



# 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 April 1, 2015 @ 2:00 P.M. BOARD OF SUPERVISORS CHAMBERS COUNTY ADMINISTRATIVE BUILDING 2800 West Burrel Avenue Visalia CA 93291

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

ALTERNATES:  
Mike Ennis  
Dennis Mederos  
Craig Vejvoda

EXECUTIVE OFFICER:  
Ben Giuliani

- I. **Call to Order**
- II. **Approval of Minutes from March 4, 2015 (Pages 1-4)**
- 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. **Action Items**

- 1. **2015/2016 Preliminary Budget and Work Program (Pages 5-30)**  
*[Public Hearing].....Recommended Action: Approval*

Pursuant to GC 56381, the Commission must adopt a proposed budget and work program, for the following fiscal year, by May 1. The Commission must also decide the amount of reserve funds; if any, it would like to apply in order to offset the contribution from the County's eight cities and Tulare County. 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 during the fiscal year. A spreadsheet illustrating different contribution scenarios is also included.

#### V. **Executive Officer's Report**

- 1. **Groundwater Sustainability in the Kaweah Sub-Basin (No Page)**

Tulare Irrigation District staff will discuss the role the District may play in the implementation of the 2014 Sustainable Groundwater Management Act (SGMA).

**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 31-36)

Enclosed is information on the various state bills that are being tracked by CALAFCO.

3. Response to Tulare County Grand Jury (Pages 37-38)

Enclosed is the response to the Grand Jury regarding their report on Richgrove Community Services District.

4. Upcoming Projects (No Page)

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

**VI. Correspondence**

There are no items.

**VII. Other Business**

1. Commissioner Report (Pages 39-42)

Enclosed is the CALAFCO Quarterly Report.

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

**VIII. Closed Sessions**

None

**IX. Setting Time and Place of Next Meeting**

1. May 6, 2015 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building.

**X. Adjournment**

***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**  
**Summary Minutes of the Meeting**  
**March 4, 2015**

**Members Present:** Allen, Hamilton, Worthley

**Members Absent:** Ishida, Mendoza

**Alternates Present:** Ennis, Mederos, Vejvoda

**Alternates Absent:** None

**Staff Present:** Ben Giuliani, Cynthia Echavarría, Alyssa Blythe

**Counsel Present:** Lisa Tennebaum

**I. Call to Order**

Chair Allen called the Tulare County Local Agency Formation Commission meeting to order at 2:00 p.m.

**II. Approval of the February 4, 2015 Meeting Minutes:**

Upon motion by Commissioner Worthley and seconded by Commissioner Hamilton, the Commission unanimously approved the minutes of February 4, 2015.

**III. Public Comment Period**

Public Comments opened/closed at 2:01 p.m.

**IV. Action Items**

1. Monthly Auto Allowance Annual Calculation

Executive Officer (EO) Giuliani stated at the February 17, 2015 TCAG Board Meeting, the Board Directors approved the adoption of TCAG/LAFCO staff eligibility for a monthly auto allowance be included in the County's annual review and recommended rates as established. EO Guiliani stated he is now seeking reaffirmation from the LAFCO Commissioners.

Upon motion by Commissioner Vejvoda and seconded by Commissioner Ennis, the Commissioners approved the Monthly Auto Allowance Annual Calculation.

**VI. Executive Officer's Reports**

1. City of Visalia Agricultural Mitigation Policies

Josh McDonnell, City Planner for the City of Visalia, highlighted the City of Visalia's draft general plan, which promoted Agriculture Mitigation; the comments received for inclusion in the city's general plan, and stated the City worked with Council to determine if there was a requirement to include Ag Mitigation. Mr. McDonnell stated that in October 2014, the City of Visalia General Plan was adopted which included land use Policy 34 and the requirement for Ag Mitigation and stated it is the City of Visalia's desire to take a regional approach for preservation of Ag land. Mr. McDonnell highlighted the City of Visalia's endeavors in working with other agencies in the immediate area toward finding a common program to achieve Ag Mitigation, the requirement for Ag Mitigation on a 1-1

ratio for development, the city's tier systems and working with the other Cities to develop a regional program.

City Staff (Mr. McDonnell and Mike Olmos, City Manager) and Commissioners discussed a collaborative approach, their concerns on Ag mitigation and the current water issues in Tulare County.

2. Tulare Irrigation District

EO Giuliani reported the Tulare Irrigation District Manager was unable to attend the Commission meeting and would report at the April meeting.

3. Agriculture Report

Staff Analyst (SA) Echavarria provided maps displaying the Tulare County dairies and other animal facilities in the county and stated that the maps were created using GIS. SA Echavarria discussed the majority of dairy facilities use 24,422 acres of land and of this acreage 985 acres of land is used for non-dairy facilities, and approximately 2,800 acres are used as non-operating animal facilities. SA Echarvarria stated there are 455 animal facilities of which 302 are estimated to be operating dairies. SA Echarvarria informed the commission the Regional Water Quality Control Board does require the dairy facilities to distribute the wastewater on certain amounts of Ag land.

EO Giuliani reviewed information regarding farmed agricultural land from the Tulare County Annual Agricultural Reports and noted that the acreage amounts for animal confinement facilities are not included in the reports. EO Giuliani stated there was an increase of over 200,000 acres of farmed land (including double cropping) between 1980-2013 which reflected a 35% increase in crop land acreage. The 106% increase (inflation adjusted) of the financial value of crops over the same time period was also reviewed.

4. Tulare County Population Comparison

EO Giuliani reviewed Tulare County's population growth with the County's population from 1964 applied as a baseline to the eight largest counties in California and compared the 50 years of growth between 1964-2014. EO Guiliani stated he compared what the 50-year time-period was for each of the other counties to see how Tulare County is growing in context to urban counties in California, which reflected Tulare County's growth rates as being significantly less in percentage than the urban counties. Maps were reviewed showing Tulare County's incorporated city growth compared to Los Angeles County.

5. Tulare County Grand Jury Report

EO Giuliani discussed the Tulare County Grand Jury report regarding Richgrove Community Services District (RSCD) and their findings. EO Giuliani stated the Grand Jury made several recommendations, which included the Tulare County Treasurer taking over the financing of RSCD and LAFCO making the determination of when to allow Richgrove CSD to reassume control. EO Giuliani stated LAFCO is required to respond within 90 days and requested the Commission's feedback.

Upon general consensus from the Commission, the Commission would consider the Grand Jury's recommended role for LAFCO upon request by Richgrove CSD and Tulare County Board of Supervisors.

6. Legislative Update

EO Giuliani reviewed the bills in the CALAFCO Legislative Report.

7. Upcoming Projects

EO Giuliani stated the April Meeting Agenda would include the LAFCO Preliminary Budget and Tulare Irrigation District Report, and also informed the Commission he had received notification that the City of Porterville was considering the annexation of 16 County islands that could come to the Commission for action in June.

**VII. Correspondence**

None

**VIII. Other Business**

1. Commissioner Update

Commissioner Vejvoda informed the Commission the City of Tulare has been aggressive in groundwater recharge efforts and partnered with the Tulare Irrigation District in the effort during the drought in the development of groundwater recharge basins.

Commissioner Worthley stated Tulare County is a wonderful example of working together to solve problems.

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

None

**IX. Setting Time and Place of Next Meeting**

The next meeting will be April 1, 2015 at the Board of Supervisors Chambers in the County Administration Building.

**XI. Adjournment**

The meeting adjourned at 3:17 p.m.

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**TULARE COUNTY  
LOCAL AGENCY FORMATION COMMISSION**

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COMMISSIONERS:  
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EXECUTIVE OFFICER:  
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April 1, 2015

TO: LAFCO Commissioners, Alternates, Counsel,  
and Executive Officer

FROM: Cynthia Echavarria, LAFCO Staff Analyst

SUBJECT: FY 2015/16 Preliminary Budget and Work Program

Enclosed for your review are the Fiscal Year 2015/16 Preliminary Budget and Work Program. LAFCO is required to adopt its preliminary budget by May 1<sup>st</sup> and its final budget by June 15<sup>th</sup> of each year.

**BUDGET 794**

**REVENUES**

**5801 Income from Other Agencies** - \$224,495 is the amount estimated for FY 2015/16 as income from eight cities and the County as required by Government Code Section 56381. For 2014/15, \$50,000 of reserve funds was used to help offset the contribution amount from the cities and the County. It is estimated that there is currently \$100,000 in available reserve funds.

The Commission may wish to again use the surplus funds to offset some of the cost to the cities and County in FY 2015/16. Attached is a spreadsheet showing different contribution scenarios utilizing different amounts of surplus funds. The \$50,000 scenario would leave contribution levels very similar to FY 2014/15.

**5421 Planning and Engineering Services** – As of this date, staff has processed 18 cases (annexations, detachments, sphere of influence amendments and extension of services agreements) and anticipates seven new cases to be submitted by the end of this fiscal year (June 15). The total estimated revenue is \$16,104. For fiscal year 2015/16, based on feedback from city staff, staff has estimated processing 6 cases for a total estimated revenue of \$17,142.

**EXPENDITURES- Services and Supplies**

**6008 Director's Fees** - \$1,000 is budgeted for reimbursing the public member and alternate public member for expenses incurred as a result of attending monthly LAFCO meetings. For FY 2014/15, \$324 in expense claims have been submitted.

*Estimated expenditure for current FY - \$1,000.*

**7027 Memberships** – The 2015/16 CALAFCO membership fee for suburban counties is estimated to be \$3,106. In 2014, CALAFCO increased membership fees for 2014/15 by 2%.

*Estimated expenditure for current FY - \$3,045*

**7036 Office Expenses** - \$1,500 was allocated for office supplies and other office equipment expenses in FY 14/15. \$1,500 is budgeted for FY 15/16.

*Estimated expenditure for current FY - \$1,500*

**7043 Professional and Specialized Services** – \$400 is budgeted for FY 2015/16. These are funds used to contract with outside vendors, such as professional services or consultants. The need for consultant services is likely to remain low in FY 15/16 as the reduced projected workload is expected to continue.

*Estimated expenditure for current FY - \$400*

**7059 Publications and Notices** - Staff estimates spending \$1,000 of the budgeted amount for FY 2015/16. The caseload is expected to decrease slightly in FY 2015/16.

*Estimated expenditure for current FY - \$1,000*

**7073 Staff and Commission Member Training** – Training costs of \$3,000 are proposed for FY 2015/16 to cover registration expenses for attending the annual CALAFCO Conference, Executive Officers Workshop and Staff Conference, and other conferences and workshops. The estimated expenditures will include the possible attendance of 2 staff persons and 2 Commissioners for the LAFCO conference and 4 staff members for the LAFCO workshop and other conferences and workshops commissioners and/or staff may attend.

*Estimated expenditure for current FY - \$3,000*

**7074 Staff and Commission Transportation / Travel** – Transportation/Travel costs of \$5,750 are proposed for FY 2015/16 to accommodate travel by staff and Commission members to and from the various LAFCO related conferences and workshops. The funds in this budget line are used for lodging, meal, and mileage costs incurred by attending the various events. The item also takes into account Commissioner Allen's travel expenses associated with her membership on the CALAFCO Board of Directors. To date approximately \$2,428 has been spent on transportation and travel. In April four staff members will attend the CALAFCO staff workshop.

*Estimated expenditure for current FY - \$5,750*

### **Expenditures – Other Charges**

**9315 Worker's Compensation** – A total of \$1,326 has been budgeted for FY 2015/16 to cover expenses for worker's compensation.

*Estimated expenditure for current FY - \$1,300*

**9302 Property** – \$81 is proposed for FY 2015/16.

*Estimated expenditure for current FY - \$80*

**9303 Liability Insurance** – A total of \$2,169 has been budgeted for FY 2015/16 to cover expenses for general liability insurance.

*Estimated expenditure for current FY - \$2,127*

**7062 Rent** – A total of \$15,810 has been budgeted for FY 2015/16 this includes a 2% increase from FY 2014/15.

*Estimated expenditure for current FY - \$15,500*

**ADP Payroll** – A total of \$150

*Estimated expenditure for current FY - \$150*

**9312 Telecomm** – A total of \$443 has been budgeted for FY 2015/16 to cover expenses for telephone service. Service charges are expected to increase in FY 2015/2016.

*Estimated expenditure for current FY - \$350*

**9312 Utilities** -\$2,060 is budgeted for utility expenses for FY 2015/16.

*Estimated expenditure for current FY - \$2,000*

**9313 Custodial**- \$1,590 is budgeted for custodial services during FY 2015/16

*Estimated expenditure for current FY - \$1,500*

**7036 RMA Printing Services** – \$500 is budgeted for FY 2015/16. This covers costs associated with duplication of LAFCO documents such as the special district inventory, policy and procedure manual, and assistance with public hearing notice mail outs.

*Estimated expenditure for current FY - \$100*

**7036 RMA Mail Services** - \$1,030 is budgeted for FY 2015/16. This covers costs for processing mail for LAFCO public hearing notices and other correspondence.

*Estimated expenditure for current FY - \$1,000*

### **Expenditures – Agency Charges**

**9315 LAFCO Legal Counsel**- AB 2838 establishes LAFCO as an independent agency which means it will be charged an hourly rate for the services of County Counsel to act as LAFCO legal counsel. \$5,150 is proposed for FY 2015/16.

*Estimated expenditure for current FY - \$5,000*

**9316 Services from Other Departments**- This charge includes services provided by other County departments such as TCAG, the County Auditor, Surveyor, Elections, etc. The charges predominately stem from review of LAFCO proposals by County departments. \$2,575 has been allotted for FY 2015/16.

*Estimated expenditure for current FY - \$2,500*

**9317 COWCAP Charges** - The amount budgeted for FY 2015/06 is \$5,000. In FY 2014/15 \$14,481 was refunded to LAFCO due to COWCAP overcharges in previous years.

*Estimated expenditure for current FY- \$5,000*

**9324 G.I.S.-Arcview Services** - The budgeted amount for 2015/16 is \$1,000.

*Estimated expenditure for current FY - \$1,000*

**3795 Intra Agency Services Received-** This item reflects Staff salaries. Staffing services are provided by the Tulare County Association of Governments. \$165,000 in salaries is estimated for FY 2015/16. This includes a half-time Executive Officer, a 25% Clerk, and a 75% Staff Analyst

*Estimated expenditure for current FY – \$120,000*

### **CONTINGENCY/CARRYOVER**

**8508 Contingency** - A contingency of 10% of the expenses is proposed for 2015/16 in order to provide a “cushion” to offset any unforeseen expenditures or failure to receive anticipated fee revenue. It is not anticipated that contingency funds will be used in the current fiscal year. The contingency for FY 2014/15 is \$21,721. The contingency proposed for FY 2015/16 is \$21,967.

**Budget Reserve – Carryover** – The budget reserve is accounted for in the LAFCO’s 794 cash account. The revenue and expenses lines in the actual spreadsheet will only show transactions for the current FY which means that we still do not have the most up to date reserve numbers. For FY 2014/15, \$50,000 was used to offset the cities and County contribution. Staff estimates that LAFCO will have a reserve of approximately \$100,000 at the end of FY 2014/15. This reserve was generated through Planning and Engineering Services and charges to funding agencies from previous years. The Commission may again consider applying a specified amount of this reserve for the coming year. Attached is a spreadsheet showing different contribution amounts based on differing amounts of reserve funds being used. Also attached, is a table showing city and County contributions and applied reserve from FY01/02 to present.

In considering this matter the Commission may also wish to provide policy direction as to the appropriate amount to retain as a reserve on a year-to-year basis. In making this decision the Commission should be aware that under GC Section 56381(c), the Board of Supervisors is authorized to loan the Commission funds if during the fiscal year the Commission is without funds to operate. The Commission must then appropriate sufficient funds in its budget for the subsequent year to repay the loan.

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
BUDGET ORG 794**

	Object No.	Adopted Budget FY 14/15	AS of 3/11/15	Projected Expenses FY 14/15	Proposed Budget FY 15/16
<b>EXPENDITURES</b>					
<b>Services and Supplies</b>					
Board Director's Fees	6008	\$1,000	\$324	\$1,000	\$1,000
Memberships	7027	\$3,045	\$3,045	\$3,045	\$3,106
Office Expenses	7036	\$1,500	\$457	\$1,500	\$1,500
Professional and Specialized	7043	\$400	\$0	\$400	\$400
Publication - Public Hearing Notices	7059	\$1,000	\$734	\$1,000	\$1,000
Training	7073	\$3,000	\$1,888	\$3,000	\$3,000
Transportation and Travel	7074	\$5,750	\$2,428	\$5,750	\$5,750
<b>Total Services and Supplies</b>		<b>\$15,695</b>	<b>\$8,876</b>	<b>\$15,695</b>	<b>\$15,756</b>
<b>Other Charges</b>					
I/F Workers Compensation	9300	\$1,300	\$0	\$1,300	\$1,326
I/F Expenses - Property	9302	\$80	\$0	\$80	\$81
I/F Expenses - Special Liability Insurance	9303	\$1,700	\$2,127	\$2,127	\$2,169
I/F ADP Payroll	9310	\$150	\$0	\$150	\$150
Rent	7062	\$11,446	\$9,634	\$15,500	\$15,810
Alarm Services	7036	\$37	\$28	\$30	\$30
Telecom	9312	\$300	\$334	\$350	\$443
Utilities	9312	\$2,000	\$1,006	\$2,000	\$2,060
Custodial Services	9313	\$1,500	\$302	\$1,500	\$1,590
I/F RMA - Printing	7036	\$500	\$64	\$100	\$500
I/F RMA - Mail	7036	\$1,000	\$291	\$1,000	\$1,030
<b>Total Other Charges</b>		<b>\$20,013</b>	<b>\$13,786</b>	<b>\$24,137</b>	<b>\$25,189</b>
<b>Agency Charges</b>					
County Counsel Charges	9315	\$5,000	\$3,946	\$5,000	\$5,150
Services from Other Dpts.	9316	\$2,500	\$2,192	\$2,500	\$2,575
COWCAP Charges	9317	\$8,000	-\$14,481	\$5,000	\$5,000
GIS Services	9324	\$1,000	\$0	\$1,000	\$1,000
Intra - Agency Service Received	9333	\$165,000	\$59,945	\$120,000	\$165,000
<b>Total Agency Charges</b>		<b>\$181,500</b>	<b>\$51,602</b>	<b>\$133,500</b>	<b>\$178,725</b>
<b>Contingencies</b>	7432	<b>\$21,721</b>	<b>\$21,721</b>	<b>\$21,721</b>	<b>\$21,967</b>
<b>TOTAL EXPENDITURES</b>		<b>\$238,929</b>	<b>\$95,985</b>	<b>\$195,053</b>	<b>\$241,637</b>
<b>REVENUES</b>					
Other - Government Agency Contributions	5801	\$172,857	\$172,857	\$172,857	\$224,495
Planning and Engineering Services	5421	\$16,072	\$7,202	\$16,104	\$17,142
Prior Year Revenue Accurals Adjustment	5999				
<b>TOTAL REVENUES</b>		<b>\$188,929</b>	<b>\$180,059</b>	<b>\$188,961</b>	<b>\$241,637</b>
<b>NET COST</b>		<b>\$50,000</b>	<b>-\$84,074</b>	<b>\$6,092</b>	<b>\$0</b>

AGENCY CONTRIBUTIONS  
CARRYOVER SCENARIOS

**Contribution Scenerios**

**Carryover applied: \$0**

	POPULATION (Census 1/1/2014)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			15/16 CONTRIBUTION	14/15 CONTRIBUTION	
CITY OF DINUBA	23,096	5.06%	\$11,370	\$8,687	\$2,682
CITY OF EXETER	10,495	2.30%	\$5,166	\$3,998	\$1,169
CITY OF FAMERSVILLE	10,893	2.39%	\$5,362	\$4,153	\$1,209
CITY OF LINDSAY	12,533	2.75%	\$6,170	\$4,707	\$1,463
CITY OF PORTERVILLE	55,526	12.18%	\$27,334	\$21,148	\$6,186
CITY OF TULARE	61,238	13.43%	\$30,146	\$23,276	\$6,870
CITY OF VISALIA	128,525	28.18%	\$63,269	\$48,698	\$14,571
CITY OF WOODLAKE	7,671	1.68%	\$3,776	\$2,838	\$938
COUNTY OF TULARE	146,060	32.03%	\$71,901	\$55,551	\$16,350

<b>Tulare</b>	459,446
Dinuba	23,666
Exeter	10,539
Farmersville	10,932
Lindsay	12,650
Porterville	55,697
Tulare	61,857
Visalia	129,582
Woodlake	7,711
Balance of County	146,812

TOTAL 456,037 100.00% \$224,495 \$173,057 \$51,438

(794) LINE 5900 | \$224,495 | 145,971

+ \$200.00 billing fee to County Auditor

**Carryover applied: \$15000**

	POPULATION (Census 1/1/2014)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			15/16 CONTRIBUTION	14/15 CONTRIBUTION	
CITY OF DINUBA	23,096	5.06%	\$10,610	\$8,687	\$1,922
CITY OF EXETER	10,495	2.30%	\$4,821	\$3,998	\$824
CITY OF FAMERSVILLE	10,893	2.39%	\$5,004	\$4,153	\$851
CITY OF LINDSAY	12,533	2.75%	\$5,757	\$4,707	\$1,050
CITY OF PORTERVILLE	55,526	12.18%	\$25,508	\$21,148	\$4,360
CITY OF TULARE	61,238	13.43%	\$28,132	\$23,276	\$4,855
CITY OF VISALIA	128,525	28.18%	\$59,042	\$48,698	\$10,344
CITY OF WOODLAKE	7,671	1.68%	\$3,524	\$2,838	\$686
COUNTY OF TULARE	146,060	32.03%	\$67,097	\$55,551	\$11,546

TOTAL 456,037 100.00% \$209,495 \$173,057 \$36,438

(794) LINE 5900 \$209,495

**Carryover applied FY : \$25000**

	POPULATION (Census 1/1/2014)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			15/16 CONTRIBUTION	14/15 CONTRIBUTION	
CITY OF DINUBA	23,096	5.06%	\$10,103	\$8,687	\$1,416
CITY OF EXETER	10,495	2.30%	\$4,591	\$3,998	\$593
CITY OF FAMERSVILLE	10,893	2.39%	\$4,765	\$4,153	\$612
CITY OF LINDSAY	12,533	2.75%	\$5,483	\$4,707	\$775
CITY OF PORTERVILLE	55,526	12.18%	\$24,290	\$21,148	\$3,142

AGENCY CONTRIBUTIONS  
CARRYOVER SCENARIOS

CITY OF TULARE	61,238	13.43%	\$26,789	\$23,276	\$3,513
CITY OF VISALIA	128,525	28.18%	\$56,224	\$48,698	\$7,525
CITY OF WOODLAKE	7,671	1.68%	\$3,356	\$2,838	\$518
COUNTY OF TULARE	146,060	32.03%	\$63,894	\$55,551	\$8,343

TOTAL 456,037 100.00% \$199,495 \$173,057 \$26,438

+ \$200.00 billing fee to County Auditor

(794) LINE 5900 \$199,495

**Carryover applied: \$50000**

	POPULATION (Census 1/1/2014)	PERCENT OF POPULATION	PROPOSED 15/16 CONTRIBUTION	14/15 CONTRIBUTION	DIFFERENCE
CITY OF DINUBA	23,096	5.06%	\$8,837	\$8,687	\$150
CITY OF EXETER	10,495	2.30%	\$4,016	\$3,998	\$18
CITY OF FAMERSVILLE	10,893	2.39%	\$4,168	\$4,153	\$15
CITY OF LINDSAY	12,533	2.75%	\$4,796	\$4,707	\$88
CITY OF PORTERVILLE	55,526	12.18%	\$21,246	\$21,148	\$99
CITY OF TULARE	61,238	13.43%	\$23,432	\$23,276	\$156
CITY OF VISALIA	128,525	28.18%	\$49,178	\$48,698	\$480
CITY OF WOODLAKE	7,671	1.68%	\$2,935	\$2,838	\$97
COUNTY OF TULARE	146,060	32.03%	\$55,887	\$55,551	\$336

TOTAL 456,037 100.00% \$174,495 \$173,057 \$1,438

+ \$200.00 billing fee to County Auditor

(794) LINE 5900 \$174,495

**Carryover applied: \$75000**

	POPULATION (Census 1/1/2014)	PERCENT OF POPULATION	PROPOSED 15/16 CONTRIBUTION	14/15 CONTRIBUTION	DIFFERENCE
CITY OF DINUBA	23,096	5.06%	\$7,571	\$8,687	-\$1,116
CITY OF EXETER	10,495	2.30%	\$3,440	\$3,998	-\$557
CITY OF FAMERSVILLE	10,893	2.39%	\$3,571	\$4,153	-\$582
CITY OF LINDSAY	12,533	2.75%	\$4,108	\$4,707	-\$599
CITY OF PORTERVILLE	55,526	12.18%	\$18,202	\$21,148	-\$2,945
CITY OF TULARE	61,238	13.43%	\$20,075	\$23,276	-\$3,202
CITY OF VISALIA	128,525	28.18%	\$42,132	\$48,698	-\$6,566
CITY OF WOODLAKE	7,671	1.68%	\$2,515	\$2,838	-\$323
COUNTY OF TULARE	146,060	32.03%	\$47,880	\$55,551	-\$7,671

TOTAL 456,037 100.00% \$149,495 \$173,057 -\$23,562

+ \$200.00 billing fee to County Auditor

(794) LINE 5900 \$149,495

**Carryover applied: \$100,000**

AGENCY CONTRIBUTIONS  
CARRYOVER SCENARIOS

	POPULATION (Census 1/1/2014)	PERCENT OF POPULATION	PROPOSED 15/16 CONTRIBUTION	14/15 CONTRIBUTION	DIFFERENCE
CITY OF DINUBA	23,082	5.07%	\$6,312	\$8,687	-\$2,376
CITY OF EXETER	10,487	2.30%	\$2,863	\$3,998	-\$1,135
CITY OF FAMERSVILLE	10,886	2.39%	\$2,975	\$4,153	-\$1,178
CITY OF LINDSAY	12,376	2.72%	\$3,386	\$4,707	-\$1,321
CITY OF PORTERVILLE	55,490	12.18%	\$15,163	\$21,148	-\$5,984
CITY OF TULARE	61,199	13.43%	\$16,720	\$23,276	-\$6,556
CITY OF VISALIA	128,443	28.19%	\$35,095	\$48,698	-\$13,603
CITY OF WOODLAKE	7,665	1.68%	\$2,092	\$2,838	-\$747
COUNTY OF TULARE	145,971	32.04%	\$39,888	\$55,551	-\$15,663

TOTAL 455,599 100.00% \$124,495 \$173,057 -\$48,562

+ \$200.00 billing fee to County Auditor

(794) LINE 5900 \$124,495

**Contribution History**

	FY 2001/02	FY 2002/03	FY 2003/04	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15
CITY OF DINUBA	\$9,838	\$6,716	\$4,325	\$3,455	\$0	\$6,584	\$8,929	\$6,904	\$6,068	\$5,235	\$4,764	\$8,855	\$8,606	\$8,687
CITY OF EXETER	\$5,404	\$3,627	\$2,336	\$1,873	\$0	\$3,534	\$4,850	\$3,704	\$2,788	\$2,629	\$2,295	\$4,193	\$3,910	\$3,998
CITY OF FAMERSVILLE	\$4,827	\$3,467	\$2,229	\$1,802	\$0	\$3,494	\$4,751	\$3,613	\$2,747	\$2,655	\$2,351	\$4,355	\$4,059	\$4,153
CITY OF LINDSAY	\$5,681	\$4,064	\$2,566	\$2,052	\$0	\$3,764	\$5,101	\$3,857	\$3,071	\$2,880	\$2,613	\$4,849	\$4,164	\$4,707
CITY OF PORTERVILLE	\$23,626	\$15,675	\$10,133	\$8,177	\$0	\$15,181	\$20,624	\$17,765	\$15,790	\$12,833	\$12,028	\$22,124	\$20,688	\$21,148
CITY OF TULARE	\$26,235	\$17,408	\$11,192	\$9,020	\$0	\$16,881	\$23,478	\$19,308	\$17,610	\$14,423	\$13,164	\$24,175	\$22,816	\$23,276
CITY OF VISALIA	\$60,715	\$36,375	\$23,674	\$19,274	\$0	\$36,694	\$50,702	\$40,643	\$37,780	\$30,487	\$27,635	\$50,736	\$47,887	\$48,698
CITY OF WOODLAKE	\$4,042	\$2,666	\$1,691	\$1,350	\$0	\$2,453	\$3,332	\$2,552	\$1,785	\$1,915	\$1,616	\$2,957	\$2,858	\$2,838
COUNTY OF TULARE	\$90,577	\$55,677	\$35,561	\$28,291	\$0	\$51,257	\$70,071	\$49,113	\$43,361	\$35,779	\$31,728	\$58,012	\$54,421	\$55,551
TOTAL	\$230,945	\$145,675	\$93,707	\$75,294	\$0	\$139,841	\$191,838	\$147,459	\$131,000	\$108,834	\$98,195	\$180,257	\$169,409	\$173,057
Surplus Applied	\$0	\$0	\$100,000	\$150,000	\$150,000	\$30,000	\$40,000	\$60,000	\$70,000	\$100,000	\$100,000	\$50,000	\$50,000	\$50,000

# 2015/16 LAFCO WORK PROGRAM

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Prepared by: Cynthia Echavarria  
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## **Introduction**

### **Overview of LAFCO**

The Tulare County Local Agency Formation Commission (LAFCO) is responsible for coordinating logical and timely changes in local government boundaries, for conducting special studies which review ways to reorganize, simplify and streamline governmental structure, and for preparing Municipal Service Reviews and Spheres of Influence for each city and special district within Tulare County. The Commission's efforts are directed to seeing that services are provided efficiently and economically while agricultural and open-space lands are protected. LAFCO is independent of the government of Tulare County or any of the cities; however, funding to operate the agency is required to be provided by the county and the cities.

State law first established LAFCOs in each county in 1963. LAFCOs were given regulatory authority over local boundary changes. The agencies currently function under the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Government Code Section 56375 sets forth the powers and duties of the commission. It gives LAFCO the authority to "review and approve or disapprove with or without amendment, wholly, partially, or conditionally" proposals concerning the formation of cities and special districts, annexation or detachment of territory to cities and special districts, and other changes in jurisdiction or organization of local governmental agencies. In reviewing proposals, LAFCO is required to consider certain factors such as the conformity with city or county plans, current levels and need for future services, the social, physical and economic effects on the community, the effect on existing agricultural lands and open space, the timely availability of adequate water supplies, and the extent to which each proposal will assist the receiving city and the County in achieving its fair share of the regional housing needs.

LAFCO must consider the effect that any proposal will produce on existing agricultural lands. By guiding development towards vacant urban land and away from agricultural preserves, LAFCO assists with the preservation of Tulare County's valuable agricultural resources. LAFCO also works to discourage urban sprawl, a pattern of development characterized by inefficient delivery of important urban services and unnecessary loss of agricultural land. By discouraging sprawl, LAFCO discourages the misuse of land resources and promotes a more efficient system of local government agencies.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires each LAFCO to adopt an annual budget. The 2015/16 Work Program for the Tulare County LAFCO outlines the anticipated work to be accomplished by LAFCO during the fiscal year and is prepared to accompany the annual budget.

### **Description of Region**

Tulare County, comprised of 12,595 km<sup>2</sup>, is located in the southern portion of the San Joaquin Valley. The Valley is bounded on the west by the Coast Range and on the east by the Sierra Nevada Mountains. The Valley extends from Sacramento on the north, to the Tehachapi Mountains on the south. The San Joaquin Valley is the richest farmland in the world.

Tulare County has approximately one third of its land area in the Valley. The remaining portion is in the Sierra Nevada Mountains. This offers an abundance of scenic and recreational opportunities for residents and visitors. The land in the Valley produces a wide variety of agricultural products. Tulare County ranks as one of the largest agricultural producing counties in the nation. The population of Tulare County is concentrated in the Valley area. There are eight incorporated cities, which account for 68% of the total county approximate population of 459,176 (DOF – 7/1/14). The eight cities are: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake. There are also numerous special districts in the county, including various Community

Service Districts, Irrigation Districts, Hospital Districts, Cemetery Districts, Public Utility Districts, and Resource Conservation Districts.

## Organization of LAFCO

The Tulare County Local Agency Formation Commission is composed of two county supervisors selected by the Board of Supervisors, two city council representatives selected by the mayors in the county, and one public member selected by the other four members. Commission members serve four-year terms. There is an alternate member for each category – city, county, and public. Tulare County LAFCO does not have special district members; however, the law does provide for the addition of two special district members and one alternate if the Commission so orders or the special districts petition for such representation.

### LAFCO Commissioners

Juliet Allen, Chair	Public representative
Rudy Mendoza, Vice Chair	City representative
Allen Ishida	County representative
Cameron Hamilton	City representative
Steve Worthley	County representative
Mike Ennis	Alternate, County representative
Craig Vejvoda	Alternate, City representative
Dennis Mederos	Alternate, Public representative

### LAFCO Executive Officer

Ben Giuliani

### LAFCO Staff

Cynthia Echavarria, Staff Analyst  
Doreen Alvez, LAFCO Clerk  
Alyssa Blythe, LAFCO Clerk  
Lisa Tennenbaum, LAFCO Counsel

## LAFCO Abbreviations and Acronyms

<b>CALAFCO</b>	<i>California Association of Local Agency Formation Commissions</i>
<b>C-K-H</b>	<i>Cortese-Knox-Hertzberg Local Government Reorganization Act Of 2000</i>
<b>CSD</b>	<i>Community Services District</i>
<b>GC</b>	<i>Government Code</i>
<b>LAFCO</b>	<i>Local Agency Formation Commission</i>
<b>MSR</b>	<i>Municipal Service Review</i>
<b>PUD</b>	<i>Public Utility District</i>
<b>SOI</b>	<i>Sphere of Influence</i>

## **LAFCO Work Program Elements**

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.01 LAFCO Administration**

PURPOSE: To manage and coordinate LAFCO staff work in Tulare County, including development and implementation of the budget, work program, and Policies and Procedures Manual.

PREVIOUS WORK: This is an ongoing function of LAFCO.

PRODUCTS:

1. Administration and support of LAFCO work functions.
2. Representation at statewide and local planning meetings.
3. Development of LAFCO Policies and Procedures Manual.
4. Maintain LAFCO files and records.
5. Prepare LAFCO meeting agendas, schedules and minutes.
6. Prepare annual budget and work program.
7. Maintain membership in CALAFCO.

DISCUSSION:

The administration program provides direction and management of the various routine functions that comprise the LAFCO Work Program. This includes: project scheduling; budget preparation and monitoring; personnel recruitment and training; records maintenance; review of legislation affecting LAFCOs; and development of LAFCO Policies and Procedures consistent with C-K-H requirements and commission directives.

LAFCO staff also maintains membership in the California Association of Local Agency Formation Commissions (CALAFCO), which provides statewide coordination of LAFCO activities, representation before the State Legislature and other bodies, training opportunities for member LAFCOs, and a structure for sharing information among LAFCOs and other governmental agencies throughout the State.

BUDGET:

Estimated staff costs:	\$55,000	(6.0 Staff Person Months)
Memberships:	\$1,000	
Publications and Notices	\$1,000	
County Counsel:	\$5,150	
COWCAP Charged:	\$5,000	
Board Directors fees:	\$3,106	
Rent	\$15,810	
Insurance	\$2,169	
Prof. & Specialized:	\$400	
Service from Other Dept.	\$2,575	
Total:	\$91,210	
Revenue (source):	\$	(Reserve Funds)
Revenue (source):	\$91,210	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 100 ADMINISTRATION  
 WORK ELEMENT: **100.02 Office Expenses/Fixed Assets**  
 PURPOSE: To procure and manage the assets of LAFCO.

PREVIOUS WORK: Purchase supplies and equipment.  
 Purchase Liability Insurance.  
 Maintenance of LAFCO website.  
 Publish public notices.

- PRODUCTS:
1. Procurement of supplies and equipment.
  2. Maintenance of existing equipment.
  3. Inventory of LAFCO assets.
  4. Continuation of Internet service.
  5. Payment of rent, telephone, mail, printing, data processing and other overhead services.
  6. Ongoing maintenance of LAFCO website.

DISCUSSION:

LAFCO is required by GC Section 56300(f)(1) to establish and maintain, or otherwise provide access to notices and other commission information for the public through an internet website.

The address for the Tulare County LAFCO website is [www.co.tulare.ca.us/lafco/](http://www.co.tulare.ca.us/lafco/). The site provides general information regarding LAFCO, Tulare County LAFCO commissioners and staff, meeting and application deadline schedules, and allows access to agendas and minutes. The site will also be used to post notices, agendas, minutes, and disclosures as required by Sections 56100.1, 56150, 56300, and 56661.

Because LAFCO is an independent agency, LAFCO maintains a general liability insurance policy. LAFCO reimburses the County for office space and other operational expenses as part of the work program.

BUDGET:

Office Expense:	\$1,500
Telecomm	\$443
ADP Payroll/Personnel:	\$150
Utilities:	\$2,060
Custodial Services:	\$1,590
Property	\$81
Mail	\$1,030
Printing	\$500
Alarm	\$30
GIS	\$1,000
Worker's Compensation	\$1,326
Total	\$9,710

(Reserve Funds)  
 \$9,710 (County & Cities Contribution)

(Planning & Engineering Fees)

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.03 Training and Travel**

PURPOSE: Travel to various local, regional and statewide meetings as required.  
Training for staff related to the operations of LAFCO and legislative activity affecting LAFCOs.

PREVIOUS WORK: This is an ongoing work element.

PRODUCTS:

1. Representation at statewide and local LAFCO meetings.
2. Staff training and educational seminars.
3. Commissioner training and education seminars.

**BUDGET:**

Training (Commissioners & Staff):	\$3,000
Transportation/Travel (Commissioners & Staff)	\$5,750
Total:	\$8,750

Revenue (source):	(Reserve Funds)
Revenue (source):	\$8,750 (County & Cities Contribution)
Revenue (source):	(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.02 Municipal Service Reviews**

PURPOSE: To prepare Municipal Service Reviews (MSR's) pursuant to GC §56430.

PREVIOUS WORK: Group 1 MSRs adopted March 2006  
 Group 2 MSRs adopted May 2006  
 Group 3 MSRs adopted March 2007  
 Group 4 MSRs adopted October 2011  
 City of Dinuba MSR updated June 2012  
 City of Visalia MSR updated February 2013  
 City of Tulare MSR updated October 2013  
 City of Porterville MSR updated October 2014

PRODUCTS: MSRs for Cities of Exeter, Farmersville, Woodlake, Lindsay and Goshen CSD

**DISCUSSION:**

In accordance with GC §56430, in order to prepare and update spheres of influence, LAFCOs are required to conduct a review of the municipal services provided in the county or other appropriate area designated by the Commission. To address this requirement, a program for conducting municipal service reviews (MSR's) was initiated by LAFCO during the 2003/04 fiscal.

Through a contract with Omni-Means consultants, Tulare County's eight cities and 19 of the special districts were reviewed and MSR's were adopted in 3 groups. Group 1, consisting of Visalia, Farmersville, Tulare and surrounding districts were approved by the Commission in March 2006. Group 2, consisting of Dinuba, Woodlake and surrounding districts were approved by the Commission in May 2006. Group 3, consisting of Exeter, Lindsay and Porterville and surrounding districts were approved by the Commission in March 2007. Group 4, consisting of 21 special districts was approved in October 2011. The scope of MSRs has since been expanded to include service needs of developed communities within and adjacent to the subject agency's current SOI. MSR updates have been completed for the cities of Dinuba, Visalia, Tulare and Porterville. Due to the reduced level of casework LAFCO Staff has and will continue to complete the MSR updates without the use of a consultant. Thus, no funds will be allocated for consultant services for FY 15/16.

**BUDGET:**

Estimated staff costs:	\$55,000	(6.0 Staff Person Month)
Total:	\$55,000	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$55,000	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.03 Cities and Special District Inventory Update**

PURPOSE: To maintain the LAFCO Cities and Special District Inventory.

PREVIOUS WORK: LAFCO Cities and Special District Inventory (October 1975)  
 LAFCO Cities and Special District Inventory (Revised January 1981)  
 LAFCO Cities and Special District Inventory (Revised June 1998)  
 LAFCO Cities and Special District Inventory (Revised April 2007)  
 LAFCO Cities and Special District Inventory (Revised April 2013)

PRODUCTS: Continuous update of the LAFCO Cities and Special District Inventory.

DISCUSSION: The Tulare County LAFCO Cities and Special District Inventory is a listing of the various agencies in Tulare County and provides information about each agency, including: date formed, address, phone number, contact person, functions performed, and method of financing. The Inventory also includes a brief description of each type of agency and a map depicting the agency's sphere of influence. For Community Service Districts and County Service Areas the inventory will also describe the latent powers each district was authorized to perform, but had not performed as of January 1, 2006 and January 1, 2009 (respectively). The full-published revision has been completed. The last major revision took place in FY 13/14. However, this Work Program allocation is intended for the continual updating of contact and map information in the Inventory.

**BUDGET:**

Estimated staff costs:	\$9,166	(1.0 Staff Person Months)
Total:	\$9,166	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$9,166	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.04 Sphere of Influence Updates**

PURPOSE: To prepare updates to agencies' Spheres of Influence and provide an efficient method to review and amend the Spheres of Influence for all agencies within Tulare County LAFCO's jurisdiction.

PREVIOUS WORK: In 2011; Alpine Village-Sequoia Crest CSD, Ducor CSD, East Orosi CSD, Patterson Tract CSD, Ponderosa CSD, Three Rivers CSD, Tract 92 CSD, Porter Vista PUD, CSA #1, Strathmore FPD and Woodlake FPD. Lindmore ID (2011) Lindsay-Strathmore ID (2011) Sultana (2011) Ivanhoe (2011) City of Dinuba (2012) Lindmore Irrigation District (2012) Lindsay-Strathmore Irrigation (2012) Allensworth CSD (2012) Sultana CSD (2012) Three Rivers CSD (2012) City of Lindsay (2014) City of Porterville (2014).

PRODUCTS:

1. SOI Updates for the Cities of Visalia, Tulare are expected to be adopted in 2015. Farmersville, Woodlake and Exeter are also anticipated for FY 2015/16
2. SOI Reviews (and updates as needed) for Tulare County principal districts

DISCUSSION:

Pursuant to GC Section 56425(g), all Spheres of Influence must be reviewed and updated, as necessary, on or before January 1, 2008 and every five years thereafter.

Tulare County LAFCO Resolution 96-02 provides that, whenever possible, the Sphere of Influence of each city and those Special Districts that provide urban services to unincorporated communities within the County should reflect a twenty-year growth area with additional areas for communities of interest (Section 56425 (a) (4)). This boundary shall be reviewed and, if necessary, updated no more than once every five years. The updates should be sufficient to accommodate projected growth for twenty years from the date of adoption.

The MSR schedule in Work Element 101.02 will guide the update of agencies' spheres of influence.

BUDGET:

Estimated staff costs:	\$13,750	(1.5 Staff Person Months)
Total:	\$13,750	

Revenue (source):		(Reserve Funds)
Revenue (source):	\$12,250	(County & Cities Contribution)
Revenue (source):	\$1,500	(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.05 Island Annexation Program**

PURPOSE: To assist municipalities undertaking island annexations pursuant to GC §56375.3.

PREVIOUS WORK: Assisted Cities of Porterville, Visalia and Tulare

PRODUCTS: Continue to support city staff in their island annexation programs.

DISCUSSION: Amendments to CKH in 2000 provide a window for municipalities to annex county islands within their boundaries using streamlined procedures. Eligible islands must have been created prior to January 1, 2000. Protest hearings and election procedures may be waived by LAFCo, providing that the annexing city adopt a resolution supporting the annexation, and providing the annexation application meets the criteria spelled out in GC §56375.3. To date, the Cities of Visalia, Porterville and Tulare have annexed a total of 42 islands containing 10,883 residents, 3,525 housing units and 1,683 acres of land.

**BUDGET:**

Estimated staff costs:	\$4,583	(.5 Staff Person Month)
Total:	\$4,583	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$4,583	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.06 Special Projects**

PURPOSE: To fulfill LAFCO's obligation to perform special governmental organization studies pursuant to GC 56375.

PREVIOUS WORK: Report Regarding Preservation of Agricultural Lands.

PRODUCTS: This is an on-going work element. Products could include district consolidation and formation studies.

**DISCUSSION:**

In accordance with GC §56375, LAFCO has the authority to conduct a variety of studies related to effective and efficient provision of public services. This includes special district formation and consolidation studies. As a result of LAFCO Policy Amendments, a Financial Impact Study is now required to be prepared for the activation of latent powers, in certain instances. Staff provided the Commission with special studies regarding agricultural preservation in FY 2014/15.

The work element accounts for staff and consultant resources required to respond to the need for such special studies as may be authorized by LAFCO during the fiscal year.

**BUDGET:**

Estimated staff costs:	\$9,167	(1.0 Staff Person Month)
Total:	\$9,167	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$9,167	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 102 CASE PROCESSING

WORK ELEMENT: **102.01 LAFCO Case Processing**

PURPOSE: To process applications submitted by LAFCO.

PREVIOUS WORK: In FY 2015/16 (as of March 11), staff has processed 18 cases (annexations, detachments, sphere of influence amendments and extension of services agreements)

PRODUCTS: This is an ongoing work element. Staff will continue to process case applications as they are submitted. For fiscal year 2015/16, based on feedback from local agencies, staff is estimating processing 6 cases.

**BUDGET:**

Estimated staff costs:	\$18,334	(2.0 Staff Person Months)
Total:	\$18,334	

Revenue (source):	\$2,692	(Reserve Funds) (County & Cities Contribution)
Revenue (source):	\$15,642	(Planning & Engineering Fees)

## LAFCO Work Program Summary

Activity Description	Work Element Number	Revenue Source and Amount				Expenditures
		Reserve Funds	Income from Other Agencies	Planning & Engineering Services	Fees Paid by County for Incorporation	
LAFCO Administration	100.01	\$0	\$91,210	\$0	\$0	\$91,210
Office Expenses / Fixed Assets	100.02	\$0	\$9,710	\$0	\$0	\$9,710
Training and Travel	100.03	\$0	\$8,750	\$0	\$0	\$8,750
Municipal Service Reviews	101.02	\$0	\$55,000	\$0	\$0	\$55,000
Cities & Special District Inventory Update	101.03	\$0	\$9,166	\$0	\$0	\$9,166
Sphere of Influence Updates	101.04	\$0	\$12,250	\$1,500	\$0	\$13,750
Island Annexation Program	101.05	\$0	\$4,583	\$0	\$0	\$4,583
Special Projects	101.06	\$0	\$9,167	\$0	\$0	\$9,167
LAFCO Case Processing	102.01	\$0	\$2,692	\$15,642	\$0	\$18,333
Subtotals	NA	\$0	\$202,528	\$17,142	\$0	\$219,671
Contingency	NA	\$0	\$21,967	\$0	\$0	\$21,967
TOTALS		\$0	\$224,495	\$17,142	\$0	\$241,637

Total Staff Person Months = 18.0

(Executive Director – 6.0; Staff Analyst – 9; Clerk and Extra Help- 3)

**TULARE CO. LAFCO- 6-YEAR STRATEGIC WORK PROGRAM**

<i>FY</i>	<i>MSR</i>	<i>SOI UPDATE</i>	<i>SPECIAL PROJECTS</i>	<i>Pending Proposals, Possible Future Projects, Annual Work Elements</i>
2015/16	Exeter Woodlake, Farmersville, Lindsay, Goshen CSD	Cities (except Dinuba and Porterville)		<i>Possible Future Projects</i> <ul style="list-style-type: none"> <li>• Levee Districts</li> <li>• Traver, Seville CSD formations</li> <li>• Formation of Yokohl CSD &amp; CWD</li> <li>• Incorporations: Goshen, Earlimart, Allensworth</li> <li>• Ag Mitigation Policy</li> <li>• Implementation of MSR's</li> </ul> <i>Annual Work Elements</i> <ul style="list-style-type: none"> <li>• Case Processing</li> <li>• Island Annexations</li> <li>• SOI Amendments</li> <li>• City-Special Districts Inventory</li> <li>• Special Projects</li> </ul>
2016/17	Group 1 and 2 Districts	Group 1 and 2 Districts		
2017/18	Group 3 and 4 Districts	Group 3 and 4 Districts		
2018/19	Dinuba, Visalia	Dinuba, Visalia		
2019/20	Tulare, Porterville	Tulare, Porterville		
2020/21	Exeter, Woodlake, Lindsay, Farmersville	Exeter, Woodlake, Lindsay, Farmersville		

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION**

**OF THE**

**COUNTY OF TULARE, STATE OF CALIFORNIA**

In The Matter of the 2015/16 )  
Proposed Budget for the Tulare County ) RESOLUTION NO. **15-0XX**  
Local Agency Formation Commission )

**WHEREAS**, Government Code Section 56381 requires that on or before the 1st day of May, the Local Agency Formation Commission must prepare and transmit to the Board of Supervisors; to each city; and to the clerk and chair of the city selection committee, if any, its proposed budget for the following fiscal year.

**WHEREAS**, in accordance with Section 56381, this Local Agency Formation Commission on April 1, 2015, considered the Fiscal Year 2015/16 proposed budget as recommended by the Executive Officer.

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

1. The proposed Fiscal Year 2015/16 budget, attached hereto as Exhibit "A", is hereby adopted.
2. The Executive Officer is hereby authorized and directed to forward said proposed budget to the Board of Supervisors; to each city; and to the clerk and chair of the city selection committee, if any, in accordance with the requirements of Government Code Section 56381.
3. Commission reserves in the amount of \$XX,XXX are to be applied to the 2015/16 budget to offset city/county contributions.

RESOLUTION NO. 15-00X  
PAGE 2

The foregoing resolution was adopted upon the motion by Commissioner \_\_\_\_\_,  
and seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 1st day of April 2015,  
by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

---

Ben Giuliani, Executive Officer

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# CALAFCO Daily Legislative Report as of Tuesday, March 24, 2015

## **AB 402 (Dodd D) Local agency services: contracts.**

**Current Text:** Introduced: 2/19/2015 [pdf](#) [html](#)

**Introduced:** 2/19/2015

**Status:** 3/2/2015-Referred to Com. on L. GOV.

**Summary:** Would allow a local agency formation commission to authorize a city or district to provide new or extended services outside its jurisdictional boundaries to support existing or planned uses involving public or private properties, subject to approval at a publicly noticed hearing where the commission makes specified determinations. The bill would also make technical and conforming changes.

**Position:** Watch

**Subject:** CKH General Procedures, LAFCo Administration, Service Reviews/Spheres

**CALAFCO Comments:** As written, this bill expands LAFCo's existing authority to approve new and extended services beyond agencies' spheres of influence inclusive of public health and safety threats, only if LAFCo can make three findings at noticed public hearings. These findings involve determining the extension: (1) was evaluated in a municipal service review; (2) will not result in adverse impacts on open-space and agricultural lands or growth; and (3) a later change of organization is not expected or desired based on local policies. Further, the bill clarifies LAFCo's sole authority in determining the application of the statute, and deemphasizes the approval of contracts and emphasizes the approval of service extensions. CALAFCO previously considered (over an extensive period of time) amending GC §56133, and twice (in 2011 and again in 2013) the CALAFCO Board of Directors decided not to pursue those amendments. This is not a CALAFCO sponsored bill. Assembly member Dodd is a former Napa LAFCo Commissioner.

## **AB 448 (Brown D) Local government finance: property tax revenue allocations: VLF adjustments.**

**Current Text:** Introduced: 2/23/2015 [pdf](#) [html](#)

**Introduced:** 2/23/2015

**Status:** 3/5/2015-Referred to Com. on L. GOV.

**Summary:** Current property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction shall be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. This bill would modify these reduction and transfer provisions, for the 2015-16 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.

**Position:** Support

**Subject:** Financial Viability of Agencies, Tax Allocation

**CALAFCO Comments:** As introduced, this bill is identical to AB 1521 (Fox) from last year. This bill reinstates the VLF payment (through ERAF) and changes the way that the growth in the VLF adjustment amount (property tax in lieu of VLF) is calculated starting in FY 2015-16 to include the growth of assessed valuation, including in an annexed area, from FY 2004-05 to FY 2015-16. Beginning in FY 2016-17, the VLF adjustment amount would be the jurisdiction's annual change in the assessed valuation

## **AB 851 (Maves R) Local government: organization: disincorporations.**

**Current Text:** Introduced: 2/26/2015 [pdf](#) [html](#)

**Introduced:** 2/26/2015

**Status:** 3/16/2015-Referred to Com. on L. GOV.

**Summary:** Would, in the case of a disincorporation or reorganization that includes a disincorporation, require the plan for services to include specific provisions, including, among others, an enumeration and description of the services currently provided by the city proposed for disincorporation and an outline of current retirement obligations, as specified. This bill contains other related provisions and other existing laws.

**Position:** Sponsor

**Subject:** CKH General Procedures, Disincorporation/dissolution

**CALAFCO Comments:** Sponsored by CALAFCO. As introduced, this bill addressed the long-outdated statutes relating to disincorporation. Although many other areas of CKH have been updated over the past 52 years, the areas pertaining to disincorporations remain in their original format as written in 1963.

This bill does the following: (1) Clarifies the expectation for assignment of responsibility for debt that will continue in existence after disincorporation; (2) Establishes the parameters and requirements for the submission of the Plan for Service for a disincorporation proposal which outlines existing services, the proponent's plan for the future of those services, and whether or not a bankruptcy proceeding has been undertaken; (3) Establishes the responsibilities of LAFCOs in preparing a Comprehensive Fiscal Analysis for disincorporations, the determination of the transfer of property tax revenues previously received by the proposed disincorporating City, and the determination of the transfer of debt to a successor agency or agencies. Further, the bill retains LAFCOs existing authority to impose terms and conditions on a proposed disincorporation as well as the election requirements necessary for approval of disincorporation. The proposed disincorporation statutory changes use the incorporation provisions as a template to propose changes in the disincorporation process.

**SB 25 (Roth D) Local government finance: property tax revenue allocation: VLF adjustments.**

**Current Text:** Introduced: 12/1/2014 [pdf](#) [html](#)

**Introduced:** 12/1/2014

**Status:** 3/19/2015-Set for hearing April 8.

**Calendar:** 4/8/2015 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

**Summary:** Would modify specified reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2014-2015 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

**CALAFCO Comments:** Identical to SB 69 (Roth) from 2014, the bill calls for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. There are no provisions for back payments for lost revenue, but the bill does reinstate future payments beginning in the 2014/15 year for cities that incorporated between 1-1-2004 and 1-1-2012.

**SB 239 (Hertzberg D) Local services: contracts: fire protection services.**

**Current Text:** Amended: 3/23/2015 [pdf](#) [html](#)

**Introduced:** 2/17/2015

**Last Amended:** 3/23/2015

**Status:** 3/23/2015-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

**Summary:** Would establish commission proceedings to consider the exercise of new or extended fire protection services outside a public agency's current service area by contract or agreement. The bill would require the legislative body of a public agency to adopt a resolution and submit the resolution along with a plan for services, as provided. The bill would require that a proposal by a state agency be initiated by the director of the agency with the approval of the Governor. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** CKH General Procedures, Municipal Services

**CALAFCO Comments:** According to the author's office, this is a spot bill relating to service extensions. It is unknown at this time what those changes will be. It is known that the sponsor of the bill is the California Professional Firefighters Association.

**SB 393 (Nguyen R) Local agencies.**

**Current Text:** Introduced: 2/25/2015 [pdf](#) [html](#)

**Introduced:** 2/25/2015

**Status:** 3/5/2015-Referred to Com. on RLS.

**Summary:** Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes 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 make technical, nonsubstantive changes to the above-described law.

**Position:** Placeholder - monitor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is a spot bill. According to the author's office, it has been introduced by the Senator on behalf of the Republican Caucus as a local government spot bill (Senator Nguyen is the Vice Chair of the Senate Gov & Finance Comm). CALAFCO will monitor.

**AB 3 (Williams D) Isla Vista Community Services District.**

**Current Text:** Introduced: 12/1/2014 [pdf](#) [html](#)

**Introduced:** 12/1/2014

**Status:** 12/2/2014-From printer. May be heard in committee January 1.

**Summary:** Would express the intent of the Legislature to clarify and establish the necessary authority for the creation of the Isla Vista Community Services District within the unincorporated area of Santa Barbara County, and would make legislative findings and declarations relating to that intent.

**Position:** Watch

**Subject:** LAFCo Administration, Special District Powers

**CALAFCO Comments:** As introduced, this bill gives legislative authority for the creation of the Isla Vista Community Services District (CSD). This authority would completely bypass the LAFCo process in the creation of this special district. CALAFCO issued a letter of concern on the intent language on December 20, 2014.

**AB 541 (Dahle R) Big Valley Watermaster District Act.**

**Current Text:** Introduced: 2/23/2015 [pdf](#) [html](#)

**Introduced:** 2/23/2015

**Status:** 3/5/2015-Referred to Com. on L. GOV.

**Summary:** Would create a watermaster district with unspecified boundaries within the Counties of Lassen and Modoc to be known as the Big Valley Watermaster District. The bill would generally specify the powers and purposes of the district. The bill would prescribe the composition of the board of directors of the district. The bill would require the district to provide watermaster service on behalf of water right holders whose place of use under an appointed decree, as defined, is a parcel of real property within the district.

**Position:** Watch

**Subject:** LAFCo Administration, Special District Powers, Water

**AB 707 (Wood D) Agricultural land: Williamson Act contracts: cancellation.**

**Current Text:** Introduced: 2/25/2015 [pdf](#) [html](#)

**Introduced:** 2/25/2015

**Status:** 3/12/2015-Referred to Coms. on AGRI. and L. GOV.

**Calendar:** 4/15/2015 1:30 p.m. - State Capitol, Room 126 ASSEMBLY AGRICULTURE, PEREA, Chair

**Summary:** Current law provides for the procedure to cancel a contract entered into under the provisions of the California Land Conservation Act of 1965 and provides that the landowner and the Department of Conservation may agree on the cancellation value of the land. This bill would repeal the authorization for the landowner and the department to agree on the cancellation value of the land.

**Position:** Watch

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** As written, this bill repeals the provision that allows cancellation of the valuation of the land.

**SB 272 (Hertzberg D) The California Public Records Act: local agencies: inventory.**

**Current Text:** Introduced: 2/19/2015 [pdf](#) [html](#)

**Introduced:** 2/19/2015

**Status:** 3/5/2015-Referred to Coms. on GOV. & F. and JUD.

**Summary:** Would require each local agency, in implementing the California Public Records Act, to conduct an inventory of data gathered by the agency that discloses what data is maintained by the agency, by whom, and with what frequency it is collected. The bill would require the inventory to be available to the public. Because the bill would require local agencies to perform additional duties, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** LAFCo Administration, Public Records Act

**CALAFCO Comments:** As written, this bill requires all local agencies (including LAFCo) to conduct an inventory of all data gathered by the agency that includes (1) what the data is; (2) who collects it; and (3) the frequency with which it is collected. This bill is an unfunded mandate on public agencies.

**AB 168 (Maienschein R) Local government finance.**

**Current Text:** Introduced: 1/22/2015 [pdf](#) [html](#)

**Introduced:** 1/22/2015

**Status:** 1/23/2015-From printer. May be heard in committee February 22.

**Summary:** Current law requires the county auditor, in the case in which a qualifying city becomes the successor agency to a special district as a result of a merger with that district as described in a specified statute, to additionally allocate to that successor qualifying city that amount of property tax revenue that otherwise would have been allocated to that special district pursuant to general allocation requirements. This bill would make nonsubstantive changes to the provision pertaining to property tax revenue allocations to a qualifying city that merges with a special district.

**Position:** Placeholder - monitor

**Subject:** Tax Allocation

**CALAFCO Comments:** This is a spot bill. No information is available on the author's intent at this time.

**AB 369 (Steinorth R) Local government.**

**Current Text:** Introduced: 2/17/2015 [pdf](#) [html](#)

**Introduced:** 2/17/2015

**Status:** 2/18/2015-From printer. May be heard in committee March 20.

**Summary:** The Planning and Zoning Law establishes in each city and county a planning agency with the powers necessary to carry out the purposes of that law. Current law sets forth the Legislature's findings and declarations regarding the availability of affordable housing throughout the state. This bill would make nonsubstantive changes to those findings and declarations.

**Position:** Placeholder - monitor

**CALAFCO Comments:** This is a spot bill. No information is available at this time regarding the author's intent for the bill. CALAFCO will monitor for amendments.

**AB 656 (Garcia, Cristina D) Joint powers agreements: mutual water companies.**

**Current Text:** Introduced: 2/24/2015 [pdf](#) [html](#)

**Introduced:** 2/24/2015

**Status:** 3/9/2015-Referred to Com. on L. GOV.

**Summary:** Current law authorizes local public entities, as defined, to enter into a joint powers agreement for the purposes of providing risk-pooling, as specified. This bill would specifically authorize 2 or more mutual water companies, or 2 or more mutual water companies and one or more public agencies that operate a public water system, to participate in joint powers agreement for risk-pooling, technical support, and other similar services.

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** As written, the bill gives the ability to two or more mutual water companies, or a mutual water company and a public agency to enter into a joint powers agreement. The bill limits the purpose of such a joint powers agreement to either risk-pooling or the provision of technical support, continuing education, safety engineering, operational and managerial advisory assistance to be provided to the members of that joint powers agency.

**AB 948 (Patterson R) Local government: community service districts.**

**Current Text:** Introduced: 2/26/2015 [pdf](#) [html](#)

**Introduced:** 2/26/2015

**Status:** 2/27/2015-From printer. May be heard in committee March 29.

**Summary:** The Community Services District Law authorizes the establishment of community services districts to provide various services to the geographic area within each district, and further authorizes specified community services districts to enforce covenants, conditions, and restrictions within that district, as provided. This bill would make a nonsubstantive change to those provisions.

**Position:** Watch

**Subject:** Special District Powers

**CALAFCO Comments:** As introduced this is a spot bill. CALAFCO will watch for amendments.

**SB 13 (Pavley D) Groundwater.**

**Current Text:** Amended: 2/24/2015 [pdf](#) [html](#)

**Introduced:** 12/1/2014

**Last Amended:** 2/24/2015

**Status:** 3/24/2015-Action From N.R. & W.: Do pass.To APPR..

**Calendar:** 3/24/2015 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, PAVLEY, Chair

**Summary:** Would specify that the State Water Resources Control Board is authorized to designate a high- or medium-priority basin as a probationary basin. This bill would provide a local agency or groundwater sustainability agency 90 or 180 days, as prescribed, to remedy certain deficiencies that caused the board to designate the basin as a probationary basin. This bill would authorize the board to develop an interim plan for certain probationary basins one year after the designation of the basin as a probationary basin. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** While this bill has no direct affect on LAFCos, the formation of groundwater management agencies and groundwater management is of interest, therefore CALAFCO will watch the bill.

**SB 181 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/9/2015 [pdf](#) [html](#)

**Introduced:** 2/9/2015

**Status:** 3/19/2015-Set for hearing April 8.

**Calendar:** 4/8/2015 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

**Summary:** This bill would enact the First Validating Act of 2015, 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

**Subject:** Other

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

**SB 182 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/9/2015 [pdf](#) [html](#)

**Introduced:** 2/9/2015

**Status:** 3/19/2015-Set for hearing April 8.

**Calendar:** 4/8/2015 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

**Summary:** This bill would enact the Second Validating Act of 2015, 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

**Subject:** Other

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

**SB 183 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/9/2015 [pdf](#) [html](#)

**Introduced:** 2/9/2015

**Status:** 3/19/2015-Set for hearing April 8.

**Calendar:**

4/8/2015 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

**Summary:** This bill would enact the Third Validating Act of 2015, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Position:** Support

**Subject:** Other

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

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

**Current Text:** Introduced: 2/9/2015 [pdf](#) [html](#)

**Introduced:** 2/9/2015

**Status:** 2/19/2015-Referred to Com. on RLS.

**Summary:** Current law requires the legislative body of a local entity to annually file with the auditor a list of lots or parcels of land subject to specified fees or charges for water, sanitation, storm drainage, or sewerage system services and facilities and the amounts of the installments of the fees or charges to be entered against the affected lots or parcels of land. Current law requires the auditor to enter on the assessment roll the amounts of installments of these fees or charges. Current law defines the auditor, for the purposes of these provisions, as the financial officer of the local entity. This bill would clarify that the above-described provisions relating to the authority and duties of the auditor apply only to the county auditor. The bill would also make technical, nonsubstantive changes to these provisions.

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** This bill is the Senate Governance & Finance Committee's annual Omnibus bill. This bill is intended to make technical, non-substantive changes to the Government Code outside of CKH.

**SB 226 (Pavley D) Sustainable Groundwater Management Act: groundwater rights.**

**Current Text:** Introduced: 2/13/2015 [pdf](#) [html](#)

**Introduced:** 2/13/2015

**Status:** 2/26/2015-Referred to Coms. on N.R. & W. and JUD.

**Summary:** Would provide, under the Sustainable Groundwater Management Act, that a groundwater sustainability plan or coordinated groundwater sustainability plans establishes a timely method for determining rights to groundwater in furtherance of the objectives of the act. This bill would require the process to be available to any court of competent jurisdiction. This bill would require the boundaries of a basin to be as identified in Bulletin 118, unless other basin boundaries are established, as specified.

**Position:** Placeholder - monitor

**Subject:** Water

**CALAFCO Comments:** This is a spot bill to address groundwater rights relating to the new Sustainable Groundwater Management Agencies.

**SB 422 (Monning D) Santa Clara Valley Open-Space District.**

**Current Text:** Introduced: 2/25/2015 [pdf](#) [html](#)

**Introduced:** 2/25/2015

**Status:** 3/5/2015-Referred to Com. on GOV. & F.

**Summary:** Would change the name of the Santa Clara County Open-Space Authority to the Santa Clara Valley Open-Space District, and would authorize the district to acquire interests in real property that are either within the district's jurisdiction, part of a single property that is both within and adjacent to the district's jurisdiction, or within a watershed that includes lands within the district's jurisdiction where protection of those watershed lands outside of the district's jurisdiction is necessary to protect conservation values within the district's jurisdiction. The bill would also make related conforming changes.

**Subject:** Special District Powers

**SB 485 (Hernandez D) County of Los Angeles: sanitation districts.**

**Current Text:** Introduced: 2/26/2015 [pdf](#) [html](#)

**Introduced:** 2/26/2015

**Status:** 3/12/2015-Referred to Com. on RLS.

**Summary:** The County Sanitation District Act authorizes a sanitation district to acquire, construct, and complete certain works, property, or structures necessary or convenient for sewage collection, treatment, and disposal. This bill would authorize specified sanitation districts in the County of Los Angeles, to acquire, construct, operate, maintain, and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff, the discharge of the water to the stormwater drainage system, and the beneficial use of the water. This bill contains other related provisions.

**Subject:** Special District Powers



# **TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION**

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

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

March 11, 2015

ALTERNATES:  
Mike Ennis  
Dennis Mederos  
Craig Vejvoda

TO: The Honorable Judge Gary Paden  
Tulare County Grand Jury  
Tulare County Board of Supervisors

EXECUTIVE OFFICER:  
Ben Giuliani

FROM: Tulare County Local Agency Formation Commission (LAFCo)

SUBJECT: Tulare County Grand Jury Report: "Confusion and Chaos in Richgrove"

On February 4<sup>th</sup>, 2015 the Tulare County Grand Jury provided a report to Tulare County LAFCo titled "Confusion and Chaos in Richgrove". The report includes a recommendation that the Tulare County Treasurer become the treasurer of the Richgrove Community Services District (CSD), be the depository, and have custody of all district money. In regards to LAFCo, the Grand Jury recommends the following:

*Pursuant to Cal. Gov. Code §61053, the Board [Richgrove CSD] may petition for the resumption of its financial control once the county standards and educational recommendations have been met and approved by the Tulare County Local Agency Formation Commission.*

The Grand Jury, pursuant to California Penal Code §933(c) required a response from Tulare County LAFCo by April 6<sup>th</sup>, 2015. Tulare County LAFCo reviewed the Grand Jury report at its March 4<sup>th</sup>, 2015 meeting. Tulare County LAFCo's response is as follows:

*Tulare County LAFCo will consider the recommended role for LAFCo upon request by Richgrove CSD and Tulare County BOS.*

If there are any questions regarding this response, please contact me at 623-0450 or [bjuliani@tularecog.org](mailto:bjuliani@tularecog.org).

Sincerely,

Executive Officer  
Tulare County Local Agency Formation Commission

Cc: Richgrove CSD

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# News from the Board of Directors

## CALAFCO QUARTERLY

February 2015



### CALAFCO Board and Staff Meet in Biennial Strategic Planning Retreat

On January 29, 2015, the CALAFCO Board held their biennial strategic planning retreat in Irvine. During the day-long retreat they reviewed Association accomplishments for 2013 and 2014, reaffirmed CALAFCO's mission, and worked extensively in the review of the current strategic plan priority areas. The Board reaffirmed the Association's legislative priorities and reviewed several potential legislative hot spots such as groundwater management and mutual water companies.



The group also spent time exploring what is on the horizon for CALAFCO in terms of increasing value for the membership, including what it may look like to enhance the annual conference experience. The Board appointed a subcommittee to work with the Executive Director to explore various conference models and



report back to the full Board in May with options for consideration. In addition, the Board discussed the election policy trial in which an absentee ballot could be used in the case of a runoff election. This trial period was in effect for the past two years, and neither election afforded the opportunity to test it so the Board decided to end the trial period.

All of the work done during that retreat will be presented back to the Board in the form of a 2-year strategic plan for consideration and adoption at their May 8 meeting.

### 2015 Staff Workshop Update

After the Gold Rush



Work is in full stride with the planning for the 2015 Staff Workshop. Scheduled for April 15-17 (Wed - Fri), the planning teams are putting the final touches on the program and special events. The workshop will be held in Grass Valley at the Holiday Inn Express and Grass Valley Courtyard Suites. This year

our host is Nevada LAFCo and the theme is *After the Gold Rush...Forging the Future and Preserving the Past*. The program has a solid mix of technical sessions and personal leadership development topics. A great Mobile Workshop is also planned exploring the history of water, power and gold in the Sierra. There is a very special Thursday evening dinner planned at the beautiful historic Miner's Foundry in Nevada City. Registration and sponsorship information is available on the CALAFCO website.

### 2015 Annual Conference Update

Planning for this year's annual conference is underway. Mark your calendars for September 2 - 4, 2015 and join our host, Sacramento LAFCo. This year's theme is *Confluence...LAFCo, Merging Ideas with Solutions*. The Call for Presentations period has closed and the program planning team will review presentations in March. Look for registration information coming soon. For now, save the dates!



### CALAFCO Board Actions

Following their strategic planning retreat, the Board met in a regular Board meeting on January 30. During the meeting the Board addressed several administrative issues including:

- ◆ The quarterly financial reports were reviewed. The budget is on track for the year with no changes anticipated. Contingency fund usage is aligned with previous Board approval. All financial reports are located on the website.
- ◆ The Board considered the 2015-16 dues. CALAFCO Bylaws call for the dues to automatically increase annually by the state CPI, unless the Board takes action otherwise. As costs to provide member services continue to increase and member dues still do not cover the operational budget, the Board did not take action. As a result, the dues for FY 2015-16 will increase by the CPI, which is 2.0%.
- ◆ The Board received an extensive legislative update including a full presentation from the Disincorporations and JPA working groups. After hearing from Kathy Rollings-McDonald (San Bernardino LAFCo) on the work being done on cleaning up the Disincorporations statutes, the Board followed the Legislative Committee's recommendation of sponsoring legislation in 2015. The Board directed CALAFCO staff to secure an author for the 2015 legislative year and begin stakeholder outreach. Furthermore the Board approved the technical support of Kathy Rollings-McDonald and authorized travel expenses not to exceed \$1000 for that support.
- ◆ The Board also heard from Keene Simonds (Marin LAFCo) who leads the JPA working group. After considering the Legislative Committee's recommendation to move forward with this legislation, the Board amended the proposed language to narrow the focus to only those JPAs whose membership consists of a public agency.



With this amendment, the Board approved the recommendation to Sponsor this legislation and directed CALAFCO staff to secure an author for either the 2015 (preferably) or 2016 year and begin stakeholder outreach. The legislation is proposed to amend GC §6503.6 and add §6503.8 to have those JPAs that include a public agency file their agreements with LAFCo.

- ◆ The Board also received an update that the working group focusing on amending the Protest Provisions was in the process of seeking their second round of feedback from Executive Officers and LAFCo Legal Counsel and that the full proposal will be brought to the Board in May for consideration.

### CALAFCO Legislative Update

The CALAFCO Legislative Committee began meeting regularly in November 2014 for the 2015 legislative year. In addition to the Board prescribed priorities noted above, the Committee is working on CALAFCO's annual Omnibus bill. This year there is an unprecedented number of legislators with two years or less of state-level experience (it is estimated that 72 of the 120 fall into this category) due to term limits. A new Speaker of the House and Senate President pro Tem translated into a bevy of committee assignment shake-ups. The two committees that CALAFCO works closest with both have new Chairs and Vice Chairs as follows: Assembly Local Government Committee (ALGC) Chair is Brian Maienschein (R) and Vice Chair is Lorena Gonzalez (D), and the Senate Governance & Finance (SG&FC) Committee Chair is Robert Hertzberg (D) and Vice Chair is Janet Nguyen (R) – all four of whom represent the southern part of the state.

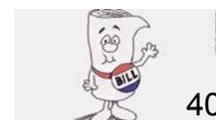


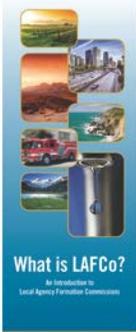
The last day to introduce bills was February 27. To date, 2,411 bills have been introduced. CALAFCO's Executive Director (Pamela Miller) and Board Chair (John Leopold) spent two days in late January meeting with various legislators and/or their key staff including Senators Nguyen, Monning, Pavley, and Bates, and Assemblymembers Maienschein, Baker, Dodd, and Gonzalez. Since that time, CALAFCO's Executive Director has continued to meet with various legislators on both the ALGC and SG&FC.

CALAFCO is tracking a number of bills and to date has taken a position on one bill. A summary of the primary bills being tracked follows. A full detailed legislative tracking report can be found on the CALAFCO website in the Members Only section.

### CALAFCO Top Tracked Bills:

- ◆ **AB 402** (Dodd) Service Extensions. (*CALAFCO Watch*) As written, this bill makes changes to GC §56133 relating to expanding LAFCo's existing authority to approve new and extended services beyond agencies' spheres of influence inclusive of public health and safety threats, only if LAFCo can make certain findings. CALAFCO previously considered (over an extensive period of time) amending GC §56133, and twice (in 2012 and again in 2014) the CALAFCO Board of Directors ultimately decided not to pursue those amendments. This is not a CALAFCO sponsored bill. Assembly member Dodd is a former Napa LAFCo Commissioner. The Leg Committee will consider a position at the March 20 meeting.
- ◆ **AB 448** (Brown) VLF. (*CALAFCO Watch*) This bill is identical to AB 1521 (Fox) from 2014 which passed the legislature unanimously but was vetoed by the Governor. The Leg Committee will consider a position at the March 20 meeting.
- ◆ **AB 851** (Mayes) Disincorporations. (*CALAFCO Sponsor*) This bill cleans up various provisions that have to do with the disincorporation process.
- ◆ **SB 25** (Roth) VLF. (*CALAFCO Support*) This bill is identical to SB 69 (Roth, 2014) that was passed unanimously by the legislature and vetoed by the Governor.
- ◆ **SB 239** (Hertzberg) Service Extensions. (*CALAFCO Watch*) This was introduced as a spot bill relating to GC §56133. Not much is known about the author's intent for this bill. However, we do know that the sponsor is the California Professional Firefighter's Association. CALAFCO is watching the bill very closely and waiting to hear from the author's office. The Leg Committee will consider a position at the March 20 meeting should the bill be amended by then.
- ◆ **AB 3** (Williams) Isla Vista CSD. (*CALAFCO Watch*) As introduced, this bill gives legislative authority for the creation of the Isla Vista CSD. This authority would completely bypass the LAFCo process in the creation of this special district. CALAFCO sent a letter of concern to the author in December.
- ◆ **SB 272** (Hertzberg) Public Records Act, local agencies inventory. (*CALAFCO Watch*) As written, this bill requires all local agencies (including LAFCo) to conduct an inventory of all data gathered by the agency that includes (1) what the data is; (2) who collects it; and (3) the frequency with which it is collected. This bill is an unfunded mandate on public agencies. The Leg Committee will consider a position at the March 20 meeting.





### Updated "What is LAFCo?" Brochure Now Available

The new and improved "What is LAFCo?" brochure is now here and ready for ordering! This is a handy tool to help your community understand the role, responsibilities and history of LAFCo. Visit the CALAFCO website to download the order form and get your copies today!



### CALAFCO U Update

Staff will be announcing the two 2015 CALAFCO U sessions very soon. Watch the website and your email for details!

### CALAFCO Associate Members' Corner

This section highlights our Associate Members. The information below is provided to CALAFCO by the Associate member upon joining the Association. All Associate member information can be found in the CALAFCO Member Directory.



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### Best Best & Krieger

In meeting the needs of public and private sector clients, **BB&K** offers unique experience in handling complex, multi-disciplinary issues and providing solutions of common interest to leaders of both business and government, including LAFCo law. **BB&K** has been a Gold Associate member since the dawn of time, and Clark Alsop of **BB&K** has been CALAFCO's legal counsel since 1982. Learn more about **BB&K** and their services at [www.bbklaw.com](http://www.bbklaw.com).

### Economic & Planning Systems

**EPS** is an urban economics consulting firm specializing in governance analysis; LAFCo special studies and service reviews; tax sharing; annexation; incorporation, and reorganization feasibility; fiscal analysis; public finance; demographic and regional forecasting. **EPS** has been a Gold Associate member since June 2005. Learn more about **EPS** and their services at [www.epsys.com](http://www.epsys.com).



### Colantuono, Highsmith & Whatley, PC

Michael **Colantuono** served on the Commission on Local Governance in the 21st Century and helped rewrite the CKH Act. He is General Counsel to Calaveras and Yuba LAFCos and conflict counsel for Nevada, Orange, San Diego and Yolo LAFCos. Holly **Whatley** was lead litigator in a challenge to San Diego LAFCo's denial of an annexation for Home Depot and Michael and Holly are defending San Luis Obispo LAFCo in a developer's challenge to the denial of an annexation to the City of Pismo Beach. David Ruderman serves as Assistant General Counsel to the Calaveras and Yuba LAFCos and is also working on the San Luis Obispo case. Michael was counsel to the Hacienda Heights incorporation effort in Los Angeles County in 2006. Michael **Colantuono** has been a Gold Associate member since July 2008. Learn more about **Colantuono, Highsmith & Whatley, PC** at [www.chwlaw.us](http://www.chwlaw.us).

Colantuono  
Highsmith &  
Whatley, PC

*CALAFCO wishes to thank all of our Associate members for your support and partnership. We look forward to continuing to highlight our Associate Members in each Quarterly Report.*

### Mark Your Calendars For These Upcoming CALAFCO Events

- ❖ CALAFCO Legislative Committee meeting - March 20, 2015 in Ontario
- ❖ CALAFCO Staff Workshop - April 15 - 17, 2015 in Grass Valley
- ❖ CALAFCO Legislative Committee meeting - May 1, 2015 in Sacramento
- ❖ CALAFCO Board of Directors meeting - May 8, 2015 in Sacramento
- ❖ CALAFCO Legislative Committee meeting - June 26, 2015 via conference call

The full CALAFCO 2015 Calendar of Events can be found on the CALAFCO website.



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