CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Lou Ann Texeira

Executive Officer

40 Muir Road, 1st Floor • Martinez, CA 94553 e-mail: LouAnn.Texeira@lafco.cccounty.us

(925) 313-7133

NOTICE AND AGENDA FOR REGULAR MEETING

Wednesday, March 8, 2023, 1:30 PM

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

The public may attend this meeting in person at the following location: Board of Supervisor Chambers, County Administration Building, 1025 Escobar Street, First Floor, Martinez, CA 94553

The public also may attend this meeting remotely by Zoom or telephone.

If joining remotely by Zoom, please click the link below:

https://cccounty-us.zoom.us/j/81305641976

If joining remotely by telephone, please dial:

USA 214 765 0478 US Toll USA 888 278 0254 US Toll-free

Conference code: 220394

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

PUBLIC COMMENT: The Commission will consider all verbal and written comments received. Comments may be emailed to LouAnn.Texeira@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.

MARCH 8, 2023 CONTRA COSTA LAFCO AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. Welcome New Commissioner
- 4. Bid Farewell to Sherrie Weis and Welcome Anna Seithel
- 5. Approval of Minutes of the January 11, 2023 regular LAFCO meeting
- 6. 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.

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATION

7. LAFCO 21-17 – Dissolution of CSA R-9 – receive update and consider initiating dissolution of CSA R-9 comprising 3.1± square miles serving unincorporated El Sobrante Valley including parts of Richmond Public Hearing Continued from August 10, 2022

BUSINESS ITEMS

- 8. *Fiscal Year 2023-24 Proposed Budget and Work Plan* consider approving the proposed budget and work plan for FY 2023-24 *Public Hearing*
- 9. Call for Nominations 2023 Special Districts Risk Management Authority (SDRMA) Board of Directors receive SDRMA information and consider submitting a nomination
- 10. *Updates to LAFCO Employee Salary Plan* approve increases to LAFCO Employee Salary Ranges

INFORMATIONAL ITEMS

- 11. Current and Potential Applications update on current and potential applications information only
- 12. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)
- 13. Commissioner Comments and Announcements
- 14. Staff Announcements/Newspaper Articles/CALAFCO Update

ADJOURNMENT

We adjourn today's LAFCO meeting in memory of Commissioner Stan Caldwell, who passed away on January 14, 2023. Commissioner Caldwell served on Contra Costa LAFCO since 2015 as a Special District member. He was a quiet and caring person, who was dedicated to public service at the local and State levels. Stan held various offices in the California Special District Association (CSDA) and was a recipient of the William Hollingsworth Award of Excellence - the most prestigious honor bestowed by CSDA. We celebrate Stan's life, his many contributions, and distinguished service both local and statewide. We will miss Stan.

Next regular LAFCO meeting April 12, 2023 at 1:30 pm.

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

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

MEETING MINUTES January 11, 2023

March 8, 2023 Agenda Item 5

1. Oath of Office administered by LAFCO Legal Counsel to newly elected Commissioner Gabriel Quinto.

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

Chair Schroder called the meeting of January 11, 2023, to order at 1:39 p.m. The following Commissioners and staff were present:

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

Announcement: Pursuant to Governor Newsom's Executive Order and local county health orders issued to address the COVID 19 pandemic, the Commission meeting is being held via Zoom videoconference and in person. The public may attend in person, via Zoom, or 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 and in person.

3. Selection of 2023 Chair and Vice Chair

Upon motion by Commissioner Andersen and second by Commissioner Bristow, by a 5-0 vote, Commissioner Glover was named as LAFCo Chair and Commissioner Blubaugh was named as Vice Chair for 2023.

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Glover, McGill

ABSTAIN: None

4. Recognition of Outgoing Commissioners and Welcome New Commissioners

Upon motion by Commissioner Andersen and second by Commissioner Bristow, by a 5-0 vote, Commissioner Blubaugh was named as LAFCo Chair for 2023. Commissioners Schroder and Butt were thanked by all for their outstanding service and contributions to the Commission.

<u>VOTE</u>:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Blubaugh, Glover, McGill

ABSTAIN: None

5. Approval of Minutes

Upon motion by Commissioner Andersen and second by Commissioner Bristow, the Commission unanimously, by a 4-0 vote approved the November 9, 2022, meeting minutes.

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow

NOES: None

ABSENT: Glover, McGill

ABSTAIN: Quinto

6. Public Comments

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

TELECONFERENCING

7. 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.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Bristow, the Commission, unanimously, by a 5-0 vote, approved to adopt Resolution No. 2023-01 allowing Contra Costa LAFCO to conduct teleconference meetings pursuant to GC section 54953(e) and make related findings. Vice Chair Blubaugh invited members of the audience to provide public comment. There was no public comment on this item.

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Glover, McGill

ABSTAIN: None

BUSINESS ITEMS

8. Fiscal Year (FY) 2023-24 Proposed Budget Schedule/Work Plan Preview – provide input on the FY 2023-24 proposed budget schedule and work plan preview.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Bristow, the Commission, unanimously, by a 5-0 vote, approved to receive the report. Vice Chair Blubaugh invited members of the audience to provide public comment. There was no public comment on this item.

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Glover McGill

ABSTAIN: None

9. FY 2022-23 Mid-Year Budget Report – receive FY 2022-23 mid-year budget report.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Bristow, the Commission, unanimously, by a 5-0 vote, approved to receive the report.

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Glover, McGill

ABSTAIN: None

10. 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 - consider approving an extension of time to file the Certificate of Completion to June 30, 2023.

Following public comments from Cindy Yee, Senior Planner with City of San Ramon, Linus Eukel, Executive Director of John Muir Land Trust, and comments and questions by all Commissioners, and upon a motion by Commissioner Andersen and second by Commissioner Quinto, unanimously, by a 5-0 vote, the Commission approved an extension of time to file the Certificate of Completion by six months with the understanding that a report on status of the project will be presented at that time, and an additional extension will be considered, if needed, and implications of an extension reviewed.

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Glover, McGill

ABSTAIN: None

11. FY 2020-21 Financial Audit – receive and file audit report.

Following Commissioner comments and upon a motion by Commissioner Andersen and second by Commissioner Birsan, the Commission, unanimously, by a 5-0 vote, approved to receive the report. Vice Chair Blubaugh invited members of the audience to provide public comment. There was no public comment on this item. Confirm

VOTE:

AYES: Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES: None

ABSENT: Glover McGill

ABSTAIN: None

12. Temporary Hire of Former LAFCO Employee – consider approving the temporary hire of Sherrie Weis to assist with training the new Clerk Analyst.

Upon a motion by Commissioner Blubaugh and second by Commissioner Bristow, the Commission, unanimously, by a 5-0 vote, approved the temporary hire of Sherrie Weis to assist with training the new Clerk Analyst. Vice Chair Blubaugh invited members of the audience to provide public comment. There was no public comment on this item.

VOTE:

AYES:

Andersen, Blubaugh, Birsan, Bristow, Quinto

NOES:

None

ABSENT: Glover, McGill

ABSTAIN: None

INFORMATION ITEMS

- Current and Potential Applications update on current and potential applications information 13. only and no action required by the Commission.
- Correspondence from Contra Costa County Employees' Retirement Association (CCCERA) -14. information only and no action required by the Commission.
- Commissioner Comments and Announcements there were no Commissioner announcements. 15.
- Staff Announcements/Newspaper Articles/CALAFCO Update LAFCO staff provided updates on **16.** staff transition plan and 3rd round wastewater municipal service review.

ADJOURNMENT

The next regular LAFCO meeting is March 8 , 2023 , at $1:30~\mathrm{pm}$.
Ву:

Executive	Officer	



Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

40 Muir Road, 1st Floor • Martinez, CA 94553 e-mail: LouAnn.Texeira@lafco.cccounty.us (925) 313-7133

> March 8, 2023 Agenda Item 7

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION EXECUTIVE OFFICER'S REPORT

March 8, 2023 (Agenda)

LAFCO Initiation of Dissolution of County Service Area R-9

SYNOPSIS:

In June 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) including CSA R-9. Consistent with the recommendations in the MSR, the Commission adopted a zero SOI for CSA R-9 in June 2021 signalling future dissolution of this district.

In November 2021, the Commission considered initiating dissolution of CSA R-9, but deferred action for 6-9 months at the request of County Supervisor John Gioia and pending an update on the status of R-9. In August 2022, Supervisor Gioia updated the Commission and reported that the working group is exploring a parcel tax for parks in El Sobrante. Supervisor Gioia requested an additional six months to continue these discussions which the Commission granted.

Supervisor Gioia recently provided an update noting there is community interest and an active working group exploring improvements and a potential assessment measure. Supervisor Gioia request a one-year extension to pursue these efforts.

DISCUSSION

Background: CSA R-9 was formed in 1974 to provide park and recreation services to the unincorporated El Sobrante community (Exhibit A). Since formation, there were five detachments from and three annexations to R-9. The R-9 service area is approximately 3.1± square miles with an estimated population of 15,639 (2020).

CSA R-9 is almost entirely within the City of Richmond's SOI with a small portion in the north that lies within the City of Pinole's SOI, and an island to the southwest which lies within the City of San Pablo's SOI. There are no disadvantaged communities within CSA R-9.

Within R-9 is the Children's Reading Garden located at the El Sobrante library. The Reading Garden was built with one-time park dedication fees and designed to have minimal maintenance. The Reading Garden is maintained by volunteers and the Library. R-9 has no money and no funding source to fund maintenance of the Children's Reading Garden. Park improvements in El Sobrante have been funded with one time park dedication funds collected on new development. The County reports that reliance on volunteer community members to maintain the Reading Garden is not sustainable due to liability and accountability issues. Further, the Reading Garden is $0.1\pm$ acres and does not provide sufficient capacity to meet current or future demands. There are limited opportunities for shared facilities given R-9's lack of resources.

Regarding financial ability of the district to provide services, R-9 lacks a secure source of revenue. Planned expenditures are expected to exceed revenues, which means maintenance and other expenses may need to be partially deferred. Two past attempts to pass assessments in 1985 and 1998 failed.

The MSR identified two SOI options for R-9: 1) retain the existing coterminous SOI, or 2) adopt a zero SOI signaling future dissolution of R-9 whereby the County would be the successor agency. County staff indicates that R-9 park maintenance duties could shift to the County Landscape & Lighting District.

In accordance with the MSR consultant and LAFCO staff recommendations, the Commission adopted a zero SOI as R-9 is not providing services and has no secure source of revenue.

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 MSRs.

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

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

Before LAFCO can dissolve a district, LAFCO must hold a public hearing. Should the Commission initiate dissolution of CSA R-9 today, a public hearing will be held at the next available LAFCO meeting.

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 Defer adopting a resolution initiating dissolution of CSA R-9 and request an update in one year (March 2024) regarding the status of CSA R-9 including future funding options.

Option 2 Adopt a resolution initiating dissolution of CSA R-9 (Attachment 2) and direct staff to proceed with dissolution proceedings to be considered by the Commission at a future LAFCO meeting.

Option 3 Do not adopt a resolution initiating dissolution of CSA R-9.

Option 4 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION: Option 1

LOU ANN TEXEIRA, EXECUTIVE OFFICER

CONTRA COSTA LÓCAL AGENCY FORMATION COMMISSION

Attachment:

LAFCO Draft Resolution Initiating Dissolution of CSA R-9

Exhibit:

LAFCO Map of CSA R-9

c: Distribution

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR DISSOLUTION OF COUNTY SERVICE AREA (CSA) R-9

WHEREAS, the Commission desires to initiate a proposal pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (CKH Act), commencing with section 56000 of the California Government Code (GC), to dissolve County Service Area (CSA) R-9 and appoint Contra Costa County as successor agency to wind up the affairs of CSA R-9 pursuant to GC §57451(b); and

WHEREAS, in accordance with GC §56375(a)(3), LAFCO may initiate a dissolution if it is consistent with a recommendation or conclusion of a study prepared pursuant to GC §56378, 56425 or 56430, and LAFCO makes the determinations specified in §56881(b); and

WHEREAS, on June 9, 2021, the Commission adopted determinations contained in the 2nd Round Parks & Recreation Services Municipal Services Review and adopted a zero sphere of influence (SOI) signaling future dissolution of CSA R-9; and

WHEREAS, dissolution of CSA R-9 is consistent with the findings and recommendations contained in the 2nd Round Parks & Recreation Services Municipal Services Review; and

WHEREAS, this proposed dissolution is being initiated because the district lacks a secure source of revenue and prior attempts to pass assessments have failed; planned expenditures are expected to exceed revenues; and facility maintenance and other expenses are at risk; and

WHEREAS, pursuant to GC §57451(b), for the purpose of winding up the affairs of a dissolved district, if the territory of a dissolved district is located entirely within the unincorporated territory of a single county, the county is the successor; and

WHEREAS, pursuant to GC §56886, terms and conditions relating to the proposed dissolution and appointment of Contra Costa County as the successor agency to wind up the affairs of the R-9 will be developed as part of LAFCO's proposal; and

WHEREAS a map of the affected territory is set forth in Exhibit A, attached hereto and by reference incorporated herein; and

WHEREAS, LAFCO will be the lead agency for purposes of the California Environmental Quality Act (CEQA), and the proposed dissolution will be exempt under §15320 of the CEQA Guidelines as a change in organization of a local agency.

NOW, THEREFORE, this resolution is hereby adopted by Contra Costa LAFCO to: (1) initiate proceedings for dissolution of CSA R-9; (2) appoint Contra Costa County as successor agency to wind up the affairs of R-9 in the manner provided by the CKH Act; and (3) designate the LAFCO Executive Officer as the contact person for this proposal.

PASSED AND ADOPTED this 8 th day of March 2023	3.
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
FEDERAL GLOVER, CHAIR, CONTRA COSTA L.	AFCO
I hereby certify that this is a correct copy of a rese Commission on the date stated above.	olution passed and adopted by this
Dated: March 8, 2023	ou Ann Teveira Evecutive Officer

County Service Area R-9 (El Sobrante) and Coterminus SOI Montalvin Exhibit CSA R-9 (El Sobrante) Mano Tara-Hills-Di City Boundaries County Urban Limit Line Tara Sarah-Dr Hills **PINOLE** Billinger Pinole Valley Rd Manor Rd Sobrante Ave RICHMOND Sobrante Hilltop Dr APPian Way Morningside Dr RICHMOND Santa Rita Rd Rolling San Pablo Dam Rd -wood SAN Sobrante Sobrante 80 RICHMOND East Richmond Heights San-Pablo By LAFCO action on 06/09/2021, CSA R-9 boundary and zero SOI

Map created 05/13/2021 by Contra Costa County Department of Conservation and Development, GIS Group 30 Mult 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 acouracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is clied. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

EL CERRITO



were approved



Lou Ann Texeira Executive Officer

March 8, 2023

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

March 8, 2023 **Agenda Item 8**

(925) 313-7133

Proposed FY 2023-24 LAFCO Budget

Dear Members of the Commission:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes a process for preparing and adopting LAFCO's budget. Government Code ("GC") §56381 provides that the Commission shall annually adopt a proposed budget by May 1 and final budget by June 15, following noticed public hearings. This report presents the proposed budget and work plan for FY 2023-24.

BUDGET SUMMARY: The proposed FY 2023-24 budget (attached) includes appropriations totaling \$996,975 and reflects an overall increase of approximately 8.4% as compared to the FY 2022-23 budget. The increase is primarily attributable to replacing the half-time Executive Assistant with a full-time Clerk Analyst. The proposed FY 2023-24 includes a contingency of \$100,000 per the Commission's policy. Details regarding expenditures and revenues are presented below.

EXPENDITURES: Expenditure are divided into three main categories: Salaries & Employee Benefits, Services & Supplies, a Contingency Reserve, and future liability funds. A summary of expenditures is provided below.

Salaries & Benefits

The FY 2023-24 staffing level includes one full-time Executive Officer (EO) and one full-time Clerk Analyst (CA). As proposed, the FY 2023-24 budget retains the current staffing level. LAFCO staff is supplemented with consultants and County services.

The proposed FY 2023-24 Salaries & Benefits account totals \$468,420, reflecting a 17% increase as compared to the FY 2022-23 budget.

Regarding the FY 2022-23 budget year-end estimates, we note that Salaries & Benefits are higher than the budgeted amount due to replacing the part-time Executive Assistant position with a full-time Clerk Analyst position.

LAFCO is also supported by private and public service providers on an as-needed basis. The County provides fiscal, drafting, mapping/GIS and legal services. LAFCO also currently contracts with private firms for website maintenance, financial auditing, environmental planning, and to assist with Municipal Service Reviews (MSRs) and special studies. The FY 2023-24 budget assumes the continuation of these services as reflected in the Services & Supplies accounts.

Services & Supplies

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

The proposed FY 2023-24 Services & Supplies account totals \$428,375 and reflects a 2% increase over the FY 2022-23 budget. LAFCO staff anticipates increases in several accounts including membership fees, computer software, and website management.

Regarding the current FY 2022-23 adopted budget compared to year-end estimates, we anticipate savings in several accounts including Postage, Tele Exchange, Copier Lease, Computer Equipment, and Special Studies. We anticipate increases in several accounts including Publications & Legal Notices, Memberships, Computer Software, Financial Audit, GIS/Mapping, and Website Management.

Based on mid-year estimates, it appears expenses will exceed budgeted amounts in Publications & Legal and Computer Software.

Contingency Reserve Fund

Each year, the Commission appropriates funds for unanticipated expenses (i.e., special studies, potential litigation, personnel changes, etc.). The Commission's policy provides that "the annual budget shall include a contingency reserve (i.e., 10% of budget) as determined by the Commission. Funds budgeted in the contingency reserve shall not be used or transferred to any other expense account without prior approval of the Commission." The FY 2023-24 budget, as proposed, includes a \$100,000 contingency reserve fund in accordance with the Commission's policy.

Other Post-Employment Benefits (OPEB)

Since FY 2011-12, LAFCO has included in its budget an annual expense to pre-fund its OPEB liability. 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. Subsequently, LAFCO has funded the OBEB account based on the annual GASB report (e.g., zero - \$40,000). The most recent GASB report (2020-21) shows that LAFCO is slightly over funded. Consequently, pre-funding is not needed for FY 2023-24.

Pre-funding Retirement Liability (CCCERA)

In FY 2017-18, LAFCO begin pre-paying a portion of its unfunded retirement liability to have a better contribution rate. Recent CCCERA reports show that LAFCO is nearly fully funded; therefore, it is recommended that LAFCO forgo its annual CCCERA pre-funding contribution in FY 2023-24.

REVENUES

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

Application Charges and Other Revenues

The FY 2022-23 budget includes \$25,000 in application fees. It is projected that LAFCO will receive approximately \$26,000 in application fees in the current fiscal year, which exceeds the budgeted amount.

The proposed FY 2023-24 budget includes an anticipated \$25,000 in application fees based on a multi-year historical average.

Fund Balance

GC §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 2022-23 fund balance is currently unknown and will be calculated at year end. Based on the beginning year fund balance, and projected FY 2021-22 revenues and expenses, it is estimated that the available fund balance is in excess of \$500,000.

The LAFCO fund balance, or any portion thereof, can be used to offset the FY 2023-24 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 proposed FY 2023-24 budget includes \$250,000 in fund balance to offset FY 2023-24 revenues thereby reducing contributions from the local agencies.

Revenues Received from the County, Cities, and Independent Special Districts

After processing fees, available fund balance, and other miscellaneous revenues, the balance of LAFCO's financial support comes from local governmental agencies. Agency contributions represent the most significant LAFCO revenue source.

The CKH Act requires that the net operational costs of LAFCO be apportioned one-third to the County, one-third to the cities, and one-third to the independent special districts. The CKH Act describes how the County Auditor is to make the apportionment and collect the revenues once LAFCO adopts a Final Budget (GC §56381). The city and district allocations are based on revenues reported to the State Controller and vary year to year.

As indicated above, the overall budget is expected to increase by approximately 5.1%. The proposed use of the available fund balance will offset agency contributions for FY 2023-24. The amount of revenue from funding agencies required to fund the FY 2023-24 budget is \$721,975, reflecting a 5.1% increase.

LAFCO RESPONSIBILITIES, ACCOMPLISHMENTS & GOALS

The FY 2023-24 budget schedule provides for public hearings and consideration of a Proposed Budget (March 8, 2023) and a Final Budget prior to June 15, 2023. The time between these Commission actions is to allow for review and comment by local agencies, the public, and other interested parties, as well as to gather updated budget information.

In accordance with the work plan and proposed budget, staff provides a summary of LAFCO responsibilities, and accomplishments as follows.

Major LAFCO Responsibilities

LAFCO receives its authority and statutory responsibilities from the CKH Act. Included among LAFCO's major responsibilities are:

- Act on proposals for changes of organization/reorganizations (i.e., annexations/ detachments, out of agency service, incorporations, consolidations/mergers, district formations/ dissolutions, etc.)
- Establish, review, and update spheres of influence (SOIs) for cities and special districts
- Conduct MSRs prior to or in conjunction with establishing or updating SOIs

- Perform special studies relating to services and make recommendations about consolidations, mergers, or other governmental changes to improve/enhance services and efficiencies
- Serve as responsible or lead agency for compliance with CEQA
- Serve as the conducting authority to conduct protest hearings for changes of organization/reorganizations
- Provide public information about LAFCO and public noticing of pending LAFCO actions
- Maintain/update a LAFCO website
- Adopt and update written policies and procedures
- Adopt an annual budget

Highlights of FY 2022-23

The following is a list of LAFCO's goals and accomplishments for FY 2022-23:

Boundary Change and Related Applications

- a. Received and processed four new applications
- b. Completed proceedings for dissolution of CSA R-10, four annexations, one SOI amendment, four out of agency service agreements including one fire service contract; and conducted corresponding public and protest hearings
- c. Initiated and approved dissolution of CSA R-10
- d. Pending dissolution of CSA R-9

MSRs/SOI Updates

- a. Completed 2nd round "Mosquito & Vector Control and Resource Conservation" MSR/SOI updates
- b. Initiated 3rd round Wastewater Services MSR/SOI updates (currently underway)

Special Projects/Activities

- a. Adopted resolutions in conjunction with Assembly Bill 361 to conduct virtual meetings
- b. Participation in ongoing fire service discussions

Administrative and Other Activities

- a. Appointed 2023 LAFCO Chair (Glover) and Vice Chair (Blubaugh)
- b. Recognition of outgoing Commissioners Butt and Schroder
- c. Recognition of Sherrie Weis, retiring LAFCO Executive Assistant
- d. Welcome Anna Seithel new LAFCO Clerk Analyst
- e. Updated LAFCO staffing, personnel and salary plan to add new Clerk Analyst position
- f. Completed 2021 Actuarial Valuation and 2022 GASB 75 Supplemental Schedules
- g. Initiated major update to LAFCO Directory of Local Agencies (underway)
- h. Ongoing website updates and potential transition to new web manager
- i. Training and transition to the County's new finance system ("Workday")
- j. Provide quarterly budget reports
- k. Conduct employee performance reviews
- 1. Provide comments on local agency environmental documents
- m. Submit position letters on various bills affecting LAFCOs
- n. Participate in and support CALAFCO

FY 2023-24 Work Plan

The recommended work plan for FY 2023-24 includes the following activities:

- ❖ Complete 3rd round MSR/SOI updates covering wastewater services
- ❖ Initiate 2nd round Misc. County Service Areas MSR/SOI Updates (proposed)
- ❖ Initiate 3rd round Reclamation Services MSR/SOI Updates (proposed)

- Complete FY 2021-22 financial audit
- ❖ Complete annual actuarial valuation
- Policy and procedures updates

In conclusion, the Commission and LAFCO staff continue to exercise fiscal prudence, recognizing the financial constraints faced by our funding agencies. Approval of the proposed 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 the staff report and open the public hearing to accept testimony on the Proposed FY 2023-24 LAFCO Budget,
- 2. After receiving public comments close the hearing,
- 3. After Commission discussion, adopt the Proposed FY 2023-24 Budget, with any desired changes, and authorize staff to distribute the Proposed Budget to the County, cities and independent special districts as required by GC §56381, and
- 4. Schedule a public hearing prior to June 15, 2023 to adopt the Final FY 2023-24 LAFCO Budget.

Respectfully submitted,

LOU ANN TEXEIRA EXECUTIVE OFFICER

Attachment - Proposed FY 2023-24 LAFCO Budget

c: Distribution

PROPOSED FY 2023-24 BUDGET				2022-23		2023-24	Attachment
8-Mar-23		2022-23		ar-end		oposed	
Salaries and Employee Benefits	Apr	oroved	(ES	timated)	ВЦ	<u>idget</u>	
Permanent Salaries – 1011	\$	224,000	\$	245,000	\$	275.000	
Deferred Comp Cty Contribution - 1015	\$	2,040		2,635		1,020	
FICA- 1042	\$	15,900		16,912		19,000	
Retirement expense- 1044	\$	79,000	\$	93,897		106,200	
Employee Group Insurance- 1060	\$	47,000	\$	44,000	\$	46,000	
Retiree Health Insurance- 1061	\$	31,700	\$	18,500	\$	19,500	
Unemployment Insurance- 1063	\$	455	\$	455	\$	500	
Workers Comp Insurance- 1070	\$	972	\$	972	\$	1,020	
Total Salaries and Benefits	\$	401,067	\$	422,371	\$	468,240	
Services and Supplies							
Office Expense- 2100	\$	3,000	\$	3,000	\$	3,000	
Publications -2102	\$	300	\$	300	\$	300	
Postage -2103	\$	1,800	\$	500	\$	1,200	
Communications - 2110	\$	2,200	\$	2,136	\$	2,300	
Tele Exchange Services 2111	\$	2,000	\$	800	\$ \$	1,000	
Minor Furniture/Equipment - 2131 Minor Comp Equipment - 2132	- \$	1,800			\$	1,200 1,100	
Pubs & Legal Notices 2190	\$	2,200	\$	2.690	\$	2,700	
Memberships - 2200	\$	13,043	\$	13,121	\$	14,025	
Rents & Leases - 2250 (copier)	\$	5,600	\$	3,300	\$	4,000	
Computer Software - 2251	\$	1,200	\$	3,538	\$	4,000	
Bldg Occupancy Costs - 2260 & 2262	\$	22,000	\$	20,000	\$	22,000	
Bldg Life Cycle Costs - 2265	\$	1,200	\$	1,075	\$	1,200	
Bldg Maintennace - 2284	\$	1,000	\$	175	\$	1,000	
Auto Mileage Emp. – 2301	\$	500	\$	150	\$	500	
Other Travel Employees – 2303	\$	17,000	\$	7,900	\$	17,000	
Prof & Spec Services – 2310	\$	288,640	\$	158,320	\$	289,240	
Assessor	\$	13,000	\$	5,500	\$	13,000	
Financial Audit	\$	8,900	\$	7,600	\$	10,000	
GIS/Mapping	\$	12,000	\$	11,600	\$	14,000	
Legal	\$	40,000	\$	40,000	\$	40,000	
MSRs	\$	190,000	\$ ¢	89,000	\$	190,000	
Planning Special Projects (document imaging)	\$ \$	10,000 2,000	\$	2,000	\$ \$	10,000 2,000	
Misc Investment Services/CCCERA Fees	\$	2,000	\$	20	\$	2,000	
Special Studies/Workshop/Actuarial Valuation	\$	12,500	\$	2,600	\$	10,000	
Website Management - 2314	\$	3,060	\$	3,060	\$	10,000	
Data Processing Services - 2315	\$	13,000	\$	10,000	\$	13,000	
Data Processing Security - 2326	\$	600	-		\$	600	
Courier - 2331	\$	1,000	\$	974	\$	1,000	
Telcomm Rents, Leases, Labor - 2335	\$	120	-		\$	120	
Other Inter-Dept Costs - 2340	\$	650	-		\$	650	
Liability/E&O Insurance - 2360	\$	6,833	\$	6,345	\$	6,800	
Commission Training/Registration/Stipends - 2467	\$	31,000	\$	25,000	\$	30,000	
NOD/NOE Filings - 2490	\$	800	\$	800	\$	800	
Total Services & Supplies	\$	420,546	\$	263,184	\$	428,735	
Total Expenditures	\$	821,613	\$	685,555	\$	896,975	
Contingency Reserve	\$	90,000			\$	100,000	
OPEB Trust							
CCCERA Pre-Fund							
TOTAL APPROPRIATIONS	\$	911,613			\$	996,975	
TOTAL REVENUES	\$	911,613	\$	712,613	\$	996,975	
Agency contributions - 9500 & 9800	\$	686,613	\$	•	\$	721,975	
Application & other revenues	\$	25,000	\$		\$	25,000	
Fund Balance	\$	200,000			\$	250,000	



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION 40 Muir Road, 1st Floor • Martinez, CA 94553

> e-mail: LouAnn.Texeira@lafco.cccounty.us (925) 313-7133

> > March 8, 2023 **Agenda Item 9**

Lou Ann Texeira Executive Officer

March 8, 2023 (Agenda)

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

Special District Risk Management Authority (SDRMA) – 2023 Board Election

Dear Commissioners:

Contra Costa LAFCO purchases its workers' compensation and property/liability insurance through SDRMA, which is a joint powers public agency formed under the California Government Code and provides a full-service risk management program for California's local governments. SDRMA provides risk financing and risk management services to over 760 member agencies, including numerous special districts, municipalities, joint powers authorities, and LAFCOs. In conjunction it's with participation in the SDRMA, LAFCO is also a member of the California Special Districts Association (CSDA).

On January 18, 2023, LAFCO received notice from the SDRMA calling for nominations for the SDRMA Board of Directors (attached). According to the announcement, there are three (3) director seats up for election. Directors are elected to 4-year terms. The term of office for the newly elected directors will be January 1, 2024 through December 31, 2027. The SDRMA Board meets in Sacramento and typically meets seven to ten times annually with an average of eight board meetings per year. Generally, the Board does not meet more than once per month,

Nominees must be a member of the agency's governing body or a management employee and must be an active member agency of both SDRMA's property/liability and workers' compensation programs. Candidates must be nominated by resolution of their member agency's governing body (i.e., LAFCO) and must complete and submit a Candidate's Statement of Oualifications. The deadline for nominations is May 1, 2023. SDRMA ballots will be mailed out in mid-May and are due by August 8, 2023.

The attached notice provides general election information and nominee qualifications. Additional information is available on the SDRMA website or through the LAFCO office.

Recommendation: Advise as to any nomination(s).

Rus Com i Lou Ann Texeira

Sincerely.

Executive Officer

Attachment – Notification of Nominations – 2023 Election SDRMA Board of Directors



1112 I Street, Suite 300 Sacramento, California 95814-2865 T 916.231.4141 or 800.537.7790 * F 916.231.4111

Maximizing Protection. Minimizing Risk. * www.sdrma.org

Notification of Nominations – 2023 Election SDRMA Board of Directors

January 18, 2023

Mr. Tom Butt Chair Contra Costa Local Agency Formation Commission 40 Muir Road, 1st Floor Martinez, California 94553



Dear Mr. Butt:

Notice of Nominations for the Special District Risk Management Authority (SDRMA) Board of Directors 2023 Election is being provided in accordance with the SDRMA Sixth Amended and Restated Joint Powers Agreement. The following nomination information has been posted to the SDRMA website: Nomination Packet Checklist, Board of Director Fact Sheet, Nomination/Election Schedule, SDRMA Election Policy No. 2022-06, Sample Resolution for Candidate Nomination and Candidate Statement of Qualifications.

<u>General Election Information</u> - Three (3) Directors seats are up for election. The nomination filing deadline is Monday, May 1, 2023. Nomination submissions must be received by 4:30 pm at the SDRMA office on May 1, 2023, in original format with wet signatures. *Digital/Electronic signatures will not be accepted.* Ballots will be mailed to all SDRMA member agencies in mid-May. Mail-in ballots will be due Tuesday, August 8, 2023.

<u>Nominee Qualifications</u> - Nominees must be a member or the agency's governing body or fultime management employee (see SDRMA Election Policy 2022-06, Section 4.1) and be an active member agency of both SDRMA's property/liability and workers' compensation programs. Candidates must be nominated by resolution of their member agency's governing body and complete and submit a "Statement of Qualifications".

<u>Nomination Documents and Information</u> - Nomination documents (Nominating Resolution and Candidates Statement of Qualifications) and nomination guideline information may be obtained on SDRMA's website at www.sdrma.org. To obtain documents electronically:

From the SDRMA homepage, click on the "2023 Nomination & Election Information" button. All necessary nomination documents and election information may be downloaded and printed.



<u>Nomination Filing Deadline</u> — Nomination documents must be received in SDRMA's office no later than 5:00 P.M. on Monday, May 1, 2023.

Please do not hesitate to contact us memberplus@sdrma.org or 800-537-7790, if you have any questions regarding the 2023 SDRMA Board of Director Nominations or the election process.

Sincerely,

Special District Risk Management Authority

Ellen Doughty, ARM

Chief Member Services Officer



SDRMA at the time of counting ballots of and for an election to the Board of Directors. For good reason found and stated, the Board of Directors of SDRMA may appoint any CPA/auditor who, in the discretion of the Board of Directors, would appropriately serve the Election Committee. The General Counsel for SDRMA shall also sit as a member of the Election Committee with the additional obligation of providing legal advice to the balance of the Committee as legal questions may arise.

3.0. Member Notification of Election

3.1. Authority staff shall provide emailed notification, of an election for the Board of Directors, to all member agencies during January of each election year. Such notification shall be provided a minimum of ninety (90) days prior to the distribution of ballots and shall include (1) where to locate election documents in MemberPlus; (2) the number of Director seats to be filled by election; and (3) a summary of nomination/election deadline dates.

4.0. Qualifications

- 4.1. A candidate seeking election, re-election or appointment to SDRMA's Board of Directors must be a member of the Governing Body or a management employee of an SDRMA member participating in both the Property/Liability and Workers' Compensation Programs. To qualify as a "management employee," the candidate must be a management-level (as determined by the Governing Body) employee whose wages are reported to the IRS on a "W-2" form. Only one (1) representative from any Member may serve on the Board of Directors at the same time. [Per Bylaws, Article II, (2) (b)]
- 4.2. Each nominated candidate must submit a properly completed "Statement of Qualifications" (required form attached) with an original wet signature (electronic signatures are not acceptable) on or before the filing deadline in May in order for the candidate's name to be placed on the official ballot. A candidate shall provide responses to all questions on the candidate's "Statement of Qualifications". Each nominated candidate's "Statement of Qualifications" must be filed in SDRMA's office on or before the aforementioned deadline by (1) personal delivery; (2) U.S. mail; or (3) courier. To assure the Statement of Qualifications has affixed the candidate's original wet signature, the Statement of Qualifications may not be delivered by electronic mail. When ballots are provided to the membership, each candidate's "Statement of Qualifications" form will be available to the membership exactly as submitted by the candidate to SDRMA. However, any attachments submitted by the candidate(s) with the Statement of Qualifications will not be provided by SDRMA with the ballots to any members.
- 4.3. If a nominated candidate elects not to use the provided form "Statement of Qualifications," and prepares instead the candidate's own completed form, the

Reimbursement



SDRMA BOARD OF DIRECTORS **ROLE AND RESPONSIBILITIES**

Special District Risk Management Authority (SDRMA) is a public entity Joint Powers Authority established to provide costeffective property/liability, worker's compensation, health benefit coverages and comprehensive risk management programs for special districts and other public agencies throughout California. SDRMA is governed by a Board of Directors elected from the membership by the programs' members.

Number of Board Members SDRMA Board of Directors consists of seven Board Members, who are elected at-

large from members participating in both programs.

Board of Directors' Role SDRMA Board of Directors provide effective governance by supporting a unified

> vision, ensuring accountability, and setting direction based on SDRMA's mission and purpose, as well as establishing and approving policy to ensure SDRMA meets its

obligations and commitment to its members.

Board of Directors' Board Member responsibilities include a commitment to: serve as a part of a Responsibilities

unified governance body; govern within Board of Directors' policies, standards and ethics; commit the time and energy to be effective; represent and make policy decisions for the benefit, and in the best interest, of all SDRMA members; support collective decisions; communicate as a cohesive Board of Directors with a common

vision and voice; and, operate with the highest standards of integrity and trust.

Three Seats Elections for Directors are staggered and held every two years, four seats during For this Election

one election and three seats in the following election. Three seats are up for

election this year.

Term of Directors Directors are elected for four-year terms. Terms for directors elected this election

begin January 1, 2024 and end on December 31, 2027.

Board Member Travel Board Members are reimbursed for reasonable travel and lodging in accordance

> with SDRMA Board Ordinance No. 2022-01 and applicable laws and are allowed to claim a stipend of \$235 per meeting day or for each day's service rendered as a

Member of the Board.

The Board meets from seven to ten times annually with an average of eight board Number of Meetings per Year

meetings per year. Generally, the Board does not meet more than one meeting per

month.

SDRMA office in Sacramento, CA and at two conference locations. Meeting Location

Typically the first Wednesday and Thursday of the month. **Meeting Dates**

Meetings are typically held 3:00 to 5:30 p.m. Wednesday and 8:00 to 10:00 a.m. **Meeting Starting Times**

Thursday.

Meeting Length Meetings are four to six hours on average.

Average Time Commitment Commitment per month ranges from 15 to 20 hours.

"The mission of Special District Risk Management Authority is to provide excellent risk financing and risk management services through a financially sound pool to California public agencies, delivered in a timely and responsive cost-efficient manner."



Lou Ann Texeira Executive Officer CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

40 Muir Road, 1st Floor • Martinez, CA 94553 e-mail: LouAnn.Texeira@lafco.cccounty.us

(925) 313-7133

March 8, 2023 (Agenda)

March 8, 2023 Agenda Item 10

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

Update to LAFCO Employee Salary Ranges

Dear Members of the Commission:

As an independent entity created by the State Legislature, LAFCO hires (or contracts) for its own staff and provides employee benefits, including health, dental, retirement, and other benefits for its employees. Contra Costa LAFCO purchases most of its employee benefits from Contra Costa County and its retirement benefits from Contra Costa County Employees' Retirement Association (CCCERA).

In 2007, LAFCO adopted its own personnel system, including an employee benefit plan, job descriptions, and an employee Salary Plan. Since then, the *Employee Benefit Plan* was updated several times in accordance with County benefit changes, most of which were administrative. The LAFCO Salary Plan is updated regularly.

Contra Costa LAFCO currently employs two full time employee – an Executive Officer ("EO") and a Clerk Analyst ("CA"). The CA position and salary range were created in November 2022.

To keep Contra Costa LAFCO salaries current and competitive, LAFCO staff recently conducted a salary survey of the Bay Area and Urban LAFCOs for the following LAFCO positions: LAFCO EO, LAFCO Executive Assistant/Clerk, and Analyst I/II. In conjunction with the recent creation of the new Clerk Analyst position, a salary survey was recently completed, The salary range for the new Clerk Analyst position is current and competitive; no changes to the salary range for this position are recommended at this time.

Based on the recent LAFCO salary survey and the Bay Area Consumer Price Index (CPI) and cost of living factors, it is recommended that the Commission update the LAFCO Salary Plan by increasing the salary ranges by 4.2% for the Executive Officer, Executive Assistant/Clerk, and Analyst I/II positions and retaining the current salary range for the new Clerk/Analyst position. The proposed adjustments to these salary ranges will not automatically result in adjustments to employee salaries. LAFCO employee salary adjustments are based solely on performance. LAFCO employees do not receive annual cost-of-living adjustments. The Commission typically conducts an annual performance review for the EO and approves salary adjustments based on performance. The EO conducts annual performance reviews for the other LAFCO employees and provides salary

adjustments based on performance. Salary increases, if any, for these positions would occur after performance reviews were completed.

LAFCO employee benefits and salary ranges are provided at the discretion of the Commission and can be modified as deemed appropriate. The benefit plan and salary ranges should be reviewed periodically to keep pace with market conditions.

RECOMMENDATIONS

It is recommended that the Commission approve LAFCO Resolution 2023-02 increasing the salary ranges by 4.2% for the Executive Officer, Executive Assistant/Clerk, and Analyst I/II positions and retaining the current salary range for the new Clerk Analyst position.

Sincerely,

LOU ANN TEXEIRA EXECUTIVE OFFICER

Attachments

Draft Resolution 2023-02 and Updated LAFCO Salary Plan

RESOLUTION NO. 2023-02

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION UPDATING THE LAFCO EMPLOYEE SALARY PLAN TO INCREASE SALARY RANGES

WHEREAS, the Contra Costa Local Agency Formation Commission (LAFCO) is an independent regulatory agency created by the State Legislature; and

WHEREAS, pursuant to Government Code §56384, LAFCO appoints an Executive Officer and may appoint other staff as needed; and

WHEREAS, LAFCO currently employs an Executive Officer to carry out the functions of the Commission, and a Clerk Analyst to provide administrative and analytical support; and

WHEREAS, the Analyst I/II and Executive Assistant/ LAFCO Clerk positions are currently unfilled; and

WHEREAS, in 2007, the Commission adopted a salary plan which included salary ranges for the LAFCO employee positions; and

WHEREAS, the salary range for the new Clerk Analyst position was created in November 2022; and

WHEREAS, the salary ranges for the other LAFCO positions were last reviewed in March 2022, and should be reviewed annually and adjusted to keep pace with market conditions.

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

- 1. Contra Costa LAFCO hereby increases the LAFCO salary ranges for the Executive Officer, Executive Assistant/LAFCO Clerk, and Analyst I/II positions by 4.2% for each salary range as shown in Exhibit A. These salary ranges reflect a recent survey of comparable Bay Area and Urban LAFCOs, Bay Area Consumer Price Index, and current market conditions.
- 2. Contra Costa LAFCO employees receive no Cost-of-Living Adjustments (COLAs) and may receive an annual salary increase based solely on performance.

EXHIBIT A

2023 CONTRA COSTA LAFCO EMPLOYEE SALARY RANGES

JOB TITLE	BEGINNING MONTHLY	MAXIMUM MONTHLY
*CLERK/EXECUTIVE ASSISTANT	\$5,106	\$6,476
CLERK ANALYST	\$5,150	\$6,950
*ANALYST I/II	I - \$ 6,124	I - \$ 8,122
	II - \$ 6,462	II - \$ 8,564
EXECUTIVE OFFICER	\$11,955	\$15,934

^{*}Currently unfilled





(925) 313-7133



Lou Ann Texeira
Executive Officer

March 8, 2023

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

March 8, 2023 Agenda Item 11

Current and Potential LAFCO Applications

Dear Members of the Commission:

SUMMARY

This report identifies active and potential LAFCO applications and is an informational item.

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, four current applications that are either incomplete and/or awaiting a hearing date, and several potential applications.

Current Proposals – Approved and Awaiting Completion

Application filed by the landowner to annex 66.92± acres to City of San Ramon, Central Contra Costa Sanitary District and East Bay Municipal Utility District and detach from County Service Area 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 (i.e., open space easement) has not yet been met. The applicant has requested and received several time extensions with the current extension to June 30, 2023 to complete the easement.

Current Applications – Under Review

- ➡ <u>Dissolution of Knightsen Town Community Services District (KTCSD) (LAFCO 23-01)</u>
 Application was filed by the KTCSD to dissolve the district. LAFCO staff is processing the application.
- Annexation to West County Wastewater District (WCWD) Richmond Country Club (LAFCO 23-02)

 Application was filed by the landowner to annex 25.51+ acres to WCWD to serve a proposed development of 69 single family homes. The subject area is located north of Richmond Parkway and east of Giant Highway near 1 Markovich Lane in Richmond. LAFCO staff is processing the application.
- Tassajara Parks Project Boundary Reorganization (LAFCO 16-06)

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

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

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

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

Application filed by the City of Pittsburg to annex 606± acres to the City of Pittsburg, Contra Costa Water District and Delta Diablo, 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. On August 15, 2022, the Pittsburg City Council voted to repeal and set aside all approvals for the Faria/Southwest Hills Annexation Project.

On January 31, 2023, the City of Pittsburg published a Notice of a Public Hearing regarding the Faria/Southwest Hills Annexation Project and Revised and Updated Final Environmental Impact Report. LAFCO staff submitted a comment letter on February 13, 2023 reiterating some of staff's previous concerns about the project, including EIR deficiencies. The comment letter also noted staff's concerns that the "Revised and Updated EIR" was not recirculated under CEQA Guidelines section 15088.5

On February 14, 2023, the City's Planning Commission held a public hearing on the project. The City's Planning Commission recommended against approving the project's proposed general plan and prezoning amendments, proposed master plan, and proposed development agreement. The project will go to the Pittsburg City Council for further discussion/action.

Potential and Other 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 apply to LAFCO to annex the subject parcels to the City of Martinez by *August 31, 2022*, in the event the entirety of Mt. View is not annexed to the City prior to that date. On August 10, 2022, the Commission approved extending the deadline to August 31, 2023.

There are currently several potential applications that may be submitted to Contra Costa LAFCO in the future including annexations to Mt. View Sanitary District and West County Wastewater District.

Since completion of the *Park & Recreation Municipal Services* review in 2021, the Commission has discussed initiating dissolution of CSA R-9. The matter was continued to March 2023 to allow additional time for community input.

RECOMMENDATION – Informational item – no actions required.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Current Applications Table

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION CURRENT APPLICATIONS – March 8, 2023

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, amendment 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.
10.07	Tanadana Bada Baia da Hadi	A B di	
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	Forio Couthwest Hills Decreesinglism	Application as health 11 1 2004 1 On Committee	
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. Notices of Incomplete Application issued on 7/21/21 and 1/28/22. Following litigation on the project EIR, the Pittsburg City Council set aside all approvals for the Faria/Southwest Hills Annexation Project. On 2/14/23, the Pittsburg Planning Commission considered a revised EIR for the project.
21-17	Dissolution of County Service Area	LAFCO initiated dissolution of CSA R-9	Pending update (March 2023)
	(CSA) R-9	= " OO "IIIIIIIIII GI GOOTIUGII OI GOOTIU-9	i enumy upuate (March 2023)
23-01	Dissolution of Knightsen Town Community Services District (KTCSD)	Proposed dissolution of the KTCSD	Application currently under review
00.00	A (1 1) A (1 0)		
23-02	Annexation to West County Wastewater District (WCWD) – Richmond Country Club	Proposed annexation to WCWD of 25.51± acres located north of Richmond Parkway and east of Giant Highway	Application currently under review



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING January 25, 2023, 9:00 a.m.

The Board of Retirement will hold its meeting via teleconferencing as permitted by Government Code Section 54953(e). The meeting is accessible telephonically at 669-900-6833, Webinar ID: 816 6899 4370, Passcode: 432209, or via the web at:

https://us06web.zoom.us/j/81668994370?pwd=SHhmNVhMamwvTGs0eUtGMlBSMG5pUT09

Passcode: 432209

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. Public Comment (3 minutes/speaker).
- 4. Verus review of investment performance attribution analysis. (Discussion Item)
- 5. Update on private equity commitments. (Discussion Item)
- 6. Consider and take possible action to adopt a cost-of-living increase for retirees as of April 1, 2023. (Action Item)
- 7. Update on the retirement application process improvement project. (Discussion Item)

- 8. Consider authorizing the attendance of Board: (Action Item)
 - a. CALAPRS General Assembly, March 4-7, 2023, Monterey, CA.
 - b. Portfolio Concepts and Management, IFEBP, May 1-4, 2023, Wharton, PA. (Note: Conflict with Board Meeting)
- 9. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments



AGENDA

RETIREMENT BOARD MEETING

REGULAR MEETING February 22, 2023, 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: 885 4618 7290, Passcode: 769757, or via the web at:

https://us06web.zoom.us/j/88546187290?pwd=SzFDdlQrNzhFY0JrRmtkeFN3QkVDQT09

Passcode: 769757

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. Public Comment (3 minutes/speaker).
- 4. Approve minutes from the January 25, 2023 meeting. (Action Item)
- 5. Review of total portfolio performance for period ending December 31, 2022. (Presentation Item)
 - a. Presentation from Verus
 - b. Presentation from staff
- 6. Annual statement of compliance with Board resolutions. (Presentation Item)

- Consider and take possible action to authorize the CEO to execute an amendment to the pension administration consulting agreement for Segal Consulting. (Action Item)
- 8. Consider and take possible action to adopt CCCERA's Policy Allowing For the Use and Acceptance of Electronic Signatures. (Action Item)
- 9. Consider and take possible action to amend CCCERA's Accessibility of Records Policy and Accessibility of Investment Records Policy. (Action Item)
- 10. Consider and take possible action on SACRS voting proxy form. (Action Item)
- 11. Consider authorizing the attendance of Board: (Action Item)
 - a. CALAPRS Trustees Roundtable, April 21, 2023, Virtual.
 - b. SACRS Spring Conference, May 9-12, 2023, San Diego, CA.
- 12. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments



EMPLOYER NEWS

2023 COMPENSATION LIMITS

INTERNAL REVENUE CODE & CALIFORNIA GOVERNMENT CODE

Federal and state laws place annual limits on the compensation that can be used to determine contributions and benefits for CCCERA plan members.

Legacy Members (Tiers 1, 3, A or C)

The Internal Revenue Code provides for dollar limitations on benefits and contributions under qualified retirement plans which are adjusted annually for cost-of-living increases.

Members who commenced participation in CCCERA on or after January 1, 1996 are *subject* to the annual federal Internal Revenue Code Section 401(a)(17) compensation limit as shown:

For CERL benefit formulas (Tiers 1, 3, A, & C), the 2023 calendar year compensation limit was increased to \$330,000;

Members who commenced participation in CCCERA prior to January 1, 1996 are *not* subject to the Internal Revenue Code annual compensation limit.

PEPRA Members (Tiers 4, 5, D or E)

For new employees who commenced participation in CCCERA on or after January 1, 2013 under PEPRA benefit formulas (Tiers 4, 5, D & E), the compensation which exceeds that annual pensionable compensation limit under California Government Code Section 7522.10(c) and (d) is not included in determining benefits or contributions.

The 2023 calendar year PEPRA compensation limits are as follows:

- For employees enrolled in Social Security increased to \$146,042;
- For employees not enrolled in Social Security

 increased to \$175,250.

Administrative Procedures

It is the obligation of each agency's payroll department to ensure compliance with the compensation limit for affected CCCERA members. Should a member reach the compensation limit, it is the participating employer's payroll departments responsibility to continue to report their pensionable salary as they have been but stop reporting and deducting both member and employer contributions to CCCERA. The participating employer should resume the required contributions with the first payroll check dated in the next calendar year.

COMPENSATION, Continued from Page 1

If the membership date is not known for a member who exceeds the compensation limit, CCCERA will provide the agency with the membership date upon request. It is the responsibility of each employer to request the membership date from CCCERA. Questions? Email employers@cccera.org.

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

I-29 AND I-30 REPORT SUBMISSIONS

Participating employers are required to report employer and employee contribution data to CCCERA. Refer to the Current Transmittal File Layout Specifications in Section 7 of the Participating Employer Handbook for information regarding the transmittance of this file, available at cccera.org/employers.

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.

Due Dates for Contributions and Reports

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. If the 10th of the month falls on a weekend or holiday, the due date will be the last business day before the 10th.

Reports that are unreadable or incorrect will not be accepted and will be returned to the employer. Reports and contributions received after

RETIREE HEALTH DEDUCTION FILE SUBMISSION

Employers should provide a health deduction file which lists the retiree, the benefit deduction type and the amount of the monthly deduction. Negative deductions should not be submitted.

Health/Dental Deductions Import Due Dates

Retiree Payroll	File Due Date
1/1/2023	12/19/2022
2/1/2023	1/20/2023
3/1/2023	2/17/2023
4/1/2023	3/22/2023
5/1/2023	4/19/2023
6/1/2023	5/19/2023
7/1/2023	6/21/2023
8/1/2023	7/20/2023
9/1/2023	8/22/2023
10/1/2023	9/20/2023
11/1/2023	10/20/2023
12/1/2023	11/17/2023
1/1/2024	12/19/2023

As a reminder, your file should be uploaded to the drop box by noon on the file due date.

New Rates

With the new year comes new rates. If you are changing deduction amounts for your retirees, please be sure to include those changes on the lanuary file.

FELONY FORFEITURE

Effective January 1, 2013, the California Public Employees' Pension Reform Act of 2013 (PEPRA) established pension forfeiture, without exception, for all public employees convicted of a felony for job related conduct, in pursuit of office, or in connection with obtaining salary, retirement, or other benefits. PEPRA requires public agencies that employ or employed a public employee who was convicted of such a felony to notify CCCERA of the conviction within 90 days of the conviction.

For details on how to report this, please refer to the reporting template in the Participating Employers Handbook.

RETURNING TO WORK AFTER RETIREMENT

There are two ways retirees may return to work with a CCCERA employer:

- By suspending their retirement to return to full-time employment and reinstating as an active CCCERA member (this is referred to as a "reinstatement"), or
- 2. On an approved, limited basis while receiving their pension (this is referred to as "reemployment").

To assist in the determination of whether a retiree is eligible to return to work without reinstatement to CCCERA, employers should use the Certification for Post-Retirement Employment (Form 213). Retirees cannot serve, be employed by, or be employed through a contract directly by any CCCERA employer without reinstatement from retirement, except as permitted by state law and Board of Retirement regulations.

For more details on these procedures, please refer to the Employer Handbook.

ONLINE PORTAL PROJECT STATUS & PILOT TESTING

In September 2021, 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 employers during the testing phase of the new system. Final testing with all employers will begin later this year when the employer platform is expected to go live. More details will follow; the project is estimated to be completed in 2024.

EMPLOYER WORKSHOPS

Want to review report and form submission requirements? Email *employers@cccera.org*.

OVERVIEW WORKSHOP VIDEO

Intended for members who have more than five years from retirement, this video is great for new members and available at *cccera.org*.

REMINDERS FOR EMPLOYERS

New Form Available - Enrollment Affidavit (Form 101)

The Enrollment Affidavit (Form 101), as well as the New Member Enrollment Packet, have been updated. For the latest versions, visit cccera.org/forms.

See REMINDERS, Page 4

FY 2023-2024 Contribution Rates

Contribution rates for members and employers have been updated for July 1, 2023. Members can find their contribution rate effective July 1, 2023 by visiting *cccera.org/contributioncalculator*.

Documents for Retirement

Did you know that members can submit certain documents for their retirement at any time during their career? Having these documents on file before they file for retirement can greatly impact the timeliness of their retirement application.

Please encourage employees to submit copies of the following to CCCERA:

- Social Security Card for member and beneficiary
- Birth Certificate for member and beneficiary
- Marriage Certificate
- · Court documents for divorce

Employees should also update their beneficiaries, by submitting the Beneficiary Designation Form (Form 102) at any time.

Participating Employers Handbook

For your reference, you can find the CCCERA Participating Employers Handbook, which was created to assist employers in enrolling employees in retirement, death, survivor and disability benefits, at cccera.org/employer.

NOTICE

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

CALENDAR DATES

UPCOMING CCCERA CLOSURES

February 20 President's Day

May 29 Memorial Day

VIRTUAL PRE-RETIREMENT WORKSHOPS

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

February 14, 9 a.m. – 11 a.m. March 14, 2 p.m. – 4 p.m. July 18, 2 p.m. – 4 p.m. August 15, 9 a.m. – 11 a.m. September 12, 2 p.m. – 4 p.m. October 17, 9 a.m. – 11 a.m.

BOARD MEETINGS

February 8 January 25 February 22 March 8 April 12 March 22 May 3 April 26 May 24 lune 14 June 28 July 12 July 26 August 9 August 23 September 13 October 11 September 27 October 25 November 1 December 13 November 29

CONTACT US

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

Monday – Friday, 8 a.m. – 5 p.m. (Closed noon to 12:30 p.m.)

CALAFCO Daily Legislative Report as of Wednesday, March 01, 2023

AB 930 (Friedman D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.

Current Texts Introduced: 2/14/2023 | Marie |

Introduced: 2/14/2023

Status: 2/15/2023-From printer. May be heard in committee March 17.

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Summiry

Would authorize the legislative bodies of 2 or more local governments, defined to include a city, county, special district, or transit agency, to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would require the Office of Planning and Research (OPR) to develop standards for the formation of RISE districts no later than November 30, 2025. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government.

Position: Neutral

Subject: Special District Principle Acts

CALAFCO Comments: This bill has a similar overtone to SB 852 Dodd in 2022 regarding the formation of climate resilience districts outside of the LAFCo process.

As introduced, this bill (AB 930) is focused on the generation of funding and the governance of the expanditure of those funds. However, it should be carefully tracked in case that mission is expanded.

AB 1439 (Garda D) Housing.

Current Texts Introduced: 2/17/2023 html at

Introduced: 2/17/2023

Status: 2/18/2023-From printer, May be heard in committee March 20.

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Current law generally sets forth the duties of the Department of Housing and Community Development, which is the principal state department responsible for coordinating federal-state relationships in housing and community development and for implementing the California Statewide Housing Plan. This bill would state the intent of the Legislature to enact legislation related to housing.

Position: Placeholder - Spot Bill

Subject: Housing

CALAFCO Comments: This is a spotholder bill that only notes an intent to address housing.

AB 1460 (Bennett D) Local government.

Current Text: Introduced: 2/17/2023 html at

Introduced: 2/17/2023

Status: 2/18/2023-From printer. May be heard in committee March 20.

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Summary:

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a nonsubstantive change to the provision naming the act.

Position: Neutral

Subject: CKH General Procedures, Other

CALAFCO Comments: As introduced, this bill makes only a minor nonsubstantive change to CKH in that it would merely add commas to Section 56000 so that it would read: "This division shell be known, and may be cited, as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000."

SB 68 (McQuire D) Local government.

Current Text: Introduced: 1/5/2023 | html | wife

Introduced: 1/5/2023

Status: 1/18/2023-Referred to Com. on RLS.

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Summary

Current law provides for the formation and powers of various local governments, including countles and cities. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of

Legislature to enact legislation relating to local government. organization and reorganization for cities and districts. This bill would state the intent of the

additional into to share but that, while the itse counsel introduction mentioned CICH, their requesting more particulars. On 1-9-2023, the author's office responded that they had no specifically mentions CKH. Consequently, the Executive Director reached out to the author's office the write-up it notes that the legislative intent will be to address local government and it CALAFCO Comments: 1-6-2023: As it currently stands, this bill appears to be a spot holder. In

(Skinner D) Agricultural preserves: annexadons. 01+ 9S

anguage had nothing to do with it.

Current Taxt: Introduced: 2/13/2023 hom ed

Introduced: 2/13/2023

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the city filed a protest of record that identifies the affected contract and the subject parcel. The act boundary when the contract was executed, the contract was executed before January 1, 1991, and specified circumstances apply, including that the land being annexed was within one mile of the city preserve, the city succeeds to all rights, duties, and powers of the county under the contract unless contract with a county that enforceably restricts the land to agricultural use within an agricultural Under existing law, the Williamson Act, upon the annexation by a city of any land subject to a

department to advise the local agency formation commission of its concerns, whether or not it has Conservation to provide, advice and assistance regarding these provisions. The act requires the authorizes a local agency formation commission to request, and requires the Department of

make nonsubstantive changes to those provisions. been requested to do so, and requires the commission to address those concerns. This bill would

Subject: Ag Preservation - Williamson, Annexation Proceedings Position: None at this time

(McGuire D) Governmental organization. 557 95

Current Text: Introduced: 2/13/2023 hand edit

Introduced: 2/13/2023

Status: 2/22/2023-Referred to Com. on RLS.

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California, The Government Code prescribes certain definitions for purposes of its interpretation, Current constitutional and statutory law prescribes the organization of the government in

Legislature to enact legislation relating to governmental organization. including definitions for "state," "county," and "city." This bill would state the intent of the

Position: Placeholder - Spot Bill

Subject: Other

CALAFCO Comments: This is a spotholder bill that notes that its intent will be to enact legislation

relating to governmental organization.

(Becker D) Open meetings: local agencles: teleconferences. **ZES 88**

Current Text: Introduced: 2/14/2023 umi ed

Status: 2/22/2023-Referred to Com. on RLS. Introduced: 2/14/2023

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Would state the intent of the Legislature to enact subsequent legislation that expands local

government's access to hold public meetings through teleconferencing and remote access.

Subject: Brown Act Position: Placeholder - Spot Bill

access to hold public meetings through teleconferencing and remote access. CALAFCO Comments: This is a spotholder bill that states an intent to expand local government's

(Caballero D) California Environmental Quality Act: transportation impact analysis: rural areas.

Chirent Text: Introduced: 2/17/2023 html 12

Introduced: 2/17/2023

Position: Placeholder - Spot Bill

Status: 2/21/2023-From printer. May be acted upon on or after March 20.

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transportation impact analysis for rural areas for purposes of CEQA. This bill contains other existing Would state the intent of the Legislature to enact subsequent legislation that would create a new

dBIAEAbecabec-3006-021A-1001-Transcatterotragen.ninitalginitalginitangimoculosiges.devidita Subject: CEOA

CALAFCO Comments: This is a spothoider bill that notes an Intent to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of the California Environmental Quality Act.

SB 833 (McGuire D) Natural resources.

Current Texts Introduced: 2/17/2023 html per

Entroduced: 2/17/2023

Status: 2/21/2023-From printer. May be acted upon on or after March 20.

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Summery

Current law deciares that resource conservation is of fundamental importance to the prosperity and welfare of the people of this state, and provides for the formation and powers of resource conservation districts. This bill would declare the intent of the Lagislature to enact subsequent legislation relating to natural resources.

Position: Placeholder - Spot Bill

Subjects Special District Powers, Special District Principle Acts, Special Districts Governance CALAPCO Comments: This is a spotholder bill that notes only an intent to enact subsequent legislation relating to natural resources.

\$5.865 (Laird D) Hunicipal water districts: automatic exclusion of cities.

Current Texts Introduced: 2/17/2023 |timl | |

Introduced: 2/17/2023

Status: 2/21/2023-From printer. May be acted upon on or after March 20.

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Summer

Current law authorizes a governing body of a municipal water district to adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, if the territory is annexed prior to the effective date of the formation of the municipal water district. Current law requires the Secretary of State to Issue a certificate reciting the passage of the ordinance and the exclusion of the area from the municipal water district within 10 days of receiving a certified copy of the ordinance. This bill would extend the number of days the Secretary of State has to Issue a certificate to 14 days.

Position: None at this time

Subject: Annexation Proceedings

CALAFCO Comments: Edisting law authorizes a governing body of a municipal water district may adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, providing that the territory is annexed prior to the effective date of the formation of the municipal water district. If that he Secretary of State must, within 10 days of receiving a certified copy, issue a certificate reciting the pessage of the ordinance that excludes the area from the municipal water district. This bill would extend the Secretary of State's window to issue that certificate from 10 to 14 days.

3

AB 557 (Hart D) Open maetings: local agencies: teleconferences,

Current Text: Introduced: 2/8/2023 | 1001 | 1007

Introduced: 2/8/2023

Status: 2/17/2023-Referred to Com. on L. GOV.

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Summerys

Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a beleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post sgendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

Positions Neutral Subject: Brown Act

Act. This bill is sponsored by CSDA. (2022) and seeks to return some of the pandemic-era teleconferencing provisions to the Brown CALAFCO Comments: Similar in scope to SB 411, this bill is follow-on legislation to AB 361

Current Text: Introduced: 2/13/2023 him all (Pacheco D) Local government: open meetings. ZIR RV

Introduced: 2/13/2023

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session is authorized. This bill would make nonsubstantive changes to a provision of the Ralph M. legislative body be open and public, and that all persons be permitted to attend unless a closed description of each item of business to be transacted. The act also requires that all meetings of a notice of the time and place for its regular meetings and an agenda containing a brief general Current law, the Raiph M. Brown Act, requires each legislative body of a local agency to provide

Subject: Brown Act Position: Placeholder - Spot Bill

grammatical changes. The lack of substance raises concern regarding future changes to this bill. CALAFCO Comments: This bill appears to be a spot holder in that it currently only makes minor

Current Text: Introduced: 2/16/2023 html 200 AB 1348 (Greyson D) Local government: open meetings.

Introduced: 2/16/2023

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Current law, the California Public Records Act, requires state agencies and local agencies to make

the public record provisions governing the writings related to agendas of public meetings. disclosable public records, with certain exceptions. This bill would make nonsubstantive changes to of public meetings and other writings distributed to the members of the governing board egency to be conducted openly and publicly, with specified exceptions. Current law makes agendas Current law, the Raiph M. Brown Act, requires the meetings of the legislative body of a local public records available for inspection, subject to specified criteria, and with specified exceptions.

in a minor and nonsubstantive way by changing an "a" to "any" in two places. CALAFCO Comments: This bill as introduced would change the Section 54957.5 of the Brown Act Subject: Brown Act Position: Neutral

(Portantino D) Open meetings: teleconferences: bodies with appointed membership.

Current Text: Introduced: 2/9/2023 html add

Introduced: 2/9/2023

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otherwise subject to the Raiph M. Brown Act. commission, or advisory body is appointed and which board, commission, or advisory body is board, commission, or advisory body of a local agency, the membership of which board, state of emergency. The bill would alternatively define "legislative body" for this purpose to mean a teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a member of the legislative body. This bill would authorize a legislative body to use alternate jurisdiction and other requirements are met, including restrictions on remote participation by a from a singular physical location that is open to the public and situated within the agency's circumstances related to the particular member if at least a quorum of its members participate 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain a physical location from which the public may attend or comment. Current law, until January 1, prescribed. The emergency provisions specify that they do not require a legislative body to provide provisions) and impose different requirements for notice, agenda, and public participation, as related to public health that exempt a legislative body from the general requirements (emergency alternate teleconferencing provisions during a proclaimed state of emergency or in other situations Current law, until January 1, 2024, authorizes the legislative body of a local agency to use :Alewwns

also require that the public be afforded the chance to comment in real time. comment time has elabsed, and would not only prevent requiring comments in advance but would can be resumed, would require time public comment periods to remain open until the public action in the event of a broadcasting disruption within the local agency's control until the broadcast procedure for conducting such a meeting, would require the legislative body to take no further would allow a legislative body to use teleconferencing provisions, and would define the proper Brown Act that had been temporarily enacted during the COVID-19 pandemic. The amendment CALAFCO Comments: This bill would permanently add back provisions to Section 54953.4 of the Subject: Brown Act Position: Neutral Current Texts Introduced: 2/17/2023 [107]

Introduced: 2/17/2023

Status: 2/21/2023-From printer. May be acted upon on or after March 20.

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Would enact the First Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position: None at this time Subject: LAPCo Administration

CALAPCO Comments: This is the first of three annual validating acts.

\$8.879 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/17/2023

Introduced: 2/17/2023

Status: 2/21/2023-From printer. May be acted upon on or after March 20.

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Summary:

Would enact the Second Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position: None at this time Subject: LAFCo Administration

CALAPCO Comments: This is one of three annual validating acts.

SB 880 (Committee on Governance and Finance) Validations.

Current Texts Introduced: 2/17/2023 | | | | | |

Entroduced: 2/17/2023

Status: 2/21/2023-From printer. May be acted upon on or after March 20.

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Summary:

Would enact the Third Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: None at this time Subject: LAFCo Administration

CALAPCO Comments: This is one of three annual validating acts.

Total Measures: 17 Total Tracking Forms: 17

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