOI of EBMUD is hereby expanded to include the area as shown on the attached map (Exhibit A).
4. In conjunction with the SOI expansion, 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 project site is currently vacant. The planned land use is construction of a single-family home. The County General Plan designation for the subject parcel is *Agricultural Land* and the County's zoning designation is *General Agricultural*. The subject parcel is not under an active Williamson Act contract. The subject parcel does not meet the LAFCO definitions of "prime agricultural land" (GC §56064) or "agricultural" land" (GC §56016) as the parcel is vacant with no current agricultural activity. The subject parcel is located within the voter approved Urban Limit Line.

The present and probable need for public facilities and services in the area – The land is currently vacant with no public service. The proposed development requires municipal water service as multiple attempts at local well digging were unsuccessful. Municipal water service from EBMUD is needed to support development of a single-family home. A corresponding annexation application was also submitted to LAFCO to expand EBMUD's service boundary.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – EBMUD provides potable water services and limited wastewater collection and treatment services in portions of the District's service area. The EBMUD service area is approximately 332± square miles (Contra Costa and Alameda counties). EBMUD provides potable water to approximately 1.4 million people within the two-county service area. Within Contra Costa

County, EBMUD provides water service to a 225± square mile service area, serving an estimated 473,000 residents per the 2020 Urban Water Management Plan (UWMP). EBMUD has adequate

capacity to serve the project from the District's Danville Pressure Zone, which serves an elevation range of 250 feet to 450 feet.

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency – The subject parcel is within the unincorporated community of Alamo and is surrounded by vacant land/open space to the north, south and west, with some residential development to the east. The subject parcel will benefit from municipal water service provided by EBMUD.

Nature, location, extent, functions & classes of services to be provided - EBMUD water supply system collects, transmits, treats, and distributes high-quality water to an area of 332± square miles in Contra Costa and Alameda counties. EBMUD provide wastewater treatment to 88 square miles in Contra Costa and Alameda counties. EBMUD provides potable water to over 1.4 million customers within the two-county service area, and wastewater treatment to over 740,000 residential, business and industrial customers. In Contra Costa County, water service is provided to Crockett, Rodeo, Hercules, Pinole, Richmond, El Sobrante, El Cerrito, San Pablo, Orinda, Moraga, Lafayette, Pleasant Hill, Walnut Creek, Alamo, Danville, Diablo, Blackhawk and San Ramon; and wastewater services are provided to El Cerrito, parts of Richmond, and Kensington. EBMUD is expected to provide water service to the subject area dependent on obtaining formal approval from the United States Bureau of Reclamation of the inclusion of the area into EBMUD's Central Valley Project Contractor Service Area.

* * * * *

PASSED AND ADOPTED THIS 8th day of June 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

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

Dated: June 8, 2022

Lou Ann Texeira, Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 8, 2022 (Agenda)

June 8, 2022
Agenda Item 10

LAFCO 21-14 Annexations to Contra Costa Water District (CCWD) and Delta Diablo (DD) – Evora Road Self Storage

APPLICANT Kelly Gallacher, Landowner

SYNOPSIS This is an application to annex three parcels (APNs 098-220-015/-018/-019) totaling 7.75± acres to CCWD and DD located on Evora Road in unincorporated Bay Point as shown on the attached map (Exhibit A). The subject parcels are currently vacant land.

The purpose of the proposal is to allow for the extension of water and wastewater services to the subject parcels. Proposed development includes construction of a new self-storage facility with seven buildings consisting of one-, two-, and three-story buildings, and 80,539 square feet of floor area in accordance with the project approved by Contra Costa County.

The subject area is within CCWD's sphere of influence (SOI). On April 13, 2022, the Commission approved the expansion of DD's SOI to include the subject area.

DISCUSSION

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

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

The area proposed for annexation is within the SOIs of CCWD and DD.

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

The subject parcels are located within the voter approved Urban Limit Line. The project area is surrounded to the east and south by highway/roadway, to the west by open space, and to the north by residential development. The County's General Plan designations are Light Industrial and Open Space, and the Zoning designations are Light Industrial (LI) and General Agricultural (A-2).

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

A portion of APN 098-220-019 is designated A-2 "General Agriculture" (Parcel 5 acre minimum). The County's environmental review indicates that *construction of the self-storage facility is fully contained within the remaining 4.59± acre portion of the property within a LI zoning district. The project proponent offered an eight-foot-wide portion of the project site for potential use by a third-party for a future public trail path connecting Evora Road to the Via Delta de Anza Regional Trail. The subject property is not under a Williamson Act contract. Thus, the project would not conflict with existing zoning for agricultural use.* Further, the subject parcels do not meet the LAFCO criteria relating to "Agricultural lands" (GC §56016) and "Prime agricultural land" (GC §56064). There will be no impacts to open space pursuant to an open space easement as conditioned by the County.

4. Topography, Natural Features and Drainage Basins:

The subject parcels are located on a hilly terrain with a natural downward slope from west to east. The property is covered with low-lying grass and shrubs devoid of trees. The surrounding areas include residential to the north, State highway to the south, and hilly gentle terrain to the east and west.

5. Population and Fair Share of Regional Housing:

Proposed use of the subject property is construction of self-storage facilities. There is no population increase associated with the proposed development, and no housing is included in the project.

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

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

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

The annexation area is currently served by various local agencies including, but not limited to, Contra Costa County and Contra Costa County Fire Protection District.

The subject parcels are located adjacent to Delta Diablo's service area. DD provides wastewater conveyance and treatment services serving over 215,000 residents in Antioch, Pittsburg, and Bay Point within 54± square miles. DD treats 13 million gallons of wastewater daily focusing on exemplary regulatory compliance, innovative, and sustainable approaches.

DD owns, operates, and maintains five pump stations, one diversion facility, 76± miles of force mains, gravity interceptors, and sewer mains that convey wastewater flows from Antioch, Pittsburg, and Bay Point to DD's wastewater treatment plant. DD also owns, operates, and maintains a recycled water facility along with the associated 16 miles of pipeline, which provide recycled water service to customers in Antioch and Pittsburg.

Regarding the Evora Storage Facility Project, DD staff understands that the project will have a low wastewater demand (two offices, one bathroom). DD anticipates wastewater demand will be approximately 200 gallons per day and will not have an adverse effect on DD's capacity.

Annexation to DD is needed to allow the project site to connect to the existing sewer lines located within St. Raphael Drive. The applicant proposes extending a sanitary sewer line from the subject property to the existing sewer line at the St. Raphael Drive right-of-way which is 214± linear feet north of the project site. DD provided a letter indicating that they will provide sanitary sewer services to the annexation area subject to specified conditions.

8. Timely Availability of Water and Related Issues:

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

Regarding **water service**, retail water will be provided by the Golden State Water Company. Contra Costa Water District will provide wholesale water to the subject area subject to conditions. CCWD's boundary encompasses 220± square miles in central and eastern Contra Costa County. CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch. CCWD provides treated water service to approximately 250,000 residents and untreated water service that supports approximately 250,000 residents for a total population of approximately 500,000 (61,858 treated and 346 untreated water connections). The primary sources of water are the United States Bureau of Reclamation (USBR) Central Valley Project (CVP) and delta diversions. One of CCWD's prerequisites for service, including future annexation, is inclusion in the CVP service area. The CVP inclusion review is a separate process and requires specific environmental documents. Subsequent to LAFCO's annexations, CCWD will proceed with the CVP inclusion review.

Water system and infrastructure to serve the development project includes minimal new pipeline infrastructure to serve the project. Domestic water usage for the facility will be relatively small at the site as there are limited water fixtures. Given the size of the facility and area, CCWD staff anticipates water usage would not exceed three-acre feet per year assuming the area around facility is irrigated for landscaping. The water demand for the subject project is accounted for in CCWD 2020 Urban Water Management Plan.

CCWD provided a letter indicating that they have capacity to provide wholesale water to the serve annexation area subject to specified conditions. The CCWD letter also noted that the project will need a separate domestic meter, may also require a separate irrigation service (if the landscape area requiring irrigation is greater than 200 square feet), and may need fire hydrants.

Costs associated with wastewater and water infrastructure, including capital improvements, operation, and ongoing maintenance will be funded by the developer.

9. Assessed Value, Tax Rates, and Indebtedness:

The annexation area is within tax rate area 79004. The assessed value for the annexation area is \$425,000 (2021-22 roll). The territory being annexed shall be liable for all authorized or existing taxes and bonded debt comparable to properties presently within the annexing agencies.

10. Environmental Impact of the Proposal:

In 2021, Contra Costa County, as Lead Agency, prepared and approved an Initial Study/Mitigated Negative Declaration (MND) in conjunction with the Evora Road Self-Storage Facility Project. The environmental factors potentially affected by this project include Aesthetics, Biological Resources, Geology/Soils, Noise, Cultural Resources, and Air Quality. The County's MND notes that although the project could have a significant effect on the environment, there will be no significant effects because revisions in the project have been made or agreed to by the project proponent

11. Landowner Consent and Consent by Annexing Agency:

The landowner is the applicant and consents to the proposed annexation.

12. Boundaries and Lines of Assessment:

The annexation area is within CCWD's SOI and is now within DD's SOI as approved by the Commission on April 13, 2022. A map and legal description to implement the proposed annexation were received and are subject to final approval by the County Surveyor.

13. Environmental Justice:

LAFCO is required to consider the extent to which proposals for changes of organization or reorganization will promote environmental justice. As defined by statute, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed annexation is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

14. Disadvantaged Communities:

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

15. Comments from Affected Agencies/Other Interested Parties:

Pursuant to LAFCO law, all registered voters and landowners within the proposal area and within 300 feet of the exterior boundaries of the area(s) were sent written notice of the LAFCO hearing. County Elections confirmed there are zero registered voters in the subject area; therefore, the subject area is considered uninhabited. The affected landowner consents to the annexation.

To date, LAFCO received one phone call from a surrounding landowner/voter expressing concerns with the development project but not the annexation; therefore, the protest hearing is hereby waived pursuant to GC §56663.

16. Regional Transportation and Regional Growth Plans:

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

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

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

ALTERNATIVES FOR COMMISSION ACTION

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

Option 1 Adopt this report and approve LAFCO Resolution No. 21-14 (Attachment 1), making CEQA findings and approving the proposal, to be known as *Annexations to Contra Costa Water District and Delta Diablo – Evora Road Self-Storage Project*.

Option 2 Adopt this report and DENY the proposal.

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

RECOMMENDED ACTION: Approve Option 1

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

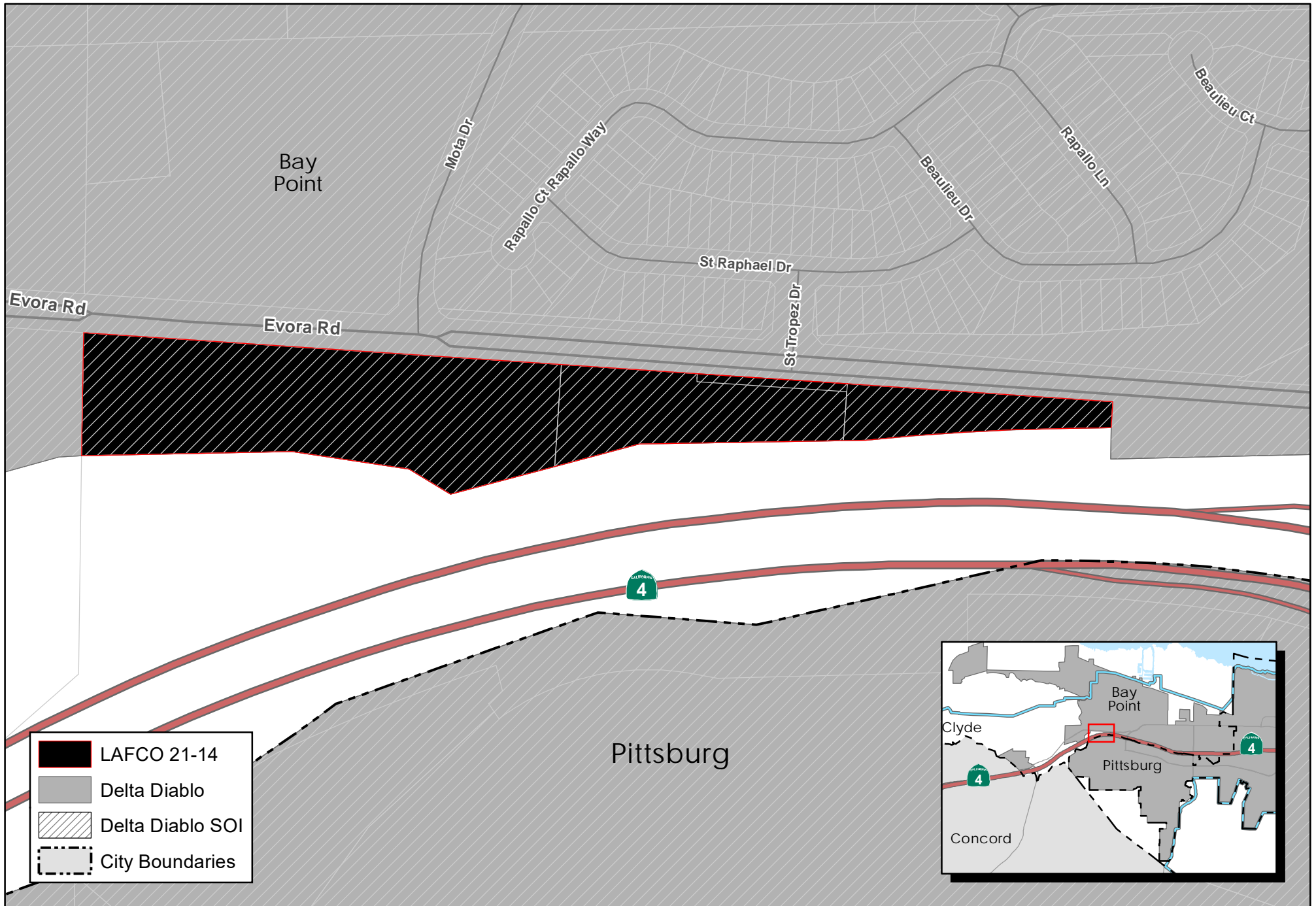
Exhibit

- A. 21-14 Annexation to Contra Costa Water District – Evora Road Self Storage
- B. 21-14 Annexation to Delta Diablo – Evora Road Self Storage

Attachment

- 1. Draft LAFCO Resolution 21-14

c: Kelly Gallacher, Applicant
Izzat Nashashibi, Humann Company
Brian Thomas, Delta Diablo
Thanh Vo, Delta Diablo
Mark Seedall, Contra Costa Water District
Syd Sotoodeh, Contra Costa County Department of Conservation and Development



RESOLUTION NO. 21-14

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING
ANNEXATIONS TO CONTRA COSTA WATER DISTRICT AND DELTA DIABLO
EVORA ROAD SELF STORAGE**

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

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

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

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

WHEREAS, at a public hearing held on June 8, 2022, the Commission heard, discussed, and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendations, the environmental documents and determinations, applicable General and Specific Plans, consistency with the spheres of influence, and related factors and information including those contained in Gov. Code §56668; and

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

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

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

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

1. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, considered the environmental effects of the project as shown in Contra Costa County's Initial Study/Mitigated Negative Declaration. The Commission finds that all changes or alterations in the project that avoid or substantially lessen its significant environmental effects are within the responsibility and jurisdiction of the County and not LAFCO, and that changes have been, or can and should be, adopted by the County as the lead agency.

2. Annexations to Contra Costa Water District (CCWD) and Delta Diablo (DD) of 7.75± acres are hereby approved.
3. The subject proposal is assigned the following distinctive short-form designation:
EVORA ROAD SELF STORAGE - ANNEXATIONS TO CONTRA COSTA WATER DISTRICT AND DELTA DIABLO
4. The boundary of the subject area is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject area shall be liable for any authorized or existing taxes, charges, and assessments currently being levied on comparable properties within the annexing agencies.
6. Water service is conditional on CCWD receiving acceptance for inclusion of the annexed area from the U.S. Bureau of Reclamation (USBR), pursuant to the requirements in CCWD's contract with USBR for supplemental water supply from the Central Valley Project.
7. The subject area is uninhabited.
8. No affected landowners or registered voters within the subject area object to the proposal, and the conducting authority (protest) proceedings are hereby waived.
9. All subsequent proceedings in connection with these annexations shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

* * * * *

PASSED AND ADOPTED THIS 8th day of June 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

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

Dated: June 8, 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

June 8, 2022 (Agenda)

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

June 8, 2022
Agenda Item 11

LAFCO 18-06 - Chang Property Boundary Reorganization - Update

Dear Members of the Commission:

On August 8, 2018, the Commission approved the *Chang Property Reorganization – Annexations to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) and Corresponding Detachment from County Service Area (CSA) P-6*. The proposal includes annexation of 63.5± acres to the City of San Ramon, CCCSD and EBMUD and a corresponding detachment from CSA P-6. The area is located at the intersection of Bollinger Canyon Road and Crow Canyon Road in unincorporated San Ramon. The proposal will extend city, wastewater, and water services to facilitate the development of 43 single-family large lot homes, 18 accessory dwelling units, and related facilities on the Chang property.

One of LAFCO's conditions of approval is that *the property owner provide LAFCO with a certified copy of a recorded grant of open space easement from the Chang property owner(s) to the City of San Ramon and/or other public agency or land trust that prohibits urban development and permanently preserves the existing open space and agricultural uses on 134± acres that are outside of the urban growth boundary and designated for open space and agricultural uses. Further, that the easement remains in effect in perpetuity, and that it is consistent with the conditions of approval in accordance with the Vesting Tentative Map 9485.*

Pursuant to Government Code §57001, if a Certificate of Completion is not filed within one year of the Commission's approval, the proceeding is deemed abandoned unless prior to the one-year expiration the Commission authorizes a time extension to complete the proceedings.

The landowners experienced delays in coordinating the timing of the open space easement with the City of San Ramon and the resource agencies due to COVID and other challenges. In response to requests from the landowners, the Commission approved several extensions of time. At the June 9, 2021 LAFCO meeting, the Commission received an update on the project, a progress report, and a request for a 12-month extension. The last extension was granted on June 9, 2021 for an additional 12 months to July 9, 2022.

The landowners are working with the City to finalize the open space easement and other City requirements. The parties are currently in their final review of the easement agreement and expect to have a mutually agreed document within the next several months. The landowner requests an extension of time to complete the final approvals (see attached letter).

RECOMMENDATION: It is recommended that the Commission approve an extension of time to file the Certificate of Completion to December 31, 2022 to complete the open space easement with the City of San Ramon and the resource agencies.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Vicky Chang, Hsientein Project Investment
Samuel Kuo, Sr, Project Manager, Hsientein Project Investment
Cindy Yee, City of San Ramon

Attachment

Chang Letter Requesting Extension of Time



Creative Design Associates, Inc.
17528 E. Rowland St.
City of Industry, CA 91748

May 20, 2022

VIA E-MAIL

Ms. Lou Ann Texeira
Executive Officer
Contra Costa Local Agency Formation
Commission (LAFCo)
40 Muir Road, 1st Floor
Martinez, CA 94553

Re: Chang Property (Subdivision 9458, City of San Ramon): Request for Extension

Dear Ms. Texeira:

On behalf of Hsientein Project Investment, LLC, which is the owner of the above referenced property (Property Owner), our office respectfully requests that the Commission consider at its June 8th, 2022 meeting a 6-month extension of the reorganization approval granted by Contra Costa LAFCo on August 8, 2018 (see Reso. No. 18-06) involving various boundary changes consisting of annexation of approximately 63.5 acres (Annexation Area) to the City of San Ramon (City). Central Contra Costa Sanitary District (CCCSD), and East Bay Municipal Utility District (WBMUD), along with the related detachment from CSA P-6 (Chang Property Reorganization).

The property owner has continued the work with civil engineer progressing on the final map design, and the biological consulting firm to finalize the regulatory permit documents and finished the preparation of the Conservation Easement with the Open Space Easement document. The property owner has submitted the draft Open Space Easement and has received the comments from the City. It is in the final rounds of review of the easement agreement and expect to have a mutually agreed document in few weeks - possibly to complete the recordation of the easement before the LAFCo expiration date on August 8, 2022. However, from past experiences when involving working with City and various consultants, the final timing is difficult to predict. Few weeks may turn into few months. For that reason, we would like to be safe and obtain the extension to be sure the LAFCo entitlement will not be expired before the recordation of the easement.

We are hopeful that the Commission will take into consideration the complex factors involved and grant the requested 6-month extension.

Thank you very much,



O: [626]913-8101
F: [626]913-8102
W: www.cda-arc.com

Creative Design Associates, Inc.
17528 E. Rowland St.
City of Industry, CA 91748

A handwritten signature in blue ink, appearing to read "Eric Chen", with a long horizontal flourish extending to the right.

Eric Chen
Principal of CDA, Inc.



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

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June 8, 2022 (Agenda)

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

June 8, 2022
Agenda Item 12

FY 2022-23 Final LAFCO Budget

Dear Commissioners:

BUDGET SUMMARY

The Contra Costa Local Agency Formation Commission (LAFCO) must adopt proposed and final budgets each year. On April 13, 2022, the Commission approved the *FY 2022-23 Proposed Budget & Work Plan* (available at www.contracostalafco.org). In accordance with Government Code §56381, the Proposed Budget was circulated to all affected local agencies and interested parties. No comments were received.

The *FY 2022-23 Final Budget* will be presented to the Commission on June 8, 2022 and includes appropriations totaling \$911,613 reflecting a 4% increase as compared to the FY 2021-22 budget. The increase is primarily attributable to increases in *Salaries and Employee Benefits* and in *Services and Supplies* as detailed below.

LAFCO will realize cost savings in several accounts including suspension of the annual pre-fund/future liability contributions to Contra Costa County Employees' Retirement Association (CCCERA) and Other Post-Employment Benefits (OPEB) accounts as LAFCO is nearly fully funded in both accounts. The Final FY 2022-23 Budget includes a \$90,000 contingency reserve fund per the Commission's policy. Details regarding the expenditures and revenue are presented below.

These are challenging times, and the financial fallout of COVID-19 continues to impact the County, cities, and districts, which fund the majority of LAFCO's budget. In recognition of the financial constraints on local agencies, the FY 2022-23 budget maintains the status quo and increases the fund balance contribution to offset funding from the local agencies that fund LAFCO's budget.

EXPENDITURES: The LAFCO expenditures are divided into three categories: *Salaries & Benefits*, *Services & Supplies*, and *Contingency/Liability* as summarized below.

Salaries & Benefits

The current LAFCO staffing includes one full-time Executive Officer and one half-time Executive Assistant/LAFCO Clerk. The *Final FY 2022-23* budget retains the current staffing level. LAFCO staff is supplemented with use of consultants and various County services.

The FY 2022-23 *Salaries & Benefits* account totals \$401,067 reflecting a 5% increase as compared to the FY 2021-22 budget. The increase is primarily attributable to increases in Group Health Insurance and Unemployment Insurance.

LAFCO is supported by public and private service providers on an as-needed basis. The County provides fiscal, drafting, mapping/GIS and legal services. Also, LAFCO contracts with private firms for website maintenance, financial auditing, environmental planning, and to assist with Municipal Service Reviews (MSRs) and special studies. The *Final FY 2022-23* budget assumes continuation of these contract services as reflected in the *Services & Supplies* account.

Services & Supplies

The *Services & Supplies* account includes funding for various services, programs and projects including administrative/overhead (e.g., office, insurance, rent, utilities, equipment/systems, training, memberships, etc.), contract services (assessor, auditing, GIS, legal, planning, website, etc.), and programs/projects (e.g., MSRs, special studies, etc.).

The FY 2022-23 *Services & Supplies* account totals \$420,546 and reflects an increase of 15% as compared to the FY 2021-22 budget. LAFCO staff anticipates increases in several accounts including *Other Travel* and *Professional & Specialized Services*.

LAFCO staff anticipates FY 2021-22 year end cost savings in various accounts including *Office Expense*, *Postage*, *Communications*, *Travel/Training*, and *Professional & Specialized Services*.

Contingency Reserve Fund

Each year, the Commission appropriates funds for unanticipated expenses (i.e., special studies, potential litigation, etc.). The Commission's policy provides that *the annual budget shall include a contingency reserve of 10% of the budget as determined by the Commission*. No contingency funds have been used this fiscal year. The *FY 2022-23 Final Budget* includes an \$90,000 contingency reserve fund in accordance with the Commission's policy.

Other Post-Employment Benefits (OPEB)

Since FY 2011-12, LAFCO's budget has included an annual expense to pre-fund its OPEB liability. The FY 2011-12 through FY 2014-15 budgets included an appropriation of \$10,000 per year to fund this liability. Following LAFCO's first actuarial valuation in 2014, the Commission increased its annual appropriation to \$40,000. LAFCO's most recent GASB report shows that LAFCO is over 80% funded. In consultation with LAFCO's financial advisors, it is recommended that LAFCO forgo its annual OPEB pre-funding contribution in FY 2022-23.

Pre-funding Retirement Liability (CCCERA)

In FY 2017-18, LAFCO began pre-paying its unfunded retirement liability to receive a better contribution rate. Recent CCCERA reports show that LAFCO is nearly fully funded. In consultation with CCCERA staff, it is recommended that LAFCO forgo its annual CCCERA pre-funding contribution in FY 2022-23.

Revenues

Revenues consist primarily of apportionments received from the County, cities, and independent special districts with each group paying one-third of LAFCO's net operating budget. The city and district shares are prorated based on general revenues reported to the State Controller. Other revenues include application fees, available year-end fund balance, and miscellaneous revenue (e.g., interest earnings).

Application Charges and Other Revenues

The *FY 2021-22 Budget* includes an estimated \$25,000 in application fees. It is projected that LAFCO will receive approximately \$51,800 in applications fees in the current fiscal year. This exceeds the budgeted amount

due to a recent surge in application activity. The Final FY 2022-23 budget includes an estimated \$25,000 in application fees based on a multi-year historical average.

Fund Balance

Government Code §56381(c) provides: “If at the end of the fiscal year, the Commission has funds in excess of what it needs, the Commission may retain those funds and calculate them into the following fiscal year’s budget.” The FY 2021-22 fund balance is currently unknown and will be calculated at year end (typically by October). It is estimated that the available fund balance will exceed \$500,000.

The LAFCO fund balance, or any portion thereof, can be used to offset the FY 2022-23 revenues, thereby reducing contributions from the funding agencies (County, cities, districts); or placed in a reserve account, separate from the contingency reserve that is appropriated each year. The Final FY 2022-23 budget includes \$200,000 in fund balance to offset FY 2022-23 revenues.

LAFCO ACTIVITIES

As presented to the Commission on April 13, 2022, the *Proposed FY 2022-23 Budget*, included a summary of LAFCO’s major responsibilities, FY 2021-22 accomplishments, and FY 2022-23 activities some of which are summarized below.

FY 2021-22 Activities

The following is a list of LAFCO’s goals and accomplishments for FY 2021-22 as of June 1, 2022:

Boundary Change and Related Applications

- a. Received and processed 13 new applications
- b. Completed proceedings for three annexations, three boundary reorganizations, four SOI amendments, and one out of agency service agreement; and conducted corresponding public hearings
- c. Processed transfer of jurisdiction through Alameda LAFCO
- d. Pending dissolutions of CSA R-9 and CSA R-10

MSRs/SOI Updates

- a. Completed 2nd round “*Parks & Recreation Services*” MSR/SOI updates covering all 19 cities, four community services districts, three park & recreation districts, one regional parks district, and eight county service areas
- b. Completed 2nd round Cemetery Services MSR/SOI updates
- c. 2nd round MSR covering mosquito & vector control and resource conservation services underway

Special Projects/Activities

- a. Adoption of resolutions in conjunction with Assembly Bill 361 to conduct virtual meetings
- b. Participation in ongoing fire service matters

Administrative and Other Activities

- a. Appointed 2022 LAFCO Chair (Schroder) and Vice Chair (Glover)
- b. Recognition of Pamela Miller, CALAFCO Executive Director
- c. Conducted election for LAFCO Special District Members
- d. Completed FY 2019-2020- financial audit and initiated FY 2020-21 audit
- e. Update to LAFCO Directory of Local Agencies (underway)
- f. Ongoing website updates
- g. Quarterly budget reports

- h. Updated LAFCO Employee Salary Plan
- i. Conducted employee performance reviews
- j. Provided comments on local agency environmental documents
- k. Submitted position letters on various bills affecting LAFCOs
- l. Participated in and supported CALAFCO
- m. Los Medanos Community Healthcare District (LMCHD) Dissolution – The dissolution of LMCHD became final after the California Supreme Court denied LMCHD’s petition for review of the Court of Appeal’s decision in favor of LAFCO and the County.

FY 2022-23 Work Plan

As approved by the Commission ins April 2022, the recommended work plan for FY 2022-23 includes the following activities:

- ❖ Complete 2nd round MSR covering resource conservation and mosquito & vector control services
- ❖ Initiate 3rd round MSR/SOI updates covering wastewater services, and/or other services as determined by the Commission
- ❖ Complete FY 2020-21 financial audit
- ❖ Complete annual actuarial valuation
- ❖ Policy updates (i.e., SOIs, disadvantaged communities, procedures for processing multi-county boundary changes, environmental guidelines)
- ❖ Continue to participate in and support CALAFCO

In conclusion, the Commission and LAFCO staff continue to exercise fiscal prudence, recognizing the financial constraints faced by our funding agencies. Approval of the *FY 2022-23 Final Budget* will enable the Commission to perform its core responsibilities and continue its work on MSRs/SOI updates, processing proposals, legislative activities, policy development, and other projects.

RECOMMENDATIONS

1. Receive this report and open the public hearing on the *FY 2022-23 Final Budget*,
2. After receiving public comments close the hearing,
3. After Commission discussion, adopt the *FY 2022-23 Final Budget*, with any desired changes, and authorize staff to distribute the *FY 2022-23 Final Budget* to the County, cities and independent special districts as required by Government Code §56381.

Respectfully submitted,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment - Final FY 2022-23 LAFCO Budget
c: Distribution

FINAL FY 2022-23 BUDGET

8-Jun-22

FY 2021-22

Attachment

Salaries and Employee Benefits

	FY 2021-22	FY 2021-22	FY 2022-23	
	<u>Approved</u>	<u>Year-end</u>	<u>Final</u>	
		<u>(Estimated)</u>		
Permanent Salaries- 1011	\$ 218,000	\$ 215,000	\$ 224,000	
Deferred Comp Cty Contribution - 1015	\$ 2,040	\$ 2,040	\$ 2,040	
FICA- 1042	\$ 15,000	\$ 13,590	\$ 15,900	
Retirement expense- 1044	\$ 72,000	\$ 69,500	\$ 79,000	
Employee Group Insurance- 1060	\$ 40,000	\$ 37,000	\$ 47,000	
Retiree Health Insurance- 1061	\$ 31,700	\$ 31,000	\$ 31,700	
Unemployment Insurance- 1063	\$ 230	\$ 430	\$ 455	
Workers Comp Insurance- 1070	\$ 1,075	\$ 926	\$ 972	
Total Salaries and Benefits	\$ 380,045	\$ 369,486	\$ 401,067	5%

Services and Supplies

Office Expense- 2100	\$ 4,000	\$ 1,100	\$ 3,000	
Publications -2102	\$ 250	\$ 250	\$ 300	
Postage -2103	\$ 1,800	\$ 700	\$ 1,800	
Communications - 2110	\$ 2,200	\$ 1,700	\$ 2,200	
Tele Exchange Services 2111	\$ 2,000	\$ 1,400	\$ 2,000	
Minor Furniture/Equipment - 2131	\$ -	-	-	
Minor Comp Equipment - 2132	\$ 1,800	-	\$ 1,800	
Pubs & Legal Notices 2190	\$ 2,200	\$ 2,165	\$ 2,200	
Memberships - 2200	\$ 12,501	\$ 12,516	\$ 13,043	
Rents & Leases - 2250 (copier)	\$ 5,600	\$ 5,250	\$ 5,600	
Computer Software - 2251	\$ 1,000	\$ 1,176	\$ 1,200	
Bldg Occupancy Costs - 2260 & 2262	\$ 20,512	\$ 21,042	\$ 22,000	
Bldg Life Cycle Costs - 2265	\$ 1,200	\$ 1,113	\$ 1,200	
Bldg Maintennace - 2284	\$ 1,000	\$ 500	\$ 1,000	
Auto Mileage Emp. - 2301	\$ 500	-	\$ 500	
Other Travel Employees - 2303	\$ 13,000	\$ 7,746	\$ 17,000	
Prof & Spec Services - 2310	\$ 233,440	\$ 119,728	\$ 288,640	
Assessor	\$ 8,000	\$ 12,350	\$ 13,000	
Financial Audit	\$ 8,700	\$ 7,563	\$ 8,900	
GIS/Mapping	\$ 12,000	\$ 11,770	\$ 12,000	
Legal	\$ 50,000	\$ 25,411	\$ 40,000	
MSRs	\$ 130,000	\$ 51,184	\$ 190,000	
Planning	\$ 10,000	\$ 9,750	\$ 10,000	
Special Projects (document imaging)	\$ 2,000	-	\$ 2,000	
Misc Investment Services/CCCERA Fees	\$ 240	\$ 100	\$ 240	
Special Studies/Workshop/Actuarial Valuation	\$ 12,500	\$ 1,600	\$ 12,500	
Contracted Temp Help - 2314 (Web)	\$ 3,060	\$ 3,060	\$ 3,060	
Data Processing Services - 2315	\$ 13,000	\$ 6,271	\$ 13,000	
Data Processing Security - 2326	\$ 250	\$ 250	\$ 600	
Courier - 2331	\$ 1,000	\$ 938	\$ 1,000	
Telcomm Rents, Leases, Labor - 2335	\$ 120	\$ 110	\$ 120	
Other Inter-Dept Costs - 2340	\$ 650	\$ 599	\$ 650	
Liability/E&O Insurance - 2360	\$ 6,203	\$ 6,439	\$ 6,833	
Commission Training/Registration/Stipends - 2467	\$ 31,000	\$ 14,916	\$ 31,000	
NOD/NOE Filings - 2490	\$ 800	\$ 500	\$ 800	
Total Services & Supplies	\$ 359,086	\$ 209,469	\$ 420,546	15%

Total Expenditures \$ 739,131 \$ 578,955 \$ 821,613 10%

Contingency Reserve \$ 80,000 \$ 90,000

OPEB Trust \$ 25,000 \$ 25,000

CCCERA Pre-Fund \$ 30,000 \$ 22,000

TOTAL APPROPRIATIONS \$ 874,131 \$ 625,955 \$ 911,613 4%

TOTAL REVENUES \$ 874,131 \$ 725,931 \$ 911,613

Agency contributions - 9500 & 9800 \$ 674,131 \$ 674,131 \$ 686,613 2%

Application & other revenues \$ 25,000 \$ 51,800 \$ 25,000

Fund Balance \$ 175,000 \$ 200,000 13%



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June 8, 2022 (Agenda)

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

June 8, 2022
Agenda Item 13

**3rd Round Wastewater Municipal Service Reviews/Sphere of Influence Updates
Contract for Services**

Dear Members of the Commission:

The Commission annually adopts proposed and final budgets and a workplan. The FY 2022-23 workplan includes funding for Municipal Service Reviews (MSRs)/Sphere of Influence (SOI) Updates.

Contra Costa LAFCO recently completed its 2nd round *Parks & Recreation Services* MSR/SOI updates and its 2nd round *Cemetery Services* MSR/SOI updates. The 2nd round MSR covering resource conservation and mosquito and vector control services is currently underway and will be completed by the end of 2022. It is timely to move forward with another MSR. As discussed in the FY 2022-23 budget report, staff recommends preparing a 3rd round MSR covering wastewater services. This MSR will include seven cities and 13 districts.

In January 2020, the Commission approved an “on-call” list of prequalified MSR/special study consultants, which includes Swale, Inc. and Baracco & Associates. LAFCO staff discussed with the consultants the 3rd round wastewater MSR, and subsequently obtained a proposal. Under the proposal, Swale Inc. would be the primary contractor and Baracco & Associates would be the subcontractor. Both firms have extensive LAFCO experience. Swale, Inc. has prepared water and wastewater MSRs, including wastewater MSRs for Nevada and Solano LAFCOs, and water MSRs for El Dorado, San Joaquin, Nevada, and Placer LAFCOs. Bruce Baracco has extensive experience in environmental planning and LAFCO work having previously worked for cities, counties, and LAFCOs. Baracco has prepared various MSRs including Contra Costa LAFCO’s countywide law enforcement MSR. Swale, Inc. and Baracco & Associates are familiar with Contra Costa LAFCO as they currently serve as its environmental planners.

RECOMMENDATION – It is recommended that the Commission authorize the LAFCO Executive Officer to execute a contract with Swale, Inc. with Baracco & Associates as subcontractor, to prepare the 3rd round wastewater services MSRs/SOI updates covering seven cities and 13 districts with a project budget not to exceed \$110,000.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Kateri Harrison, SWALE, Inc.
Bruce Baracco, Baracco & Associates



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June 8, 2022 (Agenda)

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40 Muir Road, 1st Floor
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**June 8, 2022
Agenda Item 14**

Policy, Procedures, and Application Form - Fire Protection Services Contract Government Code Section 56134

Dear Members of the Commission:

BACKGROUND: In 2016, the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 was amended to include Government Code (GC) §56134 (Attachment 1) providing for *fire protection service by contract outside a public agency's jurisdictional boundary* in accordance with Senate Bill 239 (Hertzberg) (Attachment 2). This statute applies to fire protection agreements/contracts, which are contracts or agreements for the exercise of new or extended fire protection services outside a public agency's boundary. The statutes apply to these contracts if the contract would transfer responsibility for providing services in more than 25% of a public agency's service area to another public agency, or changes the employment status of more than 25% of the employees of a public agency affected by the contract.

Unlike GC §56133 which addresses *services by contract outside city and district boundaries*, GC §56134 requires additional information, including a fire protection contract, plan for service, independent comprehensive fiscal analysis, and a public hearing.

While Contra Costa LAFCO is well versed in processing GC §56133 out of agency service (OAS) applications, we have not yet received or processed an application to provide fire protection service by contract outside a public agency's jurisdictional boundary. However, we anticipate receiving such an application in the near future.

In order to process OAS fire service applications, Contra Costa LAFCO should adopt the following: 1) policy specific to GC §56134; 2) Procedures for Provision of Fire Protection Services by Contract; and 3) LAFCO application form specific to GC §56134.

Draft Policy - Out of Agency Fire Service Contract Service

Contra Costa LAFCO has numerous policies and procedures pertaining to LAFCO operations (e.g., powers & duties; Commissioner's role, rules & procedures; budget & finances, etc.); general policies & procedures (e.g., spheres of influence, island annexations, services plans, municipal service reviews, latent powers, agricultural & open space preservation, etc.); application processing procedures (e.g., boundary changes, incorporation, district formation, etc.); and other policies and procedures. However,

LAFCO does not currently have a policy addressing OAS fire contracts. LAFCO staff drafted a minor amendment to the Commission's OAS policy to include reference to GC §56134 (Attachment 3).

Draft Procedures for Provision of Fire Protection Services by Contract (Out of Agency Service)

Contra Costa LAFCO adopted application processing procedures for most boundary changes, out of agency service (GC §56133), activation of latent powers, and other LAFCO actions with the exception of GC §56134. In general, these procedures provide guidelines regarding initiation, application, commission proceedings, and conducting authority (protest) proceedings.

Although both GC§ 56133 and GC§ 56134 address OAS, the requirements pertaining to fire service contracts are substantially different. LAFCO staff drafted procedures specific to OAS fire protection service contracts (Attachment 4).

Draft 56134 Application/Questionnaire

Contra Costa LAFCO adopted application forms for *Annexation, Detachment or Reorganization, Sphere of Influence Amendments, Out of Agency Service* (GC §56133), *Activation of Latent Powers, District Formation, and Incorporation*. Given the complexity and uniqueness of OAS fire service contracts, it is beneficial to have an application form specific to fire service contracts. LAFCO staff drafted an application specific to fire protection contracts for the Commission's review consideration (Attachment 5).

Proposed Amendment to Contra Costa LAFCO Schedule of Processing Fees and Deposits

LAFCO staff recommends adding a new fee for processing OAS fire service contracts. LAFCO staff anticipates it will bring the new fee schedule to the Commission for adoption at the next LAFCO meeting.

RECOMMENDATIONS: 1) Approve amendment to LAFCO Commissioner Handbook Section 2.1, Policies and Standards to include a reference to GC §56134; 2) adopt procedures pertaining to OAS fire service contracts; and 3) approve a new LAFCO application/questionnaire specific to OAS fire service contracts.

Sincerely,

Lou Ann Texeira
LAFCO Executive Officer

Attachments

1. Government Code §56134
2. SB 239 (Hertzberg)
3. Proposed Amendment to LAFCO 2.1 Policies and Standards (GC §56134)
4. *Draft Procedures for Provision of Fire Protection Services by Contract (Out of Agency Service)*
5. Draft Contra Costa LAFCO Application Form – OAS Fire Protection Service Contract

Government Code Section 56134

(a)(1) For the purposes of this section, “fire protection contract” means a contract or agreement for the exercise of new or extended fire protection services outside a public agency’s jurisdictional boundaries, as authorized by Chapter 4 (commencing with Section 55600) of Part 2 of Division 2 of Title 5 of this code or by Article 4 (commencing with Section 4141) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except those contracts entered into pursuant to Sections 4143 and 4144 of the Public Resources Code, that does either of the following:

(A) Transfers responsibility for providing services in more than 25 percent of the area within the jurisdictional boundaries of any public agency affected by the contract or agreement.

(B) Changes the employment status of more than 25 percent of the employees of any public agency affected by the contract or agreement.

(2) A contract or agreement for the exercise of new or extended fire protection services outside a public agency’s jurisdictional boundaries, as authorized by Chapter 4 (commencing with Section 55600) of Part 2 of Division 2 of Title 5 of this code or Article 4 (commencing with Section 4141) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except those contracts entered into pursuant to Sections 4143 and 4144 of the Public Resources Code, that, in combination with other contracts or agreements, would produce the results described in subparagraph (A) or (B) of paragraph (1) shall be deemed a fire protection contract for the purposes of this section.

(3) For the purposes of this section, “jurisdictional boundaries” shall include the territory or lands protected pursuant to a fire protection contract entered into on or before December 31, 2015. An extension of a fire protection contract entered into on or before December 31, 2015, that would produce the results described in subparagraph (A) or (B) of paragraph (1) shall be deemed a fire protection contract for the purposes of this section.

(b) Notwithstanding Section 56133, a public agency may provide new or extended services pursuant to a fire protection contract only if it first requests and receives written approval from the commission in the affected county pursuant to the requirements of this section.

(c) A request by a public agency for commission approval of new or extended services provided pursuant to a fire protection contract shall be made by the adoption of a resolution of application as follows:

(1) In the case of a public agency that is not a state agency, the application shall be initiated by the adoption of a resolution of application by the legislative body of the public agency proposing to provide new or extended services outside the public agency’s current jurisdictional boundaries.

(2) In the case of a public agency that is a state agency, the application shall be initiated by the director of the state agency proposing to provide new or extended services outside the agency’s current jurisdictional boundaries and be approved by the Director of Finance.

(3) In the case of a public agency that is a local agency currently under contract with a state agency for the provision of fire protection services and proposing to provide new or extended services by the expansion of the existing contract or agreement, the application shall be initiated by the public agency that is a local agency and be approved by the Director of Finance.

(d) The legislative body of a public agency or the director of a state agency shall not submit a resolution of application pursuant to this section unless both of the following occur:

(1) The public agency does either of the following:

(A) Obtains and submits with the resolution a written agreement validated and executed by each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service providers consenting to the proposed fire protection contract.

(B) Provides, at least 30 days prior to the hearing held pursuant to paragraph (2), written notice to each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service providers of the proposed fire protection contract and submits a copy of each written notice with the resolution of application. The notice shall, at minimum, include a full copy of the proposed contract.

(2) The public agency conducts an open and public hearing on the resolution, conducted pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5) or the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2), as applicable.

(e) A resolution of application submitted pursuant to this section shall be submitted with a plan which shall include all of the following information:

(1) The total estimated cost to provide the new or extended fire protection services in the affected territory.

(2) The estimated cost of the new or extended fire protection services to customers in the affected territory.

(3) An identification of existing service providers, if any, of the new or extended services proposed to be provided and the potential fiscal impact to the customers of those existing providers.

(4) A plan for financing the exercise of the new or extended fire protection services in the affected territory.

(5) Alternatives for the exercise of the new or extended fire protection services in the affected territory.

(6) An enumeration and description of the new or extended fire protection services proposed to be extended to the affected territory.

(7) The level and range of new or extended fire protection services.

(8) An indication of when the new or extended fire protection services can feasibly be extended to the affected territory.

(9) An indication of any improvements or upgrades to structures, roads, sewer or water facilities, or other conditions the public agency would impose or require within the affected territory if the fire protection contract is completed.

(10) A determination, supported by documentation, that the proposed fire protection contract meets the criteria established pursuant to subparagraph (A) or (B) of paragraph (1) or paragraph (2), as applicable, of subdivision (a).

(f) The applicant shall cause to be prepared by contract an independent fiscal analysis to be submitted with the application pursuant to this section. The analysis shall review and document all of the following:

(1) A thorough review of the plan for services submitted by the public agency pursuant to subdivision (e).

(2) How the costs of the existing service provider compare to the costs of services provided in service areas with similar populations and of similar geographic size that provide a similar level and range of services and make a reasonable determination of the costs expected to be borne by the public agency providing new or extended fire protection services.

(3) Any other information and analysis needed to support the findings required by subdivision (j).

(g) The clerk of the legislative body of a public agency or the director of a state agency adopting a resolution of application pursuant to this section shall file a certified copy of the resolution with the executive officer.

(h) (1) The executive officer, within 30 days of receipt of a public agency's request for approval of a fire protection contract, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request does not comply with the requirements of subdivision (d), the executive officer shall determine that the request is incomplete. If a request is determined incomplete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete.

(2) The commission shall approve, disapprove, or approve with conditions the contract for new or extended services following the hearing at the commission meeting, as provided in paragraph (1). If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(i) (1) The commission shall not approve an application for approval of a fire protection contract unless the commission determines that the public agency will have sufficient revenues to carry out the exercise of the new or extended fire protection services outside its jurisdictional boundaries, except as specified in paragraph (2).

(2) The commission may approve an application for approval of a fire protection contract where the commission has determined that the public agency will not have sufficient revenue to provide the proposed new or different functions or class of services, if the commission conditions its approval on the concurrent approval of sufficient revenue sources pursuant to Section 56886. In approving a proposal, the commission shall provide that, if the revenue sources pursuant to Section 56886 are not approved, the authority of the public agency to provide new or extended fire protection services shall not be exercised.

(j) The commission shall not approve an application for approval of a fire protection contract unless the commission determines, based on the entire record, all of the following:

(1) The proposed exercise of new or extended fire protection services outside a public agency's jurisdictional boundaries is consistent with the intent of this division, including, but not limited to, the policies of Sections 56001 and 56300.

(2) The commission has reviewed the fiscal analysis prepared pursuant to subdivision (f).

(3) The commission has reviewed any testimony presented at the public hearing.

(4) The proposed affected territory is expected to receive revenues sufficient to provide public services and facilities and a reasonable reserve during the three fiscal years following the effective date of the contract or agreement between the public agencies to provide the new or extended fire protection services.

(k) At least 21 days prior to the date of the hearing, the executive officer shall give mailed notice of that hearing to each affected local agency or affected county, and to any interested party who has filed a written request for notice with the executive officer. In addition, at least 21 days prior to the date of that hearing, the executive officer shall cause notice of the hearing to be published in accordance with Section 56153 in a newspaper of general circulation that is circulated within the territory affected by the proposal proposed to be adopted and shall post the notice of the hearing on the commission's Internet Web site.

(l) The commission may continue from time to time any hearing called pursuant to this section. The commission shall hear and consider oral or written testimony presented by any affected local agency, affected county, or any interested person who appears at any hearing called and held pursuant to this section.

(m) This section shall not be construed to abrogate a public agency's obligations under the Meyers-Milius-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1).
(Amended by Stats. 2016, Ch. 165, Sec. 1. (AB 2910) Effective January 1, 2017.)

Senate Bill No. 239

CHAPTER 763

An act to amend Sections 56017.2 and 56133 of, and to add Section 56134 to, the Government Code, relating to local services.

[Approved by Governor October 10, 2015. Filed with
Secretary of State October 10, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 239, Hertzberg. Local services: contracts: fire protection services.

Existing law prescribes generally the powers and duties of the local agency formation commission in each county with respect to the review approval or disapproval of proposals for changes of organization or reorganization of cities and special districts within that county. Existing law permits a city or district to provide extended services, as defined, outside its jurisdictional boundaries only if it first requests and receives written approval from the local agency formation commission in the affected county. Under existing law, the commission may authorize a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances.

This bill would, with certain exceptions, permit a public agency to exercise new or extended services outside the public agency's jurisdictional boundaries pursuant to a fire protection contract, as defined, only if the public agency receives written approval from the local agency formation commission in the affected county. The bill would require that the legislative body of a public agency that is not a state agency adopt a resolution of application and submit the resolution along with a plan for services, as provided, that a proposal by a state agency be initiated by the director of the agency with the approval of the Director of Finance, and that a proposal by a local agency that is currently under contract for the provision of fire protection services be initiated by the local agency and approved by the Director of Finance. The bill would require, prior to adopting the resolution or submitting the proposal, the public agency to enter into a written agreement for the performance of new or extended services pursuant to a fire protection contract with, or provide written notice of a proposed fire protection contract to, each affected public agency and recognized employee organization representing firefighters in the affected area, and to conduct a public hearing on the resolution.

The bill would require the commission to approve or disapprove the proposal as specified. The bill would require the commission to consider, among other things, a comprehensive fiscal analysis prepared by the executive officer in accordance with specified requirements.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

This bill would incorporate additional changes to Section 56133 of the Government Code proposed by AB 402 that would become operative if this bill and AB 402 are both enacted and this bill is enacted last.

The people of the State of California do enact as follows:

SECTION 1. Section 56017.2 of the Government Code is amended to read:

56017.2. "Application" means any of the following:

(a) A resolution of application or petition initiating a change of organization or reorganization with supporting documentation as required by the commission or executive officer.

(b) A request for a sphere of influence amendment or update pursuant to Section 56425.

(c) A request by a city or district for commission approval of an extension of services outside the agency's jurisdictional boundaries pursuant to Section 56133.

(d) A request by a public agency for commission approval of an extension of services outside the agency's jurisdictional boundaries pursuant to Section 56134.

SEC. 2. Section 56133 of the Government Code is amended to read:

56133. (a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public

Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to any of the following:

(1) Contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.

(2) Contracts for the transfer of nonpotable or nontreated water.

(3) Contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.

(4) An extended service that a city or district was providing on or before January 1, 2001.

(5) A local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

(6) A fire protection contract, as defined in subdivision (a) of Section 56134.

SEC. 2.5. Section 56133 of the Government Code is amended to read:

56133. (a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.

(c) If consistent with adopted policy, the commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:

(1) The entity applying for approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of requests made pursuant to this section to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the extended services. If the new or extended services are disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to any of the following:

(1) Two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.

(2) The transfer of nonpotable or nontreated water.

(3) The provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.

(4) An extended service that a city or district was providing on or before January 1, 2001.

(5) A local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundary.

(6) A fire protection contract, as defined in subdivision (a) of Section 56134.

(f) This section applies only to the commission of the county in which the extension of service is proposed.

SEC. 3. Section 56134 is added to the Government Code, to read:

56134. (a) (1) For the purposes of this section, "fire protection contract" means a contract or agreement for the exercise of new or extended fire protection services outside a public agency's jurisdictional boundaries, as authorized by Chapter 4 (commencing with Section 55600) of Part 2 of Division 2 of Title 5 of this code or by Article 4 (commencing with Section 4141) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except those contracts entered into pursuant to Sections 4143 and 4144 of the Public Resources Code, that does either of the following:

(A) Transfers responsibility for providing services in more than 25 percent of the area within the jurisdictional boundaries of any public agency affected by the contract or agreement.

(B) Changes the employment status of more than 25 percent of the employees of any public agency affected by the contract or agreement.

(2) A contract or agreement for the exercise of new or extended fire protection services outside a public agency's jurisdictional boundaries, as authorized by Chapter 4 (commencing with Section 55600) of Part 2 of Division 2 of Title 5 of this code or Article 4 (commencing with Section 4141) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except those contracts entered into pursuant to Sections 4143 and 4144 of the Public Resources Code, that, in combination with other contracts or agreements, would produce the results described in subparagraph (A) or (B) of paragraph (1) shall be deemed a fire protection contract for the purposes of this section.

(3) For the purposes of this section, "jurisdictional boundaries" shall include the territory or lands protected pursuant to a fire protection contract entered into on or before December 31, 2015. An extension of a fire protection contract entered into on or before December 31, 2015, that would produce the results described in subparagraph (A) or (B) of paragraph (1) shall be deemed a fire protection contract for the purposes of this section.

(b) Notwithstanding Section 56133, a public agency may provide new or extended services pursuant to a fire protection contract only if it first requests and receives written approval from the commission in the affected county pursuant to the requirements of this section.

(c) A request by a public agency for commission approval of new or extended services provided pursuant to a fire protection contract shall be made by the adoption of a resolution of application as follows:

(1) In the case of a public agency that is not a state agency, the application shall be initiated by the adoption of a resolution of application by the legislative body of the public agency proposing to provide new or extended services outside the public agency's current service area.

(2) In the case of a public agency that is a state agency, the application shall be initiated by the director of the state agency proposing to provide new or extended services outside the agency's current service area and be approved by the Director of Finance.

(3) In the case of a public agency that is a local agency currently under contract with a state agency for the provision of fire protection services and proposing to provide new or extended services by the expansion of the existing contract or agreement, the application shall be initiated by the public agency that is a local agency and be approved by the Director of Finance.

(d) The legislative body of a public agency or the director of a state agency shall not submit a resolution of application pursuant to this section unless both of the following occur:

(1) The public agency does either of the following:

(A) Obtains and submits with the resolution a written agreement validated and executed by each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service providers consenting to the proposed fire protection contract.

(B) Provides, at least 30 days prior to the hearing held pursuant to paragraph (2), written notice to each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service providers of the proposed fire protection contract and submits a copy of each written notice with the resolution of application. The notice shall, at minimum, include a full copy of the proposed contract.

(2) The public agency conducts an open and public hearing on the resolution, conducted pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5) or the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2), as applicable.

(e) A resolution of application submitted pursuant to this section shall be submitted with a plan which shall include all of the following information:

(1) The total estimated cost to provide the new or extended fire protection services in the affected territory.

(2) The estimated cost of the new or extended fire protection services to customers in the affected territory.

(3) An identification of existing service providers, if any, of the new or extended services proposed to be provided and the potential fiscal impact to the customers of those existing providers.

(4) A plan for financing the exercise of the new or extended fire protection services in the affected territory.

(5) Alternatives for the exercise of the new or extended fire protection services in the affected territory.

(6) An enumeration and description of the new or extended fire protection services proposed to be extended to the affected territory.

- (7) The level and range of new or extended fire protection services.
 - (8) An indication of when the new or extended fire protection services can feasibly be extended to the affected territory.
 - (9) An indication of any improvements or upgrades to structures, roads, sewer or water facilities, or other conditions the public agency would impose or require within the affected territory if the fire protection contract is completed.
 - (10) A determination, supported by documentation, that the proposed fire protection contract meets the criteria established pursuant to subparagraph (A) or (B) of paragraph (1) or paragraph (2), as applicable, of subdivision (a).
- (f) The applicant shall cause to be prepared by contract an independent comprehensive fiscal analysis to be submitted with the application pursuant to this section. The analysis shall review and document all of the following:
- (1) A thorough review of the plan for services submitted by the public agency pursuant to subdivision (e).
 - (2) How the costs of the existing service provider compare to the costs of services provided in service areas with similar populations and of similar geographic size that provide a similar level and range of services and make a reasonable determination of the costs expected to be borne by the public agency providing new or extended fire protection services.
 - (3) Any other information and analysis needed to support the findings required by subdivision (j).
- (g) The clerk of the legislative body of a public agency or the director of a state agency adopting a resolution of application pursuant to this section shall file a certified copy of the resolution with the executive officer.
- (h) (1) The executive officer, within 30 days of receipt of a public agency's request for approval of a fire protection contract, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request does not comply with the requirements of subdivision (d), the executive officer shall determine that the request is incomplete. If a request is determined incomplete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete.
- (2) The commission shall approve, disapprove, or approve with conditions the contract for new or extended services following the hearing at the commission meeting, as provided in paragraph (1). If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.
- (i) (1) The commission shall not approve an application for approval of a fire protection contract unless the commission determines that the public agency will have sufficient revenues to carry out the exercise of the new or

extended fire protection services outside its current area, except as specified in paragraph (2).

(2) The commission may approve an application for approval of a fire protection contract where the commission has determined that the public agency will not have sufficient revenue to provide the proposed new or different functions or class of services, if the commission conditions its approval on the concurrent approval of sufficient revenue sources pursuant to Section 56886. In approving a proposal, the commission shall provide that, if the revenue sources pursuant to Section 56886 are not approved, the authority of the public agency to provide new or extended fire protection services shall not be exercised.

(j) The commission shall not approve an application for approval of a fire protection contract unless the commission determines, based on the entire record, all of the following:

(1) The proposed exercise of new or extended fire protection services outside a public agency's current service area is consistent with the intent of this division, including, but not limited to, the policies of Sections 56001 and 56300.

(2) The commission has reviewed the comprehensive fiscal analysis prepared pursuant to subdivision (f).

(3) The commission has reviewed any testimony presented at the public hearing.

(4) The proposed affected territory is expected to receive revenues sufficient to provide public services and facilities and a reasonable reserve during the three fiscal years following the effective date of the contract or agreement between the public agencies to provide the new or extended fire protection services.

(k) At least 21 days prior to the date of the hearing, the executive officer shall give mailed notice of that hearing to each affected local agency or affected county, and to any interested party who has filed a written request for notice with the executive officer. In addition, at least 21 days prior to the date of that hearing, the executive officer shall cause notice of the hearing to be published in accordance with Section 56153 in a newspaper of general circulation that is circulated within the territory affected by the proposal proposed to be adopted and shall post the notice of the hearing on the commission's Internet Web site.

(l) The commission may continue from time to time any hearing called pursuant to this section. The commission shall hear and consider oral or written testimony presented by any affected local agency, affected county, or any interested person who appears at any hearing called and held pursuant to this section.

(m) This section shall not be construed to abrogate a public agency's obligations under the Meyers-Milius-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1).

SEC. 4. The Legislature finds and declares that, with respect to fire protection contracts subject to this act, the provisions of this act are not intended to change, alter, or in any way affect either of the following:

(a) The existing jurisdiction of a local agency formation commission over proceedings that involve the provision of prehospital emergency medical services.

(b) Mutual aid agreements, including mutual aid agreements entered into pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 1 of the Government Code) or the Fire Protection District Law of 1987 (Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code).

SEC. 5. The Legislature finds and declares that Section 3 of this act, which adds Section 56134 to the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act provides for notice to the public in accordance with existing provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and will ensure that the right of public access to local agency meetings is protected.

SEC. 6. Section 2.5 of this bill incorporates amendments to Section 56133 of the Government Code proposed by both this bill and Assembly Bill 402. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 56133 of the Government Code, and (3) this bill is enacted after Assembly Bill 402, in which case Section 2 of this bill shall not become operative.

2.1. **POLICIES AND STANDARDS**

J. Policies for Out of Agency Service Agreements

1) Introduction

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) requires a city or special district to obtain written approval from LAFCO prior to providing new or extended service outside its jurisdictional boundary, with certain exceptions (Gov. Code §§56133 and 56134). ~~This section Gov. Code §56133 of the CKH~~ sets forth a two-pronged test or criteria under which requests for out of agency services may be approved: either in response to an existing or impending threat to the health or safety of the public, or in anticipation of a later change in organization (i.e., annexation) for areas within the subject agency's sphere of influence (SOI). Specific procedures for submitting an out of agency service application can be found in Contra Costa LAFCO's Commissioner Handbook, section 3.15 Provision of Services by Contract. GC §56134 applies to certain contracts or agreements for the exercise of new or extended fire protection services outside a public agency's jurisdictional boundaries.

2) Purpose

The purpose of these policies is to guide the Commission in reviewing city and district requests to provide new or extended services by agreement outside their jurisdictional boundaries. This includes establishing policies and procedures to ensure that the application meets one of the two criteria under which approval may be granted, and to ensure consistency with respect to form, review and consideration of requests.

3) Objective:

The objective of these policies is to ensure that the extension of services by cities and districts outside their jurisdictional boundaries is logical and consistent with supporting orderly growth and development in Contra Costa County. Out of agency service is generally not intended to support new development.

4) Out of Agency Service Policies: General Statements

- a) Annexation to cities and special districts involving territory located within the affected agency's sphere of influence (SOI) is generally preferred to out of agency service.
- b) LAFCO will consider applicable Municipal Service Reviews (MSRs) and discourage out of agency service extensions that conflict with adopted MSR determinations or recommendations.
- c) Requests for out of agency service agreements are subject to the applicable provisions of the California Environmental Quality Act (CEQA).
- d) Commission approval is not required for cities or districts to provide new or extended services outside their jurisdictional boundaries if any of the exemptions apply in accordance with §56133(e) – see Section 3.15 for

exceptions. The Commission encourages cities and districts to work with the Executive Officer in determining when the statutory exemptions may apply.

5) Form of Request

a) All Requests

Requests to authorize out of agency service shall be filed with the Executive Officer by the affected city or district. The application shall be signed by an authorized representative of the city or district. Requests shall be made in writing with a completed LAFCO application, payment in the amount prescribed under the Commission's adopted fee schedule, appropriate environmental document, proposed service agreement, and an executed and recorded deferred annexation agreement (DAA) and waiver of property owner protest rights. The recorded DAA shall run with the land and be binding on all future owners of the property. An indemnification agreement will be required with each application.

All requests for out of agency service are subject to the applicable provisions of CEQA.

b) Requests Due to Health or Safety Emergency

The Commission may authorize a city or district to provide new or extended services outside their jurisdictional boundary and outside or inside their SOI in response to an existing or impending threat to public health or safety ("emergency" – e.g., failing well or septic system) with documentation from the County Environmental Health Division, and in accordance with §56133(c) and LAFCO procedures. If LAFCO approves an emergency out of agency service request, and the city or district fails to initiate the provision of services within six months of the Commission's approval, the out of agency service approval shall expire, unless otherwise specified by LAFCO.

The Commission authorizes the LAFCO Executive Officer, in consultation with the Chair or Vice Chair, to approve a city's or district's request for out of agency service if there is an existing or impending public health or safety emergency, as documented by the County Environmental Health Division. The Executive Officer shall report to the Commission on his or her administrative approval of any emergency out of agency service agreements at the next regularly scheduled LAFCO meeting. Such administrative approval can be made if the following criteria are met:

- The property is currently developed
- The lack of service being requested constitutes an *immediate* (i.e., approval needed within two months) health and safety concern as documented by County Environmental Health
- There are physical restrictions on the property that prohibit a conventional service delivery method (i.e., septic tank, private well, etc.)

c) Requests in Anticipation of Annexation

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

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

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

6) Review of Request

The Executive Officer shall review the request in accordance with CKH and LAFCO's policies and procedures.

7) Consideration of Request

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration in accordance with CKH and LAFCO's policies and procedures. The Executive Officer's written report will be made available to the public for review prior to the scheduled hearing and include an evaluation of the following factors:

- a) The ability of the applicant to extend the subject service to the affected land without adversely affecting current service levels within the existing service boundary.
- b) If the request is to address a health or safety emergency, whether the documentation satisfactorily demonstrates compliance with CKH and LAFCO policies and procedures.
- c) If the request is in anticipation of future annexation, whether the application provides adequate assurances in furtherance of a future annexation.
- d) The application's consistency with the policies and general plans of affected local agencies.

- e) The application's effect on growth and development within and adjacent to the affected land; and whether the out of agency service extension will contribute to premature development of fringe areas or development in areas designated for non-urban uses.
- f) Whether the proposal contributes to the premature conversion of agricultural land or other open space land.

The Commission and the Executive Officer, as authorized by the Commission, may approve the request for out of agency service with or without conditions, or may deny the request. Unless otherwise specified in the LAFCO resolution of approval, out of agency service is allowed for the subject application only, and any future extension or expansion of service is subject to LAFCO's approval.

If the request to provide out of agency service is approved or denied, the applicant may request reconsideration within 30 days citing the reasons for reconsideration.

8) Out-of-Agency Fire Protection Service Contract – Gov. Code §56134.
LAFCO is charged with reviewing and acting on out-of-agency fire service protection contracts that provide new or extended fire protection services outside an agency's jurisdictional boundaries if the contract meets one of the following thresholds: (1) the contract transfers responsibility for providing services in more than 25% of a public agency's service area to another public agency; or (2) changes the employment status of more than 25% of the employees of a public agency (Gov. Code §56134).

These applications must include a comprehensive fiscal analysis and a plan for services.

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CONTRA COSTA LAFCO

3.16 – Provision of Service by Contract (Fire Protection Services)

Purpose

To provide guidance to Contra Costa LAFCO in reviewing fire protection contracts or agreements for the exercise of new or extended fire protection services outside a public agency's boundaries per Government Code ("GC") §56134.

Background and Authority

Senate Bill (SB) 239 (Hertzberg) which was enacted on January 1, 2016, amended GC §§56017.2 and 56133 and added GC §56134.

Per SB 239, a public agency, under specified circumstances, must receive written approval from the LAFCO in an affected county before providing new or extended fire protection services outside the agency's jurisdictional boundaries if the contract results in either of the following conditions:

(1) transfers responsibility for providing services in more than 25% of the area within the jurisdictional boundaries of any public agency affected by the contract or agreement; or (2) changes the employment status of more than 25% of the employees of any public agency affected by the contract or agreement.

Initiation of Proceedings

A request by a public agency for commission approval of new or extended services provided pursuant to a fire protection contract shall be made by the adoption of a resolution of application as follows:

- (1) In the case of a public agency that is not a state agency, the application shall be initiated by the adoption of a resolution of application by the legislative body of the public agency proposing to provide new or extended services outside the public agency's current jurisdictional boundaries.
- (2) In the case of a public agency that is a state agency, the application shall be initiated by the director of the state agency proposing to provide new or extended services outside the agency's current jurisdictional boundaries and be approved by the Director of Finance.
- (3) In the case of a public agency that is a local agency currently under contract with a state agency for the provision of fire protection services and proposing to provide new or extended services by the expansion of the existing contract or agreement, the application shall be initiated by the public agency that is a local agency and be approved by the Director of Finance.

Requirements

In addition to a resolution of application, the application must also include the following pursuant to GC §56134:

A. Plan for Services that includes the following information:

- (1) The total estimated cost to provide the new or extended fire protection services in the affected territory.
- (2) The estimated cost of the new or extended fire protection services to customers in the affected territory.
- (3) An identification of existing service providers, if any, of the new or extended services proposed to be provided and the potential fiscal impact to the customers of those existing providers.
- (4) A plan for financing the exercise of the new or extended fire protection services in the affected territory.

- (5) Alternatives for the exercise of the new or extended fire protection services in the affected territory.
- (6) An enumeration and description of the new or extended fire protection services proposed to be extended to the affected territory.
- (7) The level and range of new or extended fire protection services.
- (8) An indication of when the new or extended fire protection services can feasibly be extended to the affected territory.
- (9) An indication of any improvements or upgrades to structures, roads, sewer or water facilities, or other conditions the public agency would impose or require within the affected territory if the fire protection contract is completed.
- (10) A determination, supported by documentation, that the proposed fire protection contract meets the criteria established pursuant to subparagraph (A) or (B) of paragraph (1) or paragraph (2), as applicable, of subdivision (a).

B. Independent Fiscal Analysis that reviews and documents all of the following:

- (1) A thorough review of the plan for services submitted by the public agency pursuant to subdivision (e).
- (2) How the costs of the existing service provider compare to the costs of services provided in service areas with similar populations and of similar geographic size that provide a similar level and range of services and make a reasonable determination of the costs expected to be borne by the public agency providing new or extended fire protection services.
- (3) Any other information and analysis needed to support the findings required by subdivision (j).

Procedures

Within 30 days of receipt of the application, the LAFCO executive officer shall determine whether the application is complete or incomplete. If the application is deemed incomplete, the executive officer shall notify the applicant, specifying those parts of the application that are incomplete.

Once the application is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete.

At least 21 days prior to the date of the hearing, the executive officer shall give mailed notice of that hearing to each affected public agency, and to any interested party who has filed a written request for notice with the executive officer. Also, at least 21 days prior to the date of that hearing, notice of the hearing will be published in a newspaper of general circulation and posted on the Commission's website.

Commission Proceedings

At a noticed public hearing, the Commission considers information presented by the affected public agencies, public comment, and the LAFCO staff report and recommendations.

The Commission has authority to approve, approve with condition(s), or deny a fire protection services contract. If the Commission determines the requirements pursuant to GC §56134 have been met and approves the proposal, the Commission shall adopt a resolution of approval with or without terms and conditions.

Reconsideration – Following action by LAFCO, a person or agency may file a written request for reconsideration pursuant to GC §56895, LAFCO's local policies and procedures, and required fees. 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.

CONTRA COSTA LAFCO APPLICATION FIRE PROTECTION SERVICE CONTRACT

A certified copy of the resolution of application from the public agency requesting approval of the fire protection contract must be submitted with this application form.

AFFECTED PUBLIC AGENCY (APPLICANT):

PUBLIC AGENCY NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

AGENCY FUNCTION: ☐ AGENCY PROVIDING SERVICE; ☐ AGENCY (IES) RECEIVING SERVICE;

☐ OTHERS (SPECIFY) _____

AFFECTED PUBLIC AGENCY:

PUBLIC AGENCY NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

AGENCY FUNCTION: ☐ AGENCY PROVIDING SERVICE; ☐ AGENCY(IES) RECEIVING SERVICE;

☐ OTHERS (SPECIFY) _____

OTHER AFFECTED PUBLIC AGENCY(IES), IF APPLICABLE:

PUBLIC AGENCY NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

AGENCY FUNCTION: ☐ AGENCY PROVIDING SERVICE; ☐ AGENCY(IES) RECEIVING SERVICE;

OTHERS (SPECIFY) _____

OTHERS (SPECIFY)

*OAS Fire Protection Service
Contract Application Form*

The following questions relate to the fire protection contract to allow LAFCO Commissioners and staff to adequately assess the contract. You may include additional information which you believe is pertinent. Please use additional sheets as necessary.

1. Please provide a description of the fire protection contract and the general terms and conditions of the agreement.

2. A) Please provide a description of the services to be provided including an assessment of the level of service, whether it is anticipated to increase, remain the same, or reduce the service level.

- B) Are any of the services identified above "new" service(s) to be provided by the public agency proposed to provide the service? If yes, please provide a description of the new service(s) to be provided and explain how the affected public agency will provide and fund the service(s).

3. Please provide a description of any special arrangements related to the fire protection contract such as start-up costs, automatic or mutual aid, joint powers agreements, shared facilities and staffing, etc. if applicable.

4. Please provide a description of the assumption of assets and liabilities, if applicable.

5. Please provide a description of the use (assumption/leasing) of facilities and equipment associated with the fire protection contract, including any upgrades and/or new facilities and equipment, if applicable.

6. Please provide a description of the assumption of personnel and identify current and proposed staffing:

	Service Provider		Affected Agency	
	Current	Proposed	Current	Proposed
Safety				
Number of paid personnel				
Number of paid reserves				
Number of non-paid reserves				
Non-Safety				
Number of Admin/Support				

7. Please provide a description of retirement obligation, if applicable.

8. Please identify current data for the following:

	Service Provider	Affected Agency
District Population		
Registered Voters		
Acres/Square Miles		
Most recent ISO rating		

9. Please describe prevalent and uses in each affected agency; list predominate General Plan designations.

10. Plan for Service:

Please provide a detailed description of the plan for service pursuant to Government Code (GC) §56134(e). The plan for service should include, but not be limited to, all of the following information:

- a) The total estimated cost to provide the new or extended fire protection services in the affected territory.
- b) The estimated cost of the new or extended fire protection services to customers in the affected territory.
- c) An identification of existing service providers, if any, of the new or extended services proposed to be provided and the potential fiscal impact to the customers of those existing providers.
- d) A plan for financing the exercise of the new or extended fire protection services in the affected territory.
- e) Alternatives for the exercises of the new or extended fire protection services in the affected territory.
- f) An enumeration and description of the new or extended fire protection services proposed to be extended to the affected territory.
- g) The level and range of new or extended fire protection services.
- h) An indication of when the new or extended fire protection services can feasibly be extended to the affected territory.
- i) An indication of any improvements or upgrades to structures, roads, sewer or water facilities, or other conditions the public agency would impose or require within the affected territory if the fire protection contract is approved.
- j) Determination supported by documentation that the proposed fire protection contract meets either of the 25% thresholds.

11. Fiscal Impact Analysis:

Pursuant to GC §56134(f) an independent fiscal impact analysis must be submitted that includes, at a minimum, a 5-year projection of revenues and expenditures. The information should include a discussion of the sufficiency of existing revenues to provide the new or extended fire protection service, costs of providing services, a comprehensive review of all retirement plans impacting the affected agencies and employees including any unfunded retirement obligations and the identification of retirement debt, if any, and the responsible agency or agencies to assume such debt. If financing is to occur, please provide any special financial arrangement between the agencies.

12. Environmental Review

What environmental review has been conducted? If exempt, please provide a copy of the agency's Notice of Exemption.

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement and information presented herein are true and correct to the best of my knowledge.

SIGNED: (Applicant)

NAME:

POSITION TITLE:

AGENCY NAME:

DATE:

SIGNED: (Other Affected Public Agency)

NAME:

POSITION TITLE:

AGENCY NAME:

DATE:

SIGNED: (Other Affected Public Agency)

NAME:

POSITION TITLE:

AGENCY NAME:

DATE:

REQUIRED EXHIBITS TO THIS APPLICATION:

1. Copy of the agreement/contract.
2. Resolution of Application including the following:
 - a. Required documentation contract transfers service responsibility of more than 25%

Fire Protection Contract
Application Form

- of an affected public agency's service area or affects more than 25% of the employees of an affected public agency pursuant to GC§ 56134(a)(1)(A) and (B)
 - b. Required written agreement from affected agency (adopted resolution) and from the employee organization (letter signed by the President of the employee organization) or proof that notice was provided or delivered to each affected agency and employee organization and all documents related to the applicants hearing on the resolution of application pursuant to GC §56134(d)
 - c. Plan for service pursuant to GC §56134(e)
 - d. Independent fiscal impact analysis pursuant to GC §56134(f)
3. Map(s) showing the jurisdictional boundaries of all affected public agencies.

Please submit the completed form and related information to:

Contra Costa Local Agency Formation Commission
40 Muir Road, 1st Floor
Martinez, CA 94553
Attn: Lou Ann Texeira,
LAFCO Executive Officer
LouAnn.Teixeira@lafco.cccounty.us
(925) 313-7133



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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ALTERNATE MEMBERS

Diane Burgis
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Public Member

Edi Birsan
City Member

June 8, 2022 (Agenda)

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

**June 8, 2022
Agenda Item 15**

Request to Transfer Principal County Responsibility from Alameda LAFCO to Contra Costa LAFCO – Sphere of Influence Amendment and Corresponding Annexation to East Bay Municipal Utility District – 4949 Happy Valley Road – Lafayette

Dear Members of the Commission:

When a change of organization (e.g., annexation) to a multi-county special district is proposed, the Cortese-Knox-Hertzberg Act (CKH) vests exclusive jurisdiction with the commission of the principal county, that is, the commission in the county having the largest portion of assessed value within the subject district.

The CKH (i.e., §§56123, 56124, 56387, 56388) provides a mechanism to transfer jurisdiction of such proposals to a commission other than the commission of the principal county. In order to transfer exclusive jurisdiction over a change of organization, the commission of the principal county must agree to relinquish jurisdiction and designate a specific commission to assume jurisdiction. The commission so designated must agree to assume exclusive jurisdiction.

Alameda and Contra Costa LAFCOs have several special districts which cross county boundary lines. In addition to State laws that govern boundary changes and the transfer of jurisdiction, Alameda and Contra Costa LAFCOs adopted *Procedures for Processing Multi-County Changes of Organization or Reorganization – Alameda and Contra Costa LAFCOs* in 1997. Alameda and Contra Costa LAFCOs have a history of transferring jurisdiction for both boundaries and spheres of influence (SOIs) in accordance with the adopted procedures.

On May 26, 2022, Contra Costa LAFCO received applications to amend the SOI and annex property to the East Bay Municipal Utility District (EBMUD) in order to receive municipal water. The two parcels are located in unincorporated Lafayette, total approximately 36± acres, and are outside the Urban Limit Line. The applicant/landowner indicates there is lack of well water to support existing uses (i.e., vineyards, horses, livestock, barn, single-family home) and the existing

well has high levels of boron. The landowner provided a “will serve” letter from EBMUD and a letter from Contra Costa County Environmental Health (CCEH). The CCEH letter indicates *they reviewed water quality results for the well located at the subject property. The results report indicated a boron level of 5,900 micrograms per liter (µg/L), which exceeds the California State Notification Level of 1,000 µg/L. Notification levels are non-regulatory health-based advisory levels established by the State Water Resources Control Board (SWRCB) for chemicals for which maximum contaminant levels (MCL have not been established. The US EPA has also established a Health Advisory Level for non-cancer health effects from boron in drinking water of 5,000 µg/L. The US EPA and SWRCB have not established an MCL for boron. CCEH has no objection to EBMUD supplying water to the subject property.*

EBMUD is located within Alameda and Contra Costa counties. Alameda County has the largest portion of assessed value within EBMUD, but this proposed SOI amendment and annexation affect land located in Contra Costa County. The adopted Alameda and Contra Costa LAFCO procedures provide for an initial review and consultation by the LAFCO Executive Officers. The Executive Officers have consulted and conclude that transferring jurisdiction for these proposals to Contra Costa LAFCO would greatly simplify processing.

RECOMMENDATION – It is recommended that Contra Costa LAFCO agree to assume exclusive jurisdiction for these proposals and authorize LAFCO staff to send a letter (Attachment 1) to Alameda LAFCO requesting a transfer of jurisdiction in conjunction with these proposals.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment 1 - Draft Letter to Alameda LAFCO Requesting Transfer of Jurisdiction

c: Rachel Jones, Executive Officer, Alameda LAFCO
Jack Flynn, Customer Services Manager, EBMUD
Steve Thomas, Landowner



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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

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

(925) 313-7133

Lou Ann Texeira
Executive Officer

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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

Attachment

June 8, 2022

Rachel Jones, Executive Officer
Alameda LAFCO
224 West Winton, Suite 110
Hayward, California 94544

Dear Ms. Jones:

Contra Costa LAFCO recently received applications to amend the sphere of influence (SOI) for the East Bay Municipal Utility District (EBMUD) and a corresponding annexation application. The subject parcels (APNs 365-230-037/-038) total 36+ acres and are located at 4949 Happy Valley Road in unincorporated Lafayette.

Municipal water is needed to support existing uses (i.e., vineyards, horses, livestock, barn, single-family home) and the existing well has high levels of boron. EBMUD provided a “will serve” letter and Contra Costa County Environmental Health (CCEH) provided a letter indicating *they reviewed water quality results for the well located at the subject property. The results report indicated a boron level of 5,900 micrograms per liter (µg/L), which exceeds the California State Notification Level of 1,000 µg/L. CCEH also noted health effects from boron in drinking water and that CCEH has no objection to EBMUD supplying water to the subject property.*

Since Alameda is the principal county for EBMUD, this is a formal request, pursuant to Government Code §§56387 and 56388 and our *Procedures for Processing Multi-County Changes of Organization or Reorganization – Alameda and Contra Costa LAFCOs*, that Alameda LAFCO grant exclusive jurisdiction to Contra Costa LAFCO for the proposed SOI amendment and corresponding boundary change. This request for transfer of jurisdiction was approved by Contra Costa LAFCO on June 8, 2022 at which time the Commission agreed to assume exclusive jurisdiction for the proposed SOI amendment and boundary change subject to Alameda LAFCO’s approval of a transfer of jurisdiction.

We previously sent the landowner’s payment to Alameda LAFCO of \$300 for the transfer of jurisdiction. We respectfully request that this matter be placed on your next available LAFCO agenda for consideration. Please contact me if you have any questions. Thank you for your assistance.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Jack Flynn, Customer Services Manager, EBMUD
Steve Thomas, Landowner/Applicant



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Edi Birsan
City Member

June 8, 2022

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

June 8, 2022
Agenda Item 16

Current and Potential Future LAFCO Applications

Dear Members of the Commission:

SUMMARY

This report identifies active applications on file with Contra Costa LAFCO as well as 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 is currently one approved proposal awaiting completion, six current applications that are either incomplete and/or awaiting a hearing date, and several potential future applications.

Current Proposals – Approved and Awaiting Completion

Chang Property Reorganization (LAFCO 18-06)

This is an application filed by the landowner to annex 66.92± acres to the City of San Ramon, Central Contra Costa Sanitary District (CCCSd) and East Bay Municipal Utility District (EBMUD) and detach the same area from County Service Area (CSA) P-6. The subject area is located at the intersection of Crow Canyon and Bollinger Canyon Roads in unincorporated San Ramon. The Commission approved the boundary reorganization in

August 2017 with conditions. One of the conditions has not yet been met. The applicant has requested and received several extensions of time with the current extension to July 9, 2022. A status report will be provided at the June 8, 2022 LAFCO meeting along with a request for an extension.

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 (CCCCSD) and East Bay Municipal Utility District (EBMUD). The project includes development of 125 single-family homes. The subject area is located east of the City of San Ramon and the Town of Danville. The application is currently incomplete. The project is currently being litigated.

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

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

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

This is an application filed by the City of Pittsburg to annex 606± acres to the City of Pittsburg, Contra Costa Water District (CCWD) and Delta Diablo (DD) and detachment from CSA P-6. The project includes development of up to 1,500 residential units. The application is currently incomplete. On February 9, 2022, Contra Costa County Superior Court ruled that the City of Pittsburg violated CEQA. The Court issued a writ of mandate compelling the City to set aside the project approvals and the certification of the Final EIR, and that any further consideration of the project must comply with CEQA and be consistent with the Court's ruling.

Annexation to 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.

Laurel Place IV, Subdivision 9495 – 5175 Laurel Drive - Annexation to City of Concord and Detachment from CSA P-6

This is an application filed by the landowner to annex 3.60± acres (eight parcels) to City of Concord and detach from CSA P-6. This application is currently pending.

Annexation to City of Concord and Detachment from CSA P-6 – Akins

On June 9, 2021, LAFCO approved extension of out of agency wastewater service by the City of Concord to the Akins property located in unincorporated Concord (Ayers Ranch). LAFCO's approval was conditioned on a commitment from the landowners to submit to LAFCO an application to annex the subject parcel to the City of Concord by *May 31, 2022*. An annexation application was filed with LAFCO on April 26, 2022 pursuant to LAFCO's condition. The annexation application is currently under review.

✚ EBMUD SOI Amendment – Thomas Property (LAFCO 22-03) – Happy Valley Road, Lafayette

This is an application filed by the landowner expand EBMUD's SOI by 35± acres in order to receive municipal water service and in response to poor water quality on the property. The application is currently under review.

✚ Annexation to EBMUD – Thomas Property (LAFCO 22-04) Happy Valley Road, Lafayette

This is an application filed by the landowner to annex 35± acres to EBMUD in order to receive municipal water service and in response to poor water quality on the property.

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.

There are currently several potential applications that may be submitted to Contra Costa LAFCO in the future including annexations to Byron Bethany Irrigation District, City of Brentwood, City of Concord, City of Martinez, 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 – June 8, 2022**

Attachment

File #	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. The project is currently being litigated.
21-05	Faria Southwest Hills Reorganization: proposed annexations to City of Pittsburg, CCWD and DD of 606+ acres located southwest of the City of Pittsburg	Application submitted in June 2021 by City of Pittsburg to annex 606+ acres to the City, Contra Costa Water District (CCWD) and Delta Diablo (DD) and detach from County Service Area (CSA) P-6 to support hillside estate development of up to 1,500 units.	Application is currently incomplete. <i>Notices of Incomplete Application</i> issued on 7/21/21 and 1/28/22. The project is currently being litigated.
21-09	Annexation to EBMUD – 285 Lark Lane – Alamo	Application submitted in September 2021 by the landowner to annex 18.38+ acres to EBMUD	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+ acres to City of Concord and detach from CSA P-6	Currently under review
22-01	Annexation to City of Concord - Akins	Application submitted in April 2022 by the landowners to annex one parcel (1.42+ acres) and detach from CSA P-6	Currently under review
22-03	EBMUD SOI Amendment – Thomas Property (Happy Valley Road, Lafayette)	Application submitted in May 2022 to expand EBMUD's SOI (35+ acres)	Currently under review
22-04	Annexation to EBMUD – Thomas Property (Happy Valley Road, Lafayette)	Application submitted in May 2022 by the landowners to annex 35+ acres to EBMUD	Currently under review



June 8, 2022
Agenda Item 17

AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

April 13, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 847 4523 2628, Passcode: 218632, or via the web at:

<https://us06web.zoom.us/j/84745232628?pwd=Uk94bE9MRDZBc2lrWlRtWmY5TGw3dz09>
Passcode: 218632

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 March 9, 2022 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. William Fiore	Service Connected	Service Connected

8. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:

- a. *Nowicki v. CCCERA, et al.*, Contra Costa County Superior Court, Case No. C17-01266

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 54957 to evaluate the performance of the following public employee:

Title: Chief Executive Officer

OPEN SESSION

11. Appointment of ad hoc advisory committee to review the Chief Executive Officer compensation package.
12. Presentation from PARS (Public Agency Retirement Services) regarding the I.R.C. Section 115 Trust for Other Post-Employment Benefits for CCCERA Employees.
13. Presentation from Segal Consulting: Review of Actuarial Assumptions.
14. Consider and take possible action to adopt the actuarial assumptions to be utilized in the December 31, 2021 actuarial valuation report.
15. Consider and take possible action to cause an election to be held to fill the vacancy in the alternate seventh safety member seat.

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.

16. Consider and take possible action to authorize the Board to conduct teleconference meetings under Government Code section 54953 (e) and to make related findings.
17. Consider and take possible action on SACRS voting proxy form.
18. Consider and take possible action on SACRS Board of Directors Election.
19. Consider authorizing the attendance of Board:
 - a. 2022 US Investor Conference, Adams Street, June 7, 2022, Chicago, IL.
20. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

April 27, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 856 7762 4389, Passcode: 528549, or via the web at:

<https://us06web.zoom.us/j/85677624389?pwd=bXFHcDAXem5galppWHlvQXdOTTc2dz09>

Passcode: 528549

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 March 23, 2022 meeting.
5. Review of report on liquidity sub-portfolio.
 - a. Presentation from staff
 - b. Presentation from Sit Investment Associates
6. Educational presentation from Verus on investing in a rising rate environment.

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. Consider and take possible action to authorize the Board to conduct teleconference meetings under Government Code section 54953 (e) and to make related findings.
8. Consider and take possible action to authorize the CCCERA delegate to vote on the SACRS 2020-2021 Annual Audit Report.
9. Consider and take possible action to cancel the Board meeting of May 4, 2022.
10. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments



AGENDA

RETIREMENT BOARD **AUDIT COMMITTEE MEETING**

May 4, 2022
9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 835 1282 8455, Passcode: 032800, or via the web at:

<https://us06web.zoom.us/j/83512828455?pwd=LzQ4czhUNEZLY0pxUmtKZTN0eGdEUT09>

Passcode: 032800

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 AUDIT COMMITTEE MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Accept comments from the public.
2. Approve minutes from the February 23, 2022 meeting.
3. Update from Brown Armstrong on the audit of the December 31, 2021 financial statements.
4. Staff status updates.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING

May 25, 2022, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 841 2039 5180, Passcode: 390098, or via the web at:

<https://us06web.zoom.us/j/84120395180?pwd=Y3pLdGZlbnlTdlhucG5iTHNNaHBUZz09>

Passcode: 390098

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. Recognition of Glenis Castelino for 15 years of service and Tim Price for 10 years of service.
5. Approve minutes from the April 13, 2022 and April 27, 2022 meetings.
6. 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.

7. Accept the following routine items:
 - a. Disability applications and authorize subpoenas as required.
 - b. Travel report.
 - c. Investment asset allocation report.
8. Consider and take possible action to adopt the contribution rates for the period July 1, 2022 – June 30, 2023 for the Contra Costa County Fire Protection District.
9. Review of total portfolio performance for period ending March 31, 2022.
 - a. Presentation from Verus
 - b. Presentation from staff
10. Notice of planned termination of Jackson Square Partners large cap growth portfolio.
11. Presentation from staff on sizing of Liquidity Sub-portfolio.
12. Presentation from Verus on capital market assumptions.
13. Update on real estate commitments.
14. Information regarding in-person meetings in the boardroom.
15. Consider and take possible action to authorize the Board to conduct teleconference meetings under Government Code section 54953 (e) and to make related findings.
16. Consider and take possible action to authorize the CEO to renew a maintenance and support agreement with CPAS.
17. Report from Audit Committee Chair on May 4, 2022 Audit Committee meeting.
18. Consider authorizing the attendance of Board:
 - a. SACRS Public Pension Investment Management Program 2022, UC Berkeley Haas School of Business Executive Education, July 17-20, 2022, Berkeley, CA.
19. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

AB 197 CONTRIBUTION CORRECTIONS

In July of 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.” More information about the legislative changes can be found at cccera.org/ab-197 under Frequently Asked Questions.

Based on the California Supreme Court decision the CCCERA Retirement Board took action to correct retirement contributions for members that paid contributions in the following situations:

1. Contributions provided to CCCERA from July 12, 2014 to June 30, 2015 on excluded terminal pay items.
2. Contributions provided to CCCERA from July 12, 2014 to present on on-call pay items.

Members eligible for a contribution correction were mailed a letter in February 2022 and provided the option of receiving their contribution correction payment as a direct deposit. CCCERA has been processing payments according to the direct deposit forms received. Checks will be mailed this summer to members that did not send a form by April 30 authorizing the direct deposit.

The Board has updated its Compensation Earnable Policy in accordance with the Alameda decision, available at cccera.org/governance-and-policies.

RESPONSIBILITIES FOR EMPLOYERS

BOARD REGULATIONS, CERTIFICATION REMINDERS & PENALTIES

The CCCERA Board of Retirement regulations have many requirements that pertain to employers and are available at cccera.org/governance-and-policies.

Establishing and Reporting Newly-Eligible Members

Employers must submit the following three forms on behalf of new members upon membership to CCCERA. Visit cccera.org/forms for the latest versions.

1. Enrollment Affidavit (Form 101)

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

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 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

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.

Signed copies of Form SSA-1945 should be submitted to CCCERA for all current active employees that are not covered under social security. Employers must submit the 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?

Demographic and employment changes such as:

- 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?

Monthly payroll data such as:

- 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.

ONLINE PORTAL

PROJECT STATUS & PILOT TESTING

This past September, CCCERA began working with Sagitec Solutions to create a new pension administration system. This new system will include a portal for members to access their accounts online, as well as a portal for employers to upload active payroll files, view their employees membership contributions and rates, and more.

Contra Costa County and the Contra Costa County Superior Court, will help as pilot

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.

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 FOR JULY 1

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. Employers must use the new rates beginning with their July 1 payroll.

REMINDERS FOR EMPLOYERS

EMPLOYEE COMMUNICATION

UPDATED - Participating Employers Handbook

The CCCERA Participating Employers Handbook, created to assist participating employers in enrolling employees in retirement, death, survivor and disability benefits, was recently updated. To obtain a copy, visit cccera.org/employer.

CCCERA Newsletter

CCCERA distributes a member newsletter, CCCERA News, three times a year. For active members, this newsletter is emailed to each employer, who are asked to forward the newsletter to their employees. To add your name to this list, email employers@cccera.org.

CALENDAR DATES

UPCOMING CCCERA CLOSURES

July 4

Independence Day

September 5

Labor Day

VIRTUAL PRE-RETIREMENT WORKSHOPS

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

July 21, 2022, 2 p.m. – 4 p.m.

August 18, 2022, 9 a.m. – 11 a.m.

September 15, 2022, 2 p.m. – 4 p.m.

October 13, 2022, 9 a.m. – 11 a.m.

UPCOMING BOARD MEETINGS

June 8, 2022

July 13, 2022

August 10, 2022

September 28, 2022

October 12, 2022

June 22, 2022

July 27, 2022

August 24, 2022

September 14, 2022

October 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

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



CALAFCO

NEWSLETTER

June 8, 2022
Agenda Item 19B

May, 2022 Edition

BOARDROOM Brief

The Board met virtually on April 22 and considered a fairly light agenda. Among the actions taken was the acceptance of the Third Quarter financial reports, which included a payment to the Hyatt hotel for the block of rooms that had been guaranteed for the cancelled staff workshop.

The new budgets for Fiscal Years 2022-2023 and 2023-2024 were also approved. Given concerns regarding the ongoing pandemic as well as escalating inflation, the budgets maintain the previously implemented austerity measures where possible. However, based on feedback received by the Executive Director from various LAFcos, the budget does anticipate a healthy attendance at the conference and 2023 workshop.

The Board also revisited the legislative proposal from San Diego LAFco regarding Government Code §56133 that had been tabled in January. After discussion, the matter was rescheduled to the July Board meeting to allow the Legislative Committee time to gather additional information.

Reports were also received regarding the fall conference, CALAFCO U sessions, and Spring Workshop, which are currently in planning.

Members wishing to read full staff reports or minutes can download them from the CALAFCO website at www.calafco.org.

SEE YOU LATER!

SOME wise person once said that change is inevitable. Of course, the change that came to CALAFCO was the well-deserved retirement of Pamela Miller as the CALAFCO Executive Director (ED). Pamela became ED in 2012 and has made an indelible mark on CALAFCO by maintaining its professional standards and by advocating with the legislature on behalf of LAFcos everywhere. She stayed through March on a consultant basis to assist with the transition of the new ED and she intends to see SB 938 to its conclusion.

Unfortunately, pandemic restrictions meant that Pamela did not get the send-off that she deserved, but that only means she is owed a party. And, so, we refuse to say goodbye and, instead, leave it at "Thank you—and see you later!"

With thanks!

Legislative Updates

CALAFCO supported or sponsored bills continue to make positive progress in the legislative process. Most important is SB 938, the protest provisions bill, which makes updates to existing CKH statutory provisions associated with consolidations and dissolutions, as well as codifying the conditions under which a LAFco may initiate dissolution of a district at the 25 percent protest threshold. SB 938 has been tentatively scheduled before the Assembly Local Government Committee on June 8th. LAFcos that have not yet submitted a letter of support are requested to do so before **5 PM on June 2, 2022**.

See **LEGISLATION** on Page 2

NEW Associate Member!



A huge welcome to Chase Design, our newest Associate

member. Founded in 2000 by Chris Chase, Creative Director and Principal, Chase Design is a San Diego based firm specializing in branding

consultation and design services for businesses and organizations throughout the United States. Chase Design has built an impressive reputation for producing effective designs that gets their clients results for their businesses.

With a Mission to create extraordinary value

See **ASSOCIATE MEMBERS** on Page 4



A Message from the

Executive Director

On the wall of my office is a sign. Those of you who are Tony Robbins fans will recognize the quote. It reads "All growth starts at the end of your comfort zone." If that is true (and I sincerely hope that it is) then I have been growing by leaps and bounds. ;)

Between the enormity of the change in Executive Directors, followed by an assault on Pamela on March 8th, it felt at first like being caught in the middle of a cyclone. Things have moderated now, but I have to sincerely thank all of the Board members, EOs, and staff who have reached out to welcome me, to check on me, and to offer support. You have all made the transition so much easier! I am humbled by your faith, trust, and friendship, and my vow is to make this changeover as smooth for you as possible. There is, obviously much for me to learn, but I am committed to learning everything quickly and well.

So, what's new in the CALAFCO world? Of course, the big news has to do with SB 938, which moved out of the Senate and now sits in the Assembly. Kudos to our devoted protest provisions working group, as well as thanks to Pamela Miller who is staying on in a volunteer capacity to see that through to the end.

Also, event planning is now well underway. (See the schedule on page 3.) A conference programming committee has been formed, but we could still use more people. If you would like to help, please contact José Henriquez (Sacramento) at henriquezj@sacounty.gov, or me.

Finally, CALAFCO U sessions are also shaping up thanks to the able assistance of Dawn Longoria (Napa). Our first session is scheduled for June 20th. Please join us for what promises to be an interesting session regarding the strange new world of recruiting and hiring in this post-pandemic world!

IN MEMORIAM

CARL LEVERENZ, Butte LAFCo Commissioner

Butte LAFCo mourns the loss of its Chair, Carl Leverenz. Commissioner Leverenz served with pride on the Butte LAFCo for the past 47 years where he always displayed great insight and wisdom. His calm demeanor and ability to keep politics at bay to solve problems earned him the Butte LAFCo Chair seat, which he held continuously since 1975. A local legend, Commissioner Leverenz was known for his servant's heart, having had not only a prominent legal career but a history of volunteerism on a broad assortment of boards and organizations, which earned him the Chico Rotary Club's Community Service Award in 2018.

WARREN NELSON, Napa LAFCo Commissioner

Warren Nelson, Napa LAFCo Commissioner, passed away in April, 2022. Among his many hats, Commissioner Warren served as Executive Officer for Marin LAFCo in the 1970s, and as a Yountville City Commissioner from 1980-1986. An avid proponent for LAFCos, Commissioner Warren worked with his friend and fellow Commissioner, Mike Gotch, on legislation that increased LAFCos' independence and authority. His dedication and friendly nature will be greatly missed.

CALAFCO sends its deepest condolences to the family, friends, and co-workers of these remarkable men.



Contra Costa LAFCo reports that it has been busy with a surge in new applications, including a large boundary reorganization. In Spring 2022, the Contra Costa LAFCo Commissioners unanimously approved annexation of East Contra Costa Fire Protection District (ECCFPD) comprising 249+ square miles serving 132,400 residents to Contra Costa County Fire Protection District comprising 306+ square miles serving 628,200 residents, and dissolving ECCFPD.

The boundary reorganization is consistent with two LAFCo Municipal Service Reviews and a special study, all of which noted various constraints and challenges with fire and emergency medical services in East Contra Costa County. The LAFCo process was fairly lengthy but with few obstacles. All

See **CONNECTIONS** on Page 4

LEGISLATION

Continued from Page 1

Other CALAFCO supported bills include:

AB 897 (Mullin), establishment of a regional climate network has stalled and is in its second year.

AB 1640 (Ward), seems to have replaced AB 897 with another regional climate bill. It is scheduled to go before Assembly Appropriations on May 19th.

AB 1773 (Patterson), return of Williamson Act subvention funding, is scheduled before Assembly Appropriations on May 19th.

AB 2957, the CALAFCO sponsored Omnibus bill, has passed out of the Assembly and is waiting on a Senate hearing date.

SB 1490, 1491, and 1492, annual Validation Acts, have passed out of the Senate and are waiting on Assembly hearing dates.

SAVE THE DATE FOR THE

50+1 YEARS
A GOLDEN ERA

CALAFCO
IN THE GOLDEN STATE

2022 ANNUAL CONFERENCE

OCTOBER 19-21, 2022

THIS THREE-DAY EVENT OFFERS THE OPPORTUNITY TO:

- ✓ Discuss statewide and local issues critical to LAFCo
- ✓ Participate in important conversations that will guide decision-making
- ✓ Gain new resources and fresh ideas that will have a positive community impact
- ✓ Hear important legislative updates
- ✓ Make industry connections
- ✓ Network with professionals

Hyatt Regency John Wayne Airport,
Newport Beach, CA
Conference and hotel registration opening soon.
Visit calafco.org and stay tuned
for details!



**2023
Staff
Workshop**

Murphys, California

SAVE THE DATE!
April 26th - 28th, 2023

 **Topic Suggestions**

We are always on the look out for good topics for our conferences, workshops, and webinars.

If you have an idea for a topic, please email to René LaRoche at rlaroche@calafco.org.

Upcoming EVENTS

MARK YOUR CALENDARS!

CALAFCO 2022 ANNUAL CONFERENCE October 19 - 21, 2022

Plan on joining us at the **Hyatt Regency Newport Beach John Wayne Airport** on October 19-21, 2022 for our long-awaited, long-overdue Annual Conference! The program planning committee is forming and CALAFCO staff is working with the facility on the details. Watch for more information soon. We are looking forward to seeing everyone in-person in Newport Beach!

2023 STAFF WORKSHOP April 26 - 28, 2023

Come learn about technical topics in a beautiful setting! Mark your calendar now because you will not want to miss next year's Staff Workshop on the beautiful grounds of Ironstone Vineyards.



We are preparing some great CALAFCO U sessions for you and are pleased to again offer webinars to our members at no cost. Watch for the registration for the June 20th session to open soon.

June 20, 2022: **Brave New World of HR: Hiring Headaches, Trends, and Opportunities in a Post-Pandemic World**
1:00 PM

July 21, 2022: **Sharing the Wealth: A Deep Dive into Tax Exchange**
1:00 PM

Sep. 19, 2022: **Two Agencies in Dispute: What is LAFCo's Role in Assisting to Resolve the Conflict?**
1:30 PM

TBD **The Dirty Dozen: Things I Wish I Knew About The Act**

BOARD MEETINGS:

July 22, 2022 LOCATION: Virtual

Oct. 21, 2022 LOCATION: Newport Beach (Conference)

Dec. 2, 2022 LOCATION: Virtual

LEGISLATIVE COMMITTEE MEETINGS:

July 29, 2022 LOCATION: Virtual

Sept. 16, 2022 LOCATION: Virtual

Oct. 7, 2022 LOCATION: TBD

Nov. 4, 2022 LOCATION: TBD

CONNECTIONS

Continued from Page 2

parties were cooperative and there were no oral or written protests filed.

Contra Costa LAFCo Executive Officer Lou Ann Teixeira extends thanks and kudos to Joe Serano, Executive Officer Santa Cruz LAFCo, and to Mark Bramfitt, Executive Officer Sonoma LAFCo, for their support.

NEW Roles

ROB BARTOLI Appointed San Mateo EO

San Mateo LAFCo reports that its commission took action to appoint Rob Bartoli as Executive Officer on March 16, 2022. Rob has held the title of Interim Executive Officer since the retirement of Martha Poyatos.

TAYLOR MORRIS Welcomed as L.A. GIS Technician

Los Angeles LAFCo has welcomed new GIS

Technician, Taylor Morris, who began work at LAFCo this month. Taylor recently relocated to Los Angeles after working for six years in the right-of-way section of the Utah Department of Transportation. He holds a Bachelor of Science in Geography and Environmental and Sustainability Studies from the University of Utah.

MICHAEL HENDERSON Hired as Riverside GIS Analyst

Riverside LAFCo is pleased to welcome Michael Henderson to the newly created position of GIS Analyst.

KRYSTAL BRADFORD Takes Over as Butte Clerk

Krystal Bradford has taken over the reins as Butte LAFCo's Clerk upon the retirement of Joy Stover.

Congratulations to everyone!

ASSOCIATE Members

Continued from Page 1

CHASE DESIGNS, continued

for their clients by connecting business strategy and creative execution, Chase Designs helps businesses to make a statement with impactful branding that reinforces the values of the business. Go to ChrisChaseDesign.com to find out more, or contact Chris Chase at chris@chrischasedesign.com.

Associate Member **SPOTLIGHT**

The information below is provided by the Associate member upon joining the Association. All Associate Member information can be found in the CALAFCO Member Directory.

DTA
DTA is a national public finance and urban economics consulting firm specializing in infrastructure and public service finance. Their financing programs have utilized a variety of public financing mechanisms, such as Ads, CFDs, LLDs, and various types of fee programs.

To learn more about DTA, visit their website at www.FinanceDTA.com, or contact Colleen Liao at colleen@financedta.com.

SWALE, INC

Swale's consulting services focus on LAFCo critical issues including municipal service reviews, SOI's, CEQA compliance, strategic planning, workshops, and mapping with geographic information systems (GIS). Their northern California office is expanding to bring you the best of consulting services.

To learn more about SWALE, INC visit their website at www.swaleinc.com, or contact Kateri Harrison at Harrison@swaleinc.com

CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to highlighting you all in future Quarterly Reports.