

LAFCo

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EXECUTIVE OFFICER'S REPORT

May 9, 2019

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **Draft Municipal Service Review/Sphere of Influence Plan Workshop
Bryon-Bethany Irrigation District and The West Side Irrigation
District**

Recommendation

It is recommended that after receiving testimony and providing comments on the Draft Municipal Service Review/Sphere of Influence Plan for Bryon-Bethany Irrigation District (BBID) and The West Side Irrigation District (TWSID) that the matter be scheduled for a public hearing on June 13, 2019.

Background

A Municipal Service Review (MSR) is a comprehensive review of an agency intended to obtain information about the agency's ability to provide services. Its purpose is to evaluate the provision of services from a comprehensive perspective and recommend actions, when necessary, to promote the efficient provision of those services. Service reviews are intended to serve as a tool to help LAFCo, the public and other agencies better understand the public service structure and evaluate options for the provision of efficient and effective public services that the agency currently provides. State law requires that LAFCo update Spheres of Influence and prepare a Municipal Service Review in conjunction with that update.

The MSR is required by the Cortese-Knox-Hertzberg Act to have six categories, as defined by the San Joaquin LAFCo "Service Review Policies" December 14, 2012. Each of these categories requires a written determination. The six categories are as follows:

- Growth and Population Projections for the Affected Area

- The Location and Characteristics of any Disadvantage Unincorporated Communities within or Contiguous to the Sphere of Influence
- Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies
- Financial Ability of Agencies to Provide Services
- Status of and Opportunities for Shared Facilities
- Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

In determining a sphere of influence, the Commission is required to consider and make written determinations with respect to the following factors (Government Code Section 56425):

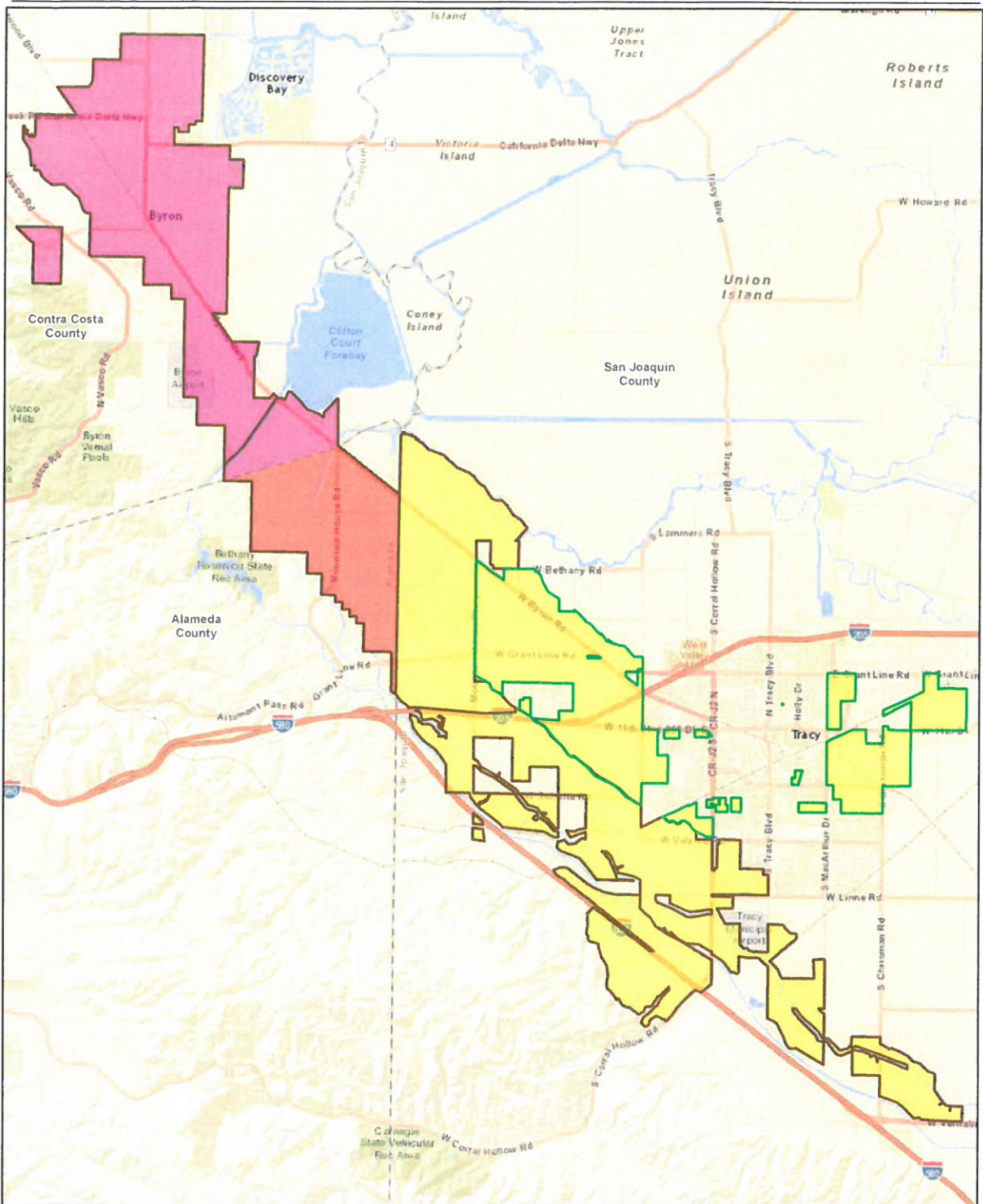
- The Present and Planned Land Uses in the Area, Including Agricultural and Open Space Lands.
- The Present and Probable Need for Public Facilities and Services in the Area.
- The Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide.
- The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency.
- The Present and Probable Need for those Public Facilities and Services within any Disadvantaged Unincorporated Communities (DUCs) within the Sphere of Influence.

Byron Bethany Irrigation District

BBID became a public district in December 1919. Originally formed as a private company, called the Byron-Bethany Irrigation Company, in 1914 it utilized long-term (pre-1914) water rights. BBID procures and supplies raw water to be used for irrigation and municipal purposes. In addition to its pre-1914 water rights, BBID also has a contract with the U.S. Bureau of Reclamation for 20,600 acre-feet (AF) for the Central Valley Service Area. The District consists of approximately 29,477 acres and is located in Alameda, Contra Costa, and San Joaquin Counties. (See Figure 3-2)

The West Side Irrigation District

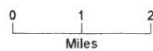
TWSID was originally formed on October 12, 1915 and began making its first water deliveries four years later in 1919. TWSID provides the delivery and sale of irrigation water, agricultural drainage, storm and municipal drainage, and municipal and industrial water. The District consists of approximately 6,589 acres located in the unincorporated territory to the east and west of and within the City of Tracy. TWSID has a license from the State Water Resource Control Board to divert 27,000 AF of water from Old River. TWSID also has a contract with the U.S. Bureau of Reclamation to receive 2,500 AF from the Central Valley Project. TWSID currently functions as an independent district governed by a five-member Board of Directors.



LEGEND

- Byron Bethany Irrigation District
- The West Side Irrigation District
- Alameda County
- Contra Costa County
- San Joaquin County

Figure 3-2: Relation of Three Counties to District Boundaries



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Byron Bethany Irrigation District, California



Consolidation

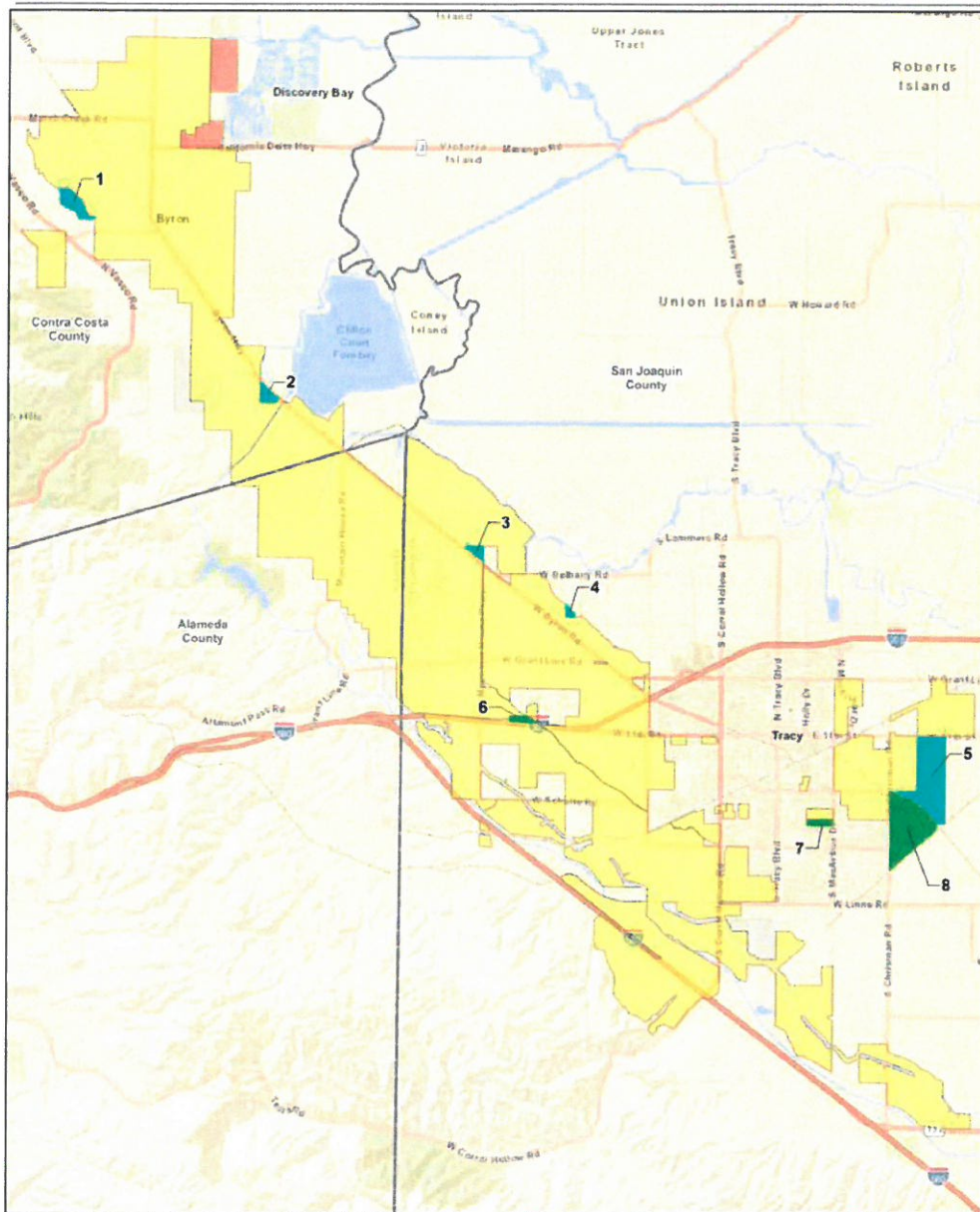
The Boards of Directors of Byron Bethany Irrigation and The West Side Irrigation District approved a concurrent resolution for the consolidation of the two Districts. The Districts propose to accomplish the consolidation by combining the territory of TWSID with the territory of BBID, and creating BBID as the single successor district. TWSID would no longer be a separate entity. The reason for the consolidation is to enhance the services provided to the territories of both BBID and TWSID. In the interim, TWSID and BBID entered into a December 2016 Management Agreement (Agreement for Services) such that BBID provides management services to TWSID. Management services covered under the 2016 Agreement include provision of a General Manager, operations, and maintenance support. TWSID retains its separate legal counsel, until the consolidation is formally approved by LAFCo. Figure 8-5 shows the proposed Sphere of Influence for the Consolidated District.

The MSR/SOI document has been transmitted to the surrounding jurisdictions and State and Federal water agencies. LAFCo has not yet received any comments. Any comments will be included in the final report.

The Commission's service review policy sets forth the procedure for public participation and public hearing. The policy requires a two-step process for the adoption of a service review: 1) a public meeting/workshop with the Commission to accept comments from the public and the Commission "prior to finalizing the document", and 2) a formal 21-day review period and public hearing. Staff will provide public notice for the June 13, 2019 meeting to meet our legal obligation for a public hearing. The Commission will be able to adopt the MSR at that meeting or may continue the matter to a future meeting. A motion is attached for Commission's consideration.

The draft report was previously transmitted at the Special April 22, 2019 meeting to the Commissioners for their early review.

Attached is a motion for Commission's consideration.



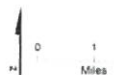
- LEGEND**
- Byron Bethany Irrigation District and The West Side Irrigation District
 - Proposed Sphere of Influence for Consolidated District
 - Discovery Bay Area to be removed from SOI
 - Drainage Parcels – Additions to SOI

Figure 8-5: Proposed SOI for Consolidated District

Note: Proposed consolidated District of BBID and TWSID shown in yellow



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Byron Bethany Irrigation District, California



Motion

Moved by Commissioner _____, seconded by Commissioner _____ that the Draft Municipal Service Review/Sphere of Influence Plan for Bryon-Bethany Irrigation District (BBID) and The West Side Irrigation District (TWSID) be set for public hearing on June 13, 2019.