



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:
Pete Vander Poel, Chair
Juliet Allen, V-Chair
Cameron Hamilton
Rudy Mendoza
Steve Worthley

LAFCO MEETING AGENDA August 30, 2017 @ 2:00 P.M. BOARD OF SUPERVISORS CHAMBERS COUNTY ADMINISTRATIVE BUILDING 2800 West Burrel Avenue Visalia CA 93291

ALTERNATES:
Mike Ennis
Carlton Jones
Dennis Mederos

EXECUTIVE OFFICER:
Ben Giuliani

- I. Call to Order
- II. Approval of Minutes from July 12, 2017 (Pages 01-02)
- 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. New Action Items

- 1. Case 1533-V-450 (Sierra Village) (Pages 03-16)
[Public Hearing] *Recommended Action: Approval*
 The City of Visalia has submitted a request for annexation for 34.5 acres of land located southeast of Roeben Street and Noble Avenue alignment to the City of Visalia and concurrent detachment of the same area from Tulare County CSA #1. A Mitigated Negative Declaration was prepared in compliance with CEQA by the City of Visalia for use in this proposal.
- 2. Case 1534-V-451 (Reimer) (Pages 17-41)
[Public Hearing]..... *Recommended Action: Approval (with additional parcels)*
 The City of Visalia has submitted a request for annexation for approximately 16.9 acres of land located southeast of K Road and Burke Street to the City of Visalia and concurrent detachment of the same area from Tulare County CSA #1. The annexation area is intended to facilitate a 65-lot subdivision. A Negative Declaration was prepared in compliance with CEQA by the City of Visalia for use in this proposal.
- 3. Proposed Amended Policy C-5 (SOI) (Pages 42-51)
[Public Hearing]..... *Recommended Action: Approval*
 The proposed policy would streamline the SOI amendment/update and Municipal Service Review (MSR) process

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.

4. Cancellation of October 2017 Meeting **(No Page)**
[No Public Hearing].....Recommended Action: Approval

There are no action items scheduled for the October 4, 2017 meeting if no action items from this meeting are continued. If the Commission elects to cancel the October 4, 2017 meeting, the next regularly scheduled meeting would be November 1, 2017.

V. Executive Officer's Report

1. Legislative Update **(Pages 52-58)**

Enclosed is the California Association Local Agency Formation Commissions (CALAFCO) legislative report.

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

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

VI. Correspondence

1. CALAFCO Quarterly Report **(Page 59-62)**

Enclosed is the California Association Local Agency Formation Commissions (CALAFCO) Quarterly Report from July, 2017

VII. Other Business

1. Commissioner Report **(No Page)**

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

VIII. Setting Time and Place of Next Meeting

1. October 4, 2017 or November 1, 2017 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building.

IX. 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

**2800 W. Burrel Ave., Visalia, CA 93291 – Tulare County Administrative Building
July 12, 2017 – Meeting Minutes**

Members Present: Vander Poel, Allen, Hamilton
Members Absent: Mendoza, Worthley
Alternates Present: Mederos, Ennis
Alternates Absent: Jones
Staff Present: Giuliani, Ingoldsby, Moore, W. Gutierrez, & Kane recording
Counsel Present: Kuhn

I. Call to Order: Vice Chair Allen called the meeting to order at 2:02 p.m.

II. Approval of the June 14, 2017 Meeting Minutes:

Upon motion by Commissioner Ennis and seconded by Commissioner Hamilton, the Commission unanimously approved the LAFCO minutes.

III. Public Comment Period: Vice Chair Allen opened/closed the Public Comment Period at 2:04 p.m. No public comments received.

IV. New Action Items:

1. Case 1532-V449 (Lowery West):

Staff Analyst Ingoldsby reported on the proposed 66.2 acre annexation for residential development at the northeast corner of Riggin and Akers.

Chair Vander Poel opened the public hearing for additional comments.

Josh McDonnell, City of Visalia Planner, spoke in support of the annexation and addressed Commissioner questions.

Chair Vander Poel closed the public hearing.

Upon motion by Commissioner Allen and seconded by Commissioner Ennis, the Commission unanimously approved the annexation as recommended.

2. Cancellation of August 2, 2017 Meeting:

Upon motion by Commissioner Allen and seconded by Commissioner Ennis, the Commission unanimously approved the cancellation of the August 2, meeting.

V. Executive Officer's Report

1. Draft Proposed Amended Policy C-5 (SOIs): EO Giuliani presented the draft to the Commissioners. The revisions would streamline the SOI amendment/update and Municipal Service Reviews (MSR) process. Commissioners were in favor of the amendment and the amended policy will be brought back during the next LAFCO meeting for action.

2. Hospital/Healthcare District Extraterritorial Services: EO Giuliani discussed a Superior Court ruling in which healthcare districts are subject to LAFCO review for the provision of

extra territorial services. Information regarding extraterritorial services will be sent to local healthcare districts as a matter of interest.

3. **CALAFCO Daily Legislative Report:** EO Giuliani highlighted AB 464 Local government reorganization and AB 577 regarding disadvantaged communities.
4. **Upcoming Projects:** EO Giuliani reported there is an annexation proposal for Sierra Village in Visalia. The proposed amended policy C-5 regarding SOI and MSR process will also be presented for action.

VI. Correspondence: CALAFCO Annual Conference will be held in San Diego from October 25th-27th. Commissioner Allen requested to attend.

VII. Other Business:

1. Commissioner Report: Commissioner Mederos commented on a Bakersfield Californian newspaper article written by Lois Henry. The article was in regards to water management focusing on Tulare, Kings and Kern County. No other Commissioner reports were given.
2. Request from LAFCO for items to be set for future agendas:
 - Update on City of Visalia plans regarding the County Island located approximately a quarter mile south of Riggin & Akers.
 - Commissioner Allen requested that SGMA impacts be considered for future annexations.

VIII. Setting Time and Place of Next Meeting: The next Local Agency Formation Commission (LAFCO) meeting is scheduled for **September 6, 2017 at 2:00 p.m.** in the Board of Supervisors Chambers in the County Administration Building. <However, it is likely the meeting date will be rescheduled due to the proximity to the Labor Day holiday.>

IX. Adjournment: The Tulare County LAFCO meeting adjourned at 2:54 p.m.

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

August 30, 2017

**LAFCO Case Number 1533-V-450
City of Visalia Annexation No. 2016-01 (Sierra Village)**

- PROPOSAL:** City of Visalia Reorganization (annexation to Visalia, detachment from CSA #1)
- PROPONENT:** The City of Visalia by resolution of its City Council
- SIZE:** 34.5 acres
- LOCATION:** The southeast corner of Roeben Street and Noble Avenue alignment bisected by the Persian Ditch (**Figure 1**)
- NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.
- SUMMARY:** The purpose for the annexation is to serve the expansion needs of Sierra Village Retirement Community and Central Valley Christian's recreational fields. A tentative map to create five parcels and ten non-buildable lots (for riparian setbacks) has been approved by the City of Visalia. The subdivision would also result in the relocation and construction of a new storm drain basin, ditch relocation and dedication of right-of-way.
- APNs:** 087-450-001, 087-450-003, 087-450-004, 087-450-005

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing (County)	Proposed (City)
Zoning Designation	AE-20	Commercial Mixed Use, C-MU (33.5 acres) Open Space, O-S (1 acre)
General Plan Designation	Commercial Mixed Use	Commercial Mixed Use
Uses	Vacant	Assisted Living, Recreational Fields

B. Surrounding Land Uses and Zoning and General Plan Designations:

	Zoning Designation	General Plan Designation	Existing Use
North	State Route 198	State Route 198	State Route 198
South	Q-P Quasi Public	Public / Institutional	Sierra Village Assisted Living Retirement Community
East	C-MU Commercial Mixed Use	Commercial Mixed Use	Adventure Park, Shopping Center and Central Valley Christian School
West	AE-20 (County)	Low Density Residential & Conservation	Farmland and Rural Residential

C. Topography, Natural Features and Drainage

The site is relatively flat. The Persian-Watson ditch bisects site in an east/west direction. The project development would relocate the ditch.

D. Conformity with General Plans and Spheres of Influence:

The site is within the Sphere of Influence and within the City's Tier 1 Urban Development Boundary.

2. Impact on Prime Agricultural Land, Agriculture and Open Space:

The land is considered prime agriculture land Class 1. The parcels are not under Williamson Act contract.

3. Population:

There are not more than 12 registered voters in the proposed annexation area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

4. Services and Controls - Need, Cost, Adequacy and Availability:

Agency providing service

<i>Service</i>	<i>Now</i>	<i>After</i>	<i>Method of finance</i>
Police Protection	County of Tulare	City of Visalia	General Fund
Fire Protection	County of Tulare	City of Visalia	Impact Fees/ General Fund
Water Supply	None	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact Fees
Street Lighting	None	City of Visalia	Impact/User Fees
Street Maintenance	County of Tulare	City of Visalia	Impact Fees
Planning/Zoning	County of Tulare	City of Visalia	Gen. Plan Maint. Fees
Garbage Disposal	None	City of Visalia	Incurred by Owner
Strom Drainage	None	City of Visalia	Impact/User Fees

Cal Water has provided a will serve letter (**Figure 3**). The City can provide all other urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services. According to the City, it has more than enough sewer capacity in its treatment plant to accommodate this annexation proposal. They City’s wastewater treatment plan has a capacity of 22 million gallons per day (mgd). Current estimated average daily flow is about 13 mgd. Other undeveloped areas already within the City limits add a potential for another 0.5 to 1.0 mgd. This annexation would add an estimated 0.028 mgd.

5. Boundaries and Lines of Assessment:

The boundaries of the proposal area are definite and certain and conform to the lines of assessment. A map sufficient for filing with the State Board of Equalization has been received.

6. Assessed Value, Tax Rates and Indebtedness:

Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land	\$ 957,564
Improvements	\$ 0
Total	\$ 957,564

7. Environmental Impacts:

The City of Visalia is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and incorporation by reference the City of Visalia General Plan and other planning

documents, a Mitigated Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

8. Landowner Consent:

Consent to this annexation has been received from all property owners. Therefore, the protest proceedings may be waived in accordance with GC §56663.

9. Regional Housing Needs Assessment (RHNA):

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of regional housing needs as determined by the appropriate council of governments. The project will provide approximately 34.5 acres zone for commercial mixed use. It is intended to serve the expansion of Sierra Village and CVC’s recreational fields. However, it is not know at this time the acreage distribution for each of these uses, or the density of the Sierra Village expansion. The existing Sierra Village is developed at approximately 7.5 dwelling units/gross acre. If the entire site was developed for Sierra Village (which would ignore the recreational fields for CVC) the City’s residential land supply would still remain well under the 10 year land supply guideline.

2014-2023 City of Visalia RHNA

Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
1,308	1,308	1,931	1,802	3,672	10,021

10. Discussion:

Government Services

The adequacy of governmental service will be improved within the subject area. According to the City they are currently able to provide the annexation area urban services and infrastructure for development such as sewer services, fire, police, streets lighting, etc., as well as planning and building services

Services which would be extended to this area, including police and fire safety services and development permit services, will be funded primarily though the impact and permit fees.

Any growth occurring in this area would be consistent with the City’s General Plan since the sites are within the current Tier 1 Urban Development Boundary and are designated for development with the adoption of the new General Plan.

This area will need increased services, including planning and building safety, police and fire protection, and sewer service. The City of Visalia is prepared to provide these services as development occurs.

Residential Land Supply

Of the 66.2 acres included in the proposed annexation, 50.4 acres are pre-zoned for low density residential and a tentative map for a 184-lot residential subdivision has been approved. The remaining 15.8 acres on two Remainder parcels are pre-zoned for medium density residential which at the average zoning density could provide 190 units.

The City currently has a 5.5 year supply of residential land. This amount assumes a historical population growth rate of 2.52% per year and the current population density of 11.23 people per acre. The City's projected growth rate per their general plan is 2.6%. Using the Blueprint growth model, the City's residential land supply is 6.9 years (the blueprint goal is 5.3 units per net acre). However, it is unknown at this time how many residential units may be added as a result of this annexation because the distribution of land uses and density rates remain unknown.

The City of Visalia has submitted another annexation proposal, 1534-V-451 (Reimer), which is scheduled to be heard at this same LAFCO meeting. This concurrent annexation is approximately 16.9 acres and has a tentative map for a 65-lot residential subdivision on 15.2 acres and a remainder parcel. The City of Visalia would still remain well below the 10 year residential land supply guideline if both of these reorganizations were approved.

RECOMMENDED ACTIONS:

It is recommended that this proposal be approved and that the Commission take the following actions:

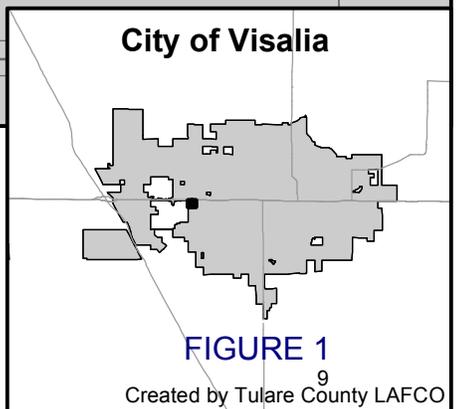
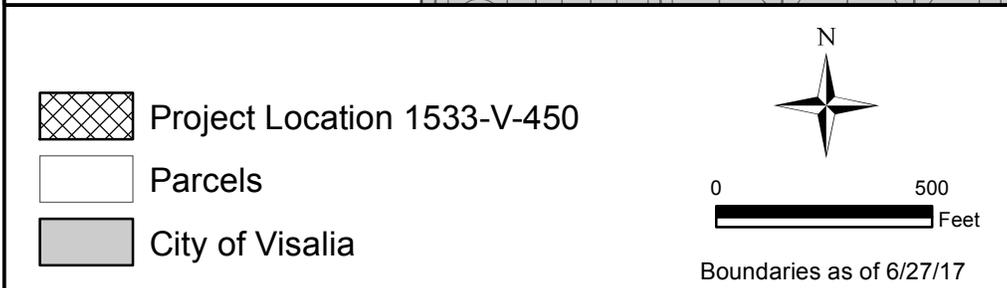
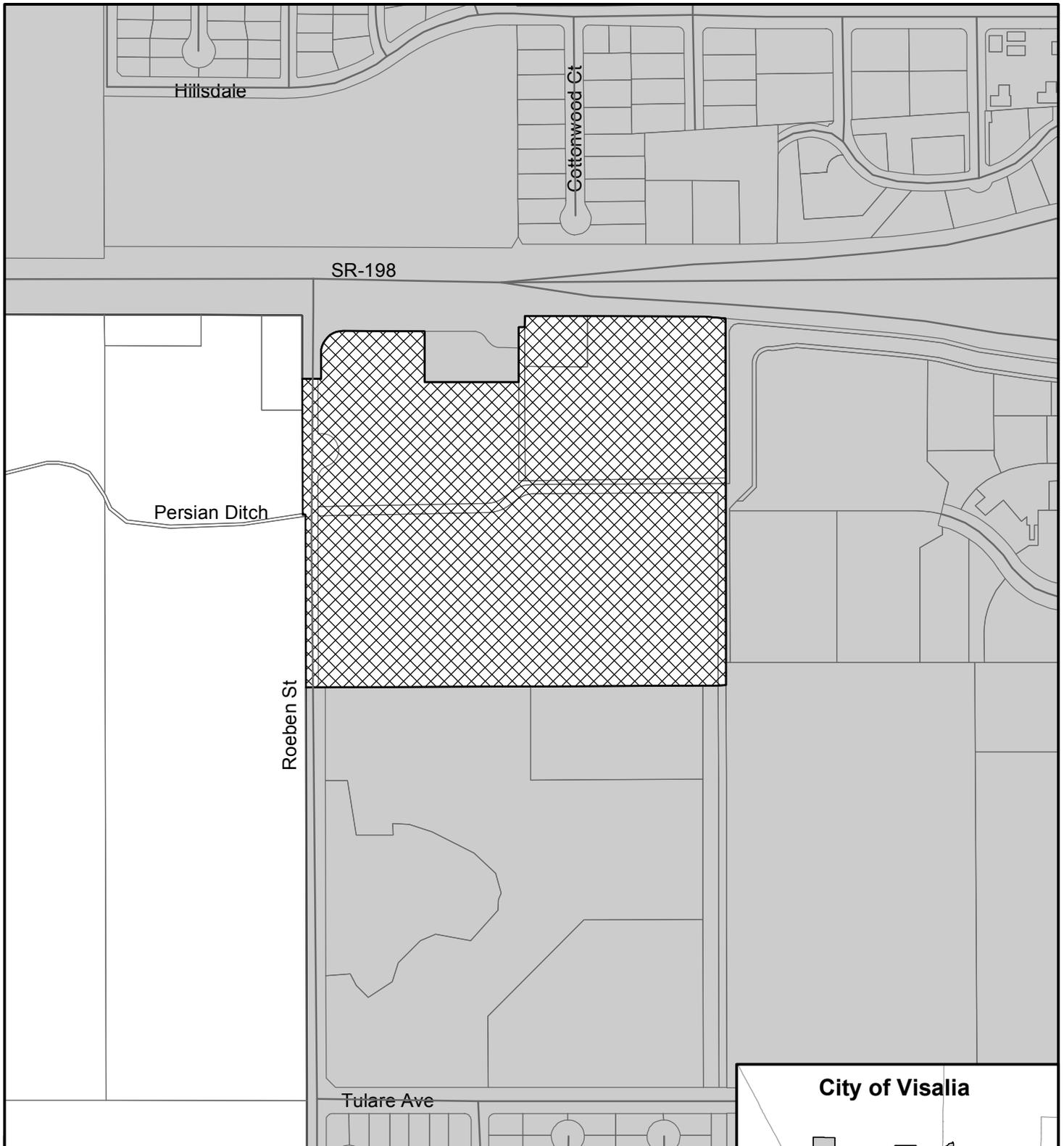
1. Certify that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and find that the project will not have a significant effect on the environment.
2. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, find that:
 - a. The boundaries of the proposed reorganization are definite and certain and conform to lines of assessment.
 - b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.

- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
 - d. The proposed annexation is compatible with the City's General Plan.
 - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
4. Find that the territory proposed for this annexation to the City of Visalia and detachment from CSA #1 is uninhabited.
 5. Find that the annexation does not contain any Williamson Act contract land.
 6. Approve the reorganization as proposed by the City of Visalia, to be known as LAFCO Case Number 1533-V-450, Visalia Annexation 2016-01 (Sierra Village).
 - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
 - b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
 7. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code §56663 and order the detachment without an election or if written protests are received prior to the conclusion of the public hearing, conduct the protest hearing pursuant to GC §57000.
 8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

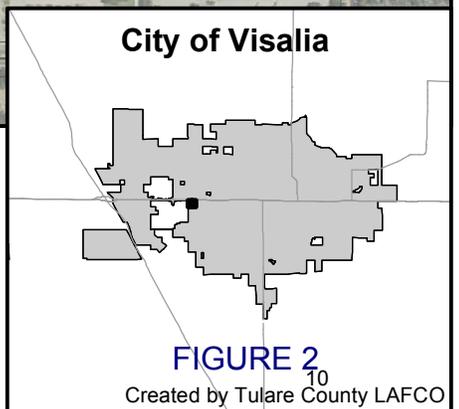
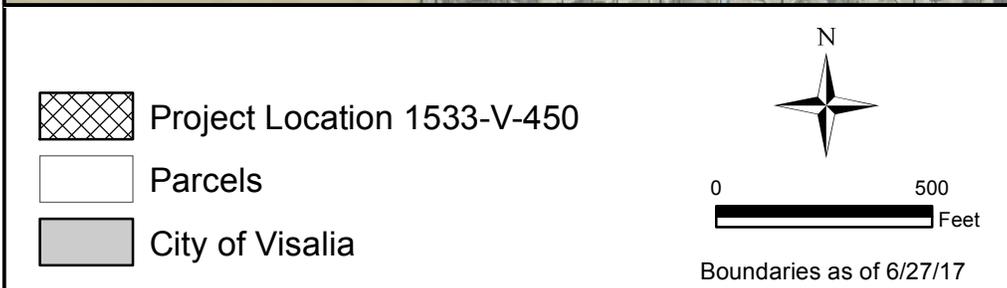
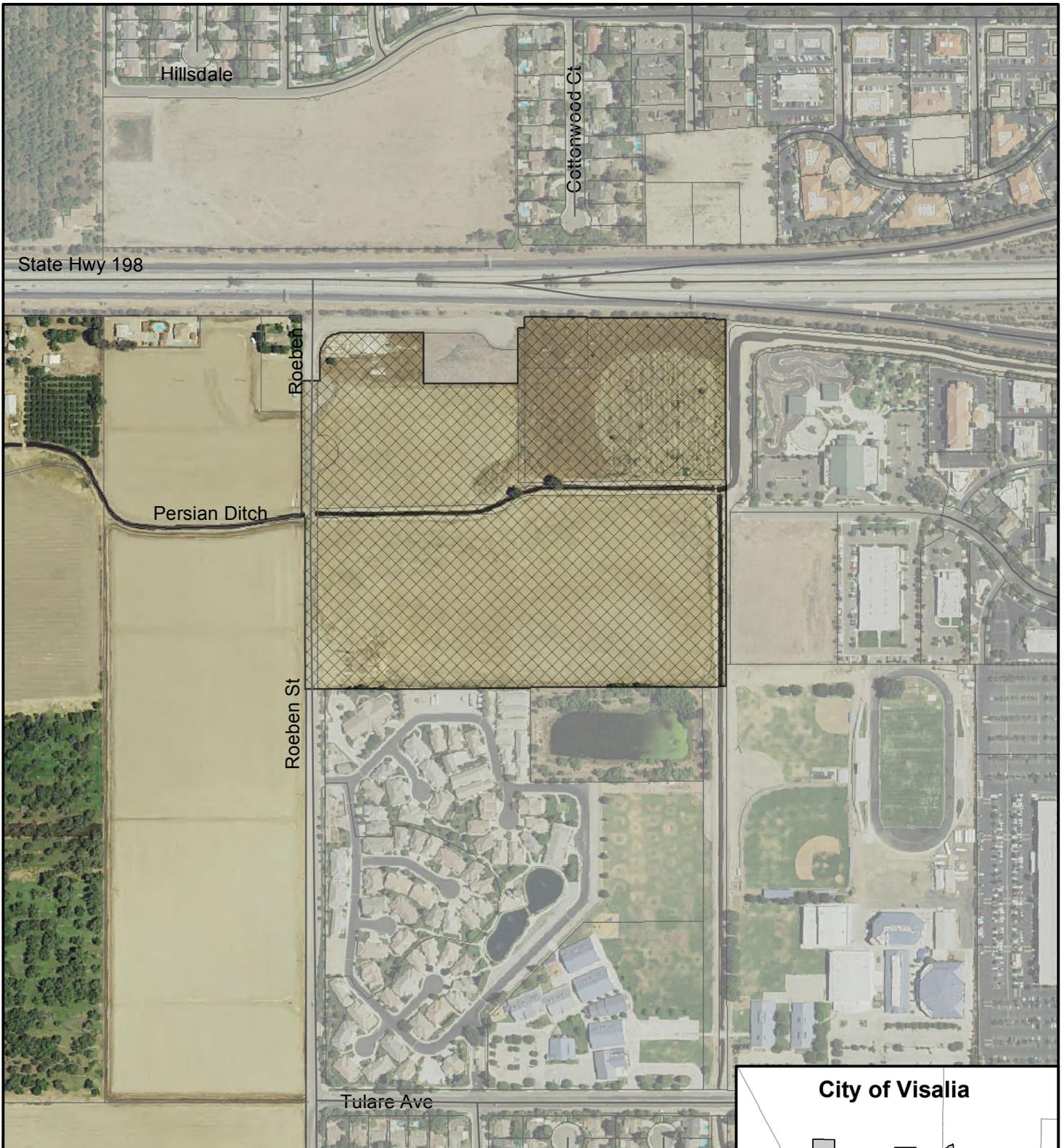
Figures:

- Figure 1 Site Location Map
- Figure 2 Aerial Photo
- Figure 3 Cal Water Letter
- Figure 4 Resolution

LAFCO Case 1533-V-450



LAFCO Case 1533-V-450





CALIFORNIA WATER SERVICE

Visalia District 216 North Valley Oaks Drive
Visalia, CA 93292 Tel: (559) 624-1600

FIGURE 3



March 11, 2016

City of Visalia
Planning Division
315 E Acequia Ave
Visalia, CA 93291

Will Serve Letter

Tentative Parcel Map No, 2016-01, APN 087-450-001, 002, 003, 004, 005; 087-460-001
Developer: John and Willie DeJong and Iwik Farms LLC

Gentlemen:

As a regulated utility, California Water Service Company Visalia district ("Cal Water") has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from City of Visalia, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This will serve letter shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable¹ water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells,² in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

¹ This portion of the letter to be modified accordingly in the event the development for which this letter is being generated is to be served with potable and non potable water.

² For the districts that collect facility fees on a per lot basis, delete the reference to wells as a special facility here and add in the following sentence, "Developer will also be required to contribute towards Cal Water's water supply by paying facilities fees on a per lot basis as described in Rule 15"



CALIFORNIA WATER SERVICE

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

If you have any questions regarding the above, please call me at (559) 624-1600.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Charles".

Eric Charles
Acting Assistant District Manager

cc: Ting He – Cal Water Engineering Dept
File

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

In the Matter of the Proposed Annexation to the)
City of Visalia and detachment from CSA #1,) **RESOLUTION NO. XX-XX**
LAFCO Case No. 1533-V-450, Annexation 2016-01)
(Sierra Village))

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal from the City of Visalia to annex certain territories described in attached Exhibit "A" made a part hereof; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on August 30, 2017 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

1. The information, material and facts set forth in the application and the report of the Executive Officer (including any corrections), have been received and considered in accordance with GC §56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The City of Visalia, as Lead Agency, filed a Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA). And finds that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and find that the project will not have a significant effect on the environment.

3. The Commission has reviewed and considered, in accordance with GC §56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

XXXXXXXXXX

XXXXXXXXXX

4. All notices required by law 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.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

a. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.

b. Fewer than 12 registered voters reside in the affected territory and 100% landowner consent was received.

c. Cal-Water has provided a will-serve letter.

d. The proposed annexation area does not contain any Williamson Act contract land.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The proposed annexation is compatible with the City's General Plan.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation represents a logical and reasonable expansion of the annexing district.
- e. The proposal is consistent with the findings and declarations of GC §56001.

7. Waive the protest hearing for this proposal in accordance with GC §56663 and order the change of organization without an election.

8. Approve the annexation as proposed by the City of Visalia, to be known as LAFCO Case Number 1533-V-450, City of Visalia Annexation No 2016-01 (Sierra Village), with the following conditions:

- a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
- b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.

9. The following short form designation shall be used throughout these proceedings:

LAFCO Case Number 1533-V-450, City of Visalia Annexation No. 2016-01 (Sierra Village).

10. Determines, in accordance with CEQA, as a Responsible Agency, that it has considered the Mitigated Negative Declaration prepared by the City of Visalia.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting held on this 30th day of August, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

si

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

August 30, 2017

**LAFCO Case Number 1534-V-451
City of Visalia Annexation No. 2017-01 (Reimer)**

- PROPOSAL:** City of Visalia Reorganization (annexation to Visalia, detachment from CSA #1)
- PROPONENT:** The City of Visalia by resolution of its City Council
- SIZE:** 16.9 ac as submitted, 21.6 ac recommended
- LOCATION:** Southeast of K Road and Burke Street. **(Figure 1)**
- NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.
- SUMMARY:** The purpose for the annexation is to serve a 65-lot single family residential subdivision and two remainder parcels that will later be developed with low density residential units. The site is within a county island. Staff is also recommending inclusion of 3 additional parcels to the annexation area.
- APNs:** 123-090-008, 123-090-009, 123-090-014, and 123-100-004
Additional APNs: 123-090-011, 123-090-012, 123-090-013

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing (County)	Proposed (City)
Zoning Designation	AE-20	Single-Family Residential (R-1-5)
General Plan Designation	RLD - Low Density Residential	Low Density Residential
Uses	Orchard and Single Family Residential	Tentative Subdivision for Single Family Residential

B. Surrounding Land Uses and Zoning and General Plan Designations:

	Zoning Designation	General Plan Designation	Existing Use
North	R-1 (County)	Low Density Residential	Single Family Residential
South	R-1-5 (Single Family Residential)	RLD - Low Density Residential	Single Family Residential
East	R-M-2 (Medium Density Residential) R-1-5 (Single Family Residential)	RMD - Medium Density Residential RLD – Low Density Residential	Vacant Land, Single Family Residential
West	AE-20 (County)	Low Density Residential	Single Family Residential

C. Topography, Natural Features and Drainage

The site is relatively flat and does not contain any natural topographical features

D. Conformity with General Plans and Spheres of Influence:

The site is within the Sphere of Influence and within the City’s Tier 1 Urban Development Boundary.

2. Impact on Prime Agricultural Land, Agriculture and Open Space:

The land is considered prime agriculture land Class 1. The parcels are not under Williamson Act contract.

3. Population:

There are not more than 12 registered voters in the proposed annexation area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited. Inclusion of the 3 additional parcels would not affect this.

4. Services and Controls - Need, Cost, Adequacy and Availability:

Agency providing service

<i>Service</i>	<i>Now</i>	<i>After</i>	<i>Method of finance</i>
Police Protection	County of Tulare	City of Visalia	General Fund
Fire Protection	City of Visalia (Contract w/ County)	City of Visalia	Impact Fees/ General Fund
Water Supply	Private Wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact/User Fees
Street Lighting	None	City of Visalia	Impact/User Fees
Street Maintenance	County of Tulare	City of Visalia	Impact Fees
Planning/Zoning	County of Tulare	City of Visalia	Gen. Plan Maint Fees.
Garbage Disposal	None	City of Visalia	Incurred by Owner
Strom Drainage	None	City of Visalia	Impact/User Fees

Cal Water has provided a will serve letter (**Figure 3**). The City can provide all other urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services. According to the City, it has more than enough sewer capacity in its treatment plant to accommodate this annexation proposal. They City's wastewater treatment plan has a capacity of 22 million gallons per day (mgd). Current estimated average daily flow is about 13 mgd. Other undeveloped areas already within the City limits add a potential for another 0.5 to 1.0 mgd. This annexation would add an estimated 0.0587 mgd.

5. Boundaries and Lines of Assessment:

The boundaries of the proposal area are definite and certain and conform to the lines of assessment. A map sufficient for filing with the State Board of Equalization has been received.

6. Assessed Value, Tax Rates and Indebtedness:

Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land	\$ 109,516
Improvements	\$ 129,150
Growing	\$ 5,786
 Total	 \$ 244,452

7. Environmental Impacts:

The City of Visalia is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and

incorporation by reference the City of Visalia General Plan and other planning documents, a Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

8. Landowner Consent:

Consent to this annexation has been received from all property owners of the original application. Consent has not been received from the 3 additional parcels that Staff is recommending for inclusion. The property owners of said parcels responded in opposition to annexation during the City of Visalia’s Annexation Interest Survey but have not at the time of this writing commented to LAFCO. If no protests are received by the end of the public hearing, the Commission may waive the protest hearing. If protests are received by the end of the public hearing, a protest hearing will be held following the 30 day reconsideration period if the reorganization is approved.

9. Regional Housing Needs Assessment (RHNA):

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of regional housing needs as determined by the appropriate council of governments. The project will provide approximately 65 single family residential homes and a remainder parcel for future residential development. A tentative parcel map has been filed with the City of Visalia.

2014-2023 City of Visalia RHNA

Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
1,308	1,308	1,931	1,802	3,672	10,021

It is anticipated that the subdivision would contribute toward the City of Visalia’s RHNA “Moderate” category.

10. Discussion:

Government Services

The adequacy of governmental service will be improved within the subject area. According to the City they are currently able to provide the annexation area urban services and infrastructure for development such as sewer services, fire, police, streets lighting, etc., as well as planning and building services

Services which would be extended to this area, including police and fire safety services and development permit services, will be funded primarily through impact fees and the general fund.

Any growth occurring in this area would be consistent with the City’s General Plan since the sites are within the current Tier 1 Urban Development Boundary and are designated for development with the adoption of the new General Plan. This area will need increased services, including planning and building safety, police and fire protection, and sewer service. The City of Visalia is prepared to provide these services as development occurs.

Residential Land Supply

The site is pre-zoned for low density residential. A tentative map for a 65-lot residential subdivision on 15.2 acres has been filed with the City of Visalia. There are no current development plans for the remaining area.

The City currently has a 5.5 year supply of residential land. If this project is approved the amount would increase to 5.6 year supply. This amount assumes a historical population growth rate of 2.52% per year and the current population density of 11.23 people per acre. The City’s projected growth rate per their general plan is 2.6%. Using the Blueprint growth model, the City’s residential land supply is 6.9 years (the blueprint goal is 5.3 units per net acre). See **Figure 4** for further calculations.

The City of Visalia has submitted another annexation proposal, 1533-V-450 (Sierra Village), which is scheduled to be heard at this same LAFCO meeting. This concurrent annexation is approximately 34.5 acres and would be zoned for commercial mixed use. It is anticipated to serve the expansion of Sierra Village and CVC’s recreational fields. It is not known at this time the acreage distribution for each of those uses or the density of the Sierra Village expansion. The existing Sierra Village is developed at approximately 7.5 dwelling units/gross acre. If the entire site was developed for Sierra Village (which would ignore the recreation fields for CVC) the City’s residential land supply would still remain well under the 10 year land supply guideline.

County Island – Disadvantaged Unincorporated Community

The annexation proposal is within the K Road County Island. The K Road County Island contains approximately 39.1 acres and is classified as a Disadvantaged Unincorporated Community (DUC).

In May 2017, the City mailed 126 Annexation Interest Survey packets to the residents and property owners within the K Road County Island. The City received 21 responses representing 42 residents. The survey responses are summarized in the table below and in **Figure 5**.

Would you like to be annexed to the City of Visalia?	
Yes	9
No	9
I don’t care	1
I don’t know, need more information	2
Total Responses	21

Figure 5 shows the distribution of responses within the K Road County Island.

Since the responses did not constitute a majority favoring annexation, the City did not expand the annexation boundaries per their own policy.

Staff recommends inclusion of 3 additional parcels to the annexation. These parcels are south of K Road and adjacent to the annexation area on the northeast. Two of the three parcels have a structure located on them while the third is vacant. Their inclusion along with the adjoining K Road right of way would provide a logical boundary within the county island and thereby help provide efficient delivery of government services. There would be no additional environmental impact with the inclusion of the 3 parcels and road right of way. In addition, the combined assessed value of the 3 parcels is less than the original parcels that have provided consent to annexation.

K Road Maintenance

The proposed annexation would leave a small amount of fragmented roadway to the county. Maintaining small sections of roadway is inefficient and impractical. In addition, the development of the subdivision will result in increased City traffic on the remainder of the County section of K Road. Staff recommends that as a condition of approval, the City enter into a maintenance agreement for K Road between the project site and the existing city limits to the west. This amount totals approximately 840 feet.

K Road Island – Remainder

The Commission may wish to consider adding a condition of approval regarding the annexation of the remainder of the K Road Island. The island would qualify under the streamlined island annexation procedures with the waiver of protest proceedings. Annexation of the full island would create a more logical boundary and the provision of more efficient municipal services. The condition could read as follows: “within a year of the recording of the Certificate of Completion for Visalia Annexation 2017-01 (Reimer), the City of Visalia shall submit an application for annexation of the remainder of the K Road Island”.

RECOMMENDED ACTIONS:

It is recommended that this proposal be approved and that the Commission take the following actions:

1. Certify that the Commission has reviewed and considered the Negative Declaration prepared by the City of Visalia for this project and find that the project will not have a significant effect on the environment.
2. Include APNs 123-090-011, -012 and -013 within the change of organization area and find that there will be no additional environmental impact with their inclusion.

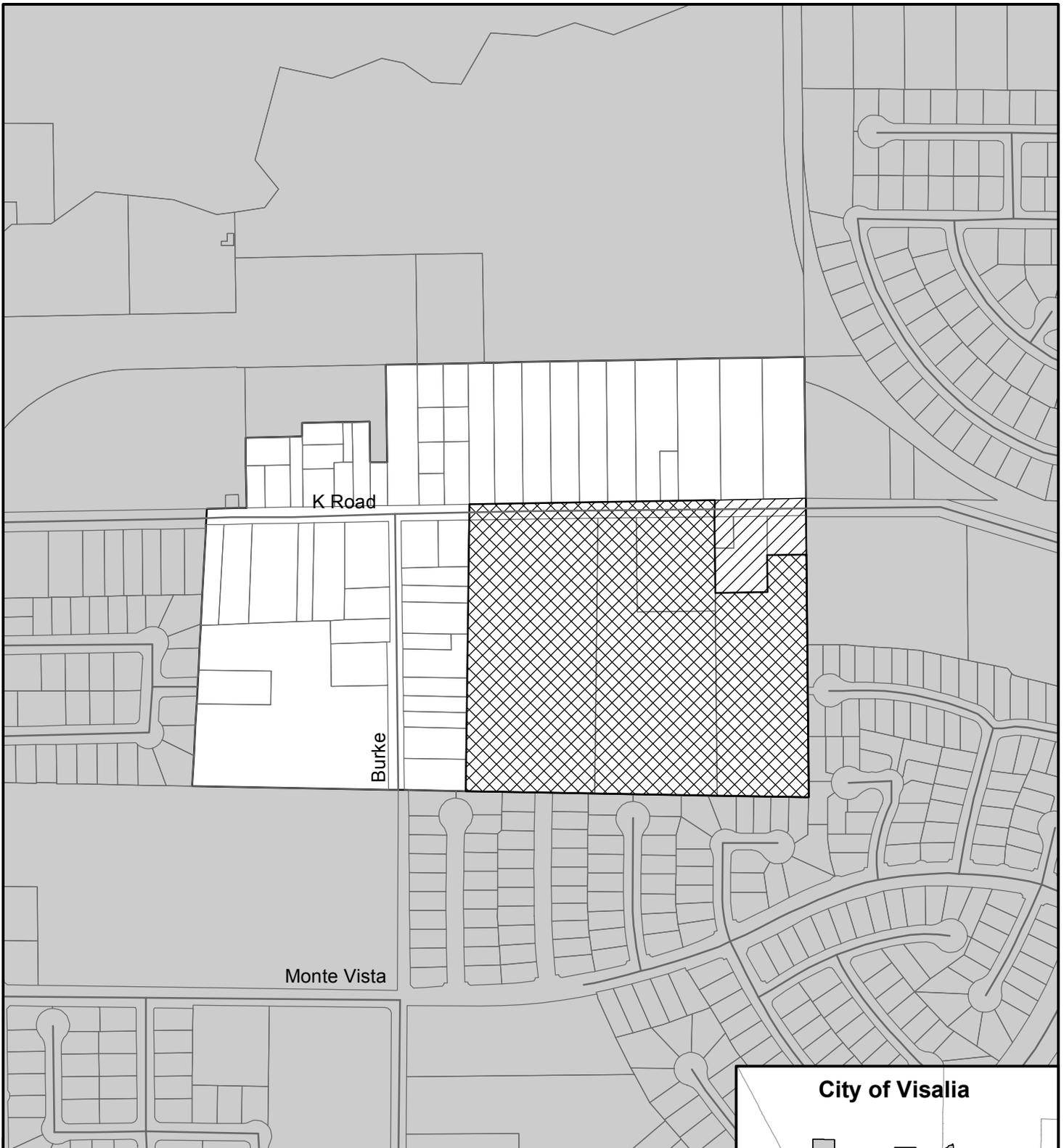
3. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
4. Pursuant to LAFCO Policy and Procedure Section C-1, find that:
 - a. The boundaries of the proposed reorganization are definite and certain and conform to lines of assessment.
 - b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
 - c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
 - d. The proposed annexation is compatible with the City's General Plan.
 - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
5. Find that the territory proposed for this annexation to the City of Visalia and detachment from CSA #1 is uninhabited.
6. Find that the annexation does not contain any Williamson Act contract land.
7. Approve the reorganization as proposed by the City of Visalia with the inclusion of the identified 3 additional parcels (APNs 123-090-011, 012, 013) to be known as LAFCO Case Number 1534-V-451, Visalia Annexation 2017-01 (Reimer) subject to the following conditions:
 - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
 - b. The Certificate of Completion shall not be recorded until the City enters into an operation and maintenance agreement with Tulare County for the segment of K Road between the project site and the existing city limits to the west (approximately 840 feet).
 - c. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
8. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code §56663 and order the detachment without an election or if written protests are received prior to the conclusion of the public hearing, conduct the protest hearing pursuant to GC §57000.

9. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

Figures:

- | | |
|----------|--|
| Figure 1 | Site Location Map |
| Figure 2 | Aerial Photo |
| Figure 3 | Cal Water Letter |
| Figure 4 | Residential Land Supply Calculation |
| Figure 5 | Annexation Survey Summary Distribution |
| Figure 6 | Resolution |

LAFCO Case 1534-V-451

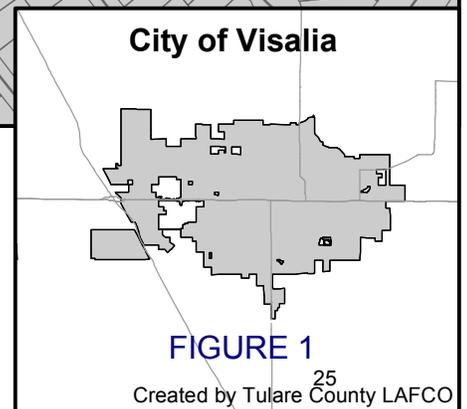


-  Project Location 1534-V-451
-  Recommended Additional Parcels
-  Parcels
-  City of Visalia

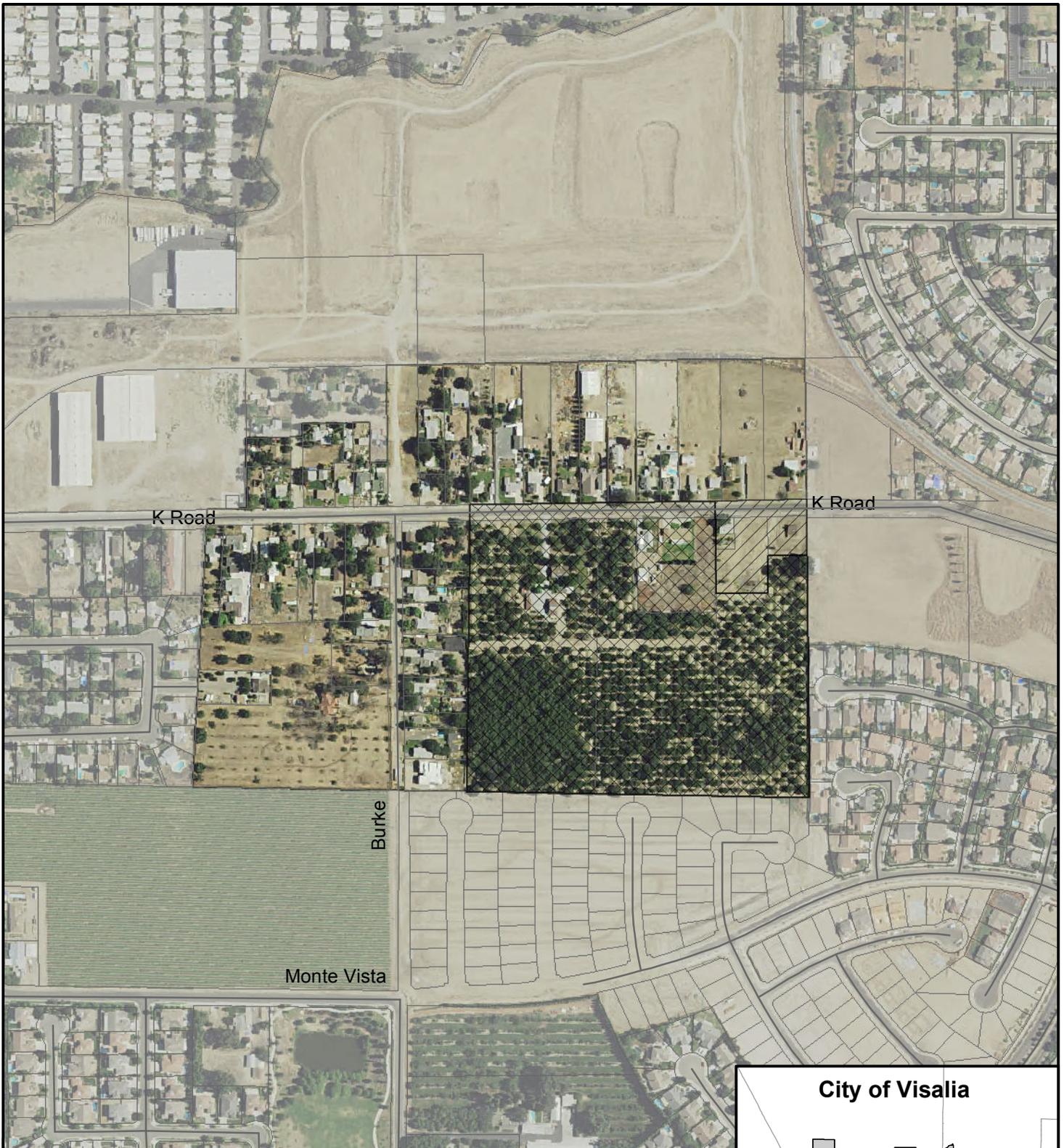


0 500 Feet

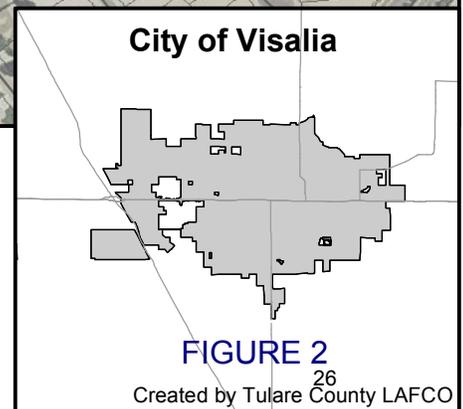
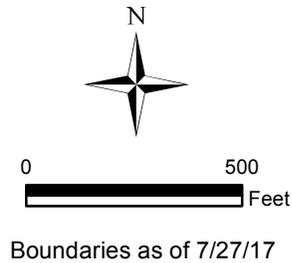
Boundaries as of 7/27/17



LAFCO Case 1534-V-451



-  Project Location 1534-V-451
-  Recommended Additional Parcels
-  Parcels
-  City of Visalia





CALIFORNIA WATER SERVICE

Visalia District 216 North Valley Oaks Drive
Visalia, CA 93292 Tel: (559) 624-1600

FIGURE 3

February 7, 2017

City of Visalia
Planning Division
315 E Acequia Ave
Visalia, CA 93291

Will Serve Letter
Tentative Subdivision Map No. 5559 located on the south side of K Road
APN: 123-100-004, 123-090-008, 123-090-014
Developer: 4-CREEKS INC

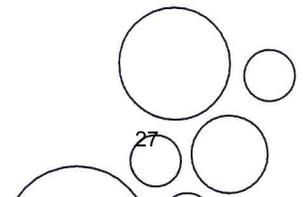
Gentlemen:

As a regulated utility, California Water Service Company Visalia district ("Cal Water") has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from City of Visalia, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This will serve letter shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable¹ water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells,² in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and

¹ This portion of the letter to be modified accordingly in the event the development for which this letter is being generated is to be served with potable and non potable water.

² For the districts that collect facility fees on a per lot basis, delete the reference to wells as a special facility here and add in the following sentence, "Developer will also be required to contribute towards Cal Water's water supply by paying facilities fees on a per lot basis as described in Rule 15"





CALIFORNIA WATER SERVICE

fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

If you have any questions regarding the above, please call me at (559) 624-1600.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Charles".

Eric Charles
Acting Assistant District Manager

cc: Ting He – Cal Water Engineering Dept
File

FIGURE 4

10 - YEAR RESIDENTIAL LAND SUPPLY CALCULATION

City: Visalia Units: 74
 Project: 1534-V-451 Bp Acres: 17
 Acres: 17 U/Bp Ac: 4.35

	1990	2010	
GROWTH RATE	75,636	124,442	2.52%
PEOPLE PER DWELLING UNIT			2.79
	Aug-2017	Aug-2027	
ESTIMATED POPULATION	135,158	173,365	
	Developed	Undevel.	Total
CURRENT ACREAGE DESIGNATED	11,987	1,797	13,784
	Aug-2017	Aug-2027	
ESTIMATED DWELLING UNITS	47,518	60,950	
ACREAGE IF PROPOSAL IS APPROVED			13,801
CURRENT POPULATION DENSITY	(per developed acre)		11.28
	All Resid.	Blueprint	
CURRENT DWELLING UNIT DENSITY	3.96	4.17	
	Dwelling		
	Units	People	
CURRENT CAPACITY OF DESIGNATED LAND	54,641	155,420	
	(Years)		
CURRENT CAPACITY OF DESIGNATED LAND	5.5	5.5	
CAPACITY IF PROPOSAL IS APPROVED	54,715	155,611	
	(Years)		
CAPACITY IF PROPOSAL IS APPROVED	5.6	5.6	
ACREAGE NEEDED FOR 10 YEAR SUPPLY			15,376
CONCURRENT PROJECTS	Acres:	35	
1533-V-450			
ACREAGE IF ALL PROJECTS ARE APPROVED			13,835
	Dwelling		
	Units	People	
CAPACITY IF ALL PROJECTS APPROVED	54,715	156,000	
	(Years)		
CAPACITY IF ALL PROJECTS APPROVED	5.7	5.7	

Notes:

~ Growth Rate determined by average yearly growth between 1990 & 2010
 ~ Acreage figures are from GIS and/or from the City as of Aug-2017

~ Blueprint density goal of 5.3 units per residential acre doesn't include non-residential uses on residentially zoned land. "Bp Acres" excludes non-residential uses (churches, parks, basins, etc). Using the latest people per dwelling unit figures, the Blueprint dwelling unit density goal was converted into the Blueprint target population density.

POPULATION PROJECTIONS

	Rate = 2.00%	2.52%	3.00%
2017	133,151	133,151	133,151
2018	135,814	136,507	137,146
2019	138,530	139,949	141,260
2021	144,127	147,093	149,863
2023	149,950	154,602	158,989
2025	156,008	162,495	168,672
2027	162,310	170,790	178,944
2028	165,557	175,096	184,312
2029	168,868	179,510	189,841
2031	175,690	188,674	201,403
2033	182,788	198,306	213,668
2035	190,172	208,429	226,681
2037	197,855	219,070	240,486

DWELLING UNIT PROJECTIONS

	Rate = 2.00%	2.52%	3.00%
2017	46,812	46,812	46,812
2018	47,748	47,992	48,216
2019	48,703	49,202	49,663
2021	50,671	51,714	52,687
2023	52,718	54,354	55,896
2025	54,848	57,128	59,300
2027	57,064	60,045	62,911
2028	58,205	61,559	64,799
2029	59,369	63,110	66,743
2031	61,767	66,332	70,807
2033	64,263	69,718	75,120
2035	66,859	73,278	79,694
2037	69,560	77,019	84,548

Land Supply (years)

Population Density	17.5	15.0	11.3	10.0	Blueprint Target
1.0%	20.5	17.8	13.5	12.0	16.8
1.5%	14.3	12.3	9.4	8.4	11.7
2.0%	10.5	9.1	6.9	6.2	8.6
2.5%	8.4	7.3	5.6	5.0	6.9
3.5%	6.2	5.4	4.1	3.7	5.1
4.3%	5.1	4.5	3.5	3.1	4.2

Land Supply (years)

Blueprint Dwelling Unit Density	6.0	4.9	4.2	4.0	Blueprint Target
1.0%	20.6	17.3	15.0	14.5	18.5
1.5%	14.0	11.7	10.1	9.8	12.5
2.0%	10.0	8.3	7.2	6.9	9.0
2.5%	7.8	6.5	5.6	5.4	7.0
3.5%	5.5	4.5	3.9	3.7	4.9
4.3%	4.4	3.6	3.0	2.9	3.9

Annexation Survey Summary Distribution

Responses to the survey question, "Would you like to be annexed to the City of Visalia?"





May 5, 2017

Dear K Road County Island Resident or Property Owner:

You are receiving this letter because your neighborhood is next to a property proposed for annexation to the City of Visalia. The City is considering annexing an area totaling 16.9 acres for a new subdivision on the south side of K Road, approximately 230 feet east of Burke Street. A map of the proposed annexation area is enclosed. The City would like to know your interest in also being annexed.

You are currently residing or own land in what is called unincorporated Tulare County. This means that the County of Tulare is responsible for services to your community. Annexation to the City of Visalia would mean that the City would become responsible for many of the services to your community which may now be provided by the County, such as police and fire services, roads and storm water management, and refuse collection.

In addition to providing municipal services, annexing into the City of Visalia would entitle you with the right to vote for the City Councilmember serving Visalia's 2nd Council District, in addition to remaining in the Tulare County First Supervisorial District.

Please see the enclosed information regarding the services that the City provides, how the services are paid for and the timing of when you could expect those services to be provided if your neighborhood is annexed into the City.

Enclosed is an annexation survey and postage paid post card. Please return it by May 17, 2017. The return of this survey is important because State law requires the City to file an application to annex your neighborhood unless the majority of registered voters are against it. If you have any additional questions or would like more information, please contact Paul Scheibel at (559) 713-4369 paul.scheibel@visalia.city. For Spanish translation services for the enclosed City service information, please contact Jeanette Trejo at (559) 713-4442, or Kimberly Garcia at (559) 713-4620.

Thank you very much for your time and consideration in this important matter.

Josh McDonnell,
Assistant Community Development Director/City Planner

Enclosures:

Proposed Annexation Map and map of K Road County Island City Services and Other Information

City Annexation Survey and Return Card

5 de Mayo de 2017



Estimado Residente o Propietario,

Ha recibido esta carta porque su vecindario esta cerca de una propiedad propuesta para anexionen a la Ciudad de Visalia. La ciudad está teniendo en cuenta anexar una área que suma 16.9 acres para una nueva subdivisión en el lado sur de K Road, aproximadamente 230 pies al este de Burke Street. Un mapa de la anexión propuesta esta adjunto con esta carta. La ciudad también quiere saber su interés en ser anexado.

Actualmente esta viviendo en lo que es llamado la área no incorporada de el Condado de Tulare. Por esta razón el Condado de Tulare es responsable por servicios a su comunidad. Anexión a la ciudad de Visalia resultara en que la ciudad se haga responsable por muchos de los servicios a su comunidad que actualmente pueden ser proveídos por el Condado, tales como servicios policiales y de bomberos, carreteras y manejo de aguas pluviales, y recolección de basura.

Además de proveer servicios municipales, la anexión a la Ciudad de Visalia le otorgaría el derecho de votar por el Concejal de la Ciudad que presta servicio al segundo Distrito del Concejo de Visalia, además de permanecer en el Primer Distrito Supervisorial del Condado de Tulare.

Por favor mire la información incluida acerca de los servicios que la ciudad pueda proveer y como estos servicios son pagados y cuando debe de esperar que estos servicios sean proveídos si su vecindario es anexado.

Incluido esta una encuesta de anexión y un sobre pre pagado. Por favor devuélvalo antes del 17 de mayo de 2017. El regreso de esta encuesta es importante porque las leyes del estado requieren que la ciudad archive una aplicación para anexar su vecindario a menos que la mayoría de los residentes estén contra la anexión. Si tiene preguntas adicionales o quiere más información, por favor contacte a Paul Scheibel al (559) 713-4369 o al correo electrónico paul.scheibel@visalia.city. Para servicios de traducción en español sobre los servicios de la ciudad, contacte a Jeanette Trejo al (559) 713-4442, o Kimberly Garcia al (559) 713-4620.

Muchas gracias por su tiempo y consideración en este importante asunto.

Josh McDonnell,
Assistant Community Development Director/City Planner

Documentos:

Mapa Propuesta de Anexión

Servicios de la Ciudad y Otra información

Encuesta de Anexión y Sobre de Regreso

Annexation Questions and Answers

You may have questions about how being annexed to the City of Visalia may affect you and your property. Most importantly, the **Visalia Police Department** and **Visalia Fire Department** will begin to assume responding to calls for emergency assistance upon annexation. The following is a list of other questions that we thought may be asked. We, of course, may not have anticipated all of your questions and if so, please call (559) 713-4636 so that we can find the information for you.

Will this annexation affect my property tax?

No. Property taxes will not increase as the result of annexation. In the late 1970's, a state-wide initiative (Proposition 13) was passed that limits property tax. Since the time the initiative was passed, property tax does not change as a result of annexation to the city. The property tax gets divided up differently between the agencies that receive property tax, but the rate you pay does not change.

Will we get sewer service if the area is annexed? How much does it cost to connect? Would I have to pay all at once?

At a future point in time, the City may install sanitary sewer lines in streets that currently do not have service after annexation. Once the line is functioning, property owners may choose to connect to the sewer system. Specific information will be provided regarding connection when the sewer line installation is ready to proceed.

Is connection to city sewer a requirement of annexation?

No. The city does not require connection to a city sewer as the result of annexation. Property owners with working septic tank-leach field systems are allowed to continue to use them. It is not required to connect to the city sewer just because the line is installed or there is an existing line in the street. However, it may be less expensive to connect soon after it is available as costs to connect may increase significantly in future years.

What if my septic tank-leach field system fails?

If an existing septic tank-leach field systems fails, connection to a sanitary sewer system is required, if one is available, whether or not the property is inside the city.

Are there any costs for being in the City?

The City has a monthly citywide storm drainage fee. The average cost in this county island currently ranges between \$12 and \$60 per month based on lot size (monthly fees are \$2.50 + \$0.22 per 1,000 sq. ft. of lot area). This fee is used to

Annexation Questions and Answers

maintain the citywide storm water system and enhance waterways throughout the City. If you are currently connected to the sanitary sewer system, you most likely already pay this fee. If not, this fee would be added to the utility bill that comes from California Water Service Company.

Will I have to put in curb, gutter, and/or sidewalks?

No. The City does not require that property owners install curb, gutter, and/or sidewalk as a result of annexation.

Will I have to have refuse service?

The City of Visalia will continue to provide refuse service to the area. Properties which are currently serviced by the County will be required to use existing City service. The refuse fee is \$1.00/mo. higher in the County than the rate inside the City. The refuse portion of the utility bill for those using County service will be reduced to the City rate after annexation. As always, however, all refuse accounts are subject to adjustments in the rates when they occur in order to cover the costs of providing the service.

Will my property be zoned differently when it comes into the city?

The city and county have different zoning ordinances and it is likely that there will be some change in the zoning regulations on your property. These differences may include building setbacks or types of uses permitted on the property. In general, structures and uses in a structure that were legally developed in the county are considered "legal non-conforming uses" and are permitted to continue in accordance with how they were approved in the county. Uses or structures that were illegal, not permitted in the county or were in violation with county regulations do not enjoy that privilege.

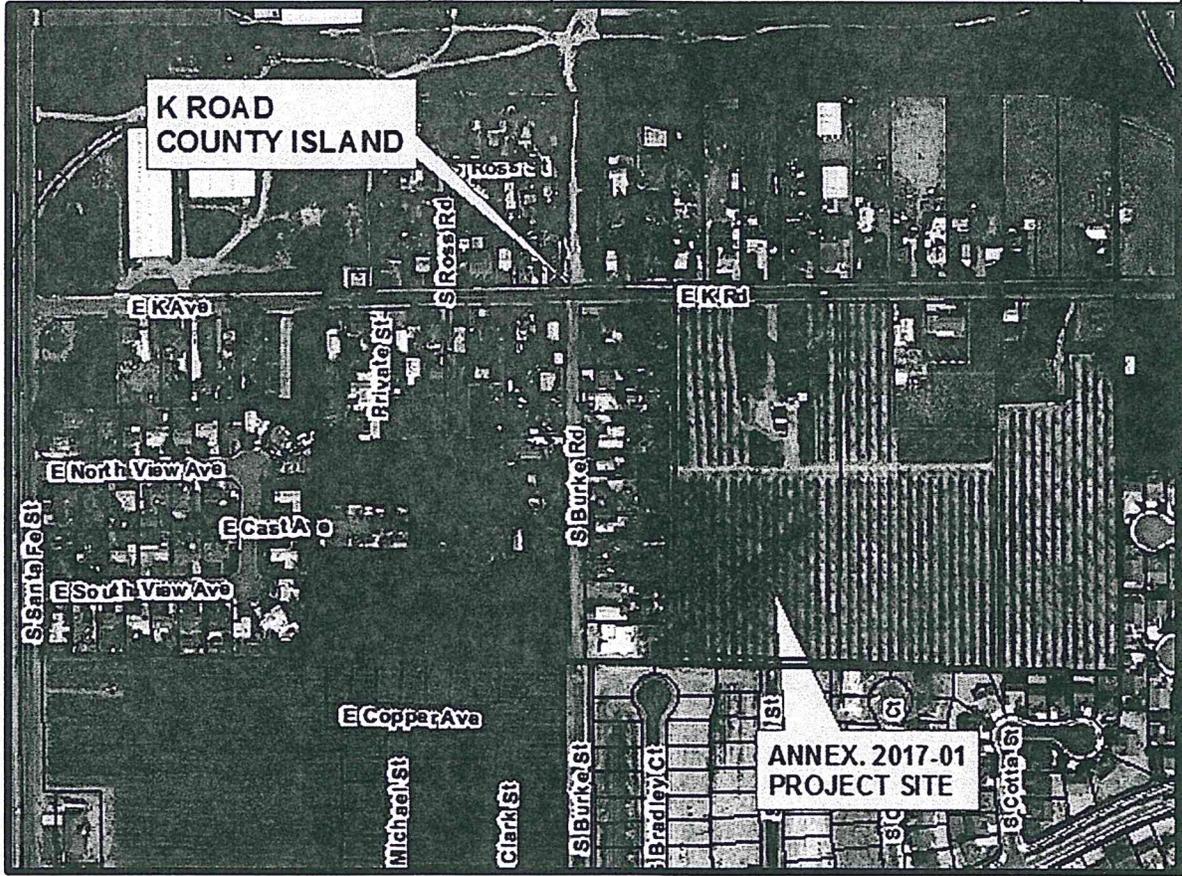
I currently have a business on my property. Will I be charged a Business Tax? If so, how much does it cost?

The City of Visalia does have a Business Tax. If you have a business on your property, it will be subject to the business tax upon annexation. The rate for the Business Tax is determined by the type of business. For specific information regarding Business Tax, please call 713-4326.

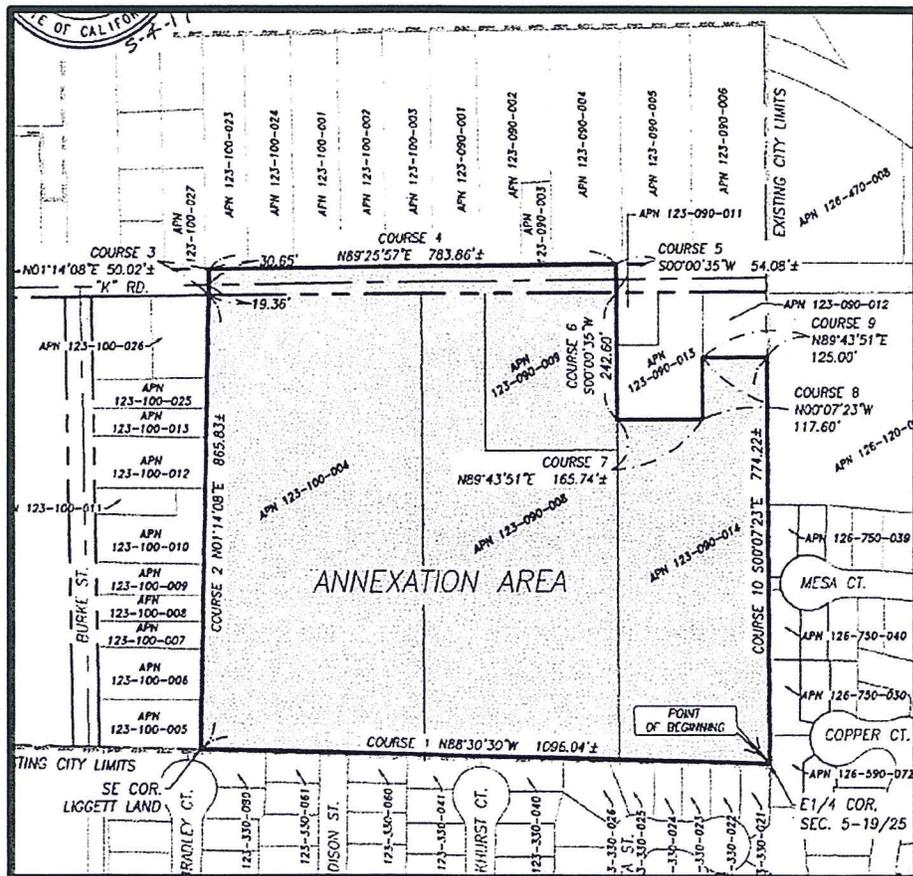
How is animal control handled in the city?

The City handles animal control inside the city. The City Animal Care Facility is located at 29016 Highway 99 and can be reached at 713-4691.

K ROAD COUNTY ISLAND (GREEN) & ANNEXATION 2017-01 AREA (BLUE)



ANNEXATION 2017-01 MAP EXHIBIT



City of Visalia Annexation Survey

Please fill out this survey after reading the enclosed information regarding City services and potential annexation into the City of Visalia.

Would you like to be annexed to the City of Visalia?

- Yes, I would like my property/residence to be annexed.*
- No, I do not want my property/residence to be annexed.*
- I don't care, it doesn't matter to me if my property/residence is in the City or County.*
- I don't know, I would like more information regarding annexation.*

Number of persons 18 years or older residing at the residence? _____

Would you be interested in attending a public meeting to hear more about what annexation means?

Yes _____ No _____

Contact information of the person(s) filling out this survey:

Name: _____

Phone or E-mail: _____

Address: _____

Ciudad de Visalia Encuesta De Anexión

Por favor llene esta encuesta después de leer la información incluida sobre los servicios de la ciudad y la posibilidad de anexión a la Ciudad de X.

Le gustaría ser anexado a la Ciudad de Visalia?

- Si, Me gustaría que mi propiedad/residencia sea anexada.*
- No, No me gustaría que mi propiedad/residencia sea anexada.*
- No me importa, no me importa que mi propiedad/residencia este en la ciudad o el condado.*
- No Se, Me gustaría más información sobre la anexión.*

Cuántas personas (18 años o mayor) residen en su vivienda? _____

Estará interesado en atender una ausencia pública para aprender más sobre la anexión?

Si _____ No _____

Información de contacto de las persona(s) llenando la encuesta:

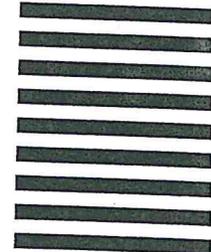
Nombre: _____

Teléfono o E-mail: _____

Dirección: _____



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



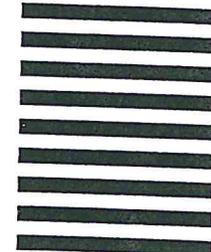
BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 4 VISALIA, CA

POSTAGE WILL BE PAID BY ADDRESSEE

CITY OF VISALIA
315 E ACEQUIA AVE
VISALIA CA 93291-9819



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

In the Matter of the Proposed Annexation to the)
City of Visalia and detachment from CSA #1,) **RESOLUTION NO. XX-XX**
LAFCO Case No. 1534-V-451, Annexation 2017-01)
(Reimer))

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal from the City of Visalia to annex certain territories described in attached Exhibit “A” made a part hereof; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on August 30, 2017 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

1. The information, material and facts set forth in the application and the report of the Executive Officer (including any corrections), have been received and considered in accordance with GC §56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The City of Visalia, as Lead Agency, filed a Negative Declaration in compliance with the California Environmental Quality Act (CEQA). And finds that the Commission has reviewed and considered the Negative Declaration prepared by the City of Visalia for this project and find that the project will not have a significant effect on the environment.

3. The Commission has reviewed and considered, in accordance with GC §56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

XXXXXXXXXX

XXXXXXXXXX

4. All notices required by law 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.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.
- b. Fewer than 12 registered voters reside in the affected territory and 100% landowner consent was not received.
- c. Cal-Water has provided a will-serve letter.
- d. The proposed annexation area does not contain any Williamson Act contract land.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The proposed annexation is compatible with the City's General Plan.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation represents a logical and reasonable expansion of the annexing district.
- e. The proposal is consistent with the findings and declarations of GC §56001.

7. Waive the protest hearing for this proposal in accordance with GC §56663 and order the change of organization without an election.

8. Approve the annexation as proposed by the City of Visalia with the inclusion of the identified 3 additional parcels (APNs 123-090-011, 123-090-012, and 123-090-013), to be known as LAFCO Case Number 1534-V-451, City of Visalia Annexation No 2017-01 (Reimer), with the following conditions:

- a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.

b. The Certificate of Completion shall not be recorded until the City enters into an operation and maintenance agreement with Tulare County for the segment of K Road between the project site and the existing city limits to the west (approximately 840 feet).

c. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.

9. The following short form designation shall be used throughout these proceedings: LAFCO Case Number 1534 – V- 451, City of Visalia Annexation No. 2017-01 (Reimer).

10. Determines, in accordance with CEQA, as a Responsible Agency, that it has considered the Negative Declaration prepared by the City of Visalia.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting held on this 30th day of August, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

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TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

August 30, 2017

To: LAFCO Commissioners and Alternates
From: Ben Giuliani, Executive Officer
Subject: Proposed Amendment to Policy C-5 (SOIs)

COMMISSIONERS:
*Pete Vander Poel, Chair
Julie Allen, V-Chair
Cameron Hamilton
Steven Worthley
Rudy Mendoza*

ALTERNATES:
*Dennis Mederos
Mike Ennis
Carlton Jones*

EXECUTIVE OFFICER:
Ben Giuliani

Background

Tulare County LAFCO Policy C-5 addresses the Sphere of Influence (SOI) amendment/update process and Municipal Service Reviews (MSRs). The draft proposed policy amendment seeks to streamline and clarify the SOI and MSR processes.

Discussion

The proposed amended policy distinguishes SOI Updates which would require a current MSR (adopted within the last 5 years) and SOI Amendments which would not require a MSR. A SOI Update is a comprehensive review of an agency's sphere while a SOI Amendment is a localized SOI adjustment that is done in association with a concurrent annexation. Notes are included in the attachment explaining the proposed additions and deletions.

The purpose of the amendment is to streamline the policy and clarify when MSR updates are needed. MSR updates would be completed on an as needed basis (such as after a general plan or community plan update) rather than on a set 5-year schedule. This change would result in time and cost savings to LAFCO and its member agencies.

This draft policy amendment was sent to city and county planning staff on May 11th, presented at the City Managers' monthly meeting on June 15th, and reviewed by the Commission at the July 12th LAFCO meeting. No changes have been made to the reviewed draft.

Recommendation

Approve the attached proposed amendment to Policy C-5 (SOIs).

Attachments

*-Draft proposed amendment to Policy C-5
-Resolution*

Policies and Procedures

Tulare County Local Agency Formation Commission

Policy Number: C-5

Effective Date: February 6, 2002

Authority: Government Code §56425 et seq. and LAFCO Resolutions: 96-002, 02-006, 03-020, 05-056, 06-020, 08-023, 10-030, 11-004, 12-007(a), 13-005

Title: Spheres of Influence

Policy: Whenever possible, the Sphere of Influence of each city and those Special Districts which provide urban services to unincorporated communities within the County (see Appendix “A”) should reflect twenty-year growth areas with additional areas for communities of interest (GC §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.

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

Scope: This policy affects all agencies within Tulare County LAFCO’s jurisdiction.

History: This policy was a pre-existing policy that was adopted as part of the original Manual on 2/6/02. This procedure was amended on 7/2/03 to add the MSR exemption policy (Appendix B). This procedure was amended on 10/5/05 to add the section for the waiver of the City-County SOI meeting (C-5.10). This procedure was amended on 5/3/06 to add requirements for the timing of SOI amendments (C-5.7(A)) and three districts were switched from a required comprehensive to questionnaire MSR (CSA #1, #2 and Sultana CSD). This procedure was amended on 12/10/08 to require MSRs for vector and mosquito abatement districts (Appendix B). The procedure was amended on 12/8/10 and 4/13/11 to add further detail to MSR requirements. The procedure was amended on 5/2/12 to add an appendix listing disadvantaged unincorporated communities and on 4/3/13 to align MSR language with government code and define public review of MSRs.

Procedure:

5.1 Definitions

This is the key proposed addition to the policy which distinguishes SOI Updates vs SOI Amendments.

A Sphere of Influence (SOI) means a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission [GC §56076]. SOIs shall, as necessary, be reviewed and updated every five years [GC §56425(g)] and SOI Updates must include a municipal service review (MSR) [GC §56430(a)]. SOI Amendments may be

requested by any person or local agency [GC §56428(a)] and are not subject to a MSR.

A. SOI Amendment: a modification to a SOI that is associated with a concurrent proposal for a change of organization or an out of agency service agreement.

B. SOI Update: a comprehensive review and modification of a SOI that is not associated with a concurrent proposal for a change of organization or an out of agency service agreement.

5.2. Existing Boundaries

It is recognized that the County of Tulare and its eight Cities regularly establish twenty-year growth boundaries as a part of the General Plan process. Whenever such a Planning Boundary exists and is sufficient to comply with the requirements of GC §56425, the Sphere of Influence shall be placed to be coterminous with that Planning Boundary with the addition of any communities of interest which were not included within the original boundary. For the purposes of this policy, communities of interest may include agricultural buffer areas, publicly-owned facilities, noncontiguous subdivisions and development areas, key intersections, highway corridors, and parcels of land associated with the affected community, and other similar areas as may be determined by the Commission.

5.3. Conflicting Boundaries

Where differences exist between County and City adopted twenty-year boundaries, for the same community, the Commission shall determine which boundary most closely reflects the statutory requirements or intent of the Cortese-Knox-Hertzberg Act for the setting of Spheres of Influence. Among other considerations, the Commission may determine which boundary is supported by the most recent or most complete analysis, including such documentation as may be required by the California Environmental Quality Act (CEQA). Should LAFCO determine that no existing Planning Boundary complies with the statutory requirements or intent of the Cortese-Knox-Hertzberg Act, the Commission shall determine the twenty-year growth boundary independently of other agencies. In all cases of conflicting boundaries, the Commission shall attempt to reconcile the various boundaries and the Sphere of Influence before adoption.

5.3. Initial Implementation

This is a holdover from the initial adoption of the policy which is no longer needed.

~~Upon adoption of this policy, the Executive Officer shall establish a schedule of Sphere of Influence Updates sufficient to consider each city within five years and each special district affected by this policy within ten years. As the scheduled time for each agency's review arrives, the Executive Officer, in consultation with the affected agency, shall prepare a proposed Twenty-Year Growth and add any communities of interest. After preparation, the Executive Officer shall initiate a~~

~~Sphere of Influence Amendment that conforms to the proposed Twenty-Year Growth Boundary.~~

This replaces the next two sections and adds flexibility for the timing of SOI updates.

5.4 Updates

City and special district SOIs shall be periodically reviewed to determine the need for an update. Updates may be initiated by LAFCO or by the affected local agency. SOI updates should typically occur after general plan and community plan updates that result in a change of the affected local agency's or unincorporated community's 20-year growth boundary.

~~5.4. Scheduled Updates - Cities~~

~~In general, it shall be the responsibility of the Cities to provide LAFCO with Sphere of Influence Amendments and Twenty-Year Growth projections to ensure that the Sphere of Influence continues to be up-to-date. Should a period of five years elapse from the time of the last amendment to a city's Sphere of Influence without any subsequent amendments proposed by the City on the basis of a new Twenty-Year Growth Boundary, the Executive Officer shall contact the City to request either a Sphere of Influence Amendment or confirmation that the existing Sphere of Influence includes sufficient area to accommodate projected growth for an additional twenty years. The city shall have an additional two years within which to reply to the Executive Officer's request. After that period (seven years from the last amendment), the existing Sphere of Influence shall be brought back before the Commission for certification as meeting the purpose and intent of this policy. After such certification, no Sphere of Influence amendments shall be considered for a period of five years except as described in the Section entitled "Exceptions" below.~~

~~5.5 Scheduled Updates - Special Districts~~

~~Should a period of seven years elapse from the time of adoption of a Sphere of Influence for a Special District without any subsequent amendments, the Executive Officer shall contact the Special District and the County Resource Management Agency to request confirmation that the existing Sphere of Influence includes sufficient areas to accommodate projected growth for twenty years. In the case of Special Districts, an unchanged Sphere of Influence will not be brought back before the Commission for certification and further amendments may be considered at any time after a period of five years from the last amendment has elapsed.~~

5.6. General Plan Consultation

The Executive Officer shall actively encourage the agencies affected by this policy to include LAFCO in the consultation process for general plan ***and community plan updates and*** amendments which may lead to SOI ***updates and*** amendments as early in the consideration process as feasible. The Executive Officer shall present all such consultations to the Commission for review and comments which will be forwarded to the agency.

This complicated set of exceptions is no longer needed with the differentiation of SOI Updates vs SOI Amendments.

5.7. ~~Exceptions~~

~~It is recognized that there will occasionally be instances where the process for amending Spheres of Influence as described above will be insufficient to react to unusual opportunities and/or rapidly changing conditions. Furthermore, GC §56428(a) allows any person or local agency to file a request for a Sphere of Influence Amendment and to receive a hearing before the Commission on the merits of the proposal. Therefore, it is recognized that anyone may apply for an amendment to a Sphere of Influence at any time and have said request considered for action by the Commission in a timely manner. The following is intended for use in situations where it is impractical or inadvisable to wait five years to consider a subsequent Sphere of Influence amendment. Compliance with the following shall not be interpreted in any way as implying that approval of a Sphere of Influence amendment will be granted.~~

- ~~A. No exceptions to the foregoing policy on the timing of Sphere of Influence amendments may be granted unless a General Plan Amendment has been approved by the County or affected City which designates the affected territory as within a revised twenty-year development boundary or unless the affected territory meets the following requirements:
 - ~~I. The affected territory is owned by the city or district and is used or intended to be used for disposal of treated wastewater through irrigation and there is no other change in use and,~~
 - ~~II. After approval of a Sphere of Influence amendment, if a change in land use occurs or if the affected territory ceases to be used for irrigation of treated water then the area will be removed from the Sphere of Influence, and, if annexed, detached from the city or district unless the General Plan has been amended to designate the affected territory as within a twenty-year development boundary.~~~~
- ~~B. Furthermore, no exceptions to the foregoing policy on the timing of Sphere of Influence amendments may be granted unless LAFCO makes one of the following findings:
 - ~~I. The Sphere of Influence amendment is needed to support a project of significant regional importance which is anticipated to result in social or economic benefits which outweigh the Commission's interest in providing a stable and compact Sphere of Influence.~~~~

~~OR~~

- ~~II. The proposal meets all of the following mandatory findings:
 - ~~a. There are no areas within the existing Sphere of Influence which are both suitable and available for the proposed use or the affected agency can demonstrate that it cannot support anticipated growth within its existing Sphere of Influence;~~~~

- b. ~~The proposal is consistent with the agricultural and open space policies and priorities of GC §56377;~~
- c. ~~The subject agency has the ability and intent to provide services to the subject territory within the development time frame;~~
- d. ~~The amendment is necessary for the logical and orderly growth of the subject agency;~~
- e. ~~There are special circumstances or conditions affecting the subject territory (not including consideration of the proposed use itself), such as size, shape, topography, location or surroundings, that either substantially reduce its value for agricultural uses or substantially enhance its value for urban development and;~~
- f. ~~The affected territory is contiguous with existing or approved urban development.~~

~~OR~~

- ~~III. The proposed Sphere of Influence is a reconfiguration of an existing Sphere of Influence and adds no net additional acreage to the agency's Sphere of Influence.~~

~~OR~~

- ~~IV. The sphere of influence amendment is proposed in order to add land owned by the agency and used for the provision of municipal services.~~

5.8. Separation of Communities

The Commission shall not extend the Sphere of Influence of any agency affected by this policy into the County designated Urban Area Boundary of another agency of the same type. An exception to this restriction may be approved by the Commission upon a finding that there exists a special relationship between the two agencies whereby development in one may be expected to have positive impacts upon the other and/or where eventual annexation of one agency by the other or a merger of both agencies is contemplated.

- ~~5.9. At the time that a Sphere of Influence Amendment is proposed, the Executive Officer shall propose to LAFCO, following consultation with all affected agencies, an ultimate dividing line between the affected agency and each of its neighboring agencies. Such a dividing line shall be established by agreement of both agencies with the assistance of the Executive officer and shall be certified by resolution of both agencies. Once set, LAFCO shall use these ultimate dividing lines to guide the location of Spheres of Influence. The Commission will only approve Sphere of Influence Amendments consistent with the agreement reached by both agencies.~~

I'm not seeing the need for this section given that 5.8 already creates separation of communities.

City-County meetings are specifically required for City initiated SOI Updates. With the distinction between SOI Updates and Amendments, this section is not applicable.

5.10. City – County Meeting Waiver Requirements

~~A City-County meeting and agreement, pursuant to GC §56425(b), shall be waived if the Sphere of Influence Amendment proposal meets both of the following criteria:~~

- ~~A. The proposal qualifies as a minor Sphere of Influence Amendment as outlined in Policy 5.11, and~~
- ~~B. All of the land included in the Sphere of Influence Amendment proposal is included in an Annexation proposal submitted concurrently with the SOI Amendment.~~

~~In addition, as a Condition of Approval, the Sphere of Influence Amendment shall be contingent on approval of the concurrent Annexation.~~

5.11. Municipal Service Reviews (MSRs)

In order to prepare and update Spheres of Influence, the Commission must conduct a service review of the municipal services provided by the agency subject to the Sphere of Influence Update. The Commission has determined which agencies are exempt or subject to MSRs and the extent of the review as listed in Appendix B of this policy.

- A. Prior to Commission adoption of a comprehensive MSR for a city or a district that provides sewer or domestic water service, a community meeting shall be conducted within the jurisdictional boundaries of the subject agency in conjunction with the subject agency's council, planning commission or board meeting (a combined meeting may be held for districts that share a common sewer or water system or that are located in proximity of each other). Said meeting shall be agendized in accordance with the Brown Act (GC §54954.2(a)). Said meeting will consist of a SOI and MSR informational presentation provided by LAFCO Staff and a question and answer session. Any comments provided by those in attendance will be considered in the development of the subject agency's MSR.
- B. Pursuant to GC §56430(a), a written statement of determinations for the following subject areas shall be included:
 - I. Growth and population projections for the affected area.
 - II. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
 - III. Present and planned capacity of public facilities and adequacy of public services, including 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.

- IV. Financial ability of agencies to provide services.
- V. Status of, and opportunities for, shared facilities.
- VI. Accountability for community service needs, including governmental structure and operation efficiencies.
- VII. Any other matter related to effective or efficient service delivery, as required by commission policy.
 - (a) The Written Statement of Determinations prepared in regard to disadvantaged unincorporated and other developed communities shall be based on a comprehensive review of area service providers conducted in accordance with GC §56430 (b) and shall include, but is not limited to: estimate of existing population, identification of existing service providers, identification of services provided within the community, service costs and identification of surrounding land use designations, both existing and planned, contained in a city's General Plan or County's Community Plan. (Developed communities should be addressed on a systemic basis in subsections I through V above.)

Note: A reasonable effort shall be made to conduct a thorough review; however, the level of detail is subject to the extent data is readily available and relevant to the overall MSR analysis.

- (b) Recommendations shall be made regarding possible ways to address needs and discrepancies through a collaborative effort between the subject agency, principle county, existing service providers, citizens groups, LAFCO and any other entity/organization the Commission deems appropriate.
 - (c) For the purpose of executing subsection 5.2 (Conflicting Boundaries), the MSR shall also identify the location of existing city and county growth boundaries and determinations shall be made with regard to their continuity/discontinuity to the existing SOI.
- C. For the purpose of identification in MSRs and filing fees for annexation (Policy B-2.5), a disadvantaged community is an area that has a median household income 80% or less of the statewide average pursuant to PRC §75005(g) and contains at least 20 dwelling units at a density not less than one unit per acre.

~~D. Municipal Service Reviews will not be required for minor Sphere of Influence amendments that meet all of the following criteria:~~

The addition of section 5.1 stipulates that any SOI Amendment is exempt from a MSR. (Also, SOI Amendments are applied concurrently with annexation proposals, the annexation Plan for Services and environmental document should contain updated service information and impacts that mitigates the need for a full MSR update.)

- ~~I. The requested amendment is either less than 40 acres or less than 5 percent of the total acreage of the area located within the subject agency's existing Sphere of Influence, whichever is more, inclusive of incorporated territory.~~
 - ~~II. There are no objections from other agencies that are authorized to provide the services the subject agency provides and whose Sphere of Influence underlies or is adjacent to the subject territory.~~
 - ~~III. The combined net additional acreage of the subject agency's minor Sphere of Influence amendments adopted pursuant to this section does not exceed 200 acres over any consecutive 5-year period.~~
 - ~~IV. CEQA review is accomplished by a Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, an Addendum to an EIR, or where the SOI amendment is within the scope of a previous EIR.~~
 - ~~V. In addition, a municipal service review is not required when a sphere of influence amendment is proposed solely to accommodate an expressed governmental purpose in the provision of public facilities or public services, as described in section 5.7.B IV.~~
- E. The adoption of a Municipal Service Review is not subject to a public hearing (GC §56430). However, to allow for public participation in addition to section 5.11(A), the Draft MSR shall be posted on the Commission's website with a minimum 21 day public review period and notice of the public review period will be posted at the Clerk of the Board of Supervisors Office and will be mailed or e-mailed to the subject agency for requested posting in their jurisdiction.

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

In the Matter of the Amendment of)
Policy and Procedure C-5,)
Spheres of Influence)

RESOLUTION NO. 17-0##

Upon motion of Commissioner x seconded by Commissioner x, Tulare County LAFCO Policy C-5 (Spheres of Influence) is hereby amended to streamline and clarify the Sphere of Influence (SOI) and Municipal Service Review (MSR) amendment and update process, at a regular meeting held on this 30th day of August, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

CALAFCO Legislative Report - Tuesday, August 22, 2017

AB 464 (Gallagher R) Local government reorganization.

Current Text: Chaptered: 7/10/2017 [Text](#)

Introduced: 2/13/2017

Last Amended: 3/14/2017

Status: 7/10/2017-Approved by the Governor. Chaptered by Sec of State - Chapter 43, Statutes of 2017.

Summary:

Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, current law requires that an applicant seeking a change of organization or reorganization submit a plan for providing services within the affected territory that includes, among other requirements, an enumeration and description of the services to be extended to the affected territory and an indication of when those services can feasibly be extended. This bill would specify that the plan is required to also include specific information regarding services currently provided to the affected territory, as applicable, and make related changes.

Position: Sponsor

Subject: Annexation Proceedings

CALAFCO Comments: This bill makes a fix to Gov. Code Sec. 56653 based on the court finding in the case of The City of Patterson v. Turlock Irrigation District. The court found that because the services were already being provided via an out of area service agreement, the application for annexation was deemed incomplete because it was not a new service to be provided. By making the fix in statute, any pending/future annexation for a territory that is already receiving services via an out of area service agreement will not be in jeopardy.

As amended, corrections were made to: 56653(b)(3) reading "proposed" rather than "provided", and in Government Code Section 56857 an exemption added pursuant to Public Utilities Code Section 9608 for territory already receiving electrical service under a service area agreement approved by the Public Utilities Commission pursuant to Public Utilities Code Section 9608.

AB 979 (Lackey R) Local agency formation commissions: district representation.

Current Text: Amended: 5/15/2017 [Text](#)

Introduced: 2/16/2017

Last Amended: 5/15/2017

Status: 8/21/2017-Read third time. Passed. Ordered to the Assembly.

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides for the selection of representatives of independent special districts on each local agency formation commission by an independent special district selection committee pursuant to a nomination and election process. This bill would additionally require the executive officer to call and hold a meeting of the special district selection committee upon the adoption of a resolution of intention by the committee relating to proceedings for representation of independent special districts upon the commission pursuant to specified law.

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This bill is co-sponsored by CALAFCO and CSDA. As amended, the bill amends code Sec. 56332.5 to streamline the process of seating special districts on LAFCo by mirroring current statute 56332 (the process for electing special district representatives into the special district seats). Keeping the process voluntary, it allows for voting by mail whether or not the district wants to have special districts represented on LAFCo. Further, it will allow for the consolidation of that question with the independent special district selection committee appointment to a countywide redevelopment agency oversight board pursuant to Health and Safety Code 34179 (j)(3).

AB 1361 (Garcia, Eduardo D) Municipal water districts: water service: Indian tribes.

Current Text: Amended: 6/28/2017 [Text](#)

Introduced: 2/17/2017

Last Amended: 6/28/2017

Status: 8/21/2017-From committee: Amend, and do pass as amended. (Ayes 6. Noes 0.) (July 19).

Calendar: 8/24/2017 #14 SENATE SEN SECOND READING FILE - ASSEMBLY BILLS

Summary:

The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Current law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. This bill would additionally authorize a district to provide this service of water to an Indian tribe's lands that are not within the district if the Indian tribe's lands are owned by the tribe.

Position: Oppose

Subject: Water

CALAFCO Comments: As amended, this bill allows water districts to provide service to an Indian tribe's lands that are not within the district boundaries without going through the current statutory process of approval by the local agency formation commission (LAFCo). Amendments were taken by the author during the Senate Governance and Finance Committee hearing July 19 that include LAFCo's ability to apply certain terms and conditions to the application by the water agency and limits the land to be served to lands in trust. However, CALAFCO still has a number of concerns and will continue to work with the author and sponsor.

AB 1725 (Committee on Local Government) Local agency formation.

Current Text: Amended: 7/20/2017 [Text](#)

Introduced: 3/20/2017

Last Amended: 7/20/2017

Status: 8/21/2017-Read second time. Ordered to third reading.

Calendar: 8/24/2017 #311 SENATE SEN THIRD READING FILE - ASM BILLS

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, as specified. The act defines various terms for these purposes, including the term "contiguous," which the act defines as territory adjacent to territory within the local agency. This bill would instead define "contiguous" as territory that abuts or shares a common boundary with territory within a local agency.

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual Omnibus bill. The bill makes only minor, non-substantive technical changes to CKH.

SB 37 (Roth D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

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 a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2017–18 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: This bill is identical to SB 817 (Roth, 2016), SB 25 (Roth, 2015) and SB 69 (Roth, 2014) with the exception of the chaptering out language included in the 2016 version (which addressed the companion bill AB 2277 (Melendez, 2016)). 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 2017/18 year for cities that incorporated between 1-1-2004 and 1-1-2012.

SB 448 (Wieckowski D) Local government: organization: districts.

Current Text: Amended: 7/17/2017 [Text](#)

Introduced: 2/15/2017

Last Amended: 7/17/2017

Status: 7/17/2017-Read second time and amended. Re-referred to Com. on APPR. (Amended 7/17/2017)

Calendar:

8/23/2017 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROP, GONZALEZ FLETCHER, Chair

Summary:

Current law requires a report of an audit of a special district's accounts and records made by a certified public accountant or public accountant to be filed with the Controller and the county auditor of the county in which the special district is located within 12 months of the end of the fiscal year or years under examination. This bill would instead require special districts defined by a specified provision to file those audit reports with the Controller and special districts defined by another specified provision to file those audit reports with the Controller and with the local agency formation commission of either the county in which the special district is located or, if the special district is located in 2 or more counties, with each local agency formation commission within each county in which the district is located.

Position: Support

Subject: CKH General Procedures

CALAFCO Comments: As amended on July 17, this bill authorizes LAFCo to dissolve inactive districts (after determining they meet the criteria set forth in the statute) by holding one hearing, without conducting a special study and with the waiver of protest proceedings. The State Controller is required to notify LAFCo when a district is inactive. LAFCo then has 90 days to initiate dissolution, and another 90 days in which to hold the hearing to dissolve. Should the LAFCo determine the district does not meet the criteria, no dissolution occurs and LAFCo notifies the Controller the district is not inactive. Should the LAFCo determine the district does meet the criteria then it is ordered to be dissolved. The bill also requires a district to provide LAFCo with their audits at the same time they provide them to the Controller.

All of our issues have been resolved with the current version and as a result our position has been changed from Oppose Unless Amended to Support.

AB 267 (Waldron R) Community services districts.

Current Text: Introduced: 2/1/2017 [Text](#)

Introduced: 2/1/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/1/2017)(May be acted upon Jan 2018)

Summary:

Current law provides for the organization and powers of community services districts, including the continuation of any community services district, improvement district of a community services district, or zone of a community services district, that was in existence on January 1, 2006. This bill would make nonsubstantive changes to these provisions.

Position: Watch

CALAFCO Comments: According to the author's office this is a spot bill.

AB 548 (Steinorth R) Omnitrans Transit District.

Current Text: Amended: 4/4/2017 [Text](#)

Introduced: 2/14/2017

Last Amended: 4/4/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/23/2017)(May be acted upon Jan 2018)

Summary:

Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and unspecified portions of the unincorporated areas of the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

Position: None at this time

CALAFCO Comments: This bill, as amended, appears to dissolve the Omnitrans JPA and form a new independent special district to be known as the Omnitrans Transit District. The formation process does not include LAFCo. CALAFCO is reaching out to the author's office for more details.

AB 577 (Caballero D) Disadvantaged communities.

Current Text: Amended: 3/9/2017 [Text](#)

Introduced: 2/14/2017

Last Amended: 3/9/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.S. & T.M. on 2/27/2017)(May be acted upon Jan 2018)

Summary:

Current law defines a disadvantaged community as a community with an annual median household income that is less than 80% of the statewide annual median household income for various purposes, that include, but are not limited to, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, eligibility for certain entities to apply for funds from the State Water Pollution Cleanup and Abatement Account, and authorization for a community revitalization and investment authority to carry out a community revitalization plan. This bill would expand the definition of a disadvantaged community to include a community with an annual per capita income that is less than 80% of the statewide annual per capita income.

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: Sponsored by the Environmental Justice Coalition for Water, this bill is intended to expand the definition of disadvantaged communities to include multi-family households. According to the author's office this will be a two-year bill. CALAFCO will retain a Watch position until any amendments are in print.

AB 645 (Quirk D) Local government: organization: dissolution.

Current Text: Introduced: 2/14/2017 [Text](#)

Introduced: 2/14/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/2/2017)(May be acted upon Jan 2018)

Summary:

Under current law, if a change of organization consists of a dissolution, the commission is required to order the dissolution subject to confirmation of voters if, among other things, the proposal was not initiated by the commission and if a subject agency has not objected to the proposal, the commission has found that, for an inhabited territory protests have been signed by either 25% of the number of landowners within the affected territory who own at least 25% of the assessed value of land within the territory or 25% of the voters entitled to vote as a result of residing or owning land within the affected territory. This bill would decrease that threshold to 10% of the number of landowners within the affected territory who own at least 25% of the assessed value of land within the territory or 10% of the voters entitled to vote as a result of residing or owning land within the affected territory.

Position: Watch

Subject: CKH General Procedures, Disincorporation/dissolution, Special District Consolidations

CALAFCO Comments: According to the author's office this is a spot bill pending the outcome of the Alameda LAFCo special study on Eden Healthcare District. Update: The author's office indicates they will hold off moving this bill. CALAFCO will continue to Watch.

AB 892 (Waldron R) Municipal water districts: water service: Indian tribes.

Current Text: Amended: 3/23/2017 [Text](#)

Introduced: 2/16/2017

Last Amended: 3/23/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/23/2017)(May be acted upon Jan 2018)

Summary:

Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. This bill would authorize, rather than require, a district to provide this service of water. The bill would apply this authorization to all Indian tribes whose lands are owned by the tribe.

Position: Watch

Subject: Water

CALAFCO Comments: According to the author's office, this may very well become a two-year bill. The intent of the bill was to make it permissive for an Indian tribe to negotiate directly with a water provider to obtain water services. This would circumvent LAFCo. This bill expands on last year's bill by Gonzalez-Fletcher, AB 2470. The author's office has indicated the bill will not move forward in its current version. They understand CALAFCO's concerns. CALAFCO will continue to monitor the bill for any amendments and will consider a position if/when amendments are in print.

AB 1479 (Bonta D) Public records: custodian of records: civil penalties.

Current Text: Amended: 7/18/2017 [Text](#)

Introduced: 2/17/2017

Last Amended: 7/18/2017

Status: 8/21/2017-Action From APPR.: To APPR. SUSPENSE FILE.

Summary:

Would, until January 1, 2023, require public agencies to designate a person or persons, or office or offices to act as the agency's custodian of records who is responsible for responding to any request made pursuant to the California Public Records Act and any inquiry from the public about a decision by the agency to deny a request for records. The bill also would make other conforming changes. Because the bill would require local agencies to perform additional duties, the bill would impose a state-mandated local program.

Position: Oppose

Subject: Public Records Act

CALAFCO Comments: As amended this bill requires any public agency to designate a person/office to act as the agency's custodian of records who will be responsible for responding to all public records requests and to respond to an inquiries as to why the agency denied the request for records. Further the bill adds a failure to respond for records or an improperly assessed fee can be considered a civil penalty and allows the courts to issue fines ranging from \$1000 - \$5000.

AB 1728 (Committee on Local Government) Health care districts: board of directors.

Current Text: Introduced: 3/22/2017 [Text](#)

Introduced: 3/22/2017

Status: 8/21/2017-Action From APPR.: Do pass.

Calendar: 8/24/2017 #109 SENATE SEN SECOND READING FILE - ASSEMBLY BILLS

Summary:

Each health care district has a board of directors with specific duties and powers respecting the creation, administration, and maintenance of the district, including purchasing, receiving, having, taking, holding, leasing, using, and enjoying property. This bill would require the board of directors to adopt an annual budget in a public meeting, on or before September 1 of each year, that conforms to generally accepted accounting and budgeting procedures for special districts, establish and maintain an Internet Web site that lists contact information for the district, and adopt annual policies for providing assistance or grant funding, if the district provides assistance or grants.

Position: Support

Subject: Other

CALAFCO Comments: As introduced, this bill requires healthcare districts to adopt annual budgets, establish and maintain a website (and prescribes the required site content), and adopt policies for grant funding.

SB 206 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/10/2017 [Text](#)

Introduced: 2/1/2017

Status: 7/10/2017-Approved by the Governor. Chaptered by Sec of State. Chapter 57, Statutes of 2017.

Summary:

This bill would enact the First Validating Act of 2017, 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: LAFCo Administration

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

SB 207 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/10/2017 [Text](#)

Introduced: 2/1/2017

Status: 7/10/2017-Approved by the Governor. Chaptered by Sec of State. Chapter 58, Statutes of 2017.

Summary:

This bill would enact the Second Validating Act of 2017, 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: LAFCo Administration

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

SB 208 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/10/2017 [Text](#)

Introduced: 2/1/2017

Status: 7/10/2017-Approved by the Governor. Chaptered by Sec of State. Chapter 59, Statutes of 2017.

Summary: This bill would enact the Third Validating Act of 2017, 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: LAFCo Administration

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

SB 365 (Dodd D) Regional park and open-space districts: County of Solano.

Current Text: Enrollment: 8/21/2017 [Text](#)

Introduced: 2/14/2017

Last Amended: 7/13/2017

Status: 8/21/2017-Assembly amendments. (Ayes 29. Noes 10.) Ordered to engrossing and enrolling.

Summary:

Current law authorizes proceedings for the formation of a regional park and open-space or regional open-space district in specified counties in the state to be initiated by resolution of the county board of supervisors adopted after a noticed hearing, and specifies the contents of the resolution. This bill, in addition, would authorize the formation of a regional district in the County of Solano to be initiated by resolution of the county board of supervisors after a noticed hearing. The bill would specify the contents of the resolution, including the calling of an election, as prescribed.

Position: Oppose

Subject: LAFCo Administration

CALAFCO Comments: This bill calls for the formation of a regional park and open space district which will circumvent the LAFCo formation process.

SB 435 (Dodd D) Williamson Act: payments to local governments.

Current Text: Amended: 5/2/2017 [Text](#)

Introduced: 2/15/2017

Last Amended: 5/2/2017

Status: 5/25/2017-May 25 hearing: Held in committee and under submission.

Summary: Would, under the Williamson act, reduce the amount per acre paid to a city, county, or city and county under these provisions to \$2.50 for prime agricultural land, \$0.50 for all other land devoted to open-space uses of statewide significance, and, for counties that have adopted farmland security zones, \$4 for land that is within, or within 3 miles of the sphere of influence of, each incorporated city.

Position: Support

Subject: Ag Preservation - Williamson

CALAFCO Comments: This bill renews partial subvention funding for the Williamson Act as a fiscal incentive to lift contract moratoria, implements solar use easements and Farmland Security Zone Contracts, and increases subvention funding for counties that adopt conservation planning strategies for agriculturally zoned property that further our state's sustainable community goals.

SB 634 (Wilk R) Santa Clarita Valley Water District.

Current Text: Amended: 8/21/2017 [Text](#)

Introduced: 2/17/2017

Last Amended: 8/21/2017

Status: 8/21/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

Calendar:

8/23/2017 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROP, GONZALEZ FLETCHER, Chair

Summary: Current law, the Castaic Lake Water Agency Law, created the Castaic Lake Water Agency and authorizes the agency to acquire water and water rights, including water from the State Water Project, and to provide, sell, and deliver water at wholesale for municipal, industrial, domestic, and other purposes. This bill would repeal the Castaic Lake Water Agency Law.

Position: Neutral

Subject: Special District Consolidations

CALAFCO Comments: As amended, this bill consolidates two independent water districts in Los Angeles. The bill was amended to include LAFCo in the process via an application for binding conditions. As statute does not allow the local LAFCo to deny the application when both district boards have adopted resolutions of support, the amendments of May 26 address all of CALAFCO's concerns. As a result CALAFCO has removed our opposition and now is neutral on the bill.

SB 693 (Mendoza D) Lower San Gabriel River Recreation and Park District.

Current Text: Amended: 7/3/2017 [Text](#)

Introduced: 2/17/2017

Last Amended: 7/3/2017

Status: 7/11/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 4.) (July 11). Re-referred to Com. on APPR.

Calendar: 8/23/2017 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROP, GONZALEZ FLETCHER, Chair

Summary: Would specifically authorize the establishment of the Lower San Gabriel River Recreation and Park District, by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2020, subject to specified existing laws governing recreation and park districts, including their formation, except as provided. The bill would authorize specified city councils and the Los Angeles County Board of Supervisors to appoint members to, and the executive officer of the conservancy to serve as a member on, the initial board of directors of the district.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: This bill forms the Lower San Gabriel River Recreation and Park District while leaving a majority of the LAFCo process intact. CALAFCO will keep watching to ensure it stays that way.

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CALAFCO Board Adopts Association's 2017-18 Strategic Plan

During their May 5 meeting, the CALAFCO Board of Directors considered the Association's two-year strategic plan for 2017-18. The draft strategic plan was presented to the Board for consideration as a follow up to their day-long strategic planning retreat session in January. The discussion, both in January and in May focused on current and emerging LAFCo and CALAFCO issues, what puts our members and the Association at risk and current CALAFCO commitments. The Board also carefully considered available resources to fulfill objectives and deliver the highest quality support to our members.



Ultimately the Board approved three strategic areas: (1) Serve as an educational resource to member LAFCo Commissioners, LAFCo staff, Associate members and stakeholders; (2) Focus efforts on Association member development and communication; and (3) Serve as an information resource to all Association members, work as a legislative and policy advocate for LAFCo issues and provide information to the Legislature and other stakeholders. Within those three areas are objectives that address the identified needs of creating value-added educational and networking opportunities, building stronger member LAFCos and a resilient Association, generating ourselves in new ways as an information resource, and continuing our work as a legislative resource.

The 2017-18 Strategic Plan was unanimously adopted by the CALAFCO Board during their May 5 meeting. The adopted plan has been distributed to the membership and can be found on the CALAFCO website.

Additional CALAFCO Board Actions

During the May 5 meeting the Board addressed several administrative issues and took a number of other actions:

- ◆ Reviewed and adopted the Association's FY 2017-18 annual budget.
- ◆ Received and filed the quarterly financial reports. The budget is on track for the year with no changes anticipated.
- ◆ Received a full legislative update.
- ◆ Received other status updates from CALAFCO staff.
- ◆ Directed staff to plan for an in-depth discussion at their August Board meeting on the long-term financial state of the Association.



Conferences and Workshops Update

2017 STAFF WORKSHOP

The 2017 Staff Workshop was held *April 5-7* at the Doubletree by Hilton in downtown Fresno. Our host for this workshop was *Fresno LAFCo*. The Program Planning Committee did a great job in planning a diverse program of topics and interesting speaker line up. The Workshop received a rating of 5.3 out of 6.0 and was a financial success with all revenues and expenses meeting budget expectations. CALAFCO wishes to thank our host, *Fresno LAFCo*, and in particular Executive Officer *David Fey*. Thanks also to the Program Planning Committee Chair, *Kris Berry*, and all who worked to plan another great Workshop.

2017 ANNUAL CONFERENCE

Mark your calendars for the 2017 Annual Conference on *October 25-27*. We will be in Mission Bay, San Diego at the Bahia Hotel. Registration is open so make your hotel reservations early and be sure to send in your Conference registration and payment before August 31 to receive the early bird registration rate. A very special mobile workshop is being planned that will include a tour of the Claude "Bud" Lewis desalination plant, the largest in the nation. We will also be touring the adjacent Encina Power Station. The Program Planning Committee, under the leadership of *Carolyn Emery* (Orange), is busy putting together a fabulous program. For details, visit the CALAFCO website.

CALAFCO White Papers and Other Publications

In partnership with the American Farmland Trust (AFT), we are currently working on a White Paper on *Ag Policies*. Work on this project is anticipated to be completed by the end of summer. A huge thank you to Serena Unger of the AFT, and to Executive Officers *Christine Crawford* (Yolo), *Neelima Palacherla* (Santa Clara), *David Fey* (Fresno), and Associate Member *Elliot Mulberg* for their work on the paper.



CALAFCO Legislative Update

A busy legislative year to be sure. CALAFCO is sponsoring three bills, tracking 20 bills and has formal positions on 13 bills. A full legislative update including the bills CALAFCO is tracking can be found on the CALAFCO website. The report is updated daily via Capitol Track.





Sponsored bills this year include:

- ◆ **AB 464** (Gallagher) which makes changes addressing the issue of annexations of areas receiving services via an out of area service agreement. The bill was signed into law by the Governor on July 10.
- ◆ **AB 979** (Lackey) (co-sponsored with CSDA) which streamlines the process of seating special districts on LAFCo. The bill passed Assembly and is now on the Senate floor for passage.
- ◆ **AB 1725** (Omnibus) contains several technical, non-substantive changes to CKH. The bill is on the Senate floor awaiting passage.

Other bills of notice include:

- ◆ **AB 1361** (E. Garcia) CALAFCO Oppose – This bill was recently gut and amended. As amended, it allows water districts to provide service to an Indian tribe's lands that are not within the district boundaries without going through the current statutory process of approval by LAFCo. Amendments were taken by the author during the SG&FC hearing July 19 that include LAFCo's ability to apply certain terms and conditions to the application by the water agency and limits the land to be served to lands in trust. However, CALAFCO still has a number of concerns and will continue to work with the author and sponsor.
- ◆ **SB 448 (Wieckowski)** – CALAFCO Support - The bill requires the State Controller to: (1) identify independent special districts separately on their website (from the other thousands of districts); (2) notify LAFCo when a special district becomes inactive (based on the new criteria in statute); and (3) remove the district from the inactive list if it is deemed active or upon dissolution. The bill requires LAFCo to: (1) initiate dissolution within 90 days of notification by the Controller; (2) hold a noticed public hearing for dissolution within 90 days of initiating the process; and (3) determine if the district meets the inactive criteria (and if so then order the dissolution) and if not, notify the Controller. The dissolution process requires only one noticed public hearing and no protest process, special study or MSR. Finally the bill requires a special district to file their audits with the LAFCo at the same time they file with the Controller. CALAFCO has been working extensively with the author and other stakeholders over many months on obtaining a host of amendments.

Little Hoover Commission Update

The LHC held their final roundtable discussion on LAFCos and special districts on June 22. A host of draft recommendations were discussed in detail by the Commission and stakeholders. The next hearing on this

topic, at which they are scheduled to adopt the final recommendations, is set for August 24.



Around the State

San Diego LAFCo

Submitted by Escondido Mayor Sam Abed, Chairman of the San Diego LAFCo

On May 1, 2017, long time San Diego LAFCo Executive Officer Mike Ott announced his retirement, effective August 31, 2017. Some of Mike's good friends and co-workers have also announced their retirement from the San Diego LAFCo. Joining him in retirement this summer will be Chief Local Governmental Analyst Ingrid Hansen, who has been working part-time as a retired worker for the past ten years. She originally started with the San Diego LAFCo in 1981. And Harry Ehrlich, who serves as Legislative Director, also announced that he will be retiring to spend more time with his wife and family. Harry was recently elected to the Borrego Water District and will be able to devote more of his time to this desert water agency in north eastern San Diego County, plus his consulting firm.

Over the past 25 years, Mike was at the helm of the San Diego LAFCo during a time of tremendous change. Among the more difficult projects he oversaw were seven different incorporations – not all of which were successful; one failed special reorganization proposal (La Jolla Secession); one unsuccessful disincorporation attempt (Imperial Beach); and an effort that he discouraged that would have resulted in the formation of a municipal utility district to replace the San Diego Gas and Electric Company. Perhaps, most important were his government streamlining efforts. He was responsible for streamlining government services in a diverse county of over 3.2 million people occupying 4,500 square miles through consolidating 90 special districts. Of particular note is the agency's work with fire agencies. Over one million acres of unincorporated San Diego County are now within a structural fire protection and emergency medical service provider. This has improved life safety for San Diego County residents and millions of tourists that visit the County each year.

The San Diego LAFCo has been honored with sixteen statewide awards for its professional excellence and innovation during the past 25 years that Mike Ott led LAFCo. The agency was recognized by CALAFCO in 1998, 2002 and 2004 as the "Most Effective Commission" in the



State. Mike previously served as the first Deputy Executive Officer of CALAFCO and wrote the groundbreaking 1989 report that resulted in the reorganization of CALAFCO. During his time with the San Diego LAFCo, Mike also completed the first ever LAFCo-initiated district consolidation in California. He served on the Governor's Office of Planning and Research's Incorporation Task Force and Municipal Service Review Working Group between 1999 and 2001. Mike, Ingrid, and Harry Ehrlich are all previous recipients of CALAFCO's Outstanding LAFCo Professional award.

In 2018, the San Diego LAFCo will begin a major update to its Spheres of Influence, Municipal Service Reviews, Disadvantaged Community Program, and launching an Unincorporated Island Program. These programs will affect 18 municipalities and 80 special districts. The San Diego LAFCo is accordingly seeking a talented and experienced leader to manage these programs after Mike Ott retires. The Commission will also be recruiting for several new analysts in the upcoming months.

According to Mike, "Having headed the San Diego LAFCo for twenty-five years, I can say unequivocally it is an excellent organization and this is an exceptional career opportunity for an experienced and creative leader interested in helping to shape the future of San Diego County. San Diego LAFCo is fortunate that it will continue to be staffed by brilliant LAFCo attorney, Mike Colantuono and a talented workforce consisting of Robert Barry, Joe Serrano, Tammy Luckett, Ruth Arellano, Erica Blom, and Dieu Ngu, plus an incredible group of experienced consultants."

Los Angeles LAFCo

LA LAFCo is pleased to announce the hiring of Adriana Romo as Deputy Executive Officer, who recently assumed the office. Adriana recently served as Local Government Analyst III with Riverside LAFCo, where she worked since 2002.

Vector Control Services in LA County:

Given the public health challenges associated with preventing the spread of diseases (chikungunya, dengue, encephalitis, West Nile virus, yellow fever, and Zika), LA LAFCo continues its proactive efforts to annex a handful of unincorporated areas and cities into existing vector control districts. The Commission annexed unincorporated La Crescenta-Montrose and the City of La Cañada Flintridge into the Greater Los Angeles Vector Control District (GLAVCD) in 2015. Tentatively scheduled for the Commission's July 12th meeting is the proposed annexation of the cities of Baldwin Park and Pasadena into the San Gabriel Valley Mosquito and Vector Control District. Within the next few months, the GLAVCD intends to file an out-of-agency service extension request to serve the City of

Vernon on an interim basis (ideally leading to a future annexation). With the exception of the City of Long Beach (which has its own robust in-house vector control program), the City of Vernon is the sole remaining city in Los Angeles County not served by a vector control district. In the face of increasing health risks, the proactive collaboration amongst several parties (LA LAFCo, vector control districts, the County of Los Angeles, and the involved cities) are yielding positive results for the benefit of the public.

Sonoma LAFCo

Sonoma LAFCo is pleased to report the receipt of an application from the City of Santa Rosa for annexation of five unincorporated islands, including the community of Roseland in south west Santa Rosa. The Commission will adjudicate the proposal at its August meeting. Assuming approval and eventual ratification of the application, the annexation will resolve a decades-long exclusion of a large community of approximately 6,500 residents from the City.

Solano LAFCo

Solano LAFCo announces the hiring of a new Executive Officer, Richard J. Seithel, who will begin on August 9, 2017. Richard is a resident of Antioch and currently serves as the Chief of Annexations and Economic Stimulus Programs for Contra Costa County. He has served Contra Costa County in the County Administrator's Office for the past nineteen years as a deputy county administrator. Richard will be a permanent full-time employee of the commission. Since 2013, the Solano LAFCo Executive Officer position has been filled by contractors working only part time. The move to a permanent full-time executive officer will ensure greater availability and service to the county, cities, districts and the public.



The CALAFCO Board of Directors and Staff wish all of you a wonderful summer!



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.



CALAFCO is pleased to welcome our newest Silver Associate Member, **Peckham & McKenney**. **Peckham & McKenney, Inc.** provides executive search services to local government agencies throughout the Western United States and is headquartered in Roseville, California. The firm was established as a partnership in 2004 by Bobbi Peckham and Phil McKenney, who serve as the firm's Recruiters and bring over 50 years' combined experience in local government and executive search. To learn more about them, visit them at www.peckhamandmckenney.com, or call them at 866-912-1919.



Mark Your Calendars For These Upcoming CALAFCO Events

- ◆ CALAFCO Board of Directors meeting, August 18, San Diego
- ◆ CALAFCO Legislative Committee meeting, August 25, conference call

Upcoming CALAFCO Conferences and Workshops

2017 ANNUAL CONFERENCE

October 25 – 27
Bahia Mission Bay
San Diego, CA
Hosted by CALAFCO

2018 STAFF WORKSHOP

April 11 – 13
Four Points Sheraton
San Rafael, CA
Hosted by Marin LAFCo

2018 ANNUAL CONFERENCE

October 3-5
Tenaya Lodge
Yosemite, CA
Hosted by CALAFCO