



To: Mayor and City Council
From: Tim Tucker, City Engineer
Subject: Out of Agency Water Service
Date: December 13, 2016

Recommendation

Adopt resolutions —Out of Agency Water Service:

- A. Resolution affirming the City Council intent to pursue annexations within the City’s Sphere of Influence (SOI) in the unincorporated Mountain View area.
- B. Resolution establishing a non-binding strategy and timeline for future annexations within the unincorporated Mountain View area.

BACKGROUND

The City has received applications for water service in the Mountain View Area (see attached map.) State law regulates under what conditions that city owned water systems may “extend” water service to new customers outside their jurisdictional boundaries. State statute allows LAFCO to approve out of agency service under two conditions:

- 1) existing or impending threat to the health and safety of the public, or
- 2) in anticipation of a future annexation (if the subject property is within the City's Sphere of Influence.)

City water systems must meet one of these two conditions prior to providing water outside their corporate limits but within their water service area. Should LAFCO not be able to make one of the finding above, current developments with County approvals and future development and single parcel development cannot proceed.

The City had made the primary, and most significant first step in annexing the Mountain View Area by including it within its Sphere of Influence (SOI). The City has also pre-zoned the area and undertook a financial feasibility study or this and other areas in 2014. The feasibility study showed the Mountain View area’s expected revenue did not meet expected expenditures. This does not however preclude future evaluation or annexation.

Although some county LAFCOs consider including areas within the SOI to meet condition 2 above, Contra Costa County LAFCO’s Out of Agency Service Policy requires a more active process. City and LAFCO staff recommends the Council affirm their intention to pursue annexations within the Mountain View as opportunities arise. The attached resolution affirms

the Councils intent and sets a schedule to trigger staff to review opportunities on a regular basis. The resolution also directs staff to proactively communicate with residents of Mountain View, both within and outside the City limits, regarding projects and programs that benefit the area. It also sets a non-binding goal of annexing unincorporated property with the SOI along the Pacheco Boulevard corridor by the year 2030.

Fiscal Impact

None. All costs associated with Out of Agency Water Service extensions are reimbursed by the developer requesting water service.

Attachments

- Resolutions
- Site Map

APPROVED BY:

A handwritten signature in black ink, appearing to read 'Brad Kilger', is written over a faint, circular stamp or watermark.

Brad Kilger, City Manager

RESOLUTION NO. -16

**AFFIRMING THE CITY COUNCIL INTENT TO PURSUE ANNEXATIONS
WITHIN THE CITY'S SPHERE OF INFLUENCE IN THE UNINCORPORATED MOUNTAIN VIEW AREA**

WHEREAS, the City Council of the City of Martinez (Council) has previously included the area commonly known as Mountain View within their Sphere of Influence (SOI); and

WHEREAS, Mountain View is general bordered by Pacheco Boulevard, Howe Road, Monterey Avenue and Bush Street; and

WHEREAS, the Council has dedicated funding and directed staff to investigated annexations within portion of the City of Martinez's Sphere of Influence (SOI) including the area commonly known as Mountain View; and

WHEREAS, the Council has pre-zoned the Mountain View SOI to be consistent with current Contra Costa County zoning; and

WHEREAS, the Council direct staff to report to the Council every five year at a minimum the feasibility additional annexations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Martinez affirms the Council intent to pursue annexations within the City's Sphere of Influence in the unincorporated Mountain View area.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 21st day of December, 2016, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -16

**ESTABLISHING A NON-BINDING STRATEGY AND TIMELINE FOR FUTURE ANNEXATIONS
WITHIN MOUNTAIN VIEW**

WHEREAS, in the past the City Council of the City of Martinez (Council) has pursued annexations within the City of Martinez's Sphere of Influence (SOI) including the area commonly known as Mountain View; and

WHEREAS, Mountain View is general bordered by Pacheco Boulevard, Howe Road, Monterey Avenue and Bush Street; and

WHEREAS, the Council believes that a non-binding multi-phase iterative process to annex unincorporated properties along the Pacheco Boulevard corridor is the most likely process for annexing the Mountain View within the Martinez Sphere of Influence; and

WHEREAS, the Council direct staff inform residents of Mountain View SOI on a regular basis of accomplishments within the City Limits that benefit non-residents such as park, road and water system improvements; and

WHEREAS, the Council direct staff poll residents of Mountain View SOI on a regular basis regarding ideas and desires for improvements and programs the City could implement or maintain that also benefit residents and non-residents; and

WHEREAS, the Council requests staff report to the Council every five year at a minimum the status, quantity and location of Differed Annexation Agreements; and

WHEREAS, it is the non-binding intent to annex property along the Pacheco Boulevard corridor which includes the Mountain View area by the year 2030.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Martinez establishing a non-binding strategy and timeline for future annexations within Mountain View.

* * * * *

I HEREBY CERTIFY the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 21st day of December, 2016, by the following vote:

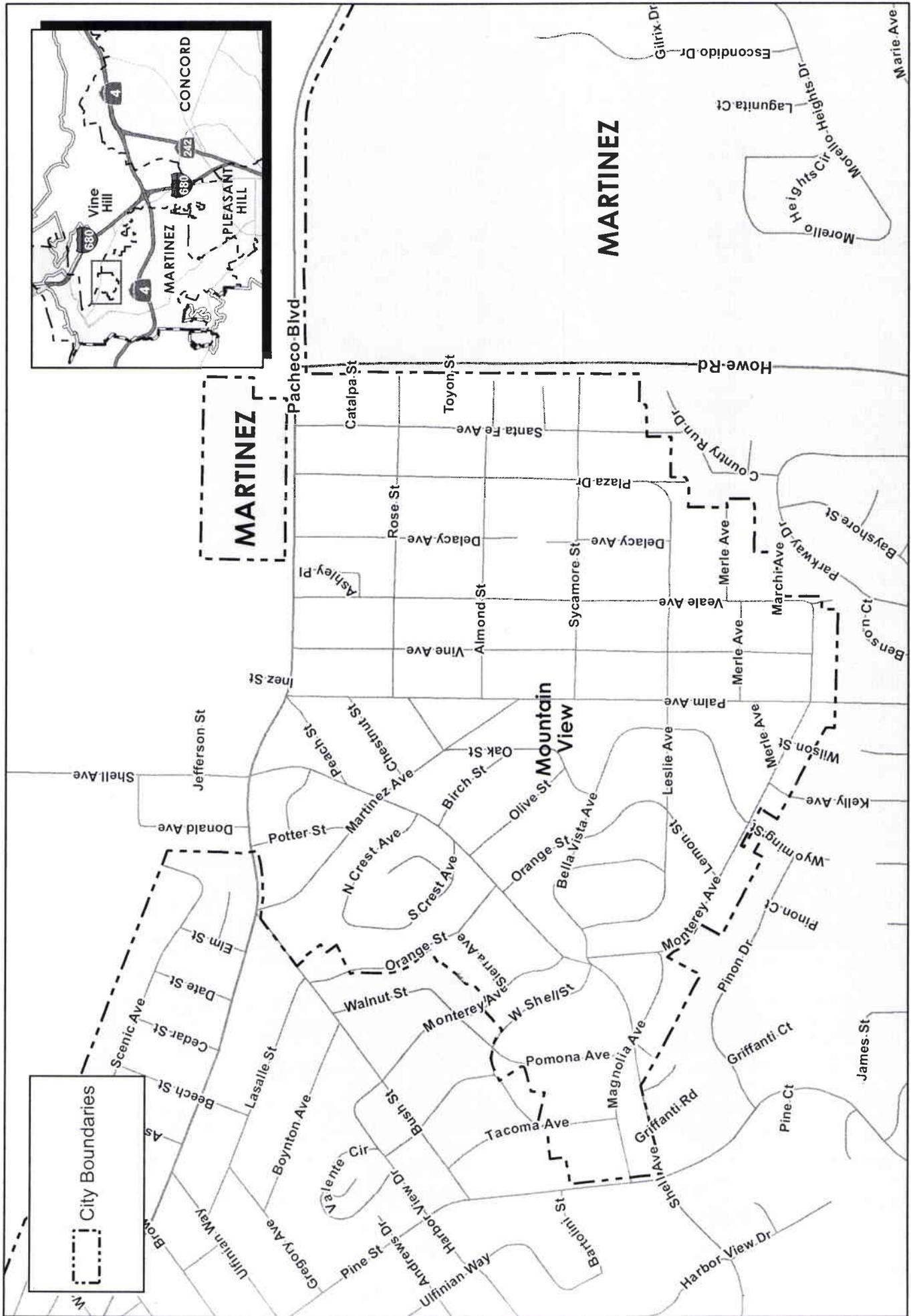
AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

MOUNTAIN VIEW SITE MAP



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 information is derived from the California State Office of Education's tax rate areas. While obligated to use this data the County is not responsible for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

Map created 05/20/16
 by Contra Costa County Department of
 Conservation and Development GIS Group
 30 Muir Road, Martinez, CA 94553
 37.594179°N, 122.070375°W



Attachment 1