



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:
Julie Allen, Chair
Cam Hamilton, V-Chair
Steve Worthley
Rudy Mendoza
Pete Vander Poel

LAFCO MEETING AGENDA
December 5, 2018 @ 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 October 10, 2018** (Pages 1-2)
- 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. **Recognition of Departing Commission Members**

Commissioners Worthley and Ennis are retiring from the County Board of Supervisors and Commissioner Mederos has won election to the Tulare City Council and can no longer serve as the alternate public member.

V. **Consent Calendar**

- 1. **Amended Policy D-1, Conflict of Interest** (Pages 3-12)
[No Public Hearing] Recommended Action: Approval

Enclosed is the proposed amended Conflict of Interest policy. There have been no changes to the proposed amended policy from the draft that was reviewed by the Commission at the October 10th meeting.

- 2. **2019 Proposal Deadline and Meeting Schedule** (Pages 13-14)
[No Public Hearing].....Recommended Action: Approval

The Commission will consider a schedule of meeting dates and application deadlines for 2019. All dates are tentative and subject to change.

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. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact LAFCO Staff at 559-623-0450. Documents related to the items on this Agenda submitted to the Board after distribution of the Agenda packet are available for public inspection at 210 N Church Ste. B Visalia CA 93291

VI. New Action Items

1. Case 1537, Activation of Latent Power for Richgrove Community Services District **(Pages 15-26)**
[Public Hearing].....Recommended Action: Conditional Approval

The Richgrove Community Services District has submitted a request for an activation of latent power. The requested power is public recreation by means of parks and recreation. A Mitigated Negative Declaration was prepared in compliance with CEQA by Tulare County Resource Management Agency and is being used in this proposal.

2. Goshen Community Services District Municipal Service Review Update **(Pages 27-56)**
[No Public Hearing] Recommended Action: Approval

The Commission will consider the adoption of the Goshen Community Services District MSR Update. The MSR and its determination were posted for public review on November 2, 2018. The complete MSR is enclosed and is also available on LAFCO's website at <https://lafco.co.tulare.ca.us/lafco/index.cfm/msr/> MSR's are exempt from CEQA pursuant to sections 15061 (b)(3) and 15303.

3. Case 1538, Goshen CSD Sphere of Influence Update **(Pages 57-66)**
[Public Hearing] Recommended Action: Approval

The Commission will consider the adoption of the proposed SOI Update for the Goshen CSD. The proposed SOI matches the community's Urban Development Boundary (UDB) with one variation. The SOI Update is within the scope of the Environmental Impact Report prepared for the Goshen Community Plan Update which was prepared in compliance with CEQA by Tulare County Resource Management Agency and is being used for this proposal.

4. Case 1539, Initiate Dissolution of the Tulare County Olive Pest Control District **(Pages 67-78)**
[No Public Hearing].....Recommended Action: Initiate Dissolution

The State Controller sent notification that the Tulare County Olive PCD is an inactive district on October 31st, 2018. The Commission must initiate the dissolution of the District within 90 days of receiving the Controller notice or find that the District is not inactive.

5. Yettem-Seville CSD Election Results **(Pages 79-84)**
[No Public Hearing].....Recommended Action: Accept Election Results

The Commission ordered the conditional formation of the Yettem-Seville Community Services District (CSD) subject to the confirmation of the registered voters within the approved boundaries on July 11th, 2012. Staff is recommending that the Commission accept the final election results for the successful conditional formation of the Yettem-Seville CSD.

6. Alternate Public Member Selection Committee **(Pages 85-88)**
[No Public Hearing].....Recommended Action: Select Committee

The Alternate Public Member position has become vacant due to the election of Dennis Mederos to the Tulare City Council. The term of office of the Alternate Public Member representing the general public on the Tulare County Local Agency Formation Commission expires on May 4, 2020. It is recommended that the Commission initiate action to appoint the members of the selection committee consisting of one County member and one City member.

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7. Election of Officers **(Pages 89-90)**
[No Public Hearing].....Recommended Action: Elect Chairman and Vice-Chairman

The Commission will select a new Commission Chair and Vice-Chair. The LAFCO Commission Chair and Vice-Chair are chosen on a rotating basis in accordance with LAFCO Policy A-4 which has typically been rotated from City to County to Public. The new officers' terms will commence on January 1, 2019 and end on December 31, 2019.

8. Cancellation of January 9th Meeting **(No Page)**
[No Public Hearing] Recommended Action: Approval

There are no action items scheduled for the January 9th, 2019 meeting. If the Commission elects to cancel the January 9th meeting, the next regularly scheduled meeting would be February 6th, 2019.

VII. Executive Officer's Report

1. Legislative Update & 2019 CALAFCO Calendar **(Pages 91-94)**

Enclosed is the 2019 CALAFCO and California Assembly Calendars.

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

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

VIII. Correspondence

1. Public Records Request – Regarding East Oroshi CSD/SWRCB **(Pages 95-97)**

IX. Other Business

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

2. Request from LAFCO for items to be set for future agendas **(No Page)**

X. Setting Time and Place of Next Meeting

1. January 9, 2019 @ 2:00 P.M. or February 6, 2019 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building.

XI. 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. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact LAFCO Staff at 559-623-0450. Documents related to the items on this Agenda submitted to the Board after distribution of the Agenda packet are available for public inspection at 210 N Church Ste. B Visalia CA 93291

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TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

**2800 W. Burrel Ave., Visalia, CA 93291 – Tulare County Administrative Building
October 10, 2018 – Meeting Minutes**

Members Present: Allen, Hamilton, Mendoza, Vander Poel
Members Absent: Worthley
Alternates Present: Mederos
Alternates Absent: Ennis, Jones
Staff Present: Giuliani, Ingoldsby, & Kane recording
Counsel Present: Erickson

- I. **Call to Order:** Chair Allen called the meeting to order at 2:00 p.m.
- II. **Approval of the July 11, 2018 Meeting Minutes:**
Upon motion by Commissioner Vander Poel and seconded by Commissioner Mendoza, the Commission unanimously approved the LAFCO minutes.
- III. **Public Comment Period:**
Chair Allen opened/closed the Public Comment Period at 2:02 p.m. No public comments received.
- IV. **New Action Items:**
 1. **Cancellation of November 7th Meeting**
Upon motion by Commissioner Vander Poel and seconded by Commissioner Hamilton, the Commission unanimously approved to cancel the November meeting.
- V. **Executive Officer's Report**
 1. **Proposed Amended Policy D-1, Conflict of Interest:**
EO Giuliani provided a copy of the revised policy for review; noting only small technical corrections had been made on the recommendation of County Counsel.
 2. **Legislative Update:**
EO Giuliani reviewed the status of current legislative bills and the effects it will have on Tulare County LAFCO. EO Giuliani highlighted the current issues pertaining to AB 2050 Small System Water Authority Act of 2018, as previously requested by the Commission.
 3. **Agricultural Report:**
EO Giuliani provided a review of the Tulare County Agriculture Report that had been released the previous month.
 4. **Upcoming Projects:**
EO Giuliani stated the Conflict of Interest policy would be brought to the Commission in December for approval, and the Goshen Community Services District (CSD) MSR and SOI updates will be brought for action.
- VI. **Correspondence:**
 1. **Public Meeting Notice for potential consolidation of East Orosi/Orosi water systems.**

EO Giuliani reviewed with the Commission the SWRCB notice which provided information regarding the potential consolidation of water systems.

VII. Other Business:

1. **CALAFCO Annual Conference Update:**

Staff and Commissioner Allen provided highlights from the 2018 CALAFCO Conference.

2. **Commissioner Report:**

None

3. **Request from LAFCO for items to be set for future agendas:**

None

VIII. Setting Time and Place of Next Meeting:

The next Local Agency Formation Commission (LAFCO) meeting is scheduled for **December 5, 2018 at 2:00 p.m.** in the Board of Supervisors Chambers in the County Administration Building

IX. Adjournment: The Tulare County LAFCO meeting adjourned at 2:46 p.m.

DRAFT



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ALTERNATES:
*Mike Ennis
Dennis Mederos
Carlton Jones*

EXECUTIVE OFFICER:
Ben Giuliani

December 5, 2018

TO: LAFCO Commissioners, Alternates

FROM: Ben Giuliani, Executive Officer

SUBJECT: Amendment to Policy D-1 (Conflict of Interest and Disclosure Requirements)

Background

Local government agencies are required to conduct a review of their conflict of interest codes at least every even-numbered year and report to their code reviewing body whether amendments are necessary (GC §81000, et seq). If amendments are necessary, the agency also must submit the amendments for approval to the applicable code reviewing body. The Tulare County Board of Supervisors is the code-reviewing body for all local government agencies within Tulare County.

Discussion

Tulare County LAFCO's current conflict of interest policy (Policy D-1) has been reviewed by County Counsel and some minor amendments are needed (attached). A 45-day public review period was held from 9/25/18 to 11/9/18 and no comments were received. Attached is the final proposed amended Policy D-1. No changes were made from the draft amendment to Policy D-1 that was presented to the Commission at the October 10th meeting.

Recommendation

Approve the amendment to Policy D-1 (Conflict of Interest and Disclosure Requirements)

Attachments:
Amended Policy D-1
Resolution

Policies and Procedures

Tulare County Local Agency Formation Commission

Policy Number: *D-1*

Effective Date: *October 19, 1977; amended _____, 201_*

Authority: *Government Code §81000 et seq., LAFCO Resolutions 77-94, 02-006, 10-030*

Title: **Conflict of Interest and Disclosure Requirements**

Policy: This Conflict of Interest Code (hereinafter referred to as the “Code”) is adopted pursuant to the provisions of the Political Reform Act of 1974, set forth in California Government Code §81000 et seq. (hereinafter referred to as the “Act”), for the purpose of requiring designated employees to file statements disclosing financial interests that may be materially affected by their official actions and for the purpose of providing that designated employees must disqualify themselves from acting in their official capacity in order to avoid a conflict of interest.

Purpose: The purpose of this policy is to outline the procedure by which designated employees of Tulare County LAFCO are to file statements disclosing their financial interests that may be materially affected by their official actions and for the purpose of providing that designated employees must disqualify themselves from acting in their official capacity in order to avoid a conflict of interest.

Scope: This policy applies to all designated employees of Tulare County LAFCO. For the purposes of this policy, designated employees shall be defined as “a member of the Commission.”

History: This was a pre-existing policy that was adopted into the original Manual on 2/6/02. Exhibits A and B were updated to match TCAG disclosure requirements on 12/8/10. Form 700 filing deadline updated 6/10/15.

Procedure:

1.1. Definitions

*The Fair Political Practices Commission has adopted a regulation that contains the terms of a model conflict-of-interest code. Therefore, the terms of 2 Cal. Code of Regs., Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by this reference and, together with the attached **APPENDIX A (DESIGNATED POSITIONS)**, and **APPENDIX B (DISCLOSURE CATEGORIES)**, constitutes the conflict-of-interest code of this agency.*

Addition

Deletion

Unless otherwise provided, the definitions of words and phrases used in this Code shall be consistent with the definitions of the same words and phrases contained in the Act and contained in the Regulations of the Fair Political Practices Commission set forth in Title 2 of the California Administrative Code. ~~and such definitions are incorporated into this Code by reference. Definitions as of adoption of this Code are set forth in Exhibit "C" for guidance, and reference must be had to the Act and Regulations for current definitions.~~

1.2. Application: Designated Employees

The provisions of this Code are applicable to the designated employees of this local government agency. Designated employees are those persons who are deemed to make or to participate in the making of decisions which may foreseeably have a material effect on a financial interest. Designated employees are those persons who hold the positions (referred to hereinafter as "designated position") that are enumerated in Exhibit "A" attached hereto.

1.3. Disclosure Statements: Designated Employees

Each designated employee shall file statements, in accordance with the provisions of this Code, disclosing such employee's interest in investments, real property and income. The types of financial interest subject to disclosure are set forth in Exhibit "B" attached hereto; and the specific types which are applicable to a designated employee are expressed by number opposite the designated positions enumerated in Exhibit "A."

1.4. Place of Filing

Each designated employee shall file one original statement disclosing financial interests with the Executive Officer of this agency. If the designated employee is the head of this agency, or a member of a board or commission not under a department of state government or not under the jurisdiction of a local legislative body, the agency shall make and retain a copy of such person's statement and forward the original to the code reviewing body. The originals of all other statements shall be retained by the agency.

1.5. Time of Filing

- A. All designated employees shall submit an initial statement within thirty (30) days after the effective date of this Code.
- B. Merit system employees appointed, promoted or transferred to designated employee positions shall file initial statements within thirty (30) days after the date of assuming such position.
- C. All other persons assuming designated employee positions shall file initial statements not less than ten (10) days before assuming such position or, if subject to confirmation, not less than ten (10) days before being confirmed,

unless an earlier assumption of the position is required by emergency circumstances, in which case said statement shall be filed within thirty (30) days after the date of assuming such position.

- D. All designated employees shall file annual statements by the date determined by the California Fair Political Practices Commission. Such annual statements shall cover the period of the preceding calendar year.
- E. Each person who leaves a designated employee position shall file a leaving office statement within thirty (30) days after leaving such position.
- F. When a designated employee is required to file with another agency a statement disclosing financial interests, and such statement contains, at a minimum, all of the items required to be reported by this Code, and such other agency has at least the same territorial jurisdiction as this agency, then such designated employee may comply with the filing provisions of this Code by filing with this agency a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate statement.

1.6. Contents

- A. The initial statement required to be filed by a designated employee shall contain only such person's investments and interests in real property.
- B. Statements required to be filed by designated employees subsequent to the initial statement shall contain such person's investments, interest in real property, and income.
- C. Statements required to be filed by designated employees leaving office shall contain such person's investments, interests in real property, and income during the period since the closing date of the previous statement filed pursuant to this code.
- D. When an investment or an interest in real property is required to be reported under this Code, the statement shall contain:
 - I. A statement of the nature of the investment or interest;
 - II. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
 - III. The address or other precise location of the real property;
 - IV. A statement whether the fair market value of the investment or interest in real property exceeds \$10,000, and whether it exceeds \$100,000. This information need not be provided with respect to an interest in real property which is used principally as the residence of the filer;

- V. In the case of an investment which constitutes fifty (50) percent or more of the ownership interest in a business entity, disclosure of the investments and interests in real property of the business entity;
 - VI. In the case of a statement filed under subsections (b) or (c) of this section, if the investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.
- E. When income is required to be reported under this Code, the statement shall contain, except as provided in subsection (e) of this section:
- I. The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
 - II. A statement whether the aggregate value of income from each source was greater than one thousand dollars (\$1000), and whether it was greater than ten thousand dollars (\$10,000);
 - III. A description of the consideration, if any, for which the income was received;
 - IV. In the case of a gift, the amount and the date on which the gift was received.
- F. When income of a business entity, including income of a sole proprietorship, is required to be reported under this Code, the statement shall contain:
- I. The name, address, and a general description of the business activity of the business entity;
 - II. In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
 - III. In the case of a business entity not covered by paragraph (2) the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000) during a calendar year.

1.7. Disqualification

A designated employee must disqualify himself or herself from making or participating in the making of any governmental decision when it is reasonably foreseeable that such decision may have a material financial effect, distinguishable from its effect on the public generally, upon any business entity in which such designated employee holds a position of management or is a

director, officer, partner, trustee or employee, or upon any financial interest required to be reported by such designated employee, except sources of gifts less than two hundred fifty dollars (\$250).

1.8. Disqualification Exception

No designated employee shall be required to disqualify himself or herself with respect to any matter which could not legally be acted upon or decided without his or her participation. The fact that such person's vote is needed to break a tie does not make the participation legally required for purposes of this section.

1.9. Manner of Disqualification

If a designated employee is to disqualify himself or herself from acting, the following is recommended:

- A. If a member of a board or commission, announce the existence of a conflict to such board or commission.
- B. If a consultant, report the existence of a conflict to the chief executive officer of this agency.
- C. Any other designated employee, report the existence of a conflict to such person's immediate supervisor.

1.10. Effective Date of Code

This code shall become effective thirty (30) days after the same has been approved by the Board of Supervisors of the County of Tulare.

1.11. Penalties

California GC §87300 provides, in part: "A Conflict of Interest Code shall have the force of law and any violation of a Conflict of Interest Code by a designated employee shall be deemed a violation of this chapter." Your attention is directed to the civil and criminal penalties set forth in the Act that may be imposed for a violation of this Code.

1.12. Statute of Limitations

No action based on a disqualification provision of this Code shall be brought pursuant to Government Code Section 91009(b) to restrain the execution of or to set aside official action of the agency unless commenced within 90 days following the official action.

1.13. Opinions of the Commission and Counsel

- A. Opinion Requests: Any designated employee who is unsure of any right or obligation arising under this code may request a formal opinion or letter of advice from the FPPC or an opinion from the attorney of this agency.
- B. Evidence of Good Faith: If an opinion is rendered by the attorney of this agency stating in full the facts and the law upon which the opinion is based, compliance by the designated employee with such opinion may be evidence of good faith in any civil or criminal proceeding brought pursuant to the Act or this Code. The designated employee's good faith compliance with the opinion of this agency's attorney shall also act as a complete defense to any disciplinary action that this agency may bring under Section 91003.5 of the Act or this Code.

Exhibit “A”

DESIGNATED EMPLOYEES

<u>Designated Positions</u>	<u>Types of Interests required To be disclosed</u>
Members of the Commission	1, 2, 3
Alternate Members of the Commission	1, 2, 3
Executive Officer	1, 2, 3
Consultants*	1

*Consultants are included as designated employees and shall disclose pursuant to the broadest disclosure category, subject to the following limitation:

The Executive Officer of this local agency may determine in writing whether a particular consultant is a “designated employee” or whether the consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements required by this Code. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Executive Officer is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Exhibit "B"

TYPES OF FINANCIAL INTERESTS

REQUIRED TO BE DISCLOSED

Disclosure Category: 1

All investments, business positions and sources of income located in or doing business in the jurisdiction of the local agency.

All interests in real property located in the jurisdiction, including property located within a two mile radius of any property owned or used by the local agency

(Intended for officials and employees whose duties are broad and indefinable.)

Disclosure Category: 2

All investments, business positions and sources of income of the type which provide services, supplies, materials, machinery or equipment utilized by the local agency.

(Intended for employees whose duties and decisions involve contracting and purchasing.)

Disclosure Category: 3

All investments, business positions and sources of income of the type which engage in land development, construction or the acquisition or sale of real property.

All interests in real property located in the jurisdiction, including property located within a two mile radius of any property owned or used by the local agency.

(Intended for employees whose duties and decisions may affect real property interests.)

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

In the Matter of the Amendment of)
Policy and Procedure D-1, Conflict of)
Interest and Disclosure Requirements)

RESOLUTION NO. 18-###

Upon motion of Commissioner xx, seconded by Commissioner xx, Tulare County LAFCO Policy D-1 (Conflict of Interest and Disclosure Requirements) is hereby amended, at a regular meeting held on this 5th day of December, 2018, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- PRESENT:
- ABSENT:

Ben Giuliani, Executive Officer



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Carlton Jones
Dennis Mederos

EXECUTIVE OFFICER:
Ben Giuliani

To: LAFCO Members, Alternates and Executive Officer
From: Amie Kane, LAFCO Clerk
Subject: Proposed 2019 LAFCO Meeting and Application Deadline Schedule

The following meeting dates and application deadlines are proposed for 2019. Complicated proposals or those which have not been "pre-noticed" by the initiating agency may require additional time to process. Staff will make every effort to place the proposal on the corresponding agenda, however, unforeseen circumstances (i.e. missed publication dates, need for further information, incomplete applications etc.) may require placement of the proposal on another agenda.

APPLICATION DEADLINE

TENTATIVE MEETING DATE

<i>Friday, December 21, 2018</i>	February 6, 2019
<i>Friday, January 18, 2019</i>	March 6, 2019
<i>Friday, February 15, 2019</i>	April 3, 2019
<i>Friday, March 15, 2019</i>	May 1, 2019
<i>Friday, April 19, 2019</i>	June 5, 2019
<i>Friday, May 24, 2019</i>	July 10, 2019 [^]
<i>Friday, June 21, 2019</i>	August 7, 2019
<i>Friday, July 19, 2019</i>	September 4, 2019
<i>Friday, August 16, 2019</i>	October 2, 2019 [^]
<i>Friday, September 20, 2019</i>	November 6, 2019
<i>Friday, October 18, 2019</i>	December 4, 2019
<i>Friday, November 22, 2019</i>	January 8, 2020 [^]

[^]Meetings have been moved from first Wednesday to accommodate Holidays/CALAFCO Annual Conference

*All meetings held in the Tulare County Board of Supervisors Chambers

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Ben Giuliani

December 5, 2018

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Steven Ingoldsby, Staff Analyst

SUBJECT: Activation of Latent Powers of the Richgrove Community Service District
LAFCO Case# 1537

Background

Community Service Districts (CSDs) are formed and governed pursuant to Community Services District Law, Government Code §61000 et seq. CSDs are independent special districts governed by Boards of Directors. CSDs can provide a range of municipal services pursuant to the principal act.

Any service or function that is authorized by the principal act but is not listed as one of a CSD's functions when the CSD was formed or subsequently approved by LAFCO is considered a "latent power." A CSD wishing to exercise a latent power must first receive LAFCO approval before providing the service. The revised CSD law provides that LAFCO approval is the final action for activating a latent power; a vote of the district's residents is no longer needed to activate a power.

Discussion

The Richgrove CSD has submitted an application requesting activation of its latent powers which includes public recreation by means of parks and recreation.

Grant Award

The District applied and was awarded a \$2,81 million grant through the Prop 84, State Park Development and Community Revitalization Program (Statewide Park Program). The grant was awarded on April 24th, 2012 and is still active until the grant completion period of June 30th, 2019. During the grant application process the District failed to apply for an activation of latent power and is now seeking that activation in order to satisfy State conditions. Per District staff (memo attached), due to a number of issues, the completion of the park with grant funds is at risk of failure.

Maintenance

There is currently no assessment approved by voters to finance the requested services by the District. The Richgrove School District has provided a letter committing to provide maintenance of the Park once built for between 2 and 5 years. This time would allow the District to complete a financial analysis for the maintenance of the park and to hold a Prop 218 election which could

finance the park maintenance. Because of the time constraints associated with the completion of the park and State grant requirements to receive LAFCO approval of the activation of latent power, the District does not currently have enough time to hold a Prop 218 election prior to the activation of latent power.

Therefore it is recommended that conditions of approval be included that include the development of a financial plan for park operation and maintenance and secure new revenue sources, such as passage of a Prop 218 election, for the financing of the power. Pursuant to GC §56824.14, if the new revenue sources are not approved, the authority to provide the new service cannot be established. Unfortunately, this scenario still leaves the possibility for the District to successfully build the park, but unable to provide operation and maintenance should eligible new revenue sources not be approved.

Environmental Impacts:

The Richgrove CSD has submitted a Mitigated Negative Declaration (MND) conducted by the Tulare County Resource Management Agency and determined that the project would not have a significant impact on the environment. The Tulare County Planning Commission approved the park project with the MND on August 28, 2013 and the County filed the Notice of Determination on September 5, 2013. As a Responsible Agency, Tulare County LAFCO will also review and consider the Mitigated Negative Declaration prepared by the Tulare County Resource Management Agency, as Lead Agency.

Recommendations:

It is recommended that the Commission take the following actions:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed extension of powers the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed activation of latent powers is consistent with LAFCO Policies and Procedures, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- C. Approve the extension of powers to authorize the Richgrove Community Service District to provide public recreation by means of parks and recreation services subject to the following conditions:
 1. The District must provide a financial plan for LAFCO review prior to securing eligible new financing for park and recreation services.
 2. The District must establish a new dedicated eligible source of financing for the maintenance of the park prior to the time period when the Richgrove School District ceases to provide park maintenance (a minimum of two years to a maximum of five years).

3. Richgrove CSD shall notify LAFCO of the results of securing new financing and any changes of status to the maintenance agreement with Richgrove School District.

D. There are no protest proceedings in conjunction with the establishment of a new or different function of service; direct the staff to complete the proceeding.

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

Figures & Exhibits

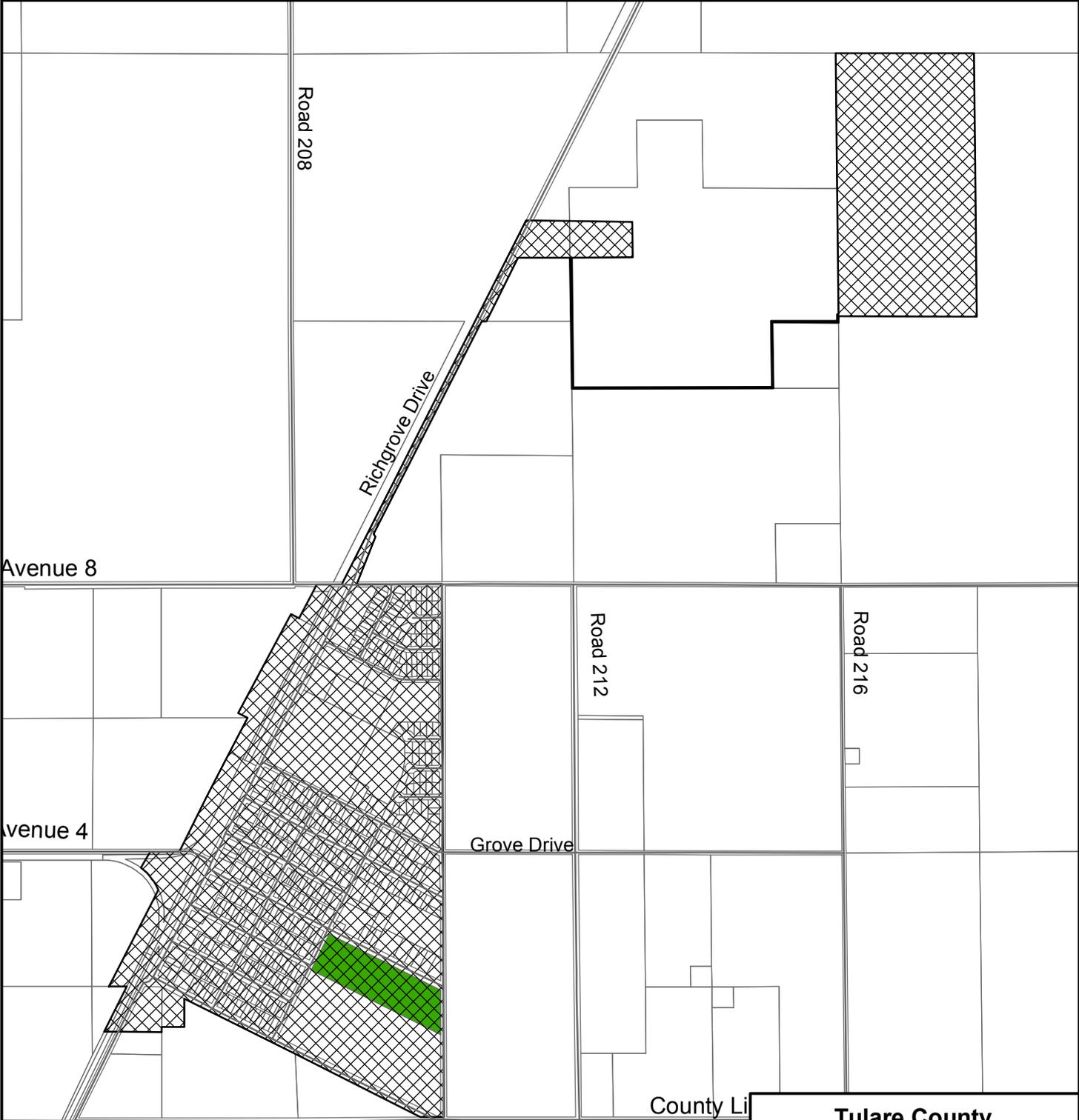
Site Location Map

Memo from Richgrove CSD

Memo from Richgrove Elementary District

Resolution

LAFCO Case 1537



 Richgrove CSD

 Richgrove CSD Park Site

 Parcels

0 1,000 Feet

Boundaries as of 12/1/18



Tulare County

Created by Tulare County LAFCO

Richgrove Community Services District

P.O. Box 86
20986 Grove Drive
Richgrove, CA 93261

October 18th, 2018

Attn: Tulare County Local Agency Formation Commission
210 N. Church Street, Suite B
Visalia, CA 93291
(559) 623-0456
Re: Richgrove Community Park power activation

Richgrove Community Services District (District) would like to apply through Tulare County LAFCO to activate the current latent power of "Public Recreation by means of Parks and Recreation." The District applied for a grant back in 2008 through the "State Park Development and Community Revitalization Program of 2008" and was awarded such grant in 2013. The current grant award is still active until the grant completion period of June 30th, 2019. The project was proposed to the Richgrove Community Services District Board of Directors then, by at the time Richgrove School Superintendent Frank Chavez. The District chose to move forward applying for the Grant and in the process overlooked applying to activate the latent power of "Parks and Recreation" through LAFCO.

Also, what I can divulge because of legal reasons and pending litigation, is that the contractor chosen failed to complete the Park and to date has not completed the Park nor returned the funds from the Grant Award. The District is working hard to complete the Park with a current "change of scope" pending with the State of California Department of Parks and Recreation Office of Grants and Local Services (OGALS). The District is in the process of obtaining a loan through two sources lenders who are affiliated with the California Special Districts Association to complete a reduced scope of the Park by the current deadline of March 31st, 2019, in order to be accepted and approved by the grand deadline of June 30th, 2019.

As part of the grant application, and as a condition of approval through LAFCO, the State asked about maintaining the Park over the 30-year tenure period. The District and Richgrove School District have a long-standing friendship of working with each other. At the School District Board Meeting held on September 13th 2018, the School Board unanimously voted to assist the District with maintenance of the Park once built. The School Board voted to provide assistance for two to a five-year maximum, which would serve as a temporary solution while the District worked on securing a more permanent solution.

The District will be using the current unrestricted property taxes along with monies from the Streets and Lighting Landscape Assessment District to provide repayment for the loan for the Park along with costs to operate once completed. Upon approval and acceptance by LAFCO, and completion of the Park, the District will seek to conduct a Prop. 218 hearing before 5 years from the date of the Park completion to establish an assessment for the Park. Monies collected from such assessment would then be used towards the Park regarding maintenance and operation, debt service repayment and future improvements and additions. The District is also currently working on a rate survey to increase current

water fees, in which monies from the General Fund, because of past audits, are due back to the Assessment Fund which in turn can be used to the Park Operations.

The District is asking the Tulare County LAFCO Commission to approve this request on a conditional use based on the information provided, granted that the District will obtain a financial analysis and conduct a Prop. 218 Election prior to the 5-year deadline from the date that the Park is completed and accepted by the California Department of OGALS. This time frame will give the District enough time to conduct the necessary measures needed to maintain self-sufficiency when operation the Richgrove Community Park.

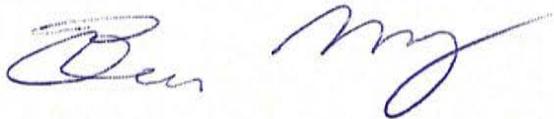
Please refer to the attached documents when reviewing this request. Attached is the Resolution from the District Board of Directors making the request to activate the power; a signed letter from the Richgrove School Superintendent on behalf of the School Board confirming pledging maintenance of the Park for up to 5 years; the Environmental Document and Fish and Wildlife Receipt, the application fee of \$1,738.00 which is the fee for a Disadvantaged Community (DAC) required by LAFCO; and the Application Indemnification Agreement for the Project.

If the Commission should have any further questions or concerns regarding approval of this application, please do not hesitate to contact. I can be reached via phone at 559.679.7926 or at the email address listed on this letterhead.

The District realizes that this is a unique situation to say the least and an "after the fact" application. The District has a new Board of Directors, staff, and management since the Park was applied for and construction started. The current Board of Directors and Staff is working diligently to complete the Park and as follow all the necessary steps and required processes along the way.

Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Magana". The signature is written in a cursive style with a large, sweeping "M" and "A".

Ben Magana
General Manager for Richgrove Community Services District

RICHGROVE SCHOOL DISTRICT



PO Box 540 • 20908 Grove Drive
Richgrove, CA 93261-0540
P; 661-725-2427 • F; 661-725-5772
www.richgrove.org

BOARD OF EDUCATION

Alexandra Guerrero, President
Hernan Hernandez, Clerk
Yaneli V. Carrillo, Member
Paul Cervantes, Member
Marisela Lopez, Member

DISTRICT ADMINISTRATION

Mario Millan, Superintendent/Principal
Mary Lou Muñoz-Gómez, Vice Principal
Shaunta Morris, Curriculum Director
Doris O'Shaughnessy, Business Manager

September 14, 2018

To Whom It May Concern:

Richgrove School District has had a long standing and positive relationship with the Water District of Richgrove. On various occasions we have assisted the Water District with the use of equipment, assistance in work projects and with letters of support. In turn, the Water District of Richgrove has done the same for us when it was our District that was in need of some form of assistance. It has been brought to the attention of the Richgrove School Board that the plans for the park in Richgrove are in forward progress and one item of concern is the maintenance of the park upon its completion. In maintenance it is understood by the School District that the park will need to have litter removed, bathrooms cleaned and the grass mowed along with some other items.

At our School Board meeting held on September 13, 2018 a discussion was held between the Water District representative and our School Board. After the discussion, held in open session, the Richgrove School Board unanimously voted to assist the Richgrove Water District with the maintenance of the park. The terms of this assistance will be for a minimum of two years to a maximum of five years while the Water District works to secure a more long term solution. Should the Water District secure a more permanent solution before the two year agreement, the School District will then have the option of scaling back or removing our assistance entirely. The assistance will include the use of apparatus to cut the grass at a minimum of every two weeks, the man power to help clean park and restrooms and loaning of other equipment they may need in project work.

As the two most influential entities in our small community it is imperative that we work together to provide the best for all that live in Richgrove. Our working class community and their children deserve the best. Richgrove School District will work with the Water District to provide the best for our town and its inhabitants.

Thank You,

Mario Millan,
Superintendent/Principal

In accordance with Federal law and U.S. Department of Agriculture Policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call 800-795-3272 or 202-720-6382 (TTY). USDA is an equal opportunity provider and employer.

*En conformidad con las leyes federales y el departamento de política agrícola de los Estados Unidos, esta institución se prohíbe discriminar sobre la base de raza, color, origen nacional, sexo, edad o discapacidad. Para presentar una queja de discriminación, escriba a USDA, director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 o llame al 800-795-3272 o 202-720-6382 (TTY). USDA es un proveedor de igualdad de oportunidades y el empleador.

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

In the Matter of the Richgrove Community)
Services District, Activation of Latent Powers) **RESOLUTION NO. 18-XXX**
LAFCO Case No. 1537)

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 Activation of Latent Power of the Richgrove Community Services District; and

WHEREAS, the power to be activated is for public recreation by means of parks and recreation; 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 December 5, 2018 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 have been received and considered in accordance with

GC §56668 and 56824.12. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The Richgrove Community Services District has submitted a Mitigated Negative Declaration conducted by the Tulare County Resource Management Agency and determined that the project would not have a significant impact on the environment. As a Responsible Agency, Tulare County LAFCO will also review and consider the Mitigated Negative Declaration prepared by the Tulare County Resource Management Agency, as Lead Agency.

3. The Commission has reviewed and considered, in accordance with GC §56668 and 56824.12, 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 Richgrove Community Services District board has requested the addition of public recreation as an active power.
- b. The District has not yet formed an assessment district or secured other new eligible financing for the requested power to be activated.

6. The Commission determines that the proposed activation of latent powers is consistent with LAFCO policies and procedures and the Cortese-Knox-Hertzberg

Local Government Reorganization Act of 2000 and approves the activation of the latent power for public recreation by means of parks and recreation with the following conditions:

- a. The District must provide a financial plan for LAFCO review prior to securing eligible new financing for park and recreation services.
- b. The District must establish a new dedicated eligible source of financing for the maintenance of the park prior to the time period when the Richgrove School District ceases to provide park maintenance (a minimum of two years to a maximum of five years).
- c. Richgrove CSD shall notify LAFCO of the results of securing new financing and any changes of status to the maintenance agreement with Richgrove School District.

7. In accordance with GC §56834(a)(2) order the change of organization without an election.

8. The following short form designation shall be used throughout these proceedings: LAFCO Case No. 1537 Richgrove CSD Activation of Latent Powers

9. Determine, in accordance with CEQA, as a Responsible Agency, that the Commission has considered the Mitigated Negative Declaration prepared by Tulare County Resource Management Agency and authorize the Executive Officer to sign and file a Notice of Determination on behalf of the Commission with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon motion of Commissioner_____, and seconded by Commissioner _____, at a regular meeting held on this 5 day of December, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Benjamin Giuliani, Executive Officer

si

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TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church St., Suite B, Visalia, CA 93291 Phone: (559) 623-0450 FAX: (559) 737-4246

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

December 5, 2018

ALTERNATES:
*Mike Ennis
Carlton Jones
Dennis Mederos*

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Steven Ingoldsby, Staff Analyst

EXECUTIVE OFFICER:
Ben Giuliani

SUBJECT: Goshen Community Services District Municipal Service Review Update

Background

The first Municipal Service Review (MSR) for the Goshen Community Services District (CSD) was adopted as part of the Group 1 MSRs by the Commission at the March 2006 meeting. The Sphere of Influence (SOI) for Goshen was last comprehensively reviewed by the Commission at the October 2007 meeting. The County has updated its Community Plan and Urban Development Boundary (UDB) for Goshen earlier this year.

Discussion

Since the Goshen CSD MSR was last updated, government code was modified that combined twelve topic areas into six. Recently, a seventh was added into law relating to disadvantaged unincorporated communities. The Commission is required to prepare a written statement of determinations for the following:

- Growth and population projections for the affected area.
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- Present and planned capacity of public facilities, adequacy of public services and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- Financial ability for agencies to provide services.
- Status of, and opportunities for, shared facilities.
- Accountability for community service needs, including governmental structure and operational efficiencies.
- Any other matter related to effective or efficient service delivery, as required by commission policy.

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

LAFCO staff attended the Goshen CSD board meeting on October 25, 2018 and reviewed the MSR and Sphere of Influence (SOI) update process. Attached is the updated MSR with determinations for the Goshen CSD. The MSR was distributed for comment on November 2nd. The full version was also posted for public review on LAFCO's website: <https://lafco.co.tulare.ca.us/lafco/index.cfm/msr/goshen-csd-draft-2018-msr/>. No comments were received.

Recommendation

Adopt the updated Municipal Service Review and statement of determinations for the Goshen Community Services District.

Attachments:

Updated Goshen Community Services District MSR
Resolution of Adoption



Tulare County

Tulare County

LAFCO

GOSHEN COMMUNITY SERVICES DISTRICT

DRAFT MUNICIPAL SERVICE REVIEW

Prepared By
Tulare County
Local Agency Formation Commission
<Month> 2018

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GOSHEN CSD MUNICIPAL SERVICE REVIEW

EXECUTIVE SUMMARY

This section provides an overview of the written determinations findings of the Goshen CSD Municipal Service Review. As part of its review of municipal services, LAFCO is required to prepare a written statement of its determination with respect to each of the following: 1) Growth and population, 2) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies, 3) Financial ability to provide services, 4) Status of, and opportunities for, cost avoidance and shared facilities, 5) Accountability for community service needs, including government structure and operation efficiencies, 6) Any other matter related to effective or efficient service delivery, as required by Commission policy. This includes required determinations regarding disadvantaged unincorporated communities. These requirements are established by AB 2838, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and SB 244 (Wolk) in 2011.

GOSHEN COMMUNITY SERVICES DISTRICT

Background

The requirement for LAFCO to conduct reviews of local municipal services was established with the passage of AB 2838 known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The bill passed the legislature, and was signed by Governor Davis on September 26, 2000. MSRs provide LAFCOs with an additional tool to fulfill their statutory responsibilities of promoting orderly growth and development, preserving the States finite open space and agricultural land resources, and working to ensure that high quality public services are provided to all Californians in the most efficient and effective manner. MSRs are a requirement of State law and are required to be completed before the consideration of a Sphere of Influence (SOI) update.

In July 2003 Tulare County LAFCO adopted a MSR exemption policy that identifies the agencies that would be subject to a review and the extent of that review. The agencies in Tulare County were divided into three (3) categories: agencies subject to a full comprehensive study; agencies subject to a questionnaire study; and agencies exempt from a MSR study. The Goshen Community Services District (CSD) is subject to a full comprehensive study. The policy further identifies that the services subject to review shall be:

- Police protection
- Fire protection
- Water and wastewater
- Solid waste collection and disposal
- Streets and traffic circulation
- Power generation and distribution
- Health care
- Mosquito abatement

Goshen, an unincorporated community in Tulare County, is located in the northwest portion of the County and northwest of the City of Visalia. The Goshen CSD which was formed in January 1958 has the authority to provide services for which CSD's are authorized. Sanitary sewer collection is the only active service provided by the Goshen CSD that is subject to a MSR. In the November 2004 elections voters within the Goshen District voted to expand the powers of the Goshen CSD to include park and recreation services. These services are not subject to a MSR.

Goshen is located approximately 1 ½ miles north of the Visalia Municipal Airport, portions of which are situated within the approach and departure area of the airport. It lies one tenth of a mile northwest of the City Limits of Visalia, 6 ½ miles from the downtown shopping area of Visalia, and immediately west of the Visalia Industrial Park. The community is bisected in a northwest-southeasterly direction by State Route (SR) 99 and the Union Pacific Railroad tracks, which divides the community into three approximately equal sized areas. Goshen is an agriculturally and industrially oriented service community surrounded on the north, west and south by lands in agricultural production and on the east by industrial land in the City of Visalia.

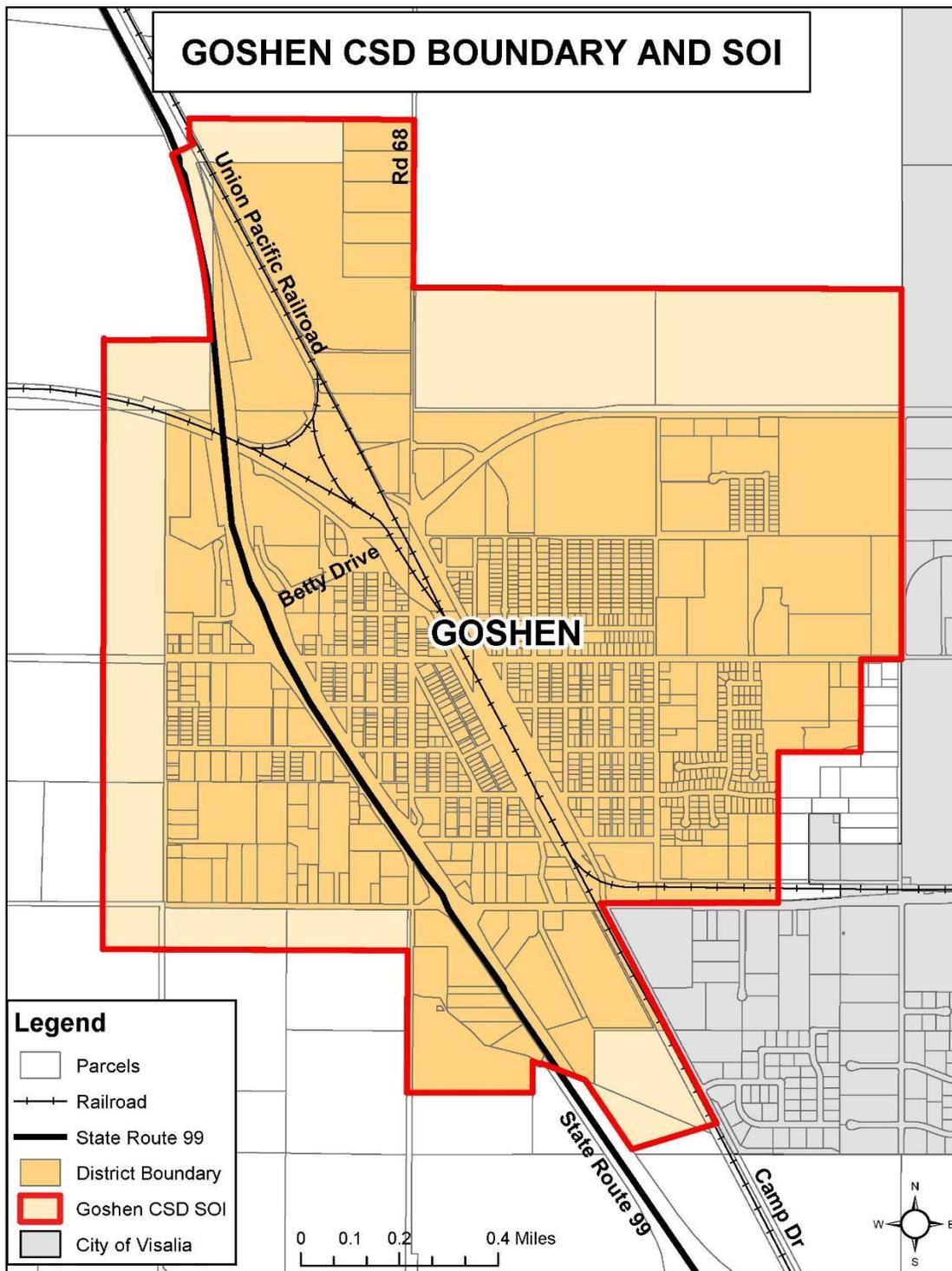
Cities and communities surrounding Goshen include Visalia to the east; Tulare to the south; the communities of London and Traver to the north and northwest, respectively; and the community of Tagus to the southeast (along SR 99 north of Tulare). The Tulare County/Kings County Line is located approximately 5 miles west of Goshen. The current District Boundary and the currently adopted SOI for Goshen are illustrated on Figure 1. The following excerpt from the Tulare County LAFCO website (www.co.tulare.ca.us/lafco/info.asp) defines a SOI and the purpose it serves.

A “Sphere of Influence” is the physical boundary and service area that a local governmental agency is expected to serve. Establishment of this boundary is necessary to determine which governmental agencies can provide services in the most efficient way to the people and property in any given area. The Sphere of Influence requirement also works to discourage urban sprawl by preventing overlapping of jurisdictions and duplication of services.

The District, was formed in 1958 as a community services district under the Community Services District Law, sections 61,000-61,934 of Government Code of the State of California.

The following discussions address the six legislative factors required by the Cortese-Knox-Hertzberg Act; 1) Growth and population, 2) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies, 3) Financial ability to provide services, 4) Status of, and opportunities for, cost avoidance and shared facilities, 5) Accountability for community service needs, including government structure and operation efficiencies, 6) Any other matter related to effective or efficient service delivery, as required by Commission policy. This includes required determinations regarding disadvantaged unincorporated communities. These requirements are established by AB 2838, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and SB 244 (Wolk) in 2011.

FIGURE 1 – GOSHEN CSD BOUNDARY AND SOI



Source: Tulare County LAFCO and Tulare County GIS Database (September 2018)

1 GROWTH AND POPULATION

The purpose of this section is to present historical and projected growth patterns and population projections to establish a baseline for the evaluation of the service needs of Goshen.

1.1 Population Trends and Projections

The Census Bureau, on a decennial basis, identifies and provides detailed information on all incorporated Cities along with several smaller unincorporated communities (termed Census Designated Places – CDPs). In each Census, community profiles are developed and provide a wide range of information pertaining to population, demographics, housing information, household data, education and employment, income and poverty, and historical trends. The CDP Boundary for Goshen is generally (with minor exceptions) coterminous with the current District boundary. *Census 2010* data indicates that Goshen had a population of 3,006 as of January 2010.

Census 2000 data indicates that Goshen had a population of 2,394 corresponding to an average annual growth rate between 2000 and 2010 of approximately 2.3%. Goshen wasn't included as a CDP in 1990 but it was included in 1980 when it had a population of 1,809. The average annual growth rate between 1980 and 2010 for Goshen was 1.7%. The *Goshen Community Plan Update* (Tulare County Planning Department, 2018) projects a population growth rate for the unincorporated portions of the county through 2030 of 1.3%, including Goshen. Using Tulare County's projected growth rate of 1.3%, Goshen would have a population of 4,316 in 2038 (the 20 year time horizon of the SOI).

Projected Population - 2038		
	Annual Growth Rate	Population in 2038
Historical Growth Rate	1.7%	4,829
Community Plan Projection	1.3%	4,316

Sources: US Census, California DOF and Tulare County Goshen Community Plan Update

1.2 Written Determinations

1. The Census Designated Place (CDP) Boundary for Goshen is generally (with minor exceptions) coterminous with the current District Boundary.
2. *Census 2010* data indicates that Goshen had a population of 3,006 as of January 2010.
3. The *Goshen Community Plan Update*, adopted in 2018, projected a 1.3% growth rate through 2030.
4. Between 1980 and 2010, Goshen experienced an average annual population growth rate of 1.7% per the US Census.
5. With an annual growth rate between 1.3% and 1.7%, the Goshen CSD could expect a year 2038 District population between 4,316 and 4,829.
6. The Tulare County RMA recently completed a comprehensive update to the *Goshen Community Plan* prepared to address the future needs of the community relating to growth, land use, housing, and public services.

2 PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

The purpose of this section is to evaluate the infrastructure needs and deficiencies of a jurisdiction in terms of availability of resources, capacity to deliver services, condition of facilities, service quality, and levels of service. Of the municipal services subject to review, Goshen CSD is only responsible for a sewage collection system. Listed below are the agencies and companies responsible for the other municipal services.

Police protection – Tulare County
Fire protection – Tulare County
Water – California Water Service
Solid waste collection and disposal – Mid Valley Disposal
Streets and traffic circulation – Tulare County, Caltrans
Power generation and distribution – Southern California Edison
Health care – Kaweah Delta Health Care District
Mosquito abatement – Delta Vector Control District

2.1 Sanitary Sewer Collection

The Goshen CSD is responsible for the planning, construction, and maintenance of a sewage collection system. The main sewer system for the Goshen community is comprised of a collection system that was constructed in the late 1990s and placed in service in 1999. The construction of the District's sewer system was funded through a United States Department of Agriculture Rural Economic and Community Development Grant and a Small Community Grant. Pursuant to obtaining funding for the Goshen Sewer Project, the Goshen CSD entered into a Wastewater Service Agreement with the City of Visalia for treatment of the District's wastewater.

Connection from the District's sewer system to the City of Visalia's sewer system is through a 24-inch gravity sewer under Camp Drive. The 24-inch line connects to the existing City SR198-Airport lift station. The District constructed the 24-inch line as a part of the Goshen Sewer Project, although the line is part of the City's Master Planned Sewer System. After the line was placed in operation, the City assumed responsibility for maintenance of the line as a part of the City conveyance system. The City is responsible for improvements to its lift station and conveyance facilities downstream of the point of connection. The 24-inch line is planned to provide full capacity for the ultimate build-out of the Goshen CSD SOI. The District is responsible for the costs of construction and installation of any and all sewer line(s) from the District's collection system, and for any flow meters, automated sampling, or odor control devices. Other key issues identified in the Wastewater Service Agreement, between the Goshen CSD and the City of Visalia, are identified below.

- The District agrees to make a good faith effort to notify the City of any potential increases in effluent flow, biochemical oxygen demand, suspended solids and other potential pollutant levels indicated by any commercial and/or industrial development inquiries that would significantly affect the quantity and/or quality of the District's discharge to the City system as soon as such potential impacts are made known to the District.
- The City shall not contract, agree or otherwise create wastewater collection treatment and disposal service with any entity, corporation or individual which resides, does business within or requests service for any parcel, building, street or property within the boundary of the District.

- The Goshen Sewer Project included several 18-inch lines and the 24-inch line that are part of the City’s Master Planned Sewer System. The City credited the District with the estimated cost of the lines as set forth in the City Master Plan.
- The City has identified areas of the City that sewer services may be provided by connection to the District facilities. The District agrees to consider such connections on a case by case basis. Such requests by the City shall be submitted in writing and shall indicate the point of proposed connection and the anticipated flows and pollutant loadings. Approval of such connections shall be at the sole discretion and decision of the District. The City shall make no connections to the District facilities without the prior written approval of the District.
- The District shall have the right to an amount of reclaimed water not to exceed the yearly total flow the District conveys to the City for treatment and disposal. The District shall be entitled to the reclaimed water without payment to the City other than the pro-rata share of the expense of transmission facilities and related operation and maintenance costs of the City facilities used to convey the reclaimed water. The District shall be responsible for the cost of the connection to the City reclaimed water system and conveyance facilities from the City system to the District point of use.

The District’s wastewater collection system dumps into a lift station (owned and operated by the District) near the intersection of Avenue 305 and Effie Drive, which in turn pumps the wastewater into the 24-inch line in Camp Drive. The sewer lift station operates with two pumps, and has a design capacity of 500,000 gallons per day (GPD). The District system consists of the sewer collection system, a pump station to lift the collected wastewater to an outfall line to the City of Visalia collection system. Wastewater treatment and disposal is provided by the City of Visalia in accordance with an agreement with the City.

The collection system is comprised of approximately fifteen miles of PVC sewers ranging in size from six to eighteen inch diameter. The community is split into three district areas. State Route 99 runs between the west and central areas. The Union Pacific Railroad runs between the central and east areas. The single pump station is located in the central area near the south end of the service area. The west area is connected to the pump stations by a fifteen inch line under State Route 99, the east area is connected by an eighteen inch line under the Union Pacific Railroad (see Figure 2).

The pump station structure is thirty feet deep. It is constructed of eight foot diameter rubber gasketed concrete pipe on a poured concrete base. It is equipped with two fifteen horsepower submersible pumps. One pump is the in-service pump; the second pump is on standby. The pumps are controlled to alternate as the “lead” and “standby” units to equalize wear.

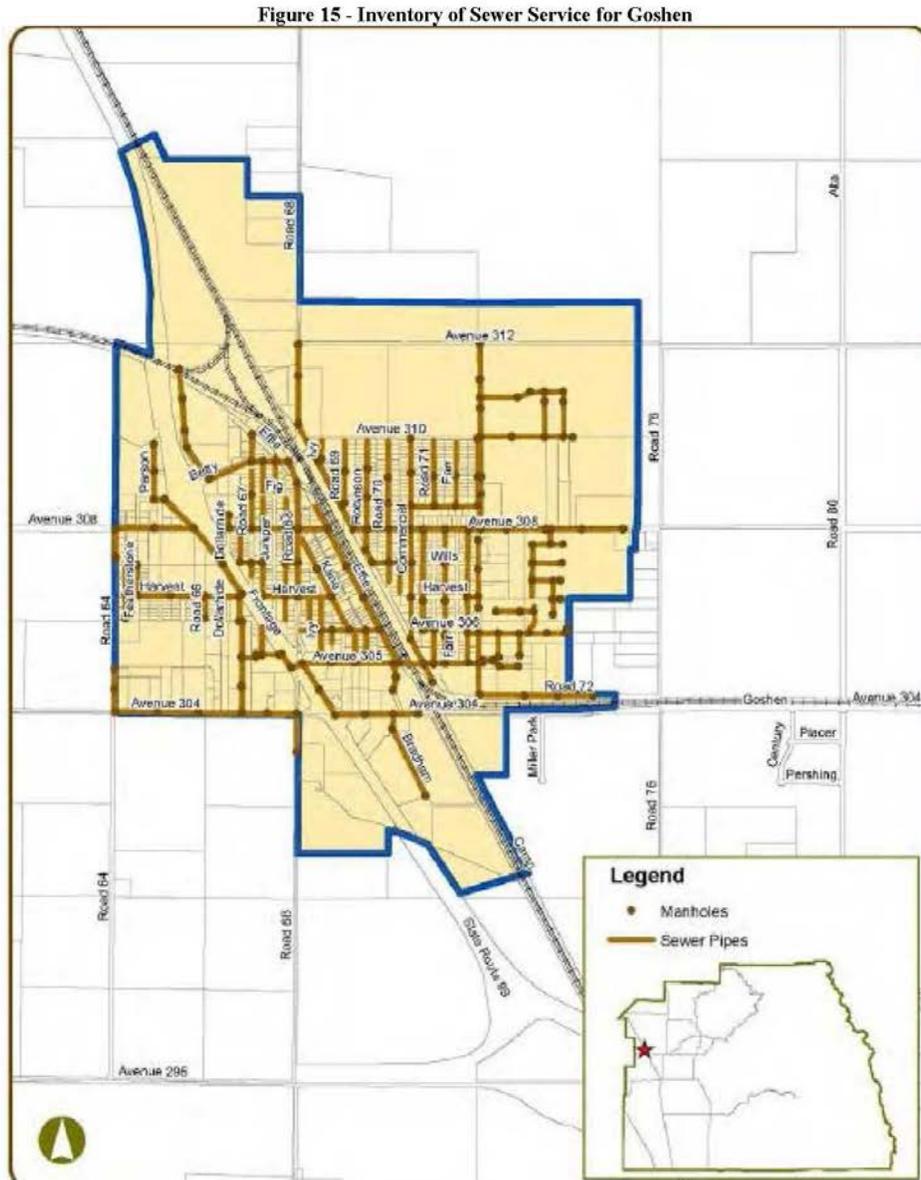
The station is equipped with a diesel powered generator and automatic electrical switchgear, to provide power to the pumps in the event of a failure of the electrical power. The System Control and Data Acquisition system provides control of the pump station and standby generator as well as logging the data into the computer at the District office. The pump discharge through a meter/valve vault to a 884 foot eight inch force main. The force main discharges to a 6,110 foot 24 inch outfall line to the Visalia system.

The District contributes an average daily flow of approximately 250,000 gallons per day of raw sewage to the wastewater treatment plant maintained and operated by the City of Visalia in 2018. Service data provided by the Goshen CSD included the following information:

- Current (2018) Demands: 250,000 gallons per day
- Current Facility Capacity: Estimated 500,000 gallons per day

Figure 2 – Inventory of Sewer Service for Goshen
Source: Figure 15 - Goshen Community Plan Update

Goshen Community Plan Update



As of September 2018, the District was contributing an average daily flow of approximately 248,000 GPD of raw sewage to the City's WWTF. Assuming the District can accommodate up to 500,000 GPD based upon the limitations of the lift station, it can be concluded that the District's sewer system is operating at approximately 50% of its capacity. The District in recent years has accommodated demands of over 315,000 GPD. Those demands decreased after a single large industrial user closed.

The District maintains a Sewer System Management Plan (SSMP). The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. The plan helps reduce and prevent sewer system overflows and reduce the impacts of overflows that do occur through its overflow emergency response plan. In order to anticipate and correct any conditions requiring rehabiliitee or replacement the District maintains a program for cleaning and inspection of the system on a ten year cycle. The plan is reviewed yearly and amended as needed. The plan has been in place for approximately 10 years and the district is looking to comprehensively update the plan.

2.2 Written Determinations

1. The main sewer system for the Goshen community is comprised of a collection system which was constructed in the late 1990s. The construction of the District's sewer system was funded through a United States Department of Agriculture, Rural Economic and Community Development Grant, and Small Community Grant.
2. Pursuant to obtaining funding for the Goshen Sewer Project, the Goshen CSD entered into a Wastewater Service Agreement with the City of Visalia for treatment of the District's wastewater.
3. The District's wastewater collection system dumps into a lift station (owned and operated by the District) near the intersection of Avenue 305 and Effie Drive, which in turn, pumps the wastewater into a 24-inch line in Camp Drive (that is owned and maintained by the City of Visalia). The sewer lift station operates with two pumps, and has a design capacity of 500,000 GPD.
4. As of September 2018, the District was contributing an average daily flow of approximately 248,000 GPD of raw sewage to the City's WWTF. Assuming the District can accommodate up to 500,000 GPD based upon the limitations of the lift station, it can be concluded that the District's sewer system is operating at approximately 50% of its capacity.
5. The District maintains a Sewer System Management Plan which guides the District to properly manage, operate, and maintain all parts of the sanitary sewer system. The plan also helps reduce and prevent sewer system overflows and reduce the impacts of overflows that do occur through its overflow emergency response plan.

3 FINANCIAL ABILITY TO PROVIDE SERVICES

The purpose of this section is to evaluate the jurisdictions capability to finance needed improvements and services.

3.1 Annual Budget

The District prepares and adopts an annual budget for all of its funds on or before July 1st of each year

Based upon a review of the Goshen CSD budget for FY 2018-19 and the Audits, for 2015, 2016, and 2017, the District appears to be in sound financial condition. The fiscal year 2018-19 budget is well organized, thorough, and clearly articulates the District's financial plans for the upcoming year. The District prepares a typical line item budget that is divided into the following categories:

- Available Resources
- Estimated Revenues
- Appropriations
 - Salaries and Employee Benefits
 - Services and Supplies
 - Other Charges
 - Contingencies

The District adopts the budget each year and it is used as the spending plan for the District. The budget provides a framework for the District to address the following issues: reserves, revenues, expenditures, investments, and rates and fees.

For the fiscal year 2018-19 the district started with \$310,953 total beginning cash available. The total budgeted revenue is \$933,465. The budget for total salaries and employee benefits is \$159,100, total service and supplies is \$381,500 and total other charges is set for \$671,674. "Other charges" includes bond agent fees, repayment of long term debts and loans, treatment fees to the City of Visalia, pump maintenance, sewer line maintenance, inspect services, planned equipment replacement and other items. The District budgeted \$32,144 for contingencies.

Per the 2017 audit, the district had a total operating revenue of \$1,498,802 and total operating expenses of \$1,076,990. Total assets increased by approximately \$354,000 during the year due primarily to repayments from Caltrans' Betty Drive/SR 99 project.

\$3 million in revenue bonds were issued to construct a portion of the District's sewer construction project. The bonds are paid in installments over a 40-year period. For the fiscal year 2018-2019, the district is scheduled to pay \$92,430 in interest and \$68,000 in principal toward the bonds. As of June 30, 2017, \$2,187,000 in principal remained.

During the fiscal year that ended June 30, 2004, the District entered into a settlement agreement with a third party in the amount of \$97,000. The District was awarded a grant from USDA in the amount of \$21,750 and a loan in the amount of \$65,250 to fund the settlement. Yearly payments of \$3,484 began in May 2004 and are scheduled through May 2045.

Per the 2017 audit the District prepares its financial statements in conformity with accounting principles generally accepted in the United States of America (GAAP). All activities of the District are accounted for within a single proprietary (enterprise) fund. Proprietary funds are used to account for operations that are (a) financed and operated in a manner similar to private business enterprises where the intent of the

governing body is that the cost of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy management control, accountability or other purposes.

The District's financial constraints involve the governmental structure and the desires of the people in the community to fund certain activities by establishing assessment districts or fees. The laws under which a Community Service District is governed provide the structure for funding activities. Key revenue sources for the Goshen CSD include property taxes, sewer service/connection fees, interest on reserves, and permit fees.

3.2 Written Determinations

1. The District prepares a comprehensive and thorough annual budget that clearly describes the services provided to residents and the funds expended for those services.
2. The District prepares its financial statements in conformity with accounting principles general accepted in the United States of America (GAAP)
3. The District's budget for fiscal year 2018-19 included contingency funds of \$32,144. As of July 1, 2018 the District had a cash balance of \$2,785,000, of which \$2,475,000 was allocated equipment and system replacement reserves.
4. The District has two long term debts, and is making a good faith effort to repay its debt. The District is scheduled to pay \$160,430 towards its principal and interest bonds and \$3,484 toward its settlement loans in fiscal year 2018-19.
5. Based on available financial information, the District is financially sound.

4 STATUS OF, AND OPPORTUNITIES FOR, COST AVOIDANCE AND SHARED FACILITIES

The purpose of this section is to identify practices or opportunities that may help to eliminate unnecessary costs and to evaluate opportunities for a jurisdiction to share facilities and resources, thereby increasing efficiency.

4.1 Cost Avoidance

The District's budget process is designed to screen out unnecessary costs.

The District has adequate staff resources and administrative capabilities to provide the needed level of services to the residents within its boundaries. The District avoids unnecessary costs by contracting out professional services including engineering, inspection services, legal services, and other consulting services.

The District should continue to work with the development community to fund the construction of capital infrastructure improvements that would serve new development sites. The District requires development projects to pay connection fees, currently set at \$2,085 per equivalent dwelling unit (EDU) for residential users and \$2,380 per EDU for commercial users. This ensures that new development does not burden existing ratepayers.

4.2 Shared Facilities

Since the location of the Goshen District Boundary is immediately adjacent to the existing City Limits of Visalia, opportunities for shared facilities and/or resources exist. Currently, the Goshen CSD contracts with the City of Visalia for wastewater treatment services, as the Goshen CSD does not own or operate an independent WWTF.

At present, there is a clear distinction between the sewer infrastructure of the District, and the sewer infrastructure of the City. As prescribed by the Wastewater Service Agreement between the City of Visalia and the Goshen CSD,

“The City shall not contract, agree or otherwise create wastewater collection, treatment and disposal service with any entity, corporation or individual which resides, does business within or requests service for any parcel, building, street or property within the boundary of the District.”

It is recommended that the District continue to coordinate with the City of Visalia with regard to sewer planning and related issues. To eliminate the potential for duplication of services, a clear distinction between District and City infrastructure and associated service areas should remain intact. The Wastewater Service Agreement between the District and the City outlines specific cases in which interagency coordination is necessary.

Since the Goshen sewer system is generally located in roads owned and maintained by Tulare County, it is recommended that the District work closely with the County on proposed sewer improvements that would impact County roadways and ensure that manhole locations are properly identified during pavement resurfacing activities.

4.3 Written Determinations

Cost Avoidance

1. The District avoids unnecessary costs by contracting out professional services including engineering, inspection services, legal services, and other consulting services.
2. The District should continue to work with the development community to fund the construction of capital infrastructure improvements that would serve new development sites.

Shared Facilities

1. Currently, the Goshen CSD contracts with the City of Visalia for wastewater treatment services, as the Goshen CSD does not own or operate an independent WWTF.
2. At present, there is a clear distinction between the sewer infrastructure of the District, and the sewer infrastructure of the City. To eliminate the potential for duplication of services, a clear distinction between District and City infrastructure and associated service areas should remain intact.
3. The Wastewater Service Agreement between the District and the City outlines specific cases in which interagency coordination is to occur.
4. Since the Goshen sewer system is generally located in roads owned and maintained by Tulare County, the District should work closely with the County on proposed sewer improvements that would impact County roadways and County roadway improvements that would impact District sewer collection systems.

5 ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENT STRUCTURE AND OPERATIONAL EFFICIENCIES

The purpose of this section is to identify opportunities to positively impact rates without decreasing service levels, consider the advantages and disadvantages of various government structures to provide public services, consider the management structure of the jurisdiction and evaluate the accessibility and levels of public participation associated with the agency’s decision-making processes.

5.1 Fee Structure

The Goshen CSD charges \$42 per equivalent dwelling unit (EDU) for residential service and \$50 for commercial uses. Residential connection fees are \$2,085 and commercial connection fees are \$2,380. The District also charges \$15 per property per month for availability of service for vacant lots. Table 1 shows a comparison of sewer rates, and connection fees for surrounding sewer service providers within Tulare County.

**TABLE 1
COMPARISON OF SEWER RATES**

Service Provider	Monthly Sewer User Fee (1 EDU)¹	Connection Fee¹
Goshen CSD	\$42.00	\$2,085
Cutler PUD	\$33.40	\$3,520
City of Dinuba	26.63	N/A
Earlimart PUD	\$14.25	\$4,600
City of Exeter	\$20.91	\$729
Lemon Cove SD	\$25.00	\$500
City of Lindsay	\$36.00	\$950
Pixley PUD	\$36.55	\$5,028
Poplar CSD	\$25.00	\$5,450
Porter Vista PUD	\$13.25	\$6,191
Richgrove CSD	\$18.00	N/A
Springville PUD	\$58.97	\$5,000
Strathmore PUD	\$24.35	\$2,500
Tipton CSD	\$21.50	\$8,400
Woodville PUD	\$19.25	\$4,150
City of Tulare	\$43.60	\$200
Tulare County RMA – Delft Colony WWFT	\$51.00	\$500
Tulare County RMA – Tooleville WWFT	\$59.25	\$500
Tulare County RMA – TBSMD	\$42.00	\$500
Tulare County RMA – Traver WWFT	\$36.50	\$500
Average	\$29.35	\$2,736

1) Source: Wastewater User Charge Survey Report FY 2016-17)

As indicated in Table 1, the Goshen CSD charges one of the higher monthly rate for sewer service compared to other sewer service providers throughout the County. These districts having varying percentages of source of revenue for sewer service and provide varying levels of treatment (e.g. primary, secondary, tertiary) so cost comparisons across districts don't always match up equally. It can also be noted is that the Goshen CSD connection fee is below average compared to other sanitary sewer service providers throughout the County. User fees are used for the operation and maintenance costs of the Goshen CSD sewer system. Existing customers should not be responsible for costs associated with installing and/or upgrading infrastructure to serve new development.

The District last raised the connection fee in November 2017. The District should periodically review its monthly user and connection fees to ensure that quality service will continually be provided to existing and future residents. The Goshen CSD rates are currently amount the highest compared to surrounding service providers making it difficult to justify further rate increases. The District should review its connection fees to determine if they are adequate to support infrastructure required for new development, including future capacity purchases from the Visalia WWTP. Connection fees should generally be used for constructing new infrastructure and not for the operation and maintenance of existing infrastructure.

5.2 Government Structure

One of the most critical elements of LAFCO's responsibilities is in setting logical service boundaries for communities based upon their capability to provide services to affected lands.

In 2005 the District completed a Conceptual Plan for Collection System Expansion. This plan included a detailed analysis and report on the capacity of the existing system and the needs to serve the ultimate project flows. The Conceptual Plan determined that the existing sewer collection system is adequate to serve project ultimate flows. The plan further established that the capacity of the existing pump station will have to be increased in two stages. The first stage would be to replace the existing pumps with larger pumps. The second stage would require even larger pumps and significant remodeling of the pump station and related piping and valve vault. This stage would also require construction of a new twelve inch force main. The District put a Capacity Expansion Fee on new development in place in 2005 in order to have the necessary funds available when the improvements are required. There is no schedule for the two stages of improvements to the pump station. The District should review the Conceptual Plan for Collection System Expansion completed in 2005 and determine if any updates are needed.

There are no foreseeable conditions that would indicate that development within the District's SOI would result in a change in government structure. There are, however, potential boundary conflicts with the City of Visalia that could affect the governmental structure of the Goshen CSD.

5.3 Evaluation of Management Efficiencies

Based upon a review of information provided by the Goshen CSD, it appears that the provision of wastewater collection is managed in an efficient manner, meeting the needs of the community and ratepayers. The Goshen CSD has accounting and finance functions, current personnel regulations and resolutions. The District undergoes annual audits in compliance with auditing standards.

The Goshen CSD is governed by a five-member Board of Directors elected at large from within its boundaries that is responsible for setting policy and procedures. The District currently operates with four staff members (two office assistants, an office manager/secretary treasurer/clerk to the board and a stand by employee) and contracts out for other services, including engineering, legal counsel, accounting, and other consulting services. The District office is open Monday through Friday 8:00 a.m. – 5:00 p.m.

The District's answering message provides the public with the operational hours of the District in English and Spanish; however it does not provide contact information in case of emergencies. To make District personnel available to the public in case of emergencies, it is recommended that the District provide an emergency contact number on its answering message and on its website to more promptly and efficiently respond to emergency situations. It is recommended that the District be available to respond to emergency situations during non-office hours.

5.4 Local Accountability and Governance

LAFCO may consider the agency's record of local accountability in its management of community affairs as a measure against the ability to provide adequate services to the SOI and annexation areas.

The Goshen CSD has a five member Board of Directors elected by voters residing within the Districts Boundary. All five District board seats are filled.

The board creates District policy by adopting resolutions and ordinances through duly-noticed public meetings. Regularly scheduled Board meetings, which are open to the public, are held on the fourth Thursday of each month at 6:00 p.m. except in November and December when they are usually held the third Thursday of the month at 6:00 p.m. at the District office located at 6678 Avenue 308 in Goshen. Agendas for Board meetings are posted on-site and on their website and notices provided consistent with public meeting requirements at least 72 hours before each meeting. Public hearing notices are published in the Visalia Times Delta and posted at the District office. District board meetings are open to the public and residents are invited to attend the month board meetings. Opportunity to address the District board on items not on the agenda is provided on each meeting agenda.

The district maintains a website that meets the requirements of SB 929 and SB 272. The District's website provides general district information, board of directors and staff contact information, board meeting times and location, recent budgets, audits, ordinances, permit applications, the Sewer System Management Plan, RFPs, and payment due dates. Agendas are posted to the website under the "DOC'S AND FORMS" tab. A direct link to the most recent agenda should be added to the home page.

The board members are familiar with the Brown Act and receive yearly training. The District is a member of the California Special Districts Association (CSDA) which can provide supporting resources to the board and district.

5.5 Written Determinations

Fee Structure

1. In October 2018, the Goshen CSD charges for sewer service are \$50 per EDU for commercial uses, and to \$42 per EDU for residential service.
2. The Goshen CSD monthly rates are currently among the highest compared to other service providers throughout the County making it difficult to justify further rate increases. The District's connection fee is below average compared to other sanitary sewer service providers in the County.
3. The District should periodically review its monthly user and connection fees to ensure that quality service will continually be provided to existing and future residents.

Government Structure

1. The Goshen CSD has a Conceptual Plan for Collection System Expansion which includes a detailed analysis and report on the capacity of the existing system and the needs to serve the ultimate project flows. The Conceptual Plan determined that the existing sewer collection system is adequate to serve project ultimate flow. The District should review the Conceptual Plan for Collection System Expansion completed in 2005 and determine if any updates are needed.
2. Other than a potential boundary conflicts with the City of Visalia, there are no foreseeable conditions that would indicate that development within the District's SOI would result in a change in government structure.

Evaluation of Management Efficiencies

1. Based upon information made available, it appears that the provision of sanitary sewer collection is managed in an efficient manner and meets the needs of the community and ratepayers.
2. The Goshen CSD is governed by a five member Board of Directors elected at large from within its boundaries and is responsible for setting policy and procedures.
3. The District currently operates with a combination of staff and contracts out for other services, including engineering, legal counsel, accounting, and other consulting services.
4. The District's answering message does not provide contact information in case of emergencies. To more promptly and efficiently respond to emergency situations, it is recommended that the District provide an emergency contact number on its answering message and its website.

Local Accountability and Governance

1. The District complies with the Brown Act open meeting law by holding regularly scheduled meetings in which the public is invited. Regularly scheduled meetings are held on the fourth Thursday of each month at 6:00 p.m. at the District office, except for November and December when they are generally held on the third Thursday of the month. Agendas for Board meetings are posted on-site at the District office and on the District website at least 72 hours in advance.
2. The District maintains a website that meets the requirements of SB 929 and SB 272. Agendas, staff contact information, board meeting times and location, recent budgets, audits are available on the website. It is recommended that the District provide a direct link to the most recent agenda to the home page of its website.

6 ANY OTHER MATTER RELATED TO EFFECTIVE OR EFFICIENT SERVICE DELIVERY, AS REQUIRED BY COMMISSION POLICY

The purpose of this section is to review issues relating to disadvantaged unincorporated communities and conflicting growth boundaries.

6.1 Disadvantaged and Other Developed Unincorporated Communities

Pursuant to Government Code section 56430, municipal service reviews are required to identify the location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence and to also identify needs or deficiencies related to sewers, municipal and industrial water and structural fire protection. Government Code section 56033.5 defines a “disadvantaged unincorporated community” as inhabited territory, as defined by section 56046 (12 or more registered voters), or as determined by commission policy, that constitutes all or a portion of a disadvantaged community as defined by Water Code section 79505.5 (a community with an annual median household income that is less than 80 percent of the statewide annual median household income).

Tulare County LAFCO Policy C-5.7(C) defines a disadvantaged community as an area that has a median household income 80% or less of the statewide average pursuant to Public Resources Code section 75005(g) and contains at least 20 dwelling units at a density not less than one unit per acre.

In addition to what is required by GC §56430, Tulare County LAFCO Policy C-5.7(B)(VII)(a) requires that the Written Statement of Determinations for MSRs 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 for all (not just disadvantaged) unincorporated communities within or adjacent to the agency’s SOI. (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.)

Tulare County LAFCO identified the community of Goshen as part a list of disadvantaged unincorporated communities (DUCs) that was adopted into policy on 5/2/12. There are no other identified DUCs within or adjacent to Goshen CSD’s current or proposed SOI.

The Goshen Community Services District is responsible for a sewage collection system. Tulare County provides fire and police protection and California Water Service provides water.

6.2 Conflicting Growth Boundaries

The Goshen CSD governmental structure could be affected by the potential overlapping of boundaries with the City of Visalia. The existing boundary conflict between the Goshen CSD Sphere of Influence (SOI) and the City of Visalia SOI is illustrated on Figure 3. The Goshen CSD has a Wastewater Service Agreement with the City of Visalia, which sets forth specific criteria with regard to wastewater collection and treatment services within the boundary of each agency. In April 2018 the Sphere of Influence for the City of Visalia was amended which eliminated a number of overlapping boundaries. One overlapping boundary with the City of Visalia still remains at the northern portion of the district is illustrated in Figure3.

The area of conflict is approximately 83 acres. Also, approximately 44 acres of land were recently removed from the Visalia Sphere of Influence located near the southeast corner of the district that is currently located in neither the District’s nor the City’s Sphere of Influence. This area however remains within the City of

Visalia's Urban Development Boundary. If the northern area were removed from Goshen's Sphere of Influence, the southeast area could potentially be added to the District's Sphere of Influence, although issues of overlap would still exist between the Goshen SOI and the Visalia UDB though there would be no issues of overlap between the SOI's.

The Wastewater Service Agreement between the Goshen CSD and the City of Visalia, which may only be terminated upon the written consent of all parties, states the following with regard to sanitary sewer service within the Goshen CSD Boundary.

“The City shall not contract, agree or otherwise create wastewater collection, treatment and disposal service with any entity, corporation or individual which resides, does business within or requests service of any parcel, building, street or property within the boundary of the District. The City shall not renew any current contract with any entity, corporation, industry or property for wastewater service within the District at expiration thereof.”

If a new Sphere of Influence boundary as shown in Figure 4 were adopted the final area of conflict between the Goshen CSD SOI and the City of Visalia SOI would be eliminated. The new Sphere of Influence boundary could closely follow the Goshen Urban Development Boundary with the exception of the right-of-way peninsula along Road 64.

FIGURE 3 – CITY OF VISALIA & GOSHEN CSD BOUNDARY CONFLICTS
 Source: Tulare County GIS Database

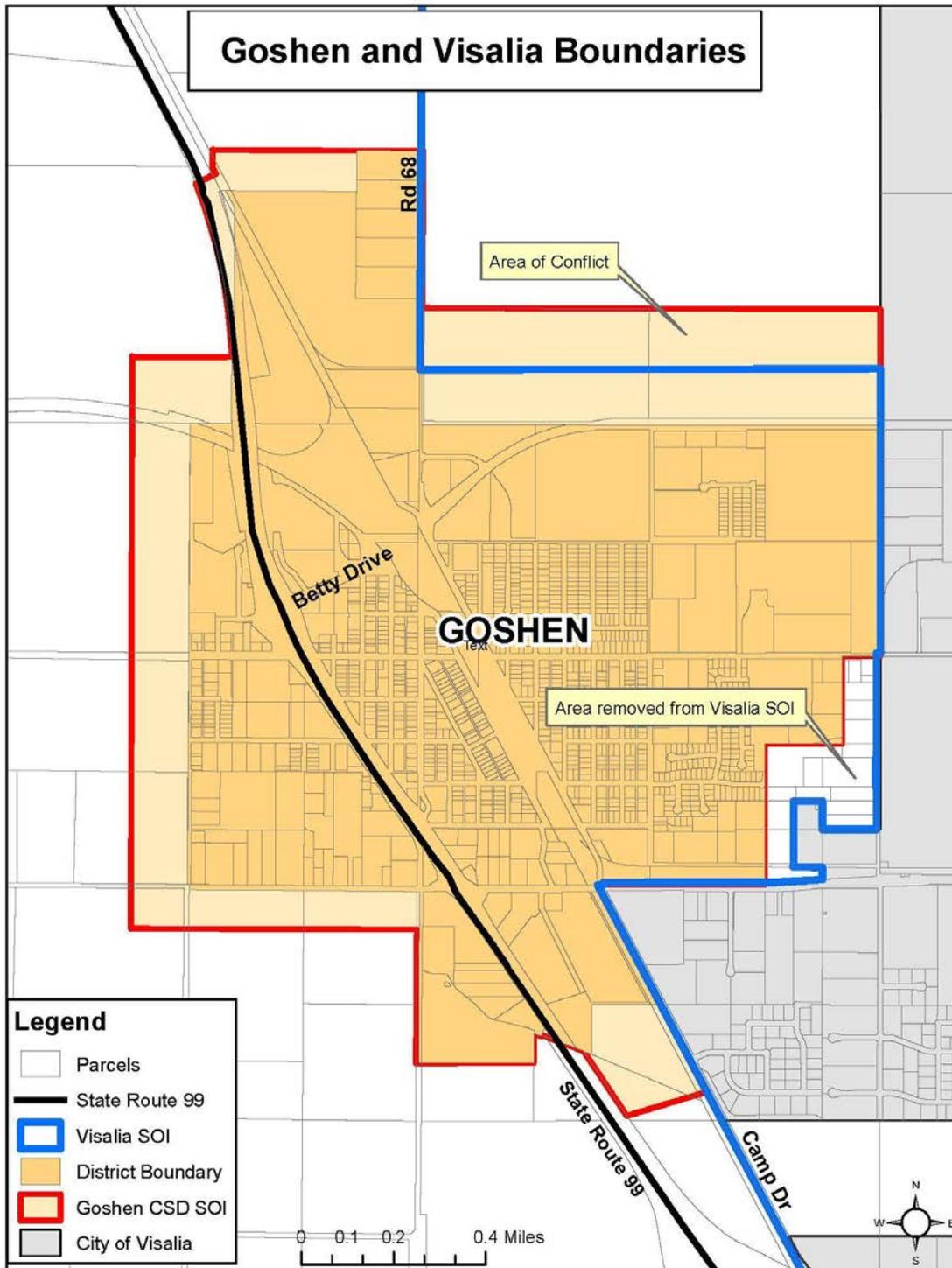
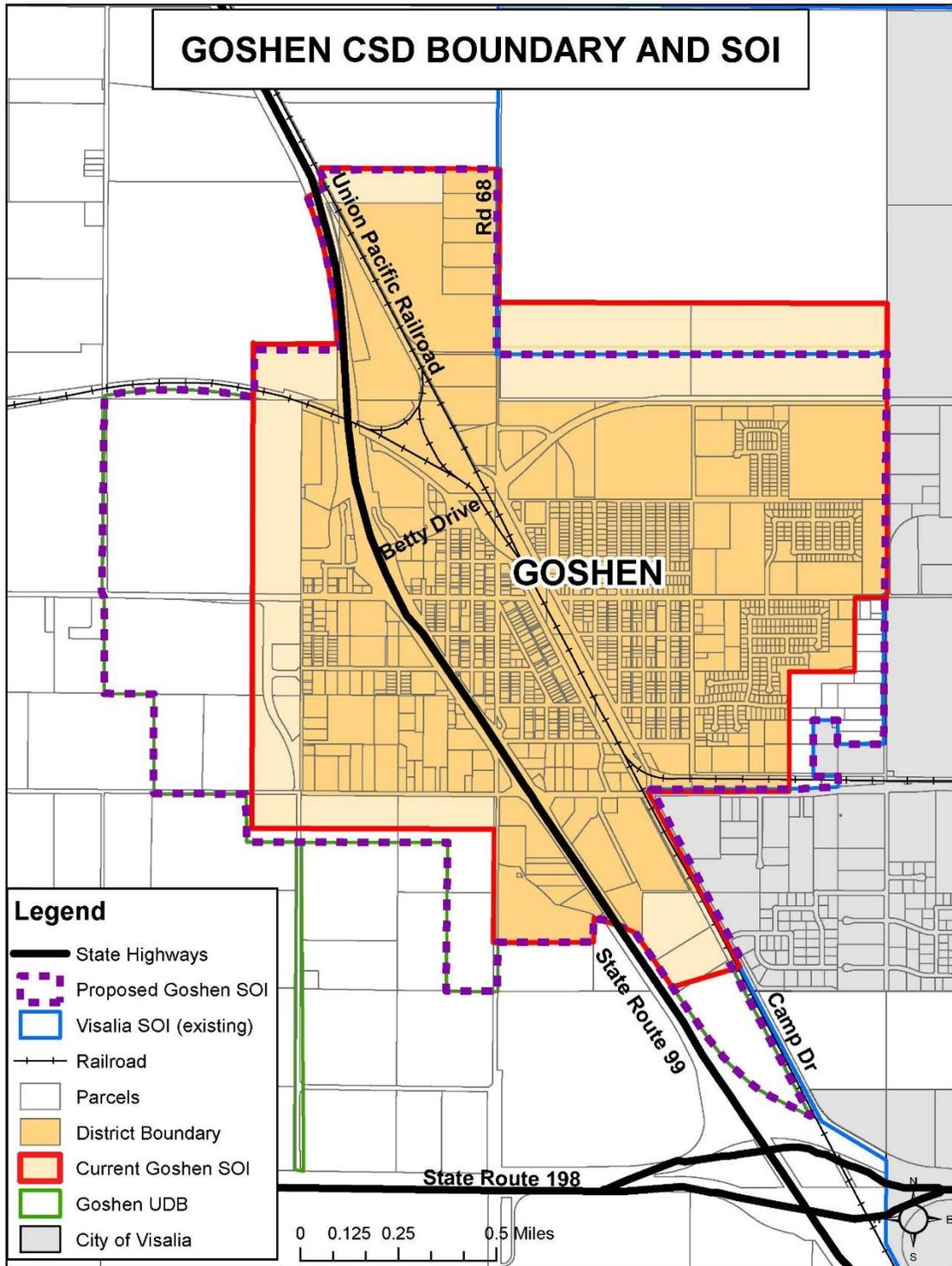


FIGURE 4 – GOSHEN COMMUNITY SERVICES DISTRICT BOUNDARY AND SPHERE OF INFLUENCE
 Source: Tulare County GIS Database



6.3 Written Determinations

Disadvantaged Unincorporated Communities

1. Goshen is an identified disadvantaged unincorporated community and there are no other identified DUCs within or adjacent to the existing or proposed Goshen CSD SOI.
2. Residents inside the District boundaries receive sewage collection from the District. Tulare County provides fire and police protection and California Water Service provides water to district residents.

Conflicting Growth Boundaries

1. The governmental structure of the Goshen CSD could be affected by the potential overlapping of boundaries with the City of Visalia.
2. Many overlapping areas were resolved with the City of Visalia's 2018 updated Sphere of Influence amendment.
3. An area of overlap lies at the northern boundary of the Goshen Sphere of Influence with the Visalia Sphere of Influence consisting of approximately 83 acres.
4. The Goshen CSD has a Wastewater Service Agreement with the City of Visalia, which sets forth specific criteria with regard to wastewater collection and treatment services within the boundary of each agency.
5. Boundary conflicts and service provisions should ultimately be resolved between the City of Visalia, the Goshen CSD, Tulare County and Tulare County LAFCO.

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

In the Matter of the Adoption of the)
Municipal Service Review Update)
For the Goshen Community)
Services District)

RESOLUTION NO. 18-XXX

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

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

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

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

WHEREAS, the Goshen Community Services District MSR and its determinations have been updated to allow for the Commission's consideration of a comprehensive update to the District's SOI; and

WHEREAS, on December 5, 2018 this Commission heard, received, and considered testimony, comment, recommendations and reports from all persons present and desiring to be heard in this matter.

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

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

2. The Commission has reviewed and considered the information, material and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

XXXXXXXXXX

XXXXXXXXXX

3. 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.

4. The Commission hereby finds the updated Goshen Community Services District MSR:

- (a) Includes a subregion of the county appropriate for an analysis of the services to be reviewed;
- (b) Contains a written statement of the Commissions' determination of the subjects required to be analyzed in an MSR, and
- (c) Reviews all of the services subject to review within the Goshen Community Services District boundary as set forth in LAFCO policy C-5.

5. The Municipal Service Review Report, including statement of determinations, for the Goshen Community Services District is hereby adopted.

The foregoing resolution was adopted upon motion of Commissioner X and seconded by Commissioner X, at a regular meeting held on this 5th day of December 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

si



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

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

December 5, 2018

ALTERNATES:
*Mike Ennis
Carlton Jones
Dennis Mederos*

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Steven Ingoldsby, Staff Analyst

EXECUTIVE OFFICER:
Ben Giuliani

SUBJECT: Goshen Community Services District Sphere of Influence Update

Background

The Commission is proposing to update the Sphere of Influence (SOI) for the Goshen Community Services District. The first Municipal Service Review (MSR) for the Goshen Community Services District was adopted as part of the Group 1 MSRs by the Commission at the March 2006 meeting. The SOI was last updated at the October 2007 meeting. Since the adoption of the MSR, the County has updated the Goshen Community Plan earlier this year and amended the Goshen Urban Development Boundary (UDB). Before the Commission can approve a major amendment or a comprehensive update of the SOI, an updated MSR needs to be adopted.

Discussion

State Law Requirements

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCO to establish Spheres of Influence for cities and special districts. Prior to, or in conjunction with establishing an agency's SOI, LAFCO is required to conduct a Municipal Service Review (MSR) for each agency. An updated MSR prepared for the Goshen Community Services District is being adopted at this meeting.

Environmental Impacts:

The Commission hereby finds that the proposed Sphere of Influence amendment will have significant impacts on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Goshen Community Plan Update Environmental Impact Report (SCH# 2014021057) approved by Tulare County for the Goshen

Community Plan update in compliance with the California Environmental Quality Act of 1970. The Commission hereby adopts by reference the County's Statement of Overriding Considerations regarding the impacts to the environment and Mitigation Monitoring and Reporting Program as set forth in the County's EIR. Accordingly, said EIR is hereby incorporated by reference.

The Mitigation Monitoring and Reporting Program (MMRP) includes mitigation measures to address agricultural conservation easements, biological resources, hazardous material, and water quality resulting from implementation of the Community Plan.

City-County Memorandum of Understanding

This proposed SOI Update takes into account the signing of the Memorandum of Understanding (MOU) between the City of Visalia and the County. As part of the MOU, the following was agreed to regarding the City's and the County's 20-year UDB relationship with a LAFCO adopted SOI:

The County will cooperate with the City to establish a new 20-year UDB adopted by both the County and the City, which the Parties will use their best efforts to make coterminous with the SOI set by LAFCO.

The MOU also includes agreements regarding the County General Plan, development impact fees and provisions regarding development and land use within the County adopted UDB and Urban Area Boundary (UAB).

At the April 4, 2018 LAFCO meeting, the Commission adopted an updated SOI for the City of Visalia which resolved many of the issues of overlap though some areas of overlap remain. The updated Goshen SOI boundary would resolve the remaining SOI overlap issues between Goshen and Visalia.

Required Determinations

GC §56425(e) requires that in determining the Sphere of Influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision.

(1) The present and planned land uses in the area, including agricultural and open-space lands.

The County's General Plan, in addition to the Goshen Community Plan provides for the logical and reasonable growth and development within Goshen. Tulare County has recently completed the process of updating the Goshen Community plan and has established an Urban Development Boundary (UDB) that is consistent with a 20-year boundary.

The amended SOI includes land that is a mix of agricultural production, commercial, light and heavy industrial, and residential uses. According to the 2018 Municipal Service Review, the UDB with one minor adjustment is adequate as a boundary for future growth, although future minor adjustments may be appropriate.

There are no currently proposed changes in land use or actions inconsistent with continued Williamson Act coverage.

(2) The present and probable need for public facilities and services in the area.

The new areas included in the SOI will need additional services as they are developed while the areas removed from the SOI will likely need fewer additional services with the postponement of their development. The UDB protects the health, safety, welfare, and quality of life of the residents of Goshen by concentrating future residential, commercial, and industrial growth in areas already served by urban services or areas where such services are to be provided consistent with the County's General Plan and the Goshen Community Plan.

(3) The present capacity of public facilities and adequacy of public services.

Residents inside the District boundaries receive sewage collection from the District. Tulare County provides fire and police protection and California Water Service provides water to district residents. According to the recently prepared Municipal Service Review findings the current UDB is adequate as a boundary for future growth and the District is capable of expanding its sewage collection system. The District prepares an annual budget that clearly and comprehensively describes the services provided and the funds expended for those services.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Goshen is an identified disadvantaged unincorporated community and there are no other identified disadvantaged unincorporated communities within or adjacent to the existing or proposed Goshen CSD SOI.

(5) The present and probable need for services related to sewers, municipal and industrial water, or structural fire protection of any disadvantaged unincorporated communities (DUCs) within the sphere of influence.

Residents inside the District boundaries receive sewage collection from the District and is treated by the City of Visalia. Tulare County provides fire and police protection and California Water Service provides water to District residents.

Impact on Prime Agricultural Land, Agriculture and Open Space:

366 acres of land are classified as agricultural in Goshen according to the Betty Drive Interchange Project Initial Study. As agriculture continues to be converted in the area within the county adopted UDB, land currently zoned agriculture within the UDB will most likely be rezoned to residential and commercial zoning districts. There are areas of Prime Farmland and Farmland of Statewide Importance located within the proposed SOI. However, amending the SOI is not inconsistent with continued Williamson Act coverage.

Municipal Service Reviews:

Municipal Service Reviews provide a comprehensive review of the services provided by a city or district and present recommendations with regard to the condition and adequacy of these services and whether or not any modifications to a city or district's SOI are necessary. MSRs can be used as informational tools by LAFCO and local agencies in evaluating the efficiencies of current district operations and may suggest changes in order to better serve the public.

The Goshen Community Services District Municipal Service Review report was prepared pursuant to GC Section 56430. The report begins by providing background information and then summarizes data collected and analyzed for the purpose of supporting written statements of determination with respect to each of the following:

- Growth and population projections for the affected area
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
- Present and planned capacity of public facilities, adequacy of public services and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence
- Financial ability for agencies to provide services
- Status of, and opportunities for, shared facilities
- Accountability for community service needs, including governmental structure and operational efficiencies
- Any other matter related to effective or efficient service delivery, as required by commission policy

Many of the determinations from the MSR were used in the SOI determinations listed in this report. The MSR is available for review at the Commission's website:

<https://lafco.co.tulare.ca.us/lafco/index.cfm/msr/goshen-csd-draft-2018-msr/>

Existing SOI and UDB Comparison:

The recently amended Goshen UDB consists of approximately 1770.6 acres. The current Goshen SOI consists of approximately 1489.6 acres. The proposed Goshen SOI consists of approximately 1759.7 acres

Attached is a map showing the proposed change between the existing SOI, the recently updated UDB and the new SOI (Figure 1). Adopting the new SOI would result in a net increase of approximately 270.1 acres of land. Most of the new area comes from the eastern area and the designated for highway commercial. The increase to the south is designated for light industrial and increase to the east is designated for a mix of medium density residential, light industrial and mixed use.

Variation from UDB

The Goshen UDB has a long and narrow peninsula along the southern boundary extending south encompassing Road 64 right-of-way. County staff have indicated the reason for including this area was an effort to secure grant funds for road maintenance along this right-of-way. This right-of-way serves no reasonable LAFCO purpose and should be excluded from the updated SOI. It's recommended the SOI be coterminous with all other Goshen UDB lines.

Recommendations:

Adopt the Goshen Community Services District Sphere of Influence following the County's Urban Development Boundary their updated Goshen Community Plan and in Figure 1 with the noted variation that excludes the southern right-of-way peninsula.

Attachments:

Figure 1 – Goshen SOI and UDB

Figure 2 - Resolution

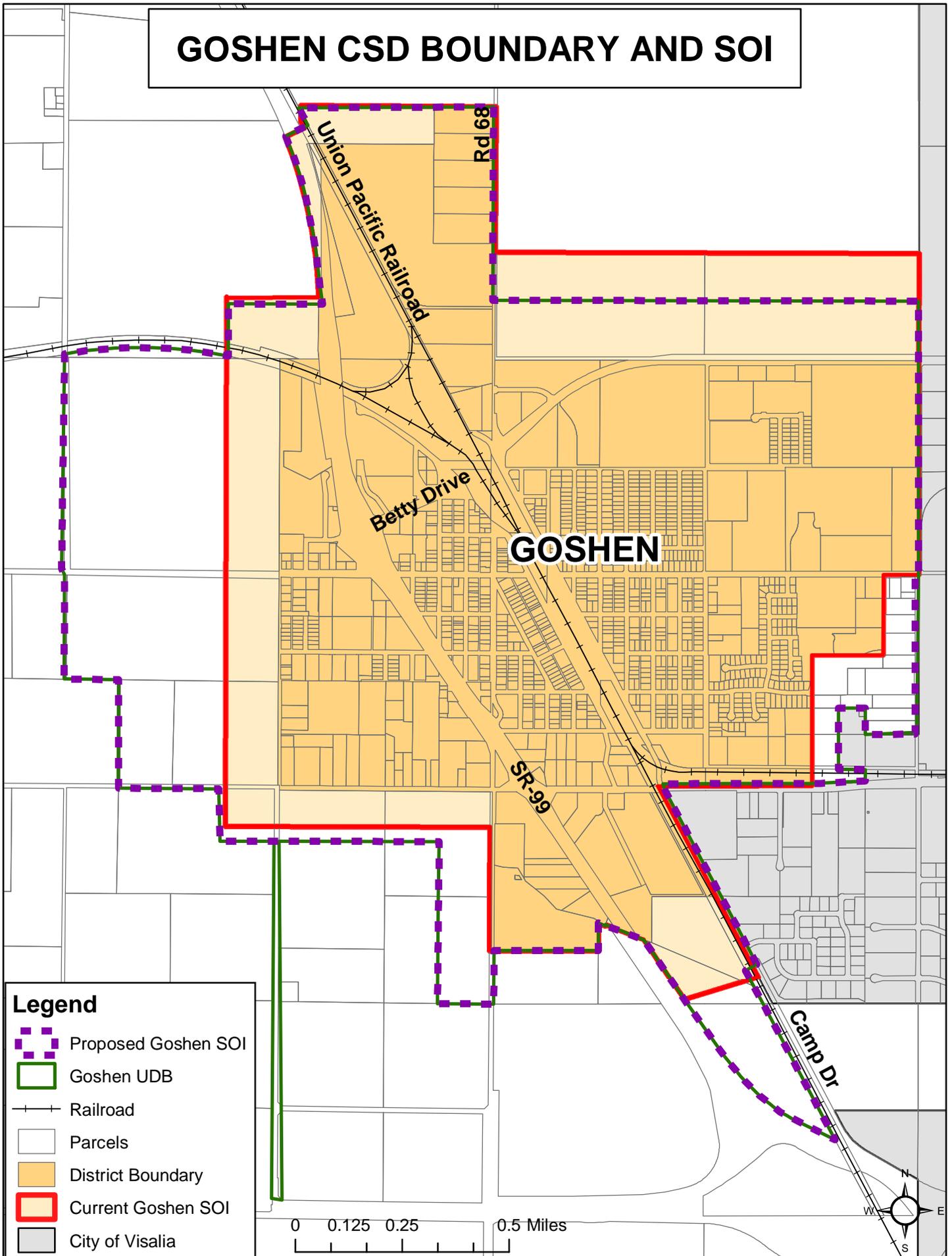
Goshen Community Services District Municipal Services Review

<https://lafco.co.tulare.ca.us/lafco/index.cfm/msr/goshen-csd-draft-2018-msr/>

Tulare County EIR for Goshen Community Plan Update

<http://tularecounty.ca.gov/rma/index.cfm/planning-building/community-plans/updated-community-plans/goshen-community-plan-update/>

GOSHEN CSD BOUNDARY AND SOI



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

In the Matter of the Goshen Community)
Services District Sphere of Influence)
Update LAFCO Case No. 1538)

RESOLUTION NO. 18-XX

WHEREAS, pursuant to Government Code Section 56425, Local Agency Formation Commissions are required to establish, periodically review and revise or amend Sphere of Influence boundaries; and

WHEREAS, this Commission has adopted a Sphere of Influence Policy which requires that wherever possible, the Spheres of Influence for each of the incorporated cities and various special districts which provide urban services to unincorporated communities in the County reflect a twenty year growth area; and

WHEREAS, the Commission conducted a municipal service review adopted on December 5, 2018 (LAFCO Resolution 18-XXX); and

WHEREAS, the Commission has read and considered the reports and recommendations of the Executive Officer.

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

1. The boundaries of the Sphere of Influence amendment are definite and certain as shown in Figure A.

2. The information, materials, and facts set forth in the application and the reports of the Executive Officer, including any corrections, have been received and considered in accordance with GC §56427.

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

XXXXXXXXXXXXXXXXXXXX

4. All required notices have been given and all proceedings taken in this matter have been and now are in all respects taken in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.

5. Pursuant to GC §56430, the Municipal Service Review for Goshen Community Services District was approved on December 5, 2018, by Resolution No. 18-XXX.

6. The Commission hereby adopts the attached written determinations required under GC §56425 in support of the proposed Sphere of Influence adoption.

7. The Commission finds that pursuant to GC §56426.5(b)(2), the proposed SOI Update will not adversely effect the continuation of any Williamson Act contracts beyond their current expiration dates.

8. The Commission hereby finds that the proposed Sphere of Influence Update will have significant impacts on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Goshen Community Plan Update EIR SCH# 2014021057 approved by Tulare County in compliance with the California Environmental Quality Act of 1970. The

Commission hereby adopts by reference the County's Findings and Statement of Overriding Considerations regarding the impacts to the environment, as set forth in the County's EIR. Accordingly, said EIR is hereby incorporated by reference.

9. The Commission hereby finds that the proposed Goshen Community Services District Sphere of Influence is in compliance with the Cortese-Knox-Hertzberg Act, GC §§56425, 56430 and 56377, and Tulare County LAFCO Policy and Procedure Section C-5, Spheres of Influence.

10. The Sphere of Influence for Goshen Community Services District is hereby adopted as shown in Figure A.

11. Authorize the Executive Officer to sign and file a Notice of Determination on behalf of the Commission with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon the motion by Commissioner _____, and seconded by Commissioner _____, at a regular meeting held this 5th day of December 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

si



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:
Julie Allen, Chair
Cam Hamilton, V. Chair
Steve Worthley
Rudy Mendoza
Pete Vander Poel

ALTERNATES:
Mike Ennis
Dennis Mederos
Carlton Jones

EXECUTIVE OFFICER:
Ben Giuliani

December 5, 2018

TO: LAFCO Commissioners, Alternates

FROM: Ben Giuliani, Executive Officer

SUBJECT: Initiation of the Dissolution of the Tulare County Olive Pest Control District

Background

Senate Bill 448, enrolled in 2017, requires the State Controller’s Office to create a list of inactive districts annually and to notify the applicable LAFCOs in which the inactive special districts are located. Within 90 days of receiving the notice, LAFCOs are required to either initiate dissolution or determine that the district is not inactive. The definition of an inactive district (GC §56042) is as follows:

- (a) *The special district is defined in Section 56036 (a district that is under LAFCO’s purview)*
- (b) *The special district has had no financial transactions in the previous fiscal year*
- (c) *The special district has no assets and liabilities*
- (d) *The special district has no outstanding debts, judgments, litigation, contracts, liens or claims*

Discussion

The State Controller has identified the Tulare County Olive Pest Control District (OPCD) as an inactive district and notified Tulare County LAFCO on October 31st (notice attached). The Tulare County OPCD was formed on July 11th, 2002 to include olive groves (about 16,484 acres) in Tulare County for the purposes of pest control for the olive fruit fly. However, the Prop 218 election for a property assessment failed and the board later disbanded.

The Tulare County Board of Supervisors discharged a loan to the District of \$27,646.16 on May 10th, 2011 (BOS resolution 2011-02945). No current assets, liabilities, debts, etc. have been identified and the District has not had any financial transactions in the previous fiscal year. It appears that the Tulare County OPCD is an inactive district pursuant to GC §56042.

SB 448 included stream-lined provisions for the dissolution of inactive districts. One public hearing is required and the dissolution is exempt from protest proceedings and election. Pursuant to GC §56879(c), LAFCO must dissolve the District within 90 days following the adoption of the initiation of dissolution. The dissolution of the Tulare County OPCD will be brought back to the Commission for action at the February 6th, 2019 meeting.

Recommendation

Initiate the dissolution of the Tulare County Olive Pest Control District.

Attachments:

State Controller Notice

BOS loan discharge

Resolution



BETTY T. YEE
California State Controller

TCAG/LAFCO
210 N. Church Street, Ste. B
Visalia, CA 93291

NOV 08 2018

MAIL RECEIVED

October 31, 2018

Ben Giuliani
Tulare Local Agency Formation Commission
210 N Church St, Suite B
Visalia, CA 93291

SUBJECT: Notification of Inactive Special Districts in County.

Dear Mr. Giuliani:

Chapter 334, Statutes of 2017 (Senate Bill 448) added various provisions to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 regarding special districts that are inactive. SB 448 requires the State Controller's Office (SCO) to create a list of inactive special districts based on information in the special district's Financial Transactions Reports (FTR), publish the list of inactive special districts on its website annually, and notify a local agency formation commission in the county or counties in which the inactive special district is located.

Pursuant to Government Code (GC) section 56042, an "inactive special district" meets all of the following:

- (a) The special district is as defined in Section 56036.
- (b) The special district has had no financial transactions in the previous fiscal year.
- (c) The special district has no assets and liabilities.
- (d) The special district has no outstanding debts, judgments, litigation, contracts, liens, or claims.

Within 90 days of receiving this notice, the commission is required to initiate dissolution of inactive special district(s), unless you determine that the district(s) does not meet the criteria set forth in GC section 56042. The commission shall also notify the SCO if you determine that the district(s) does not meet the criteria set forth in GC section 56042.

The enclosed document lists the special districts within your jurisdiction that are inactive, based on financial data in the special district's fiscal year 2016-17 FTR. The complete list of inactive special districts is found here: https://www.sco.ca.gov/ard_local_rep_freq_requested.html

Ben Giuliani
October 31, 2018
Page 2

If you have any questions or need assistance, please contact Derek Miller by telephone at (916) 322-5579, or by email at dmiller@sco.ca.gov.

Sincerely,



PHILLIP PANGILINAN
Manager
Local Government Reporting Section

Enclosure: 2016-17 County Inactive Districts List

State Controller's Office
2016-17 Inactive Districts for Tulare County

County Name	District Name	District Type	Email Address	Street Address 1	Street Address 2	P.O. Box	City	Zip
Tulare	Tulare County Olive Pest Control District	Dependent		Attn: Terry Baker		P.O. Box 636	Woodlake	93286

Note: Email Address belongs to the Financial Transactions Report preparer; in some cases this may be an outside consultant.

Proof of Service by Mail

I declare: I am a citizen of the United States, over the age of 18 years, and not a party to this action. My business address is State Controller's Office, 3301 C Street, Suite 740, Sacramento, California 95816.

On the date set forth below, I served the following entitled document:

Notification of Inactive Special Districts in County

by placing a true copy thereof in a sealed envelope addressed to the person(s) named below at the address(es) shown and by placing said envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

Name: Ben Giuliani
Tulare Local Agency Formation Commission

Address: 210 N Church St, Suite B
Visalia, CA 93291

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 31, 2018, at Sacramento, California.

Signature: 

Printed Name: Derek Miller



**Auditor-Controller/
Treasurer-Tax Collector
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: May 10, 2011 REVEISED

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Rita A. Woodard PHONE: 636-5200

SUBJECT: Discharge of Accountability for collection of loan to Tulare County Olive Pest Control District.

REQUEST(S):
That the Board of Supervisors:
1. Authorize the County Auditor to discharge the Tulare County Olive Pest Control District Loan in the amount of \$27,646.16.

SUMMARY:
On Resolution 2003-0537, Tulare County agreed to loan the Tulare County Olive Pest Control District start up money up to \$50,000 for the costs of an election of its grower members to authorize those assessments necessary to ameliorate pests in Olive groves located within the County, and to pay for all other expenses reasonably associated with such election, including without limitation, the provision of information to the grower members.
As written in Resolution 2003-0537, agreement 21660, the District proposed to repay the loan with the assessments collected, however the Proposition 218 election measure did not succeed. Fund 710 was created in the Treasury Pool specifically to monitor the funds for the Olive Pest Control District; the loan has been recorded on the County's books as a receivable for 8 years. Since there has been no activity and no change in the condition of the TC Olive Pest Control District for several years, and there are no District Board members, at the request of the independent outside auditing firm, the County Auditor-Controller/Treasurer-Tax Collector requests discharge of the debt owed and authority to close out Fund 710.

SUBJECT: Discharge of Accountability for collection of loan to Tulare County Olive Pest Control District.

DATE: May 10, 2011

FISCAL IMPACT/FINANCING:

The Auditor-Controller/Treasurer-Tax Collector will remove the receivable from the County financial system and discharge the Olive Pest Control District's debt liability.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Organizational Performance-Provide for effective communication collaboration and decision-making at, and between, all levels of the organization.

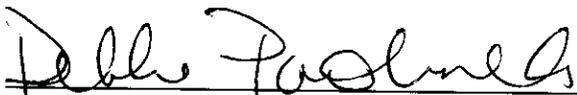
ALTERNATIVES:

1. Do nothing, leave Fund 710 on the books and continue to carry the loan as a receivable on the County's ledgers. This is not recommended.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

N/A

ADMINISTRATIVE SIGN-OFF:



Debbie Paolinelli

Assistant Auditor-Controller

Cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

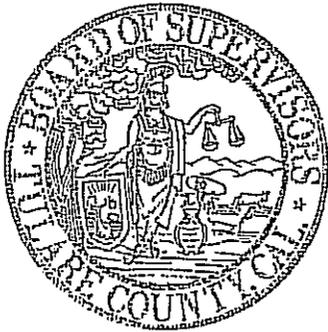
BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF DISCHARGE OF)
ACCOUNTABILITY FOR COLLECTION)
OF LOAN TO TULARE COUNTY OLIVE)
PEST CONTROL DISTRICT)

RESOLUTION NO. 2011-0294

UPON MOTION OF SUPERVISOR WORTHLEY, SECONDED BY
SUPERVISOR COX THE FOLLOWING WAS ADOPTED BY THE BOARD OF
SUPERVISORS, AT AN OFFICIAL MEETING HELD MAY 10, 2011, BY THE
FOLLOWING VOTE:

AYES: SUPERVISORS ISHIDA, VANDER POEL, COX, WORTHLEY AND ENNIS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: *Denise A. Ybarra*
Deputy Clerk

Authorized the County Auditor to discharge the Tulare County Olive Pest Control
District Loan in the amount of \$27,646.16.

Auditor/Tax Collector

DAY
5/10/11

BEFORE THE LOCAL AGENCY FORMATION COMMISSION

OF THE

COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of Initiating the Dissolution of the)
Tulare County Olive Pest Control District)
LAFCO Case No. 1539)

RESOLUTION NO. 18-0##

WHEREAS, the California State Controller has notified Tulare County LAFCO pursuant to Government Code (GC) §56879(a) on October 31st, 2018 that the Tulare County Olive Pest Control District (PCD) is an inactive special district; and

WHEREAS, the Commission, pursuant to GC §56879(b) shall initiate the dissolution of the Tulare County Olive PCD within 90 days of the receipt of the notice from the Controller unless the Commission finds that the District is not inactive as defined in GC §56042.

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

1. Based upon the evidence and information on the record before it, the Commission finds that the Tulare County Olive PCD is an inactive district as defined in GC §56042 and hereby initiates the dissolution of the Tulare County Olive PCD.
2. Pursuant to GC §56879(c), the Commission shall hold one public hearing no more than 90 days following the initiation of the dissolution.

The foregoing resolution was adopted upon motion of Commissioner x, seconded by Commissioner x, at a regular meeting held on this 5th day of December, 2018 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 St., Suite B, Visalia, CA 93291 (559) 623-0450 FAX (559) 733-6720

COMMISSIONERS:
Julie Allen, Chair
Cam Hamilton, V. Chair
Steve Worthley
Rudy Mendoza
Pete Vander Poel

December 5, 2018

ALTERNATES:
Mike Ennis
Carlton Jones
Dennis Mederos

TO: LAFCO Commissioners and Alternates

FROM: Ben Giuliani

EXECUTIVE OFFICER:
Ben Giuliani

SUBJECT: Yettem-Seville CSD Election Results

Background

The Commission ordered the conditional formation of the Yettem-Seville Community Services District (CSD) subject to the confirmation of the registered voters within the approved boundaries on May 2nd, 2018. The formation is subject to the following conditions:

- a. *The formation of the Yettem-Seville CSD is contingent upon a successful Proposition 218 passage which provides adequate financing for the district by November 5, 2019. If the new water rates are passed prior to the election for the formation of the Yettem-Seville CSD, the CSD shall inherit those rates.*
- b. *The formation of the Yettem-Seville CSD is contingent upon a successful election. Following a successful election, a Certificate of Completion will be filed for the formation of the Yettem-Seville CSD.*
- c. *Following a successful election and the completion of the water system upgrades, Tulare County shall assign its assets, liabilities and debts pertaining to the water systems to the Yettem-Seville CSD.*

Discussion

The election for the conditional formation (Measure Y) of the Yettem-Seville CSD and its five-member board was held on Tuesday, November 6th. The final election results should be released by Monday, December 3rd and will be submitted to the Commission for review at the December 5th meeting. Attached are latest results at the time of printing this agenda showing the successful formation of the CSD with 71.67% (43 votes) in favor and 28.33% opposed (17 votes).

Recommendations

Staff is recommending that the Commission accept the final election results (to be distributed to the Commission) for the successful conditional formation of the Yettem-Seville CSD.

Attachments:

Preliminary Election Results
Resolution

November 6, 2018

Summary Report

TULARE COUNTY

EIGHTH POST-ELECTION REPORT

Strathmore PUD Director Seat-1	3/3 100.00%	Proposition 10 (cont'd...)	274/274 100.00%
NPP - CHRISTINA LIGHTNER	116 61.05%	NO	69,061 75.31%
NPP - ALLANEY BRIGGS	72 37.89%	Total ...	91,702 100.00%
Write-In	2 1.05%		
Total ...	190 100.00%	Proposition 11	274/274 100.00%
Proposition 1	274/274 100.00%	YES	58,478 63.98%
YES	37,394 41.86%	NO	32,921 36.02%
NO	51,927 58.14%	Total ...	91,399 100.00%
Total ...	89,321 100.00%	Proposition 12	274/274 100.00%
Proposition 2	274/274 100.00%	YES	39,195 43.03%
YES	44,725 50.11%	NO	51,889 56.97%
NO	44,537 49.89%	Total ...	91,084 100.00%
Total ...	89,262 100.00%	Measure A-Visalia USD	72/72 100.00%
Proposition 3	274/274 100.00%	BONDS YES	22,694 59.26%
YES	46,102 52.15%	BONDS NO	15,600 40.74%
NO	42,308 47.85%	Total ...	38,294 100.00%
Total ...	88,410 100.00%	Measure B-Ducor Union Elem SD	5/5 100.00%
Proposition 4	274/274 100.00%	BONDS YES	136 51.71%
YES	52,041 58.28%	BONDS NO	127 48.29%
NO	37,257 41.72%	Total ...	263 100.00%
Total ...	89,298 100.00%	Measure C-Stone Corral Elem SD	5/5 100.00%
Proposition 5	274/274 100.00%	BONDS YES	57 64.77%
YES	36,030 39.77%	BONDS NO	31 35.23%
NO	54,560 60.23%	Total ...	88 100.00%
Total ...	90,590 100.00%	Measure E-Three Rivers Elem SD	8/8 100.00%
Proposition 6	274/274 100.00%	BONDS YES	805 65.93%
YES	53,930 58.45%	BONDS NO	416 34.07%
NO	38,340 41.55%	Total ...	1,221 100.00%
Total ...	92,270 100.00%	Measure G-City of Lindsay	2/2 100.00%
Proposition 7	274/274 100.00%	YES	961 68.89%
YES	43,050 47.37%	NO	434 31.11%
NO	47,838 52.63%	Total ...	1,395 100.00%
Total ...	90,888 100.00%	Measure I-City of Porterville	21/21 100.00%
Proposition 8	274/274 100.00%	YES	5,854 63.42%
YES	25,925 28.24%	NO	3,376 36.58%
NO	65,890 71.76%	Total ...	9,230 100.00%
Total ...	91,815 100.00%	Measure Y-Yettem-Seville	3/3 100.00%
Proposition 10	274/274 100.00%	YES	43 71.67%
YES	22,641 24.69%	NO	17 28.33%
		Total ...	60 100.00%

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

In the Matter of the Election Results for the)
Formation of the Yettem-Seville Community) **RESOLUTION NO. 18-0##**
Services District, LAFCO Case No. 1535)

WHEREAS, the Commission ordered the conditional formation of the Yettem-Seville Community Services District (CSD) subject to the confirmation of the registered voters within the approved boundaries in accordance with Section 57077(a)(1) of the Government Code on May 2nd, 2018 (Resolution 18-005); and

WHEREAS, the election for the conditional formation of the Yettem-Seville CSD and its five-member board was held on Tuesday, November 6th, 2018; and

WHEREAS, the Tulare County Elections Office released the final election results (attached) on XXXX, December #, with #% (# votes) for formation and #% (# votes) against formation (Measure Q).

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

1. The formation of the Alpaugh Community Services District was affirmed by the registered voters within the new district subject to the conditions as specified in LAFCO Resolution 18-005.

The forgoing resolution was adopted upon motion of Commissioner X, seconded by Commissioner X, at a regular meeting held on this 5th day of December 2018, 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 St., Suite B, Visalia, CA 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

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

December 5, 2018

ALTERNATES:
*Mike Ennis
Carlton Jones
Dennis Mederos*

To: LAFCO Commissioners and Alternates
From: Ben Giuliani, Executive Officer
Subject: Alternate Public Member Selection Process

EXECUTIVE OFFICER:
Ben Giuliani

BACKGROUND

Public Members of the Commission are appointed to four-year terms of office and may be reappointed. Government Code §56325 states the Commission shall include:

(d) One representing the general public appointed by the other members of the commission. The other members of the commission may also designate one alternate member who shall be appointed and serve pursuant to Section 56331. Selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities. Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.

The Tulare County LAFCO Policy A-4 outlines the process for Selection of Public Members.

4.4 Public Member Selection and Appointment Policy

The method for selecting the Public Member and Alternate Public Member should be equitable, efficient and clearly articulated for all concerned.

- A. In accordance with GC §56334, the term of office for the Public Member and Alternate Public Member shall be four years to expire on the first Monday in May or upon the qualification of the Commissioner's successor. The terms of office of the Public Member and Alternate Public Member shall be staggered by two years. The first full term for the Alternate Public Member shall begin on the first Monday in May, 1996.
- B. At least two months prior to the expiration of the term of office, the Executive Officer shall seek application to the position from the community at large. Reasonable effort shall be taken to advertise the opening of the broadest selection of candidates possible. Candidates should be encouraged to submit a resume and statement regarding their

qualifications and interest in serving on the Commission. This does not preclude the incumbent Public or Alternate Public Member from applying for appointment.

- C. At least one month prior to the expiration of the term of office, the Commission shall appoint a selection committee consisting of one County Member and one City Member. The committee will consider any materials submitted by the applicants and may conduct interviews of the candidates. It is anticipated that the candidates will be asked to present their qualification in an initial statement to be followed by questions from the members of the selection committee. Following this process, the committee will select a candidate to recommend to the commission. The Executive Officer will place the matter of the selection of the Public member or Alternate Public Member on the agenda of a regular meeting of the Commission. The recommendation of the selection committee will be presented to the Commission at the meeting. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.
- D. The application and selection process as outlined above shall begin immediately following a Commission determination that a Public Member or Alternate Public Member position has become vacant before the expiration of the term.

DISCUSSION

Alternate Public Member Dennis Mederos won election to the City of Tulare Council and will no longer be eligible to serve as the Alternate Public Member to LAFCO as of December 4th or 18th, 2018 (depending on when the election results are certified and when the City of Tulare swears in new Council members).

Listed below is the proposed timeline for the selection and appointment of the Alternate Public Member for the remainder of the term from May 2, 2016 to May 4, 2020.

- 12/5/18 The Commission appoints a selection committee consisting of one County of Tulare member and one City member.
- 12/6/18 to Advertise the Alternate Public Member position to the public.
1/18/18
- 1/19/18 to The selection committee reviews applications, interviews as necessary and
1/30/18 selects a candidate to recommend to the Commission.
- 2/6/18 The Commission takes action to appoint the Alternate Public Member.
(Note: the appointment of the Public Member shall be subject to the affirmative vote of at least one County member and one City member.)

RECOMMENDATION

It is recommended that the Commission determine that the Alternate Public Member position has become vacant (or will become vacant on December 18th) and take action to appoint the members of the Alternate Public Member Selection Committee consisting of one County member and one City member.

Attachment:
Resolution

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

For the Alternate Public Member position due to expire on May 4, 2020, Commissioner _____ (County Member) and Commissioner _____ (City Member) are hereby appointed to the Selection Committee. The Committee will be charged with selecting a candidate to recommend to the Commission. The recommendation of the Selection Committee will be presented to the Commission at a regular meeting of the Commission. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.

The forgoing resolution was adopted upon motion of Commissioner XXXXX, seconded by Commissioner XXXX, at a regular meeting held on this 5th day of December, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church St., Suite B, Visalia, CA 93291 (559) 623-0540 FAX (559) 733-6720

COMMISSIONERS:
Julie Allen, Chair
Cam Hamilton, V-Chair
Steve Worthley
Rudy Mendoza
Pete Vander Poel,

December 5, 2018

ALTERNATES:
Mike Ennis
Carlton Jones
Dennis Mederos

TO: All LAFCO Commission Members and Alternates

EXECUTIVE OFFICER:
Ben Giuliani

FROM: Ben Giuliani

SUBJECT: Election of Officers for 2019

Commission Policy A-4 requires that the LAFCO Chair and Vice-Chair be annually chosen on a rotating basis so that all members will have an equal opportunity to serve as an officer. This has typically been rotated between City-County-Public members. Using the typical rotation, City representative Cam Hamilton is scheduled to be Chair and County representative Steve Worthley was scheduled to be selected as Vice-Chair. Due to Commissioner Worthley's retirement, a different Vice-Chair will need to be selected. The terms of office for chair and vice-chair shall be one year from January 31 to December 31.

2019 Member Roster

<u>Member</u>	<u>Term Expires</u>
To be determined (County Commissioner)	May 2020
Pete Vander Poel (County Commissioner)	May 2019
Julie Allen (Public Commissioner)	May 2022
Cameron Hamilton (City Commissioner)	May 2020
Rudy Mendoza (City Commissioner)	May 2019
<i>To be determined</i> (County Alternate)	May 2021
<i>Carlton Jones</i> (City Alternate)	May 2021
<i>To be determined</i> (Public Alternate)	May 2020

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2019 Events Calendar

JANUARY

- 16-18 League New Mayor & Council Academy (Sacramento)
- 23-25 CA Assn. of Sanitation Agencies Conference (Palm Springs)
- 25 CALAFCO Legislative Committee (San Diego)**
- 30-2/1 League New Mayor & Council Academy (Irvine)

FEBRUARY

- 22 CALAFCO Legislative Committee (Sacramento)**
- 28 CALAFCO Board of Directors Strategic Planning Retreat (Irvine)**

MARCH

- 1 CALAFCO Board of Directors Meeting (TBD)**
- 13 Assn. of CA Water Agencies Legislative Symposium (Sacramento)
- 14-17 Local Government Commission Ahwahnee Conference (Yosemite)
- 22 CALAFCO Legislative Committee (San Diego)**

APRIL

- 3-5 Fire District Assn. Annual Meeting (Monterey)
- 10-12 CALAFCO Staff Workshop (San Jose)**
- 24 League of Cities Legislative Day (Sacramento)
- 24-25 CA State Assn. of Counties Legislative Days (Sacramento)

MAY

- 3 CALAFCO Legislative Committee (Sacramento)**
- 10 CALAFCO Board of Directors Meeting (Sacramento)**
- 7-10 Assn. of CA Water Agencies Conference (Monterey)
- 21 CA Special Districts Assn. Legislative Days (Sacramento)

JUNE

- 7 CALAFCO Legislative Committee (Conference call)**
- 19-21 League Mayor & Council Executive Forum (Newport Beach)

JULY

- 26 CALAFCO Legislative Committee (Conference call)**

AUGUST

- 9 CALAFCO Board of Directors Meeting (San Diego)**
- 21-23 CA Assn. of Sanitation Agencies Annual Conference (San Diego)

SEPTEMBER

- 25-27 Regional Council of Rural Counties Annual Conference (South Lake Tahoe)
- 25-28 CA Special Districts Assn. Annual Conference (Anaheim)

OCTOBER

- 11 CALAFCO Legislative Committee (2020) (Conference call)**
- 16-18 League Annual Conference (Long Beach)
- 30-31 CALAFCO Annual Conference (Sacramento)**
- 31 CALAFCO Annual Business Meeting (Sacramento)**

NOVEMBER

- 1 CALAFCO Annual Conference (Sacramento)**
- 1 CALAFCO Board of Directors Meeting (Sacramento)**
- 15 CALAFCO Legislative Committee (2020) (Sacramento)**

DECEMBER

- 3-6 CA State Assn. of Counties Annual Conference (San Francisco)
- 3-6 Assn. of CA Water Agencies Conference (San Diego)
- 13 CALAFCO Board of Directors Meeting (Sacramento)**

DEADLINES

JANUARY							
	S	M	T	W	TH	F	S
			1	2	3	4	5
Wk. 1	6	7	8	9	10	11	12
Wk. 2	13	14	15	16	17	18	19
Wk. 3	20	21	22	23	24	25	26
Wk. 4	27	28	29	30	31		

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28		

MARCH							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30
Wk. 1	31						

APRIL							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
Spring Recess	14	15	16	17	18	19	20
Wk. 3	21	22	23	24	25	26	27
Wk. 4	28	29	30				

MAY							
	S	M	T	W	TH	F	S
Wk. 4				1	2	3	4
Wk. 1	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
No Hrgs.	26	27	28	29	30	31	

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 7** Legislature reconvenes (J.R. 51(a)(1)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 21** Martin Luther King, Jr. Day.
- Jan. 25** Last day to submit **bill requests** to the Office of Legislative Counsel.

- Feb. 18** Presidents' Day.
- Feb. 22** Last day for bills to be **introduced** (J.R. 61(a)(1), J.R. 54(a)).

Mar. 29 Cesar Chavez Day observed.

- Apr. 11** **Spring Recess** begins upon adjournment (J.R. 51(a)(2)).
- Apr. 22** Legislature reconvenes from Spring Recess (J.R. 51(a)(2)).
- Apr. 26** Last day for **policy committees** to meet and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(a)(2)).

- May 3** Last day for **policy committees** to meet and report to the floor **non-fiscal bills** introduced in their house (J.R. 61(a)(3)).
- May 10** Last day for **policy committees** to meet prior to June 3 (J.R. 61(a)(4)).
- May 17** Last day for **fiscal committees** to meet and report to the floor bills introduced in their house (J.R. 61(a)(5)). Last day for **fiscal committees** to meet prior to June 3 (J.R. 61(a)(6)).
- May 27** Memorial Day.
- May 28-31** **Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees (J.R. 61(a)(7)).
- May 31** Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).

*Holiday schedule subject to final approval by Rules Committee.

JUNE							
	S	M	T	W	TH	F	S
No Hrgs.							1
Wk. 4	2	3	4	5	6	7	8
Wk. 1	9	10	11	12	13	14	15
Wk. 2	16	17	18	19	20	21	22
Wk. 3	23	24	25	26	27	28	29
Wk. 4	30						

June 3 Committee meetings may resume (J.R. 61(a)(9)).

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).

JULY							
	S	M	T	W	TH	F	S
Wk. 4		1	2	3	4	5	6
Wk. 1	7	8	9	10	11	12	13
Summer Recess	14	15	16	17	18	19	20
Summer Recess	21	22	23	24	25	26	27
Summer Recess	28	29	30	31			

July 4 Independence Day.

July 10 Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(a)(10)).

July 12 Last day for **policy committees** to meet and report bills (J.R. 61(a)(11)).

Summer Recess begins upon adjournment, provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST							
	S	M	T	W	TH	F	S
Summer Recess					1	2	3
Summer Recess	4	5	6	7	8	9	10
Wk. 2	11	12	13	14	15	16	17
Wk. 3	18	19	20	21	22	23	24
Wk. 4	25	26	27	28	29	30	31

Aug. 12 Legislature reconvenes from Summer Recess (J.R. 51(a)(3)).

Aug. 30 Last day for **fiscal committees** to meet and report bills (J.R. 61(a)(12)).

SEPTEMBER							
	S	M	T	W	TH	F	S
No Hrgs.	1	2	3	4	5	6	7
No Hrgs.	8	9	10	11	12	13	14
Interim Recess	15	16	17	18	19	20	21
Interim Recess	22	23	24	25	26	27	28
Interim Recess	29	30					

Sept. 2 Labor Day.

Sept. 3-13 Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees (J.R. 61(a)(13)).

Sept. 6 Last day to **amend** bills on the floor (J.R. 61(a)(14)).

Sept. 13 Last day for any bill to be passed (J.R. 61(a)(15)). **Interim Recess** begins upon adjournment (J.R. 51(a)(4)).

IMPORTANT DATES OCCURRING DURING INTERIM RECESS

2019

Oct. 13 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 13 and in the Governor's possession after Sept. 13 (Art. IV, Sec. 10(b)(1)).

2020

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 6 Legislature reconvenes (J.R. 51(a)(4)).

*Holiday schedule subject to final approval by Rules Committee.

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Mr. Benjamin Giuliani, Executive Officer
**TULARE COUNTY LOCAL AGENCY
FORMATION COMMISSION**
210 North Church Street, Suite B
Visalia, California 93291
559-623-0450

November 21, 2018
Via U.S. Mail and Fax:
559-733-6720

RE: *Public Records Request Pertaining to Discussions with State, Pertaining to East Orosi Community Services District.*

Dear Mr. Giuliani:

Pursuant to the California Constitution and Government Code §§ 6250 et seq., this office hereby submits this public records request for copies of the following public records in **electronic** (c.g. PDF, Microsoft Word, .TIF, .TIFF, Excel, Microsoft Outlook, Gmail, MP3, MP4, etc.) format:

1. Copies of each and all writings sent by YOU to any employee, officer, agent or other representative of the State Water Resources Control Board (“SWRCB”), including without limitation its Division of Drinking Water in Fresno, California, pertaining in any way to East Orosi Community Services District, Orosi Public Utility District and/or Self-Help Enterprises, Inc. Please include, without limitation, all electronic mail and hardcopy correspondence to or from Chad Fischer, Caitlin Juarez, Marina Perez, Carl L. Carlucci, Kurt Souza and/or Brenda Pauli;
2. Copies of each and all writings received by YOU from any employee, officer, agent or other representative of the State Water Resources Control Board (“SWRCB”), including without limitation its Division of Drinking Water in Fresno, California, pertaining in any way to East Orosi Community Services District, Cutler Public Utility District, Orosi Public Utility District and/or Self-Help Enterprises, Inc. Please include, without limitation, all electronic mail and hardcopy correspondence to or from Chad Fischer, Caitlin Juarez, Marina Perez, Carl L. Carlucci, Kurt Souza and/or Brenda Pauli;

Mr. Benjamin Giuliani, Executive Officer

Re: *Public Records Request Pertaining to Discussions with State, Pertaining to East Orosi Community Services District.*

November 21, 2018

Page 2 of 3

3. Copies of each and all writings (e.g. internal memoranda and emails, staff reports, etc.) which to any degree whatsoever relate to each planned, actual or potential change of organization for East Orosi Community Services District, Cutler Public Utility District and/or Orosi Public Utility District;
4. Copies of each and all writings which in any way relate to a meeting between YOU and the SWRCB which occurred on or about April 18, 2017, including each and all of the writings leading up to and following that meeting and including any written materials and correspondence from Caitlin Juarez, SWRCB Consolidation Coordinator; and
5. A copy of each and all fee studies, proposed resolutions and other writings considered by the YOUR governing board of commissioners in connection the adoption of a fee to be charged for duplication of public records requested by members of the public.

“YOU” and “YOUR” refers to the Tulare County Local Agency Formation Commission (“LAFCo”) and its staff, employees, appointed officials, elected officials, consultants and agents. The definition of “writing” within the California Evidence Code section 250 shall apply. The requested items above apply to rental housing which received rental subsidies in the past and/or is now receiving them, regardless of whether or not rental subsidies are presently paid for such rental property. Unless a particular request above specifies a different timeframe, in which case such different timeframe shall be applicable, the period covered by this request is **January 1, 2016** through the date on which you provide the requested public records.

You may redact only such portion(s) of any public record for which there is a valid exemption which expressly exists within the Public Records Act. The balance and remainder of that record(s) is subject to public disclosure and copying.

For each redaction made and each document not disclosed, we ask that you please identify which particular exemption you are relying upon and why that exemption allegedly applies to the particular information which you are not disclosing. For each entire document which your agency claims is exempt, please provide the title of the document and its date, in addition to the specific exemption claimed. Otherwise, please provide the entire document with appropriate redactions, even if that means the entire body of text is redacted and only the date and other non-exempt and non-substantive information items remain unredacted.

Mr. Benjamin Giuliani, Executive Officer

Re: *Public Records Request Pertaining to Discussions with State, Pertaining to East Orosi Community Services District.*

November 21, 2018

Page 3 of 3

If any of the requested records do not exist in electronic or digital data format, we ask that you please provide the date and time when the hardcopies will be made available for live inspection and for the estimated cost for copying all of the hardcopies which do not exist in electronic format. To be clear, for documents not available in electronic format, we ask that you provide to us three dates and times when you will make the original hardcopies of those particular items available to us for a live inspection at your offices and we want to know now, in advance, what the estimated cost is for this office to obtain copies of them.

By check, we will pay for the estimated direct duplication cost which are appropriate under State law for hardcopies and, as to any overpayment, this office will expect a full refund to be issued via a valid warrant approved by your governing body.

Please contact me within ten (10) days, as required by Government Code § 6253(c), to let me know if the records will be provided or if you need additional time. When the records are ready, please send the requested items to my attention at PRAR@CentralValleyLegal.com.

Best regards,



MOSES DIAZ, Esq.

enclosure(s): none.
CC: (privileged)