



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church Street, Suite B, Visalia 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

LAFCO MEETING AGENDA August 7, 2013 @ 2:00 P.M. BOARD OF SUPERVISORS CHAMBERS COUNTY ADMINISTRATIVE BUILDING 2800 West Burrel Avenue Visalia CA 93291

COMMISSIONERS:
Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen

ALTERNATES:
Mike Ennis
Dennis Mederos
Janet Hinesly

EXECUTIVE OFFICER:
Ben Giuliani

I. **Call to Order**

II. **Approval of Minutes from June 5, 2013 (Pages 1 – 6)**

III. **Public Comment Period**

At this time, members of the public may comment on any item not appearing on the agenda and that is within the scope of matters considered by the Commission. Under state law, matters presented under this item cannot be discussed or acted upon by the LAFCO Commission at this time. So that all interested parties have an opportunity to speak, any person addressing the Commission may be limited at the discretion of the chair. At all times, please use the microphone and state your name and address for the record.

IV. **Consent Calendar**

There are no items.

V. **New Action Items**

1. **Adoption of the City of Tulare Municipal Service Review (Pages 7 - 26)**
[No Public Hearing].....Recommended Action: Approval

The Commission will consider the adoption of the City of Tulare Municipal Service Review update. The MSR and its determinations were posted for public review on July 17, 2013. Enclosed is the Executive Summary of the MSR, which includes an updated draft of the MSR with the minor updates and corrections, submitted by the City of Tulare prior to the June 5, 2013 meeting. The complete MSR is posted on the Commission's website at: <http://www.co.tulare.ca.us/lafco/default.asp>. This item is exempt from the California Environmental Quality Act: Section 15061(b) (3) and 15303.

VI. **Executive Officer's Report**

1. **American Farmland Trust – Government Land Ownership (Pages 27 - 32)**

The enclosed report reviews the increase in government land ownership from 1998 to 2013 in context with loss of available agricultural land due to annexation.

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.

2. Legislative Update (**Pages 33-40**)

Attached are the various state bills that are being tracked by CALAFCO. Changes in bill status since the last Commission meeting will be discussed.

3. Upcoming Projects (**No Page**)

The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO cases and projects.

VII. Correspondence

There are no items.

VIII. Other Business

1. Commissioner Report (**Page 41**)

At this time, any Commissioner may inform the Commission, Staff, or the public of pertinent LAFCO issues not appearing on the agenda.

2. Request from LAFCO for items to be set for future agendas

IX. Closed Sessions

None

X. Setting Time and Place of Next Meeting

1. Sept 11, 2013 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building.

XI. Adjournment

Agenda Summary

Item No.

II. Please see enclosed June 5, 2013 meeting minutes.

V.1 Please see enclosed staff report for City of Tulare MSR

VI.1 Please see enclosed Memo regarding Government Land Ownership

VIII.1 Please see enclosed CALAFCO Quarterly Report

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.

TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
Minutes of the Meeting
June 5, 2013

Members Present: Julie Allen, Allen Ishida, Steve Worthley, Cameron Hamilton

Members Absent: Rudy Mendoza

Alternates Present: Janet Hinesly, Dennis Mederos

Alternates Absent: Mike Ennis

Staff Present: Ben Giuliani, Cynthia Echavarria, Doreen Alvez

Counsel Present: Nina Dong

I. Call to Order

Chair Hamilton called the Tulare County Local Agency Formation Commission meeting to order at 2:04 p.m. on June 5, 2013.

II. Approval of the May 1, 2013 Minutes:

Upon motion by Commissioner Worthley and seconded by Commissioner Allen, the Commission unanimously approved the May 1, 2013 minutes.

III. Public Comment Period

There were no public comments.

IV. Consent Calendar Items

1. Earlimart PUD Detachment 2013-14

No Comments.

Upon motion by Commissioner Allen, and seconded by Commissioner Hinesly, the Commission unanimously approved the Earlimart PUD Detachment 2013-14.

V. New Action Items

1. Lindmore Irrigation District reorganization 2011-12

Ms. Echavarria provides that the reorganization is for the boundaries of Lindmore Irrigation District, with 1 parcel to be annexed and 65 individual parcels to be detached. Parcels are located north and south of the City of Lindsay, and west and south of the existing community of Strathmore.

Commissioner Ishida requests clarification of location of parcels on map that is being detached. Wants to clarify that Strathmore Area Parcels (Detachment) Area 4 on map,

which includes Strathmore Public Utility District, will not include the Strathmore School Farm, as he does not want to detach the Strathmore School Farm from the District.

Mr. Giuliani provides clarification of Strathmore Area Parcels (Detachment) Area 4 and its boundaries, which do not include Strathmore School Farm.

Commissioner Worthley asks whether the resolution that provides that the affected property owners have consented to the detachment is based on no protests.

Ms. Echavarria responds that there have been no written responses, which is the basis for no responses received.

Commissioner Hamilton opens public hearing at 2:13 p.m. No public comments received. Public hearing closed 2:14 p.m.

Upon motion by Commissioner Worthley, and seconded by Commissioner Allen, the Commission unanimously approved the Lindmore Irrigation District Reorganization 2011-1.

2. Adoption of the City of Tulare Municipal Service Review

Ms. Echavarria requests continuance of this item as comments were received from the City of Tulare. A posting of the revised draft will be on the LAFCO website, for no less than 21 days for review of the updated information. In addition, the County of Tulare provided a comment letter, which will be provided to the board before the next meeting.

Commissioner Allen requested additional Information as to the summary of the comments.

Mr. Giuliani states that the City comments consisted of corrections and some updates to figures and would email the County letter to the Commission before the next meeting.

Upon motion by Commissioner Worthley, and seconded by Commissioner Allen, the Commission unanimously approved to continue the Adoption of the City of Tulare Municipal Service Review.

3. 2013/2014 Final Budget and Work Program

Ms. Echavarria provides status of the Commission's adoption of the final budget that highlight the number of programs in the fiscal year. All expenditures and revenues are itemized on a single spreadsheet, and the work program provides further detail on how these expenditures and revenues will be allotted through the year. Since the last draft, there have been minor changes that have resulted in a small net reduction of \$2,409.00 to the budget.

Commissioner Allen states the presentation is straightforward, but wants clarification regarding the updating of the Cities and Special District Inventory.

Mr. Giuliani responds that the Cities and Special Inventory is under continuous update, and will be updated as new information is received.

Commissioner Hamilton opens public hearing at 2:17 p.m. No public comments received. Public hearing closed 2:17 p.m.

Upon motion by Commissioner Allen, and seconded by Commissioner Worthley, the Commission unanimously approved the 2013/2014 Final Budget and Work Program.

4. Cancellation of July 2013 Meeting

Mr. Giuliani recommends cancellation of meeting, as there are no urgent matters that need to be heard.

Upon motion by Commissioner Ishida, and seconded by Commissioner Allen, the Commission unanimously approved the Cancellation of July 2013 Meeting.

5. Nomination for 2014 CALAFCO Board of Directors

Mr. Giuliani provides that CALAFCO recruiting committee is seeking nominations for CALAFCO Board of Direction elections scheduled for August 29, 2013. Commissioner Allen is part of CALAFCO board and her term is expiring. Staff recommends nominating Commissioner Allen for another two-year term.

Upon motion by Commissioner Worthley, and seconded by Commissioner Hamilton, the Commission unanimously approved the nomination of Commissioner Allen for the 2014 CALAFCO Board of Directors.

6. Designation of Voting Delegate and Alternate for the CALAFCO Business Meeting

Mr. Giuliani requests a designation of a voting delegate and alternate for the CALAFCO Business Meeting at the CALAFCO annual conference on August 28-30, 2013.

Commissioner Mederos asks whether they will be discussing concerns on farmlands.

Commissioner Allen responds that she does not know of any major agenda items dealing with farmland policy or preservation policy. However, Ken Alex is a main speaker at this conference who is streamlining California Environmental Quality Act (CEQA). Mr. Alex was asked to speak to LAFCO where his ideas are taken from the Office of Planning and Research (OPR) and is working on making CEQA regulations better and efficient. Mr. Alex also wants to talk to CALAFCO regarding the criteria for annexation.

Commissioner Mederos asks if OPR recognizes how serious the water situation actually is, and discusses the recent development of the water table in City of Tulare.

Commissioner Allen responds she is unaware but that the concern would be from a long-term perspective.

Chair Hamilton makes a motion that the Voting Delegate be Commissioner Allen, and Alternate Voting Delegate to be Commissioner Worthley.

Upon motion by Commissioner Hinesly, and seconded by Commissioner Ishida, the Commission unanimously approved the Designation of Voting Delegate and Alternate for the CALAFCO Business Meeting.

7. LAFCO Executive Officer Compensation

Closed Sessions

1. Personnel (Gov. Code Section 54957)

It is the Intention of the Board to Meet in Closed Session to: Consider Public Employee Performance Evaluation for the Position of: LAFCO Executive Officer.

Called to Order: 2:35 p.m.

Commissioner Worthley moves to increase compensation by 5%.

Mr. Giuliani requests that an effective date needs to be defined.

Chair Hamilton motions for July 1, 2013.

Upon motion by Commissioner Ishida, and seconded by Commissioner Allen, the Commission unanimously approved the LAFCO Executive Officer Compensation.

VI. Executive Officer's Report

1. **American Farmland Trust**

Ms. Echavaria provides that the staff report highlights what Tulare County is doing in relationship to the performance measures contained in the American Farmland Trust Report. The staff report summary provides some aspects of the bi-annual report through the Farmland Mapping and Monitoring Program. Included is the land use conversion table that goes in the farmland conversion report, which is part of the Farmland Mapping and Monitoring Program. In addition, the field report describes in more detail and analyzes what was found in the mass update program and what resources were used. The summary also mentions the next step of the report. Staff invited Jim Sullins from the UC-Davis extension to attend our next board meeting to answer any questions about the Farmland Mapping and Monitoring Program, as he is an expert in this field.

Commissioner Worthley asks Mr. Sullins if he had an opportunity to update the report on loss of agriculture property. Mr. Sullins responds that he has not had an opportunity to update; however, he would like to complement staff for putting the response together as he had not seen a field report such as this before.

Mr. Sullins compliments how Tulare County is addressing issues. He states there should be big emphasis placed at the environmental level not just on preserving farmland but also ability to farm. He highlights how LAFCO plays an important role as the need to be predictable and have a foreseeable pattern are needed to make sound business decisions as an organization or as land use changes the area of operation.

Commissioner Worthley states the staff report shows what Tulare County is doing to protect agriculture property, which is not exactly in line with Farmland Trust. There are alternatives for conservations that are just as effective if not more in protecting agriculture property.

The Commission discusses how the staff report highlights where we come from, where we are at, and where we are going.

Mr. Sullins recommends an area that the County can focus on is the changes in land use that are essentially the exceptions to the rule if development is allowed and land use transitions without going through and indicating if they are compatible in uses. He indicates that there is a long list of compatible uses that need to be reevaluated by possibly using a scoring system or determining the exceptions in today's land use and land use demands that are still acceptable.

Mr. Sullins discusses conservation, farmland preservation, and conservation easements coupled with these other tools and should not preclude the opportunities for conservation easements. He provides that the County should take into consideration development in the next 50 years and the needs of habitat conservation, losing watershed, or preserving farmland.

Commissioner Ishida provides that the issue of where growth should go be evaluated.

Commissioner Mederos discusses Williamson Act with the commission.

Commissioner Allen extends her appreciation for the staff report, and provides what benefits would be provided to the Commission if the policies were simplified and find out what policies are the most useful and effective.

Commissioner Ishida provides that the Board of Supervisors will be considering a resolution to oppose the water bond without service storage. There is a lot of support statewide. There is no water bond without service storage. The Board of Supervisors is trying to get support statewide from other county supervisors to ensure that water storage is part of the water bond.

Legislative Update

Mr. Giuliani provides status of the current legislative bills outcomes and the effects it will have on Tulare County.

2. Special District Representation on LAFCO

Mr. Giuliani requests feedback from the Commission. Through the increase of the special district projects, potential future major projects such as district formations, and activation of powers, this would be a good opportunity for the Commission to consider polling special districts to gauge their interests in having representation on the Commission.

Commission discusses the polling and requirements for a special district to be on the LAFCO Board.

Mr. Giuliani provides that pursuant to Gov. Code the majority of independent special districts must submit resolutions requesting representation to join the commission. This would mean 46 of 90 independent special districts would need to send in resolutions to be on the Commission.

Mr. Giuliani discussed options for funding if special districts were to join the Commission.

The Commission discussed previous attempts to contact the special districts who showed no interest and how funding was the contributing factor for disinterest.

The Commission agreed that a letter be sent, as it would establish a record that an attempt was made, it would provide details of what representation and the consequence would be, and highlight the contribution of the overall budget, which includes allocation and anticipated costs.

3. Upcoming Projects

Mr. Giuliani provides what projects will be highlighted at the August LAFCO Meeting:

1. Tulare MSR Update

2. Cases from Lower Tule and Pixley Irrigation Districts (if the applications are submitted in time) - Staff met with representatives from the Districts. The Districts have not made any boundary changes since the formation in the 1940 and 1950s. The Districts will be detaching several developed areas.

VII. Correspondence

None

VIII. Other Business

1. Commissioner Report

Commissioner Allen defers until next meeting.

2. Request from LAFCO for items to be set for future agendas

None

X. Setting Time and Place of Next Meeting

The next LAFCO meeting will be August 7, 2013 at 2:00 PM in the Board of Supervisors Chambers in the County Administration Building.

XI. Adjournment

The meeting adjourned at 3:20 P.M.



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church St., Suite B, Visalia, CA 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

COMMISSIONERS:
*Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen*

August 7, 2013

ALTERNATES:
*Dennis Mederos
Janet Hinsely
Mike Ennis*

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Cynthia Echavarria, Staff Analyst

EXECUTIVE OFFICER:
Ben Giuliani

SUBJECT: City of Tulare Municipal Service Review Update

Background

The first Municipal Service Review (MSR) for the City of Tulare was adopted as part of the Group 1 MSRs by the Commission at the March 2006 meeting. The existing Sphere of Influence (SOI) for Tulare was last comprehensively reviewed by the Commission in 1974 followed by several SOI amendments. The SOI was also comprehensively reviewed in 2001. However, the resulting SOI was rescinded after a successful challenge on the City's environmental document that was used for that SOI update. Before the Commission can approve a major amendment or a comprehensive update of the SOI, the updated MSR determinations need to be adopted. Adoption of the MSR was continued from the June 5, 2013 LAFCO meeting to give LAFCO staff an opportunity to make minor updates and clarifications submitted by the City of Tulare.

Discussion

Since the Tulare MSR was first developed in March of 2006, Government Code was modified that combined twelve topic areas into six. Recently, a seventh was added into law relating to disadvantaged unincorporated communities. The Commission is required to prepare a written statement of determinations for the following:

- Growth and population projections for the affected area.
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- Present and planned capacity of public facilities, adequacy of public services and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- Financial ability for agencies to provide services.
- Status of, and opportunities for, shared facilities.

- Accountability for community service needs, including governmental structure and operational efficiencies.
- Any other matter related to effective or efficient service delivery, as required by commission policy.

Note: In the updated MSR, information regarding the location and characteristics of disadvantaged unincorporated communities and services relating to those communities were combined under the last topic area.

Technical data was updated based on newer supporting documents such as the City of Tulare's 2008 General Plan Update (2008), City of Tulare Climate Action Plan: Public Review Draft (2011), Transit-Oriented Development (TOD) (2011), Fire Protection and Emergency Services Master (2008), City of Tulare's website (2012 and 2013), City of Tulare Urban Water Management Plan (2010), Water Rate Analysis - Report (2012), City of Tulare fiscal year Budget 2010-2011 and 2012-2013, 2010 Census and correspondence with city staff.

Tulare County LAFCO will not be initiating the City's SOI update at this time. The City of Tulare's SOI update should wait until after the completion of their General Plan update. In 2008 the City updated its General Plan but the supporting environmental document was successfully challenged in court. Currently, the City is underway with revising its General Plan.

Attached is the Executive Summary with determinations for the updated City of Tulare MSR. The full version of the updated Draft was also posted for public review on LAFCO's website: <http://www.co.tulare.ca.us/lafco/default.asp>. Tulare County LAFCO has not received any additional comments prior to the August 7, 2013 meeting that have not been addressed in the MSR.

Recommendation

Adopt the Municipal Service Review and statement of determinations for the City of Tulare.

Attachments:

Updated Tulare MSR Written Determinations
Strikethrough and Underline Version of Text with Changes (Disk)
Tulare MSR Update (Disk)
Resolution of Adoption
County of Tulare Comment Letter

Written Determinations

CHAPTER 1

Population Trends & Projections

1. Based upon population estimates available from the California Department of Finance, the City had a population of approximately 61,199 as of January 2013.
2. Based on US Census data, Tulare experienced an average annual growth rate of 2.93% between 1990 and 2010. The economic downturn and housing market collapse has slowed growth in the City to an annual rate of 1.96% between 2007 and 2012 (based on DOF population estimates).
3. The historical growth rate of 2.93% between 1990 and 2010, the projected growth rate of 2.65% that is currently being used in the City's Draft General Plan Update and the projected growth rate of 2.72% based on DOF County population projections and the City's increasing share of County population all fall within the 2.5% to 3% growth rate range used in the 2007 MSR for the City of Tulare.
4. The City of Tulare's Draft General Plan Update currently assumes a population of 100,000 in 2030 which represents a 2.65% annual growth rate. A 2.65% growth rate appears to be a reasonable estimate in context with DOF population projections and the historical growth for the City.
5. Since the City of Tulare General Plan Update has not yet been adopted and is still subject to change, the population projections and other growth planning assumptions used in the development of the City's UDB should be reviewed again by the Commission during the next comprehensive SOI update for the City.

Growth Planning

6. The City uses multiple tools to plan for future growth, including but not limited to, General Plan Elements, Specific Plans, and Master Plans.
7. The City is currently in the process of revising the General Plan due to successful litigation filed against the City in 2008. In response to the lawsuit the City is revisiting its UDB boundary.
8. The General Plan Housing Element identifies potential constraints that could limit residential growth within the City, including staff resources to meet such spiked, high demand projected for issuing residential building permits. Planning and building department staff would have to be substantially augmented to meet the projected demands if the volume of applications were heavily peaked at a given time.
9. The City has an Urban Development Line (UDB), adopted as a part of the General Plan Land Use Element, which has been established to accommodate growth through 2015. The comprehensive update of the General Plan Land Use Element will evaluate and modify, as necessary, the UDB to accommodate 20 years of growth. As the City's UDB expands, it will also be necessary to expand the SOI as the UDB approaches the limits of the SOI Boundary.

10. Tulare has adopted the South Tulare Master Plan to expand the industrial base of the City. Ultimate development of the recommended land use concept would require expansion of the existing UDB, the existing SOI, and the existing City Limits.

Annexations/County Islands

11. Since 2006, Tulare has successfully annexed over 1,200 acres of land into the City.
12. The 2006 MSR for the City of Tulare included a determination that the City should pursue annexing the existing County Islands. It was determined that annexation of "County Islands" could help eliminate public confusion, and increase service efficiencies within these areas. The City of Tulare met its goal of annexing all the "County Islands" within its boundaries and currently there are no "County Islands" in the City of Tulare.

CHAPTER 2

Water

1. The current Master Plan has a planning area coterminous with the City's Urban Reserve Line, which lies within the City's UDB and SOI. When the City updates the Master Plan, it is recommended that the planning boundary be extended, at a minimum, to encompass the City's SOI, to ensure that adequate water supply can be provided to accommodate future growth consistent with General Plan Build-out.
2. Tulare's water supply source consists of a 30 domestic wells that are scattered throughout the City, extracting water from the City's underground aquifer. Newer wells drilled by the City over the past thirty-five years are gravel packed and have been drilled to approximately 700 feet. The older wells, and wells purchased by the City are generally around 350 feet deep. The City has one elevated water storage tank with a capacity of 150,000 gallons, and several hydro-pneumatic pressure tanks that are used for storage.
3. The City has an enterprise fund set up for the operation and maintenance of its water system, and a five year capital improvement program (CIP) for water, to implement capital water system improvements.
4. In 2012, the City produced 6,001 million gallons or 18,418 acre-feet (AF), which is equivalent to 16.4 million gallons per day (mgd) of water servicing a population of approximately 60,627. The average single-family residential customer has a monthly usage of 16 thousand gallons (Tgal). The City estimates that the current system operates at approximately 90%-95% of its capacity during summer (maximum demand) months.
5. The City's water supplies are periodically chlorinated to provide a disinfectant residual that is required by federal and state regulations and helps maintain a safe drinking water supply throughout the distribution system. This treatment process has proven sufficient to meet federal and state primary and secondary drinking water regulations. Hence, the quality of groundwater is not considered an impediment to water supply reliability at this time.
6. The City is engaged in an agreement with the Tulare Irrigation District (TID), in which the City compensates the District since the City's system benefits from the recharge of the aquifer as a result of the District's operations. The agreement was renewed in 2005 and

extends through year 2035.

7. In fiscal year 2005-2006 Per direction from the Board of Public Utilities, conversion of all connections to metered connections began. Since 2005, the City has installed water meters throughout the city and anticipates it will be fully metered by 2015. The City recently implemented a program to improve existing water meters, install additional water meters, and established automated meter readings systems for previously unmetered accounts. The intent of the improvements were to improve the accuracy of the water meters and enhance the City's ability to effectively complete water billing each billing cycle. The City recently installed 5,347 1-inch water meters to services that were not previously installed. There are now 16,756 water meters in the city.
8. The City completed its 2005 UWMP in 2007 and in 2011 completed the 2010 UWMP.
9. The City has a sound management structure in place that will continue to provide efficient water service to existing and future residents of Tulare. The City has recently adopted a five year series of rate increases to fund operations and unforeseen major repairs and/or improvements to the water system.
10. When evaluating any proposed SOI updates, LAFCO should consider which agency can most efficiently provide water service to the subject area and ensure that adequate planning has taken place for the provision of public services.

Wastewater Collection, Treatment and Disposal

11. The City of Tulare Sewer System Master Plan was last updated in July 2009 by Carollo Engineering. When the City updates the Sewer System Master Plan, it is recommended that the planning Boundary be extended to encompass the City's SOI in order to ensure that adequate sanitary sewer infrastructure can be provide to accommodate future growth consistent with General Plan Build-out.
12. The City has an enterprise fund set up for the operation and maintenance of its sewer/wastewater systems, and a five year CIP for sewer/wastewater, to implement capital sewer/wastewater system improvements.
13. The City of Tulare wastewater collection system consists of a series of pipes and lift stations that transport raw sewage to the City's wastewater treatment facility (WWTF) located southwest Tulare. The City's WWTF includes two separate wastewater treatment trains (WWTTs), one for domestic wastes, and the other for primarily industrial wastes, described as follows.
14. The City owns and operates a wastewater treatment facility (WWTF) located at the intersection of Paige Ave. and West St. in southwest Tulare. The WWTF is operated under the provisions of *Waste Discharge Requirements (WDR) Order No. R5-2002-0186*, issued by the California Regional Water Quality Control Board Central Valley Region. A new WDR was adopted in April 2013 replacing the prior WDR Order No. R5-2002-0185. The City's WWTF has two separate wastewater treatment trains (WWTT), a domestic WWTT, and an industrial WWTT.
15. Based upon information contained in the *Wastewater User Charge Survey Report FY 2007-2008* (Cal EPA – State Water Resources Control Board, May 2008), the average dry weather flow at the WWTF (combined flow for both treatment trains) is approximately

11.3 MGD. Recorded flows indicate that the WWTF is currently operating near its permitted capacity for the domestic WWTT. However, ongoing efforts to improve the plant's capacity and efficiency are expected to increase available capacity to serve future growth. It is likely that additional capacity improvements will need to occur to meet the 20-year growth needs of the City.

16. The expanded domestic WWTT is a 6.0 MGD capacity activated sludge plant that includes headworks with mechanical screens and an aerated grit chamber, primary and secondary sedimentation, biofiltration, activated sludge units, sludge thickening and digestion, and sludge drying. The secondary treatment plant's goal is to remove organic and solid materials and the nitrogen in the wastewater that can pollute the environment. The facility was built in 1920. Several major improvements have been made in the past 30 years to help handle these needs. The recent expansion in 2006 added an anoxic basin to help in the removal of nitrogen to meet the City's total nitrogen requirements, and the headworks were replaced in 2012.
17. The City's budget reflects continued efforts to anticipate and avoid any problems with the sewer/wastewater utilities, with many capital improvements included. Several million dollars in projects are proposed, and bonding and rate increases will continue to be needed.
18. Based upon a review of the City's budget for sewer/wastewater, it appears that the service is being managed in a cost effective and efficient manner. The City's effort to keep sanitary sewer rates in check is evident by the City's issuance of sewer bonds to construct capital improvements to the WWTF. The City is meeting the long term debt obligations of bond issuances.
19. As indicated in the original Municipal Service Review, there is no evidence suggesting that the City cannot continue to provide efficient water service to existing residents of Tulare. In addition, with continued ground water conservation efforts and infrastructure improvements it is likely that it could provide efficient water service to future residents.

Drainage Infrastructure

20. The Storm Water Management Plan outlines and directs the City's storm water related priorities and activities for the years 2009 through 2013. It provides a comprehensive five year plan to enhance and protect storm water quality in the City.
21. The City has a Storm Drainage Division that is funded through general fund appropriations, and, where appropriate, gasoline tax expenditures where storm drainage installations are in connection with major street projects.
22. Under an agreement with the TID, the City pumps storm water into the TID canal system. The majority of the storm water in the City is collected and flows to central points where it is pumped into the TID canal system under provisions of an agreement renewed in 2005. Disposal of storm water is also handled by means of storm drainage detention basins and storm drainage retention basins.
23. For fiscal year 2012-2013, \$249,600 was budgeted for the operation of the Storm Drainage Division.
24. The City assesses development impact fees for storm drain infrastructure consistent with

City Resolution Number 03-4988. The City storm drain impact fees are \$1,438 per single family dwelling.

25. The City has a five year CIP for storm drainage, to implement capital storm drainage system improvements.
26. The City will need to continually expand and improve its storm drain system to keep pace with development demands. As the City's storm drain system continues to expand, the City will likely need to add additional staff.
27. The City would be the most logical agency to provide storm drain infrastructure for development within the City's SOI. Past improvements to the City's storm drain system have significantly reduced flooding problems in the area.

Streets and Roads

28. The City plans for roadway transportation improvements through the implementation of General Plan Circulation Element Goals and Policies and Specific Planning.
29. The streets, roads, and circulation patterns in the City of Tulare was studied as a part of the General Plan Circulation Element, which was adopted by the City Council in 2008 but due to successful litigation the General Plan is being revised. This information base provides an excellent foundation for evaluating the transportation issues in the City.
30. For the fiscal year 2012-13 budget cycle \$2,405,490 was allocated to the Streets Division from the general fund. Estimated expenditures totaling \$2,405,490 include salaries and employee benefits totaling \$676,060 maintenance and operation totaling \$1,433,430 capital improvements/outlay totaling \$146,000 debt service totaling \$50,000, a \$100,000 operating transfer to Streets CIP. Capital improvements/outlay funded through general fund appropriations (\$100,000) includes allocations for defective concrete program alley repairs/maintenance , LED "Don't Walk", traffic loops, , Battery back-up system, Street light ballards and Traffic Signal Controllers. Debt service includes principal and interest payments for oversize liability.
31. The City continues to make steady progress towards upgrading and expanding its roadway infrastructure. The City continues to work towards improving the infrastructure that serves its citizens and has a detailed plan for constructing the needed improvements. The City's approach and plan for completing capital improvements is excellent, and in line with the needs of the community.

The Tulare Fire Department currently has 36.51 positions; 1 Fire Chief, 3 Division Chiefs, 0.51 Fire Investigators, 9 Fire Captains, 10 Fire Engineers, 7 Fire Fighter Paramedics, 3 Fire Fighter Paramedics (unfunded), 1 Fire Inspector III, 1 Fire Inspector II, 1 Fire Inspector, 3 fire stations, 5 fire engines, and 1 aerial ladder truck (Table 2.4). Standards included in the Tulare Fire Department's Master Plan call for 0.86 fire fighters per 1,000 residents, 0.08 fire stations per 1,000 residents, 0.086 fire engines per 1,000 residents, and 0.086 aerial ladders per 1,000 residents.

Based on the performance standards listed in the Master Plan and the City's current population, the Fire Department should have 48 fire fighters, 4 fire stations, 5 fire engines, and 5 aerial ladders. The department currently has 22 fire fighters including 1

Fire Chief, 3 division Chiefs, 9 Captains, and 10 Fire Fighter Paramedics. The result is the Tulare Fire Department has a deficit of 26 fire fighters, 1 fire station, and 4 aerial ladders when compared to the City standard.¹

32. The City continues to upgrade fire facilities and increase fire staff as needed to serve the residents of Tulare through capital improvement funds and general fund allocations.
33. The City adopted a Fire Department Master Plan in 2009. The Master plan addresses how the department should meet community needs and identifies specific goals and objectives to assure that Tulare citizens are adequately protected in the future.
34. The Tulare Police Department operates out of one main station located at 260 South “M” Street and three community policing sub-stations. The Tulare Police Department currently has 75 sworn officers, 9 non-sworn officers, 84 vehicles, and a 16,700-SF police station.
35. Current department standards call for two sworn officers per 1,000 residents, 0.56 non-sworn officers per 1,000 residents, 2 vehicles per 1,000 residents, and 177 SF of facility space per employee. Based on these requirements and the City’s current population, the Police Department should have 112 sworn officers, 31 non-sworn officers, 112 vehicles, and 25,345 SF main police station space. The result is the Tulare Police Department having a deficit of 37 sworn officers, 22 non-sworn officers, 28 vehicles, and 8,645 SF in police station space when compared against the City standard.
36. The Tulare Police Department continues to actively support proven crime prevention programs and to explore new and innovative methods to reduce crime in the City. Neighborhood watch crime prevention programs are proven and effective means to substantially reduce not only the incidence of residential burglaries in a specified geographic area, but the incidence of other crimes.
37. The City of Tulare had 405 violent crimes accounting for about 18 percent of the County’s total; 1,533 property for crimes about 17 percent of the County’s total; and 1,733 larceny-theft crimes for about 19 percent of the County total.
38. The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including but not limited to water, sewer, transportation, fire stations, police stations, libraries, administrative, and parks), and community facilities, and utility infrastructure, as well as attract targeted businesses and a stable labor force.

Solid Waste

39. Solid waste collection service is provided by the City while disposal services are provided through Tulare County via area landfills. The City’s solid waste collection operations are also integrated with the City’s street sweeping activities

¹ City of Tulare: 2008 Fire Protection and Emergency Services Master Plan

41. The City's solid waste division continues to be very active in providing quality services. A tenth residential route was added in fiscal year 2010-11 due to new housing growth since the last route that was added in 2002.
42. In 1989, the State of California passed the Integrated Waste Management Act. Assembly Bill 939 (AB 939) required all cities and counties implement programs to reduce landfill tonnage by 25% by the end of 1995, and 50% by the end of 2000. The eight Tulare County City's (Porterville, Visalia, Tulare, Lindsay, Dinuba, Farmersville, Exeter, and Woodlake) are involved in a Joint Power Authority (JPA) and are currently at 67% diversion
43. For fiscal year 2012-13, anticipated revenues of \$7,444,190 were projected to cover estimated expenditures totaling \$6,593,640. It appears that the solid waste/street sweeping division is operated in an effective and efficient manner, and meets the needs of current residents, with the ability to serve additional customers.
44. As employee (salaries/benefits), fuel costs, and landfill fees continue to rise, to keep pace with increasing demands and to keep the solid waste/street sweeping fund from incurring losses, refuse collection rate increased to \$20.90 in 2009, \$23.00 in 2010 and \$25.30 in 2011.
45. The City's street sweeping/solid waste division should be able to continue to provide solid waste collection/street sweeping services to existing and future residents, including SOI areas.

CHAPTER 3

Annual Budget

1. The City of Tulare has sound financing/funding practices in place in order to fund City provided services. The financing functions guide the City on how revenue can be best spent by considering the impact on the community, public perception/acceptance, difficulty of implementing, and impact on employees.
2. Property tax revenue is projected to remain flat at 0% growth to last year's revised revenue estimates.
3. Sales tax revenue estimates are projected at an additional 3% growth as compared to last year's revised revenue estimates.
4. Employee vacancies remain unfilled unless critical to the operation of the City of Tulare.
5. The Government Finance Officers Association (GFOA) recommends a reserve balance of no less than 5-15% of operating revenues in the general fund, or between one and two months of regular general fund expenditures.
6. The City assesses development impact fees to mitigate impacts on infrastructure resulting from new development projects. The City uses these fees to construct capital infrastructure improvements.

7. The City has had to reevaluate the method of approaching the budget the last few years. There has been a structural deficit in place for several years as expenses grew at a faster rate than revenues while management awaited economic recovery.

Local Funding

8. The capital improvement program is funded through development impact fees, and as appropriate, transfers from other City funds.

Outside Funding

9. The City also actively seeks outside funding through state and federal grant and loan programs. The City's grant writing efforts resulted in grants for the construction of parks, medians, asphalt rubber chip seals for city streets, police and fire protection, special projects and other benefits to the City.

Bond Ratings

10. In the past few years, the City has been selling bonds to finance expensive capital improvements to its WWTF and to refinance higher interest, existing borrowings. . These bonds have been rated "Aaa" by Moody's Investors Services and "AAA" by Standard and Pools.²

State Fiscal Impacts

11. The City identifies the biggest threat to City services over the past twenty years as the California State government. The constitutional protection passed in November 2004 reduces the unfortunate threat to the financial future of the City.
12. The City will need to continue to seek ways to offset revenue losses resulting from the state fiscal conditions. Additional revenue streams could be generated by continuing to aggressively seek state and federal grant funding, local tax initiatives, working with the private sector to fund certain activities, and promoting economic development that will generate tax revenue.

CHAPTER 4

Cost avoidance

1. The City of Tulare uses conservative budgeting practices to ensure adequate and cost-effective services to current residents. It can be expected that the City will avoid unnecessary costs that may be caused by the annexation of the proposed SOI areas through comprehensive analysis of the costs and benefits of a proposed development in those areas.
2. The City has a thorough and well-established budget process that it can continue to improve upon as a way of avoiding unnecessary costs.
3. Master planned infrastructure helps the City in avoiding unnecessary costs through effective planning and implementation policies, and eliminating overlapping and/or duplicative services.
4. The City's developer impact fee program has proven effective in reducing the financial responsibility of the City to install and maintain infrastructure to serve new developments. The primary financial responsibility for the installation and maintenance of infrastructure to serve the SOI areas would be offset by impact fees and expenses paid for by the developer.

² City of Tulare Comprehensive Annual financial Report for Fiscal Year Ended June 30, 2012.

5. The City has a well-defined purchasing policy that promotes healthy competition and guides the City in obtaining cost effective and quality services.
6. The City's use of landscaping and lighting districts, along with impact fees is an important aspect of avoiding future financial liability. The formation of homeowners associations for larger scale residential development could also help reduce the financial liabilities of the City.

Fee Structure

7. The City is able to provide quality service generally at comparable rates compared to than other cities within the County. There is no evidence suggesting that the annexation of areas within the SOI and/or UGB would result in unreasonable fees for these services as properties annex and develop within the city except to the extent that significant non-conforming uses exist in these areas. Also, to the extent that any areas within the SOI and/or UDB have existing infrastructure deficiencies. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services.

Current Shared Facilities

8. The City has worked with TCAG and Tulare County RMA on regional planning issues including transportation, solid waste, and coordinating applications to request State and/or Federal funding for joint projects.
9. The City has mutual aid agreements with surrounding jurisdictions to provide and/or receive emergency and fire support services.
10. The City actively works with the TID and the Kaweah Delta Water Conservation District on groundwater recharge, and water resource management issues.
11. The City coordinated with Caltrans on a new landscape project along SR 99 through Tulare and explored funding possibilities and set a timetable for wall construction along freeway abutting residential areas.

Future Opportunities

12. The City has several future opportunities to share services and/or facilities in the future, including but not limited to: groundwater recharge efforts, recreational facilities within mutual benefit areas, sharing facilities with the school district, and agricultural land preservation.

CHAPTER 5

Government structure options

1. Since development of properties within the SOI generally relies on Master Planned infrastructure available from the City, it is logical for the City to assume the lead in planning for these sites.
2. The City has a sound governmental structure that provides necessary resources to provide public services and infrastructure improvements within the SOI area.
3. Coordinated infrastructure plans for development within the SOI area that are submitted with specific annexation requests would create a checks and balance system for

incorporating lands into the City while promoting improvements to impacted adjacent County land.

4. Tulare County LAFCO has adopted specific policies for reviewing proposals for a change in organization, reorganization, incorporations, dissolution and other proposals processed by Tulare County LAFCO, including annexations, and SOI amendment proposals.
5. The City is currently underway with revising its General Plan and growth boundaries. An SOI update should wait until the completion of the City's General Plan update. However, the adoption of this MSR will allow for the Commission to hear SOI amendment requests pursuant to GC section 56428 and Tulare County LAFCO Policy C-5.7.
6. Currently, both the City of Visalia's and City of Tulare's SOI extend past their 20-year UDBs and meet along Avenue 264. Because of the relationship between the two cities' SOIs, it is recommended that both SOI updates be completed at the same time. The City of Visalia is also in the process of updating its General Plan and growth boundaries.
7. As part of the eventual SOI update, the location of the SOI in relation to the various unincorporated communities around Tulare will need to be reviewed. There are several communities that are within one growth boundary but not the other. Government Code section 56425(e)(4) allows for the inclusion of "Communities of Interest" in an agency's SOI.

Management Efficiencies

8. The City has an effective organizational structure that is readily available to respond to the needs of the community.
9. The numerous awards and recognitions the City has received are indicators of the City's excellent management strategies to respond to the needs of the community and its citizens.
10. There is no evidence indicating that the City's current management structure would not be able to assume services within the SOI area, and/or continue to assist other agencies through mutual aid agreements.
11. As a part of the budget process, the City evaluates the accomplishments during the previous budget cycle, and also outlines specific objectives for the following budget cycle. This is done for each department at the division level.

Local Accountability and Governance

12. The City complies with the Brown Act Open-Meeting Law and provides the public with opportunities to get information about City issues, including website and phone access, and bill inserts. The City also posts a calendar of events, and on a quarterly basis, a discussion of "Current City Issues", on their website (www.ci.tulare.ca.us).
13. The City maintains a comprehensive website, which provides a means to keep the public informed on local events, current City projects, department budgets, recreational activities, and other activities occurring in the City.

14. The City conducts public workshops to keep the public involved with local planning issues including land use, housing, circulation, and other issues key to the development and growth of Tulare.
15. The City continues to demonstrate acceptable local accountability and governance by responding, in a timely fashion, to the needs of the community and its citizens.

CHAPTER 6

Disadvantaged and Other Developed Unincorporated Communities

1. There are five unincorporated communities within the existing City SOI (Matheny Tract, Tract 396, Lone Oak Tract, Soults Tract and Tract 103) and one unincorporated community (East Tulare Villa) that would be adjacent to the SOI if an annexation of the COS campus is approved. Matheny Tract, East Tulare Villa, Lone Oak Tract and Soults Tract have been determined by LAFCO to be disadvantaged pursuant to Government Code and local adopted policy. The City of Tulare has not made a similar determination.
2. Tract 396 is connected to CalWater's Visalia system. East Tulare Villa is served by CalWater's Tulco system. Lone Oak Tract is connected to the City of Tulare's system. Tract 103 is served by individual wells. Soults Tract is served by the Soults Mutual Water Company. Matheny Tract is served by Pratt Mutual Water Company but is in the process of connecting to the City of Tulare's system.
3. Matheny Tract's arsenic contamination issues are being resolved by the replacement of existing infrastructure and connection into the City system. Soults Tract domestic water has nitrate contamination and there is an outstanding grant request that would also enable the replacement of existing infrastructure and connection into the City system.
4. All of the unincorporated communities sewer service are individual septic systems. The County is discussing with the City about possibly extending City sewer service to Matheny Tract.
5. The unincorporated communities are primarily served by the County fire department. The City and the County have a mutual-aid agreement for fire protection services with 3 City fire stations and 1 County fire station in the Tulare area.
6. The inclusion of the various unincorporated communities around Tulare in its SOI shall be reviewed in the next SOI update.

Conflicting Growth Boundaries

7. LAFCO shall determine the SOI for the City of Tulare pursuant to State law and Tulare County LAFCO Policy C-5.
8. The City of Tulare's SOI Update should wait until after the completion of their General Plan Update. SOI amendments can occur following the adoption of this MSR update.
9. Due to the relationship of the City of Tulare's and Visalia's SOIs, the SOI updates for both of the cities should be completed contemporaneously.

10. The City and County have entered into a MOU to (among other issues) use their best efforts to adopt UDBs coterminous with the SOI.

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Adoption of the)
Municipal Service Review Update)
For the City of Tulare)

RESOLUTION NO. 13-0xx

WHEREAS, the Commission is authorized by Government Code Section 56430 to conduct a service review of the municipal services provided in the county or other appropriate area designated by the Commission and prepare a written statement of its determinations; and

WHEREAS, Government Code Section 56425(g) requires the commission to review and update all spheres of influence (SOI), as necessary, every five years; and

WHEREAS, a service review must be completed before the Commission can consider an update to a SOI for a city or a district which provides municipal services as defined by Commission policy; and

WHEREAS, on March 1, 2006, the Commission adopted the first Municipal Service Review (MSR) and statement of determinations for the City of Tulare (Resolution 06-010); and

WHEREAS, on May 15, 2013 this MSR was posted on the Commission's website for review and comment; and

WHEREAS, adoption of the MSR was continued from the June 5, 2013 LAFCO meeting to give LAFCO staff an opportunity to make minor updates and clarifications submitted by the City of Tulare; and

WHEREAS, the Tulare MSR and its determinations have been updated to allow for the Commission's consideration of a comprehensive update to the City's SOI.

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

1. The information, material and facts set forth in the report of the Executive Officer and updated MSR Report for the City of Tulare including any corrections have been received and considered.

2. All notices required by law and Commission policy have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

3. The Commission hereby finds the updated Tulare MSR:

(a) Includes a subregion of the county appropriate for an analysis of the services to be reviewed;

(b) Contains a written statement of the Commissions' determination of the subjects required to be analyzed in an MSR, and

(c) Reviews all of the agencies that provide the service or services within the designated geographic area as set forth in LAFCO policy C-5.

4. The Municipal Service Review Report, including statement of determinations, for the City of Tulare is hereby adopted.

The foregoing resolution was adopted upon motion of Commissioner XXX and seconded by Commissioner XXX, at a regular meeting held on this 7th day of August 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA. 93277.
PHONE (559) 624-7000

Michael C. Spata
Britt L. Fussel

Planning
Public Works

JAKE RAPER JR., AICP, DIRECTOR

June 5, 2013

Ben Giuliani, Executive Officer
Tulare County Local Agency Formation Commission
210 N. Church St., Suite B Visalia, CA 93291
Re: Tulare Municipal Service Review (MSR)

Dear Mr. Giuliani:

Thank you for the opportunity to review the City of Tulare Municipal Services Review (MSR) prepared by the Tulare County Local Agency Formation Commission (LAFCO) dated June 2013. This letter is prepared in response to correspondence received from LAFCO staff on May 15, 2013 which indicated that the draft MSR is currently available for public review and comment until June 5, 2013.

Essentially, the MSR will form the background and basis to consider the City's SOI Amendment. The MSR contains information about the municipal services provided by the City of Tulare. Information has been gathered about the capacity of services, the ability to provide services, the accountability for service needs, and the efficiency of service provision. The Tulare SOI will be considered after Tulare adopts its General Plan Update.

We concur and support the following written determinations as recommended by LAFCO staff:

CHAPTER 5

Government structure options (Written Determinations 5, 6, and 7)

5. The City is currently underway with revisiting its General Plan and growth boundaries. An SOI update should wait until the completion of the City's General Plan update. However, the adoption of this MSR will allow for the Commission to hear SOI amendment requests pursuant to GC section 56428 and Tulare County LAFCO Policy C-5.7.

6. Currently, both the City of Visalia's and City of Tulare's SOI extend past their 20-year UDBs and meet along Avenue 264. Because of the relationship between the two cities' SOIs, it is recommended that both SOI updates be completed at the same time. The City of Visalia is also in the process of updating its General Plan and growth boundaries.

7. As part of the eventual SOI update, the location of the SOI in relation to the various unincorporated communities around Tulare will need to be reviewed. There are several communities that are within one growth boundary but not the other. Government Code

section 56425(e)(4) allows for the inclusion of “Communities of Interest” in an agency’s SOI.

Disadvantaged and Other Developed Unincorporated Communities (Written Determination 13)

13. The inclusion of the various unincorporated communities around Tulare in its SOI shall be reviewed in the next SOI update.

Conflicting Growth Boundaries (Written Determinations 15 and 16)

15. To the extent feasible, the City of Tulare’s SOI update should wait until after the completion of their General Plan update and after the completion of the City/County MOU process.

16. Due to the relationship of the City of Tulare’s and Visalia’s SOIs, the SOI updates for both of the cities should be completed contemporaneously.

CHAPTER 6

Disadvantaged and Other Developed Unincorporated Communities (Written Determination 6)

6. The inclusion of the various unincorporated communities around Tulare in its SOI shall be reviewed in the next SOI update.

Conflicting Growth Boundaries (Written Determinations 8, 9, and 10)

8. The City of Tulare’s SOI update should wait until after the completion of their General Plan update and after the completion of the City/County MOU process.

9. Due to the relationship of the City of Tulare’s and Visalia’s SOIs, the SOI updates for both of the cities should be completed contemporaneously.

10. The City and County have entered into a MOU to (among other issues) use their best efforts to adopt UDBs coterminous with the SOI.

Status of, and Opportunities for, Cost Avoidance and Shared Facilities (Pages 72 – 77)

The inclusion of the recently adopted MOU between the City of Tulare and Tulare County provides an opportunity for the City to establish Development Impact Fees within the SOI for the cost of infra-structure such as Parks, Water, Flood, etc. The MOU establishes a reciprocal collection of Development Impact Fees to off-set increased demand for services due to new growth.

Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies – Development within the SOI Areas (pages 78-79)

The MOU entered into by the City of Tulare and County of Tulare provides for the mutual collection of Development Impact Fees as well as a cooperative working

relationship between the City and County where development is proposed within the County's designated UDB. The MOU identifies generally that development within the UDB that may occur under County control would be subject to City Standards and fees that are adopted by the County. Reciprocal collection of Development Impact Fees assists in off-setting potential impacts to City services and County services.

We thank you and LAFCO for the opportunity to comment this matter. In conclusion, we support the adoption of the City's MSR.

Sincerely,

A handwritten signature in blue ink that reads "Jake Raper, Jr." with a stylized flourish at the end.

Jake Raper, Jr., AICP
Director

cc: Don Dorman, City Manager, City of Tulare
Mark Kielty, Planning and Building Director, City of Tulare
Jean Rousseau, Tulare County Administrative Officer



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church St., Suite B, Visalia, CA 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

COMMISSIONERS:
*Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen*

ALTERNATES:
*Mike Ennis
Dennis Mederos
Janet Hinesly*

EXECUTIVE OFFICER:
Ben Giuliani

August 7, 2013

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Ben Giuliani, Executive Officer

SUBJECT: Government Land Ownership in relation to the American Farmland Trust (AFT) report, entitled "*Saving Farmland, Growing Cities*"

Background

Staff has been providing information to the Commission in relation to performance measures for conserving farmland in the San Joaquin Valley cited in AFT's report, "Saving Farmland, Growing Cities". At the Commission meeting in May, staff reviewed a number of strategies for conserving farmland which were included in Tulare County's recent general plan update. At the Commission meeting in June, staff reviewed farmland conversion information developed from the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). The Commission also requested information regarding state and federal land ownership over time with relation to the loss of available farmland.

Discussion

Based on available Geographic Information System (GIS) parcel ownership data, data has been compiled for changes in government land ownership from 1998 to 2013. The analysis in this report is more focused on state and federal land ownership due to their emphasis on natural habitat conservation. A large percentage of district owned lands are irrigation canals, ponding basins and treated effluent irrigated croplands that aren't in conflict with agriculture. Most city owned land is already within their incorporated boundaries.

Table 1 shows government land ownership in Tulare County in 1998 and 2013 and the net change during that time period. During this time period, federal land ownership increased by 23.0 square miles and state land ownership increased by 1.7 square miles. As a comparison, also during this time period, 21.6 square miles of land was annexed into cities and urban service providing special districts. However, this data doesn't directly show or compare the impact to agricultural land.

Table 1 – Government Land Ownership, 1998 to 2013

	1998 (Sq. Mi.)	2013 (Sq. Mi.)	Change (Sq. Mi.)	1998 % of County	2013 % of County
District	22.2	34.9	12.7	0.46%	0.72%
City	9.7	14.1	4.4	0.20%	0.29%
County	6.3	8.2	1.9	0.13%	0.17%
State	24.2	25.9	1.7	0.50%	0.54%
Federal	2,459.3	2,482.3	23.0	50.82%	51.30%
TOTAL	2,521.6	2,565.3	43.7	52.11%	53.01%

Notes: Road right of way is not included. "District" includes special districts and school districts. Total County area is 4,839 sq. mi.

To better compare state and federal government ownership of land to city annexations, attached are the following three maps:

Figure 1 – Shows federal and state owned land and city boundaries in 1998. The solid black line on this map and the other maps shows the line between the Rural Land Valley Plan (RLVP) area and the Foothill planning area (roughly along the 600 foot elevation line).

Figure 2 – Shows federal and state owned land and city boundaries as the currently exist in 2013.

Figure 3 – Shows federal and state acquired land and city annexations between 1998 and 2013. Note: 1998 was used as the starting point because this was the earliest date that had available Geographic Information System (GIS) based parcel ownership data.

Table 2 shows state and federal government land ownership in the Valley portion of the County. The land ownership data also excludes state and federal owned land within existing city limits. From 1998 to 2013, federal land ownership in the Valley increased by 10.6 square miles while state land ownership increased by 1.8 square miles. Much of the increase in state and federal land ownership occurred in the southeast portion of the County. It also should be noted that these figures do not include conservation easements on privately held land for natural habitat. City annexation of undeveloped land, excluding agricultural land annexed for treated effluent irrigation, totaled 14.8 square miles for this time period.

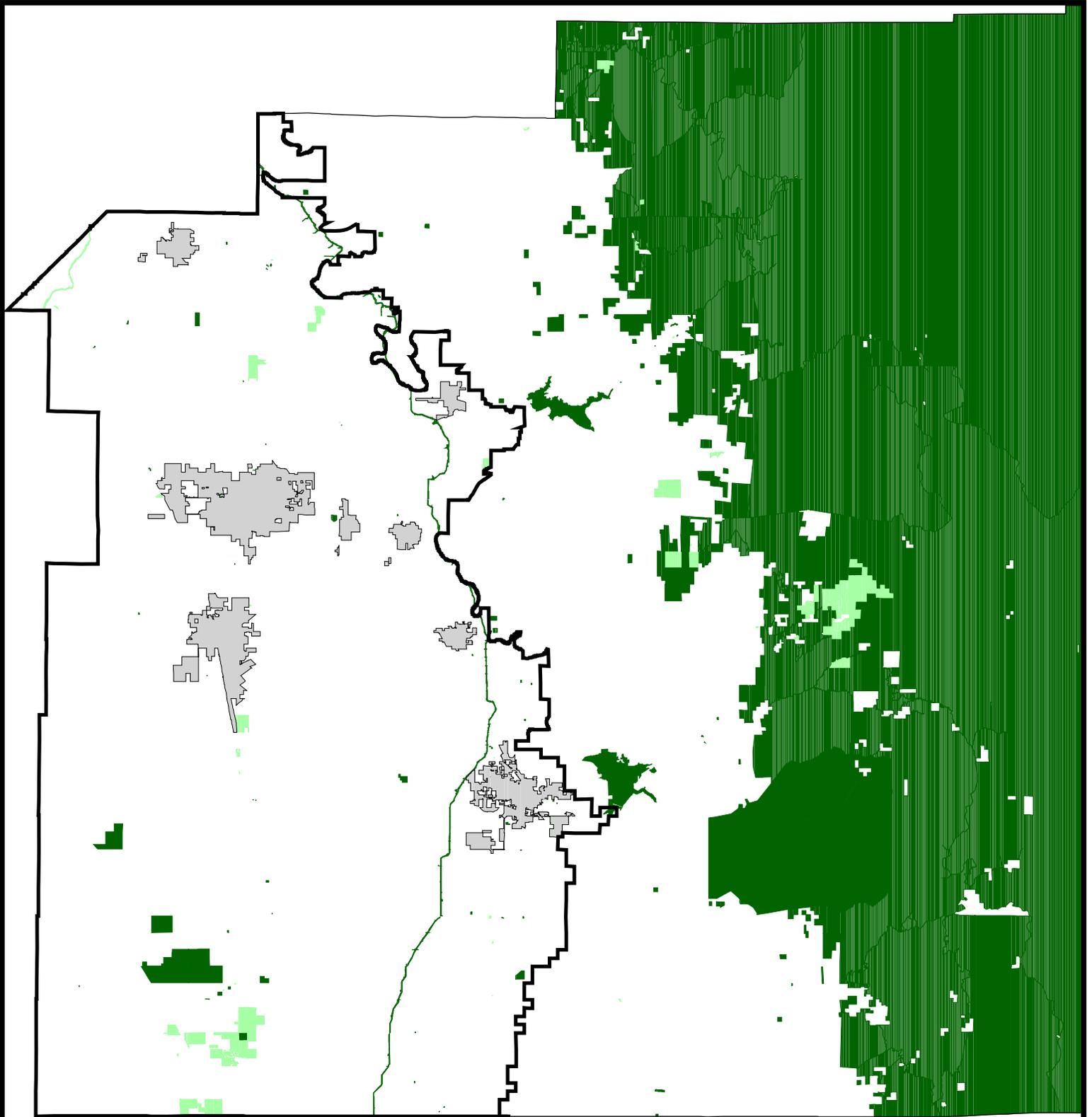
Table 2 – Valley Government Land Ownership, 1998 to 2013

	1998 (Sq. Mi.)	2013 (Sq. Mi.)	Change (Sq. Mi.)	1998 % of Valley	2013 % of Valley
State	10.4	12.1	1.8	0.77%	0.90%
Federal	14.9	25.5	10.6	1.10%	1.89%
TOTAL	25.3	37.7	12.4	1.87%	2.79%

Notes: Road right of way is not included. Total Valley area, less incorporated cities, is 1,351 sq. mi.

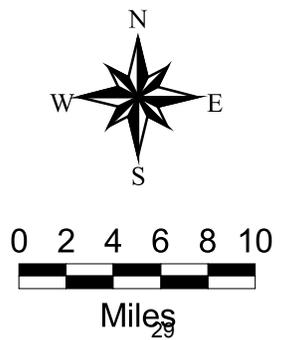
Conclusion

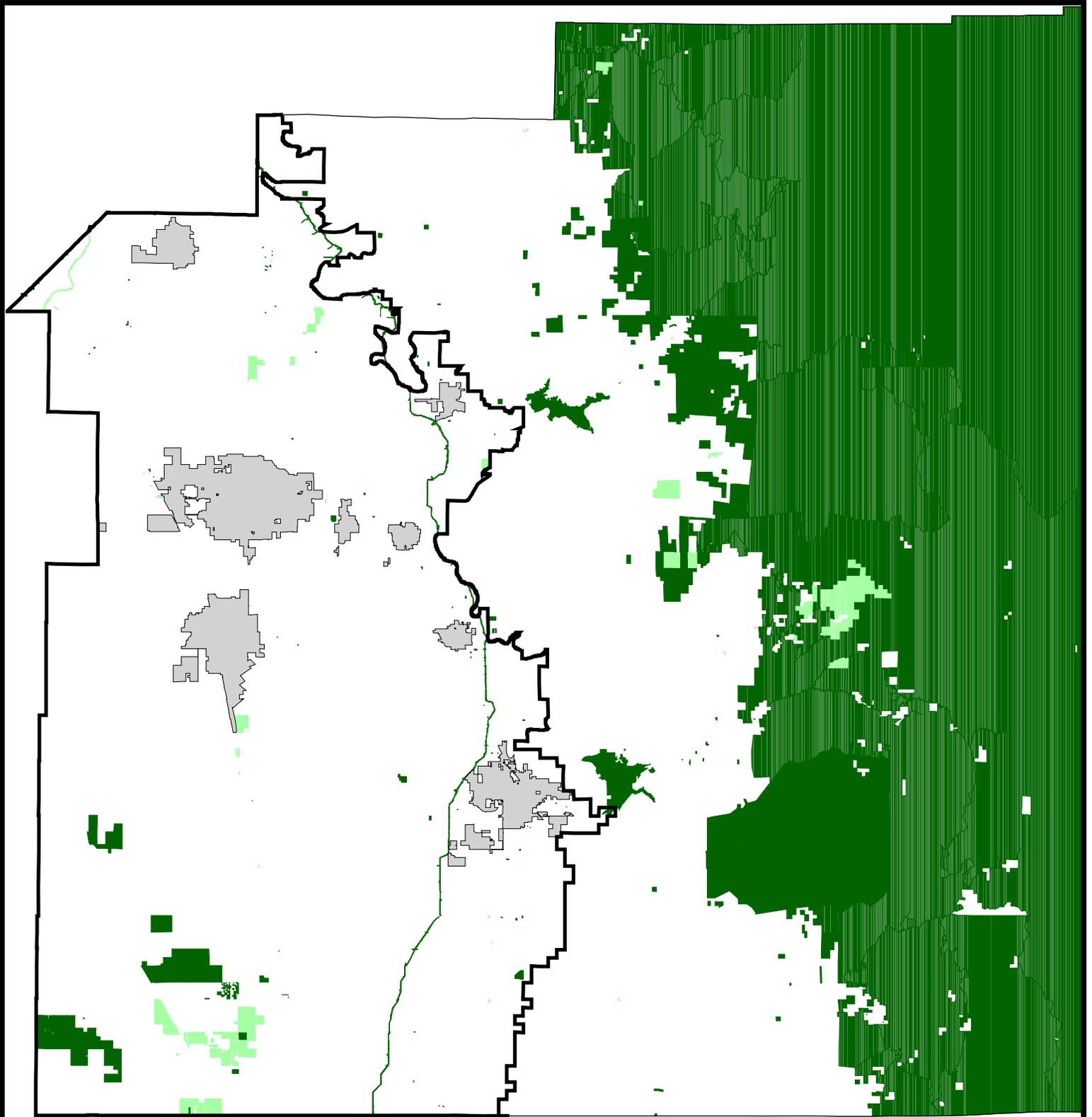
The total increase of federal and state land ownership in the Valley portion of the County at 12.4 square miles almost equals the amount of city annexed undeveloped land at 14.8 square miles. While the loss of agricultural land to urban development is a key concern for the County, the amount of land removed from potential agricultural production through state and federal acquisition is also an important consideration for agricultural land preservation.



-  VALLEY FLOOR
-  CITIES
-  STATE LAND
-  FEDERAL LAND

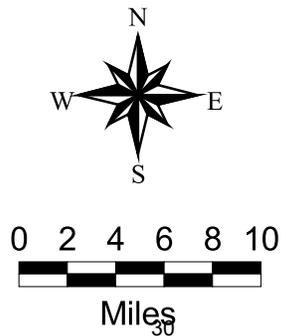
Tulare County Federal and State Land 1998

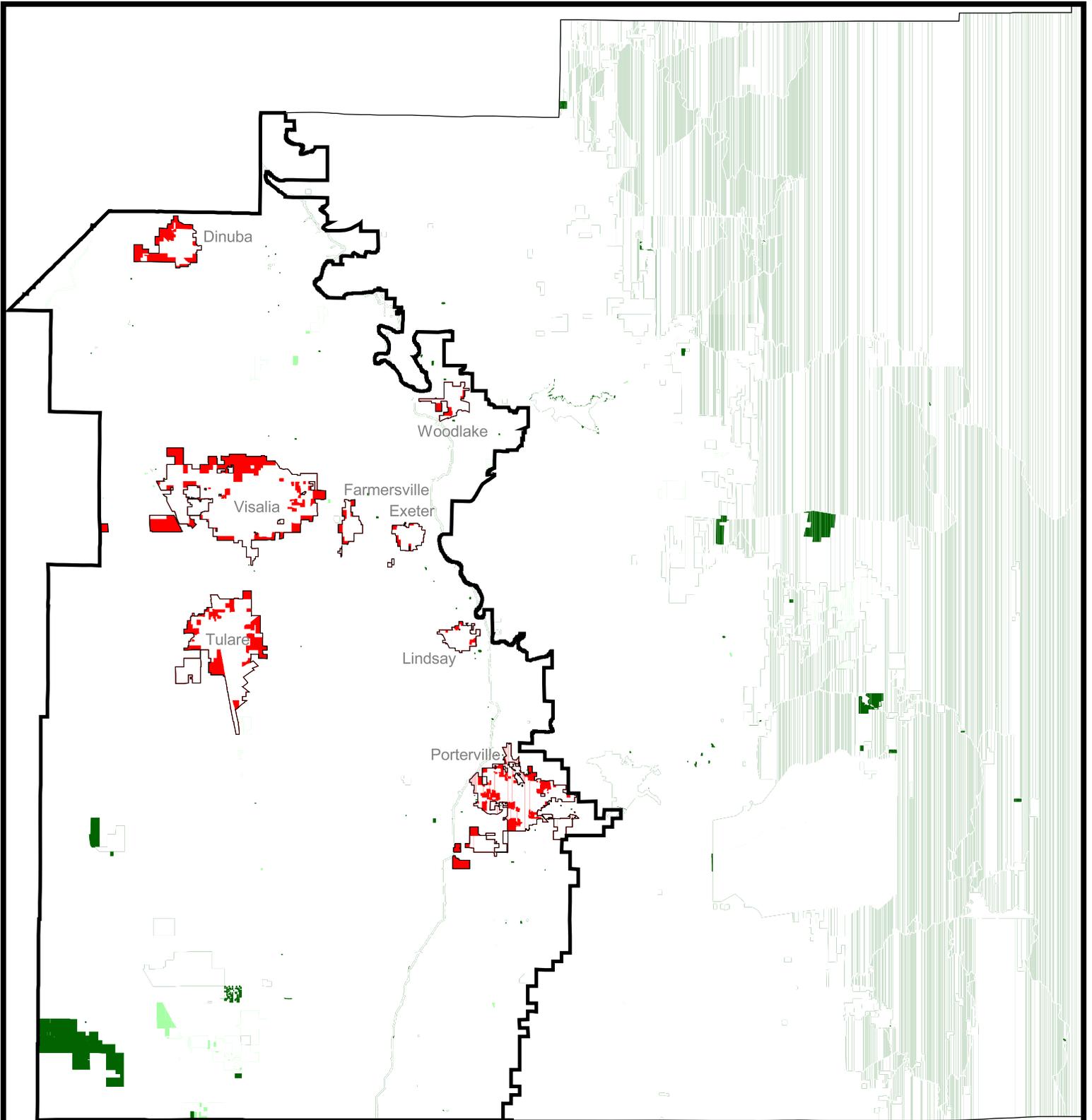




-  VALLEY FLOOR
-  CITIES
-  STATE LAND
-  FEDERAL LAND

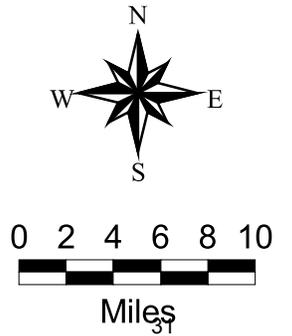
Tulare County Federal and State Land 2013





-  VALLEY FLOOR
-  CITIES
-  STATE LAND
-  FEDERAL LAND
-  ANNEXATIONS

Tulare County Federal and State Acquired Land & City Annexations 1998 - 2013



This page intentionally left blank.

AB 453 (Mullin D) Sustainable communities.

Current Text: Amended: 7/3/2013 [pdf](#) [html](#)

Introduced: 2/19/2013

Last Amended: 7/3/2013

Status: 7/3/2013-Read second time and amended. Re-referred to Com. on APPR.

Calendar: 8/12/2013 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary: The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

Position: Sponsor

Subject: Sustainable Community Plans

CALAFCO Comments: This would allow LAFCoS to apply directly for grants that support the preparation of sustainable community strategies and other planning efforts.

AB 678 (Gordon D) Health care districts: community health needs assessment.

Current Text: Amended: 4/15/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/15/2013

Status: 7/8/2013-From committee: Do pass and re-refer to Com. on APPR. with rec: to consent calendar. (Ayes 9. Noes 0.) (July 3). Re-referred to Com. on APPR.

Calendar: 8/12/2013 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary: Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

Position: Support

Subject: LAFCo Administration, Service Reviews/Spheres

CALAFCO Comments: This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFCoS to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

AB 743 (Logue R) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Current Text: Amended: 6/11/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 6/11/2013

Status: 7/8/2013-Read third time. Passed. Ordered to the Assembly. (Ayes 33. Noes 0)

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes a local agency formation commission to approve, after notice and hearing, a petition for a change of organization or reorganization of a city, if the petition was initiated on or after January 1, 2010, and before January 1, 2014, and waive protest proceedings entirely if certain requirements are met. This provision applies only to territory that does not exceed 150 acres. This Bill would delete the January 1, 2014, date and make conforming changes. This bill contains other related provisions and other existing laws.

Position: Support

Subject: Annexation Proceedings, CKH General Procedures

CALAFCO Comments: As amended, this bill removes the sunset date provision to waive protest proceedings for certain island annexations.

Unincorporated islands are more costly and inefficient for counties to administer as opposed to the local municipality. A sunset date was initially established on this ability to encourage the use of the provision and was extended to allow cities and LAFCOs additional time to implement island annexation programs. The unforeseen economic downturn over the past five years has significantly hampered the initial progress, and with the sunset ready to expire at the beginning of next year, cities and LAFCOs have yet to complete the work that the law intended them to do. Over the twelve year period since the law was established, hundreds of islands have been annexed, yet hundreds more remain.

Additionally, the bill was amended to reset the effective island creation date from January 1, 2000 to January 1, 2014 thus allowing smaller islands of less than 150 acres created after 2000 to be annexed under these provisions. Many of these current islands remained as remnants of larger substantially surrounded island areas that had irregular boundaries or were affected by the annexation of territory for newer development.

AB 1427 (Committee on Local Government) Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Current Text: Enrolled: 6/26/2013 [pdf](#) [html](#)

Introduced: 4/1/2013

Last Amended: 4/30/2013

Status: 6/24/2013-In Assembly. Ordered to Engrossing and Enrolling.

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (act), provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would specify that the definition excludes any independent special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. This bill contains other related provisions and other existing laws.

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: Cortese-Knox-Hertzberg Omnibus bill.

SB 56 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 6/11/2013 [pdf](#) [html](#)

Introduced: 1/7/2013

Last Amended: 6/11/2013

Status: 6/19/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0. Page 1449.) (June 19). Re-referred to Com. on APPR.

Summary: Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill contains other related provisions and other existing laws.

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates revenues through ERAF (backfilled by the General Fund) for cities incorporating after 2005 and annexations of inhabited territories.

AB 21 (Alejo D) Safe Drinking Water Small Community Emergency Grant Fund.

Current Text: Amended: 2/14/2013 [pdf](#) [html](#)

Introduced: 12/3/2012

Last Amended: 2/14/2013

Status: 6/27/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 26). Re-referred to Com. on APPR.

Calendar: 8/12/2013 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary: Would authorize the Department of Public Health to assess a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and deposit that money into the Safe Drinking Water Small Community Emergency Grant Fund, which the bill would create in the State Treasury. The bill would authorize the department to expend the money for grants for specified water projects that serve disadvantaged and severely disadvantaged communities, thereby making an appropriation.

Position: Watch

Subject: Disadvantaged Communities

AB 115 (Perea D) Safe Drinking Water State Revolving Fund.

Current Text: Amended: 6/17/2013 [pdf](#) [html](#)

Introduced: 1/14/2013

Last Amended: 6/17/2013

Status: 7/1/2013-In committee: Placed on APPR. suspense file.

Summary: Would authorize the State Department of Public Health to fund projects, by grant, loan, or a combination of the two, where multiple water systems apply for funding as a single applicant for the purpose of consolidating water systems or extending services to households relying on private wells, as specified. The bill would authorize funding of a project to benefit a disadvantaged community that is not the applying agency. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Water

AB 1235 (Gordon D) Local agencies: financial management training.

Current Text: Amended: 7/1/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 7/1/2013

Status: 7/1/2013-Read second time and amended. Re-referred to Com. on APPR.

Calendar: 8/12/2013 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary: Would require a local agency official, in local agency service as of January 1, 2014, or thereafter, except for an official whose term of office ends before January 1, 2015, to receive training in financial management if the local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of a legislative body. The bill would provide that if any entity develops criteria for the financial management training, then the Treasurer's office and the Controller's office shall be consulted regarding any proposed course content. The bill would declare that the edification of local government officials in financial management is a matter of statewide concern, thus making it applicable to charter cities, charter counties, and charter cities and counties.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, the member shall receive one-4 hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCo Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties.

AB 1248 (Cooley D) Controller: internal control guidelines to local agencies.

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/24/2013

Status: 6/25/2013-From committee: Do pass and re-refer to Com. on APPR. with rec: to consent calendar. (Ayes 11. Noes 0.) (June 25). Re-referred to Com. on APPR.

Calendar: 8/12/2013 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary: Would require the Controller, on or before 1/1/15, to develop internal control guidelines applicable to a local agency, as defined, to prevent and detect financial errors and fraud, based on specified standards and with input from any local agency and organizations representing the interests of local agencies. This bill would require the Controller to, by the same date, post the completed internal control guidelines on the Controller's Internet Web site and update them, as deems necessary, as specified.

Position: None at this time

Subject: LAFCo Administration

SB 181 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/3/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Last Amended: 5/28/2013

Status: 7/3/2013-Chaptered by the Sec. of State, Chapter Number 57, Statutes of 2013

Summary: This bill would enact the First Validating Act of 2013, 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: Support

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

AB 240 (Rendon D) Mutual water companies.

Current Text: Amended: 7/1/2013 [pdf](#) [html](#)

Introduced: 2/5/2013

Last Amended: 7/1/2013

Status: 7/2/2013-Read second time. Ordered to third reading. To Com. on B. & F.R.

Summary: Would require a board member of a mutual water company that operates a public water system to repeat the training course regarding the duties of board members every 6 years. This bill would enact the Mutual Water Company Open Meeting Act, which would apply to all mutual water companies, and would permit an eligible person to attend a meeting of a mutual water company, as those terms are defined, and to speak during the meeting, except as provided. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Other

CALAFCO Comments: Enacts the Mutual Water Company Open Meeting Act and requires mutual to adopt budgets in open meetings and take public comment. Also requires mutuals to provide certain records to the public upon request.

AB 792 (Mullin D) Utility user tax: exemption: distributed generation systems.

Current Text: Amended: 7/9/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 7/9/2013

Status: 7/9/2013-Read second time and amended. Ordered to third reading.

Summary: Current law provides that the board of supervisors of any county may levy a utility user tax on the consumption of, among other things, gas and electricity in the unincorporated area of the county. This bill would exempt from any utility user tax imposed by a local jurisdiction, as defined, the consumption of electricity generated by a renewable distributed generation system that is installed for the exclusive use of a single customer.

Position: None at this time

Subject: Public Records Act

CALAFCO Comments: Relates to public agencies who post their meeting information on their website pursuant to the Ralph M. Brown Act. In the instances where they are unable to post the agenda on the website in the prescribed timeframe due to technology difficulties, the agency is required to post the meeting agenda and information on the website as soon as the technological difficulties are resolved.

SB 184 (Comm. on Governance and Finance) Local government: omnibus bill.

Current Text: Amended: 6/10/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Last Amended: 6/10/2013

Status: 7/3/2013-From committee: Do pass. Ordered to consent calendar. (Ayes 17. Noes 0.) (July 3).

Summary: Current law requires any person who intends to offer subdivided lands within this state for sale or lease to file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire, as specified. This bill would specify that a lot, parcel, or unit satisfies the requirement that it be improved with a completed residential structure if it is improved with a completed residential structure at the time it is conveyed by the subdivider. This bill contains other related provisions and other existing laws.

Position: Support

SB 359 (Corbett D) Environment: CEQA exemption: housing projects.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 4/1/2013

Status: 6/25/2013-From committee: Do pass and re-refer to Com. on H. & C.D. with recommendation: To consent calendar. (Ayes 9. Noes 0.) (June 24). Re-referred to Com. on H. & C.D.

Calendar: 8/12/2013 1:30 p.m. - State Capitol, Room 127 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHAU, Chair

Summary: CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial

evidence that the project, as revised, would have a significant effect on the environment. This bill would instead exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: This bill would exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project.

SB 436 (Jackson D) California Environmental Quality Act: notice.

Current Text: Amended: 4/3/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/3/2013

Status: 7/3/2013-From committee: Do pass. (Ayes 12. Noes 5.) (July 3).

Summary: Would require a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: Requires lead agencies to conduct at least one public scoping meeting for proposed projects and increases notification requirements for lead agencies.

SB 633 (Pavley D) CEQA.

Current Text: Amended: 5/6/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/6/2013

Status: 7/1/2013-Do pass as amended and be re-referred to the Committee on Appropriations.

Summary: The California Environmental Quality Act prohibits a lead agency or responsible agency from requiring a subsequent or supplemental environmental impact report (EIR) when an EIR has been prepared for a project pursuant to its provisions, unless one or more of specified events occurs, including, among other things, that new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. This bill would specify that the new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

SB 731 (Steinberg D) Environment: California Environmental Quality Act and sustainable communities strategy.

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/24/2013

Status: 7/1/2013-Do pass as amended and be re-referred to the Committee on Local Government.

Summary: Would provide that aesthetic impacts of a residential, mixed-use residential, or employment center project, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and propose, and the Secretary of the Natural Resources Agency to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority areas. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

DEAD BILLS:

SB 772 (Emmerson R) Drinking water – Would have required LAFCOs as part of a MSR, to request information from identified public or private entities that provide wholesale or retail supply of drinking water, including the identification of any retail water suppliers within or contiguous to the responding entity. Further required LAFCOs to provide a copy of the SOI review for retail private and public water suppliers to the Public Utilities Commission and the state department of Public Health.

AB 543 (Campos D) CEQA: translation – Would have required a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% or more non-English speaking people affected by the project. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

AB 642 (Rendon D) Publication: newspaper of general circulation: Internet - Would have provided that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

AB 823 (Eggman D) Environment: California Farmland Protection Act – Would have added requirement for lead agencies to require certain mitigation measures for projects that convert ag lands for non-ag land use. These mitigation measures at a minimum require providing replacement acreage in perpetuity to preserve ag land.

News from the Board of Directors

CALAFCO QUARTERLY

July 2013



2013 Annual Conference Update

Early registration closes July 29th. Registrations received by CALAFCO after that date will need to pay the higher rate. Hotel room reservations cutoff date is July 25th. Rooms have been going quickly so if you have not made your reservation yet, you will want to do that ASAP.



The Planning and Host Committees, under the leadership of Josh Susman, SR Jones, Kris Berry, José Henríquez, and Sam Martinez, have created a value-added program and experience for this year's conference, and we look forward to seeing everyone there. The mobile workshop will be a breathtaking ride in the aerial tram to the top of High Camp, where you will tour the Olympic Museum and hear from a top-notch panel on the challenges of community development in an area of beauty and environmental sensitivity.

Other conference guest speakers include:

- ◆ Ken Alex, Director of OPR
- ◆ JoAnne Speers, Executive Director, ILG
- ◆ Gary Winuk, Chief Enforcement Officer, FPPC
- ◆ Dr. Gerald Meral, Deputy Secretary, CA Natural Resources Agency
- ◆ Rich Atwater, Executive Director, So Cal Water Committee
- ◆ Tim Quinn, Executive Director, ACWA
- ◆ Judge David Rosenberg, Superior Court Judge Yolo County

Details are located on the CALAFCO website along with the registration forms.



2013 CALAFCO Board Elections and Awards Nominations Packets Distributed



The board election nomination period closes July 29th. Nomination packets are available in the members section of the CALAFCO website. Achievement Award nomination period is now closed.

CALAFCO U Courses Added



The *Performance Measures and MSR Strategies* CALAFCO U session was highly successful and due to a number of requests to repeat this session in a more accessible location, another has been scheduled for **October 10th** in Sacramento. AICP Credits available.

Another CALAFCO U session has been scheduled for the Clerks on **November 14th** in Sacramento. This session is titled *Creating a Clerk's Manual: The Roadmap to Success*. Registration for both sessions will be made available soon on the CALAFCO website.

CALAFCO Board Actions

During their regular meeting on July 12, the Board took a number of other actions and received updates as follows:

- ◆ The projected year-end financial reports were reviewed and the budget is on track to close positively this year. All financial reports are located on the website. The final FY 2012/2013 budget and 990 filings will be presented to the Board during their August 30th meeting.
- ◆ The Board approved a two-month contract extension for the Executive Director through mid-November, at which time a full evaluation will be conducted and contract renewal discussed.
- ◆ The Board adopted a resolution proclaiming July 17, 2013 as LAFCo day throughout the state, in honor of the 50th anniversary of the signing of the original legislation creating LAFCos on that day in 1963. This resolution will be displayed, along with a number of others that have been adopted throughout the state, at the annual conference.
- ◆ GC§56133 - The Board approved the recommended legislation amendments from the ad-hoc subcommittee created as a result of the February 8, 2013 Board meeting. The proposed legislation will now go to the CALAFCO Legislative Committee for direction on proceeding through the legislative process.

Legislative Activities

The legislature is currently in summer recess until early August. As of this writing, here is an update on CALAFCO bills of importance:

- * **AB 453** (Mullin) CALAFCO Sponsored bill. Would allow LAFCos to apply directly for grants that support the preparation of sustainable community strategies and other planning efforts. Currently in Senate Appropriations after an amendment suggested by the Senate Natural Resources Committee. After lengthy discussion, the Board chose to offer a friendly amendment to the recent amendment.
- * **AB678** (Gordon) As amended, requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs and requires LAFCos to include in a MSR the Health Care District's 5-year assessment. In Senate Appropriations for 8/12 hearing.
- * **AB 743** (Logue) Amended to eliminate the January 1, 2014 sunset date on annexation of island areas, and changes the effective island creation date to 01/01/14. Passed Senate with a friendly amendment now back in Assembly for concurrence.
- * **AB 1427** (ALGC Omnibus) CALAFCO Sponsored bill. Awaiting Governor's signature.
- * **SB 56** (Roth) As amended, reinstates revenues through ERAF (backfilled by the state general Fund) for cities incorporating after 2005 and annexations of inhabited territories. In Senate Appropriations.