



# 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  
Rudy Mendoza, Vice-Chair  
Dennis Townsend  
Phil Cox  
Pete Vander Poel

## LAFCO MEETING AGENDA

April 7, 2021 @ 2:00 P.M.

ALTERNATES  
Eddie Valero  
Fred Sheriff  
Steve Harrell

EXECUTIVE OFFICER  
Ben Giuliani

NOTE: This meeting will allow Board Members and the public to participate in the meeting via Teleconference, pursuant to the Governor’s Executive Order N-29-20 (March 17, 2020), available at <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf>

The toll free call-in number for this meeting is: 888-475-4499 | Meeting ID: 876 2737 6776 | Passcode: 399803

Executive Order N-29-20 requires agencies holding meetings via teleconferences to designate a publicly accessible location from which members of the public may observe and provide public comment. Although members of the public are encouraged to participate via teleconference, LAFCo has designated the following physical location for public participation:

BOARD OF SUPERVISORS CHAMBERS | COUNTY ADMINSTRATIVE BUILDING  
2800 West Burrel Avenue  
Visalia, CA 93291

I. Call to Order

II. Approval of Minutes from March 3, 2021 (Pages 1-4)

III. Public Comment Period

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

IV. New Action Items

1. Annexation to the City of Dinuba and Detachment from Kings River Conservation District and from County Service Area #1, Case 1555-D-62 (Pages 05-18)

[Public Hearing] .....Recommended Action: Approval

The City of Dinuba has submitted a request for an annexation to the City of Dinuba and detachment from Kings River Conservation District and from County Service Area #1 for approximately 7.28 acres of land located northwest of the intersection of El Monte Way and Randle Avenue. A Negative Declaration has been prepared in compliance with CEQA by the City of Dinuba.

**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**

2. Detachment from Porterville Irrigation District, Case 1556 (PID) **(Pages 19-28)**  
*[Public Hearing].....Recommended Action: Approval*

A landowner has submitted a request for a detachment from the Porterville Irrigation District. The proposal area is for approximately 15.2 acres of land located at 19628 Ave. 144. Tulare County LAFCO has prepared a Notice of Exemption in compliance with CEQA for this request.

3. Annexation to the City of Visalia and Detachment from County Service Area #1, Case 1557-V-454 **(Pages 29-46)**  
*[Public Hearing] .....Recommended Action: Approval*

The City of Visalia has submitted a request for an annexation to the City of Visalia and detachment from County Service Area #1 for approximately 19.61 acres of land located approximately 300 feet northeast of the intersection of Akers Street and Sedona Avenue. A Negative Declaration has been prepared in compliance with CEQA by the City of Visalia.

4. 2021/2022 Preliminary Budget and Work Program **(Pages 47-68)**  
*[Public Hearing].....Recommended Action: Approval*

Pursuant to GC 56381, the Commission must adopt a proposed budget and work program, for the following fiscal year, by May 1. The Commission must also decide the amount of reserve funds, if any, it would like to apply in order to offset the contribution from the County's eight cities and Tulare County. All expenditures and revenues are itemized on a single spreadsheet and the work program.

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

1. Legislative Update **(Pages 69-80)**  
Enclosed is the CALAFCO legislative report.
2. Upcoming Projects **(No Page)**  
The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO projects.

## **VI. Correspondence**

1. None

## **VII. Other Business**

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

## **VIII. Setting Time and Place of Next Meeting**

1. May 5, 2021 @ 2:00 P.M in the Board of Supervisors Chambers in the County Administration Building.

## **IX. Adjournment**

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

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION**

**2800 W. Burrel Ave., Visalia, CA 93291 – Tulare County Administrative Building  
March 03, 2021 – Meeting Minutes**

**Members Present:** Allen, Vander Poel, Townsend, Mendoza, Cox  
**Members Absent:**  
**Alternates Present:** Valero  
**Alternates Absent:** Sheriff, Harrell  
**Staff Present:** Giuliani, Ingoldsby, Gallo, & Kane recording  
**Counsel Present:** Matt Pierce

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- I. **Call to Order:** Commissioner Vander Poel called the meeting to order at 2:01 p.m.
- II. **Approval of the January 20, 2021 Meeting Minutes:**  
Upon motion by Commissioner Townsend 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 2:05 p.m. No public comments received.
- IV. **New Action Items:**
  1. **Annexation to the City of Woodlake and the Woodlake Fire Protection District and Detachment from County Service Area #1, Case 1554-W-26**  
Staff Analyst Ingoldsby presented the proposed annexation of approximately 77 acres to the City of Woodlake and to the Woodlake Fire Protection District. Staff Analyst Ingoldsby stated that the annexation area is intended to facilitate the development of a 20-acre city park and recreation trail, with the remaining land set aside for single family residential use. The needs of residential land supply were highlighted and discussed along with the governmental services that would be provided.  
Chair Allen opened the Public Hearing at 2:19 p.m.  
Kimberly McMMain, a local Woodlake resident requested additional clarifying information on how the project would affect local residents.  
Jason Waters, with the City of Woodlake spoke in support of the project.  
Chair Allen closed the Public Hearing at 2:25 p.m.

Upon motion by Commissioner Townsend and seconded by Commissioner Cox, the Commission unanimously approved the annexation to the City of Woodlake and the Woodlake Fire Protection District as presented.

2. **Election of LAFCO Vice-Chair**  
Chair Allen provided background on the rotation of Commissioner positions that serve as Chair and Vice-Chair and led the discussion amongst the Commissioners. It was identified that a City Commissioner should be elected Vice-Chair if the current rotation was to be maintained.

Upon motion by Commissioner Vander Poel and seconded by Commissioner Cox, the Commission unanimously approved Commissioner Mendoza to serve as the LAFCO Vice-Chair.

**V. Executive Officer's Report**

1. **Selma-Kingsburg-Fowler County Sanitation District Annexation**

EO Giuliani reported that the Fresno County LAFCO approved an annexation to the Selma-Kingsburg-Fowler County Sanitation District that contains the Anderson Village subdivision on the border of the City of Kingsburg in Tulare County and that this was the same area that Tulare County LAFCO approved the extension of domestic water services from the City of Kingsburg during the April 2019 meeting.

2. **Legislative Update:**

EO Giuliani highlighted AB 339 State and local government: open meetings proposed bill that would require continued remote participation in public hearings and meetings and would also require stipulations for closed caption and mandatory expanded translation services.

Commissioner Allen stated that some emerging themes besides virtual meetings also included legislative items that pertained to fire hazard severity and fire risk due to climate change.

Commissioner Mendoza requested that EO Giuliani inform the Commission on any legislation dealing with water, water restrictions, or water use when or if they come up.

3. **Extraterritorial Service Agreements**

EO Giuliani provided a copy of a letter of approval of the ESA agreement No. 2021-01 that was sent out with delegated authority and highlighted the condition of approval. The agreement permits the City of Tulare to provide domestic water service to two existing residences on Zumwalt Ave.

4. **Upcoming Projects:**

EO Giuliani stated the for the April LAFCO meeting would be presenting a small commercial annexation for the City Dinuba, a parcel detachment from the Porterville Irrigation District, one residential annexation near Akers and Riggins Ave. in the City of Visalia, and the draft budget for fiscal year 2021-22.

**VI. Correspondence:**

1. State Water Resources Control Board (SWRCB)

EO Giuliani shared that the SWRCB issued letters to the East Orosi CSSD and Orosi PUD requiring the districts to immediately submit a consolidation plan and quarterly report for review and approval. EO Giuliani provided background of the ongoing process that has been ongoing for quite sometime and reported that to his knowledge neither district had submitted a consolidation plan within the timeline given in the SWRCB's mandatory consolidation order.

Commission Valero provided a more recent status stating that he had been informed that both entities are now meeting to try and work together to move forward on this consolidation.

**VII. Other Business:**

1. **Commissioner Report:**

Commissioner Mendoza announced that lots of new work had been completed in the Woodlake Botanical Gardens and invited all to check it out.

2. **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 **April 7, 2021 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 2:43 p.m.

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

*April 7, 2021*

**LAFCO Case Number 1555-D-62  
City of Dinuba Reorganization 2020-01 (E. El Monte Way)**

- PROPOSAL:** Annexation to the City of Dinuba and detachment from the Kings River Conservation District and from CSA #1.
- PROPONENT:** The City of Dinuba by resolution of its City Council.
- SIZE:** 7.28 acres
- LOCATION:** North side of E. El Monte Way between the existing city boundary and Road 92. **(Figure 1)**
- NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.
- SUMMARY:** The annexation area is intended to facilitate commercial development along the corridor as strategized in the City of Dinuba's East El Monte Economic Vitality and Community Sustainability Plan
- APNs:** There are 9 parcels in the subject area. See attached assessor's report for a list of the APNs. **(Figure 3)**

**GENERAL ANALYSIS**

**1. Land Use:**

*A. Site Information*

	<b>Existing (County)</b>	<b>Proposed (City)</b>
<b>Zoning Designation</b>	R-1 (County)	C-3 (Community Commercial)
<b>General Plan Designation</b>	Community Residential Commercial and Medium High Density	Community Commercial
<b>Uses</b>	Single family homes, vacant land, limited agriculture	No immediate change. Changes would be compatible with the City's East El Monte Economic Vitality and Community Sustainability Plan

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

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	R-A (County)	Community Commercial and Medium Density Residential	Agriculture
<b>South</b>	C-D (Community Commercial)	Community Commercial	Commercial, shopping center
<b>East</b>	R-1 (County)	General Commercial	Agriculture
<b>West</b>	C-3 (Community Commercial)	Community Commercial	Commercial, banquet facility

*C. Topography, Natural Features and Drainage*

The site is generally flat with no major natural features.

*D. Conformity with General Plans and Spheres of Influence:*

The site is consistent with the City’s General Plan, the East El Monte Economic Vitality and Community Sustainability Plan, and is within the City’s Sphere of Influence. The City amended its General Plan in October 2020 to designate four parcels of the subject area as “Community Commercial”. The parcels had previously been designated Medium High Density Residential.

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

The parcels within the site are not under a Williamson Act or Farmland Security Zone contract.

**3. Population:**

The estimated population of the proposal area is 23 persons based on the average household size for Dinuba per the 2015 Dinuba Housing Element. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area (the total number of registered voters is 7). Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

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

**Agency providing service**

Service	Now	After	Method of finance
Police Protection	Tulare County Sheriff’s Office	Dinuba Police Department	General Fund
Fire Protection	Tulare County Fire	Dinuba Fire Department	General Fund

Water Supply	Private wells and City of Dinuba	Private wells and City of Dinuba	Monthly usage bill / Impact fees
Sewage Disposal	Private septic and City of Dinuba	Private Septic Tanks and Woodlake City Sewer	Monthly usage bill / Impact fees
Street Lighting	Tulare County. Currently none are installed	City of Dinuba. Any new development will be required to install street lighting	City transportation fund/ developer financed
Street Maintenance	Tulare County	City of Dinuba	General Fund
Planning/Zoning	Tulare County	City of Dinuba	General Fund
Garbage Disposal	Pena Disposal	Penal Disposal	Monthly usage bill

Existing property owners will be allowed to continue to use private wells and septic systems until they fail, at which point they will be required to connect to the City of Dinuba water and sewer systems. Currently, there are two parcels connected to the city’s wastewater system and one parcel connected to the City’s water system. All new development is required to connect to the City of Dinuba water and sewer services. The costs of these connections will be covered by development/impact fees and ongoing services will be charged based on usage.

**5. Boundaries and Lines of Assessment:**

The boundaries of the proposal area are definite and certain but do not presently conform to the lines of assessment and ownership. The proposed boundary would bisect 2 different parcels (APNs 013-090-049 & 013-090-024). Following annexation, the city will complete the parcel map process for these parcels and align the parcel boundaries with the city limit boundary. Following this, the county assessor’s office will issue new APNs and the annexation will be filed with the State Board of Equalization.

**6. Assess Value, Tax Rates and Indebtedness:**

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

Land: \$741,442  
Improvements: \$512,181

**7. Environmental Impacts:**

The City of Dinuba is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and other planning documents, a Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

**8. Landowner Consent:**

Six of the nine parcel owners have provided written consent, the remaining three have not indicated any opposition. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. If no protests are received by the end of the public hearing, the Commission may waive the protest hearing. If protests are received by the end of the public hearing, a protest hearing will be held following the 30-day reconsideration period if the reorganization is approved.

**9. Regional Housing Needs Assessment (RHNA):**

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of regional housing needs as determined by the appropriate council of governments.

Directly, the proposal would have no effect on the City of Dinuba meeting its fair share of regional housing as no housing subdivisions are currently proposed for this site. However, the City's implementation of the E. El Monte Way Revitalization Plan is intended to facilitate additional development, initially economic development followed by demand for housing in the part of the city.

**10. Discussion:**

*East El Monte Economic Vitality and Community Sustainability Plan*

The east side of the City of Dinuba has experienced a lack of interest in development in recent decades while the west side of the City has seen substantial development during the same time period. In response to this concern, the City commissioned the preparation of the E. El Monte Way Revitalization Plan, which, among other strategies, recommends the annexation of land to facilitate additional development. The intended effect of the annexation is to initially promote economic development on the east side of Dinuba, which will in turn reinvigorate the demand for housing development in the area.

*Detachment from Kings River Conservation District*

The Kings River Conservation District provides flood protection, water quality, conservation, and power resources. As a matter of policy, when land located within the Kings River Conservation District is annexed into a city, it is detached from the District.

*Government Services*

The existing wastewater treatment plant is designed with a capacity of approximately 3.14 million gallons per day (mgd). The current flows range

between 1.9 mgd and 2.1 mgd. The City's water system maximum delivery capacity is 12.2 mgd while the maximum daily demand is approximately 5.9 mgd with the daily average demand of approximately 4.0 mgd.

Since there is no development proposal as part of this project there will be no immediate impact on the wastewater treatment plant capacity or the City's water system. However, reasonable development of the site in the future would be well within the City's capacity. The city estimates at current growth levels, the wastewater treatment plant will need to be expanded in 15-20 years.

The adequacy of governmental service will be improved within the subject area. The City already provides water and sewer to a number of the parcels and City fire and police are typically the first responders to the site for emergency calls.

### **RECOMMENDED ACTIONS:**

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

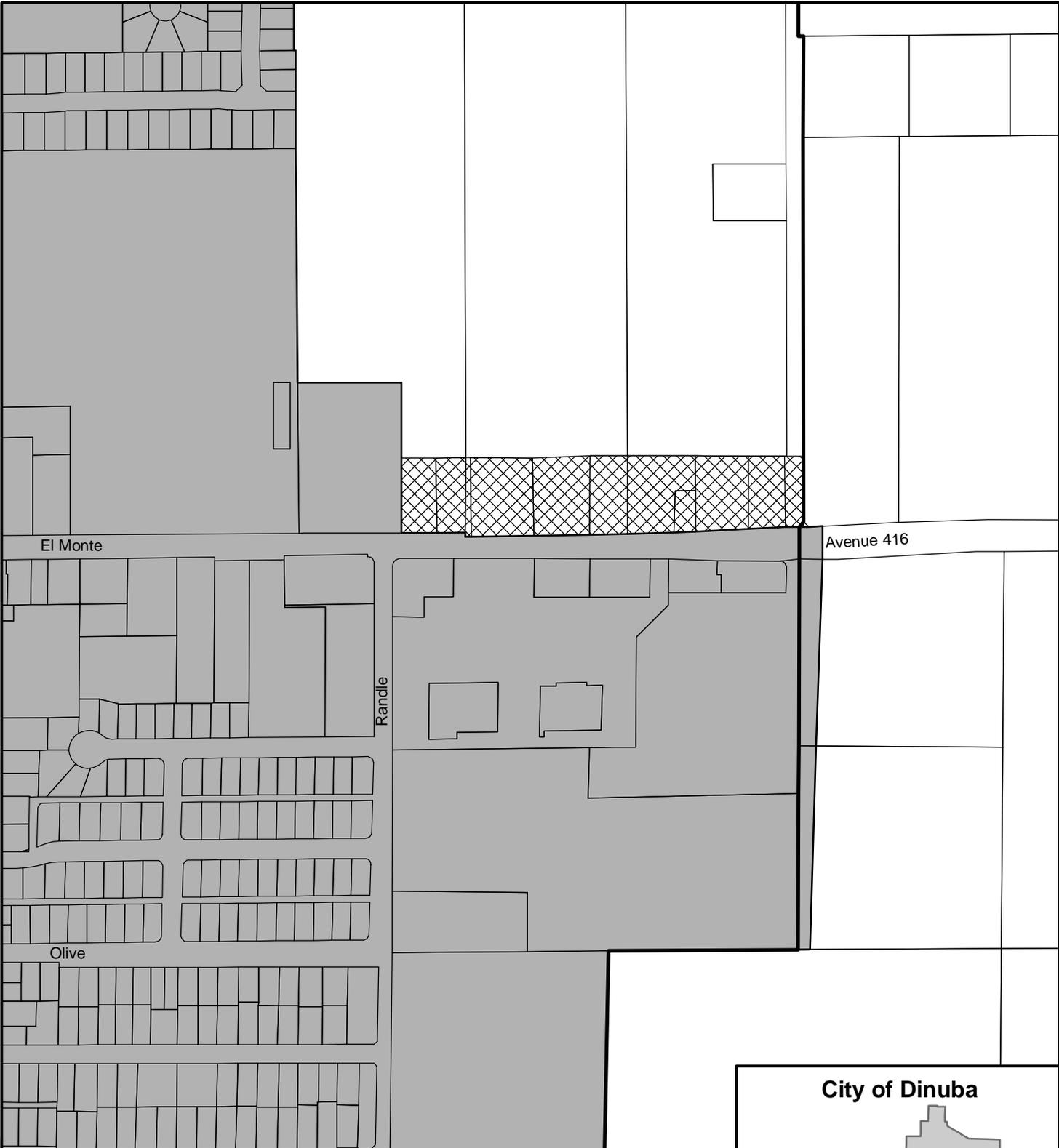
1. Certify that the Commission has reviewed and considered the Negative Declaration prepared by the City of Dinuba for this project and determine that the project will not have a significant effect on the environment.
2. Find that the proposed reorganization of the City of Dinuba complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, find that:
  - a. The boundaries of the proposed reorganization are definite and certain.
  - b. The proposed annexation is compatible with the City's General Plan.
  - c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
  - d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
  - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
  - f. All urban services and infrastructure can be provided for by the city.
4. Find that the annexation does not contain any Williamson Act contract land.

5. Find that the territory proposed for this reorganization is uninhabited.
6. Approve the proposed reorganization, to be known as LAFCO Case Number 1555-D-62, City of Dinuba Reorganization 2020-01 (E. El Monte Way) subject to the following conditions:
  - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
  - b. The City will split APNs 013-090-049 and 013-090-024 and provide an updated map with new APNs to be submitted to the BOE.
  - c. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.
7. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code §56663 and order the reorganization without an election or if written protests are received prior to the conclusion of the public hearing, conduct the protest hearing pursuant to GC §57000.
8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

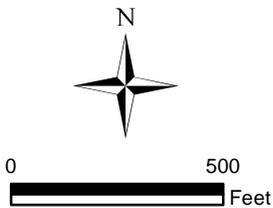
**Figures:**

- |          |                   |
|----------|-------------------|
| Figure 1 | Site Location Map |
| Figure 2 | Aerial            |
| Figure 3 | Assessor's Report |
| Figure 4 | Resolution        |

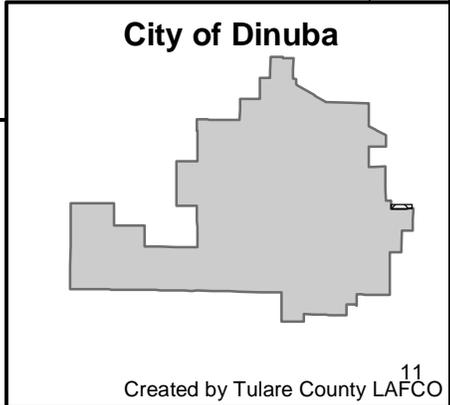
# LAFCO Case 1555-D-62



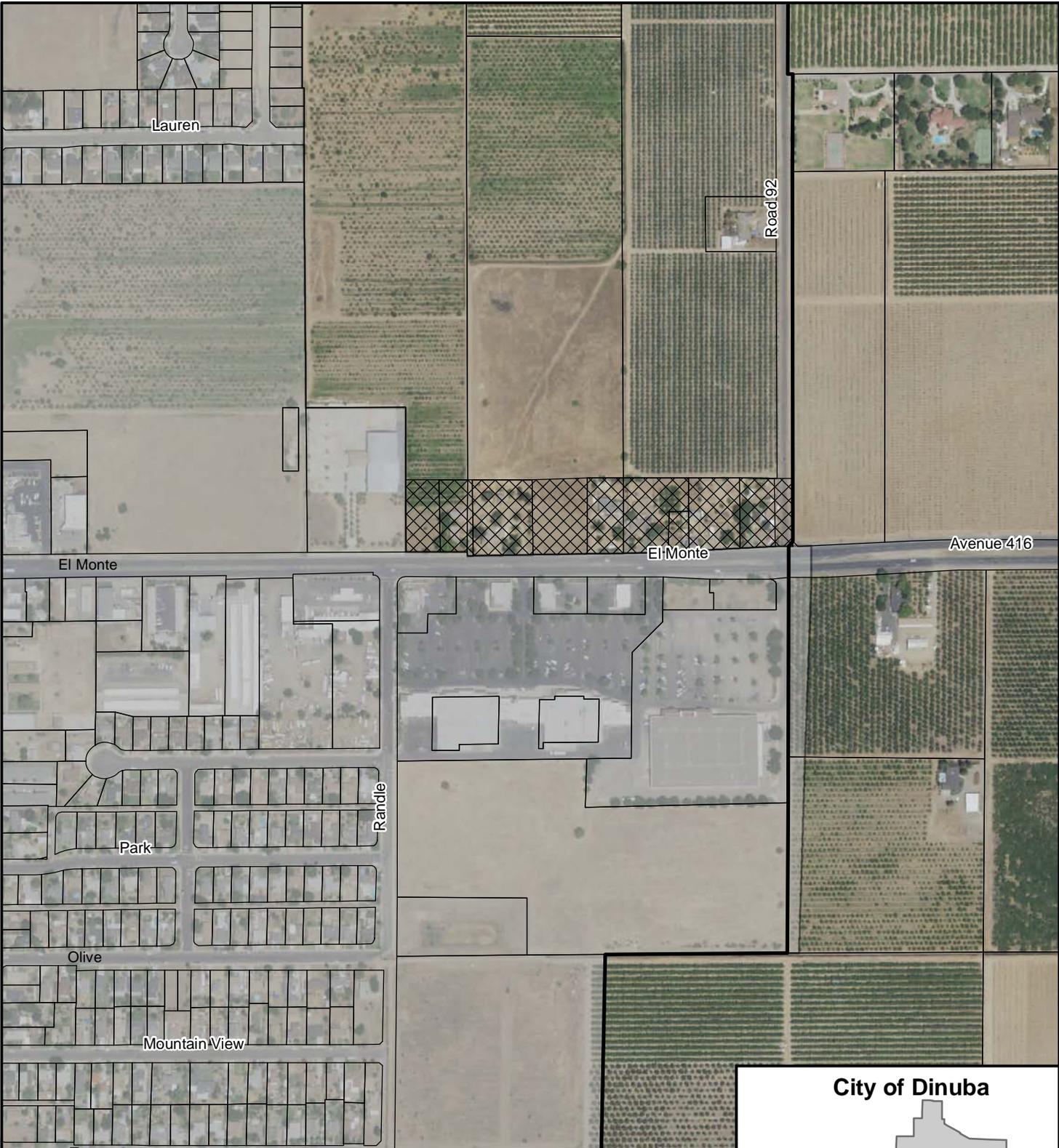
-  1555-D-62 Site Location
-  City of Dinuba
-  Dinuba Sphere of Influence
-  Parcels



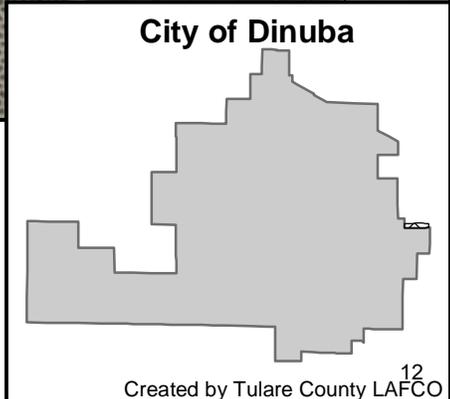
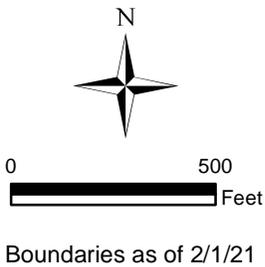
Boundaries as of 2/1/21



# LAFCO Case 1555-D-62



-  1555-D-62 Site Location
-  City of Dinuba
-  Dinuba Sphere of Influence
-  Parcels



# **ASSESSOR'S REPORT TO LAFCO & AUDITOR**

[Pursuant to Section 56386 of Government Code]

**LAFCO CASE NO.:** 1555-D-62

**PROPONENT:** CITY OF DINUBA

**DESCRIPTIVE TITLE:** LAFCO CASE #1555-D-62 PROPOSED ANNEXATION TO THE CITY OF DINUBA AND DETACHMENT FROM KINGS RIVER CONSERVATION DISTRICT AND FROM CSA #1

**1) Total Parcels Lying Entirely Within Proposed Boundaries:** 7

013-090-040, 013-090-039, 013-090-043, 013-090-044, 013-090-046, 013-090-023, 013-090-050

**2) Total Parcels Lying Only Partially Within Proposed Boundaries:** 2

013-090-024, 013-090-049

**3) a) Total Parcels in Aq Preserve and/or Contract:** 0

None

**b) If Case Is Annexation of Aq Preserve, Does Initiating Agency Address Issue:**

N/A

**4) a) Total Parcels Owned by Initiating Agency:** 0

None

**b) If Any, Were Parcels Acquired by Eminent Domain or Other Method:**

None

**5) Assessee's Names, Addresses, Tax Rate Areas and Values:**

Using the above-referenced Assessor's Parcel Numbers this information is available to you via the County's Property Information System ("PIMS") shared by our offices.

**6) Other Comments:**

None

Technician: \_\_\_\_\_ WAC \_\_\_\_\_

Date: \_\_\_\_\_ 02/09/2021 \_\_\_\_\_

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

In the Matter of the Proposed Annexation            )  
to the City of Dinuba and Detachment from        )  
the Kings River Conservation District and         )  
from CSA #1. LAFCO Case 1555-D-62,             )  
City of Dinuba Reorganization 2020-01 (E.        )  
El Monte Way)    )            **RESOLUTION NO. 21-XXX**

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

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

**WHEREAS**, on April 7, 2021 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, the report of the County Assessor, and the report and recommendations of the Executive Officer (including any corrections), have been received and considered in accordance with Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

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

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, material and facts presented by the following persons who appeared at the meeting and commented on the proposal:

XXXXXXX  
XXXXXXX

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. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited.
- b. The subject territory is within the Sphere of Influence of the City of Dinuba.

- c. The proposed reorganization does not contain any Williamson Act contract land.

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

- a. The boundaries of the proposed reorganization are definite and certain.
- b. The proposed annexation is compatible with the City's General Plan.
- c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. All urban services and infrastructure can be provided for by the city.

8. The Commission hereby waives the protest hearing proceedings in accordance with GC §56663 and orders the annexation without an election.

9. The Commission hereby approves the proposed reorganization of the territory described in Exhibit "A," attached hereto, subject to the following conditions:

- a. No change shall be made to land-use designations or zoning for a period of two years after completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstance that necessitate a departure from the designation or zoning.
- b. The City will split APNs 013-090-049 and 013-090-024 and provide an updated map with new APNs to be submitted to the BOE.
- c. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.

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

LAFCO Case No. 1555-D-62, City of Dinuba Reorganization 2020-01 (E. El Monte Way)

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

12. The Executive Officer to hereby authorized to sign and file a Notice of Determination with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner\_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 7th day of April, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

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Ben Giuliani, Executive Officer

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

*April 7, 2021*

**LAFCO Case Number 1556 (PID)**

**PROPOSAL:** Detachment of 19628 Ave. 144 from Porterville Irrigation District

**PROPONENT:** Cristobal Chavez, property owner.

**SIZE:** 15.2 acres

**LOCATION:** 19628 Ave. 144, Porterville, which is east of the unincorporated community of Poplar. **(Figure 1)**

**NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.

**SUMMARY:** The detachment is intended to eliminate assessments that the property owner pays to Porterville Irrigation District.

**APNs:** There is one APN, 273-070-014

**GENERAL ANALYSIS**

**1. Land Use:**

*A. Site Information*

	<b>Existing (County)</b>	<b>Proposed (County)</b>
<b>Zoning Designation</b>	AE-20	AE-20
<b>General Plan Designation</b>	Valley Agricultural	Valley Agricultural
<b>Uses</b>	Residential	Residential

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

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	AE-20	Valley Agricultural	Agriculture
<b>South</b>	AE-20	Valley Agricultural	Agriculture
<b>East</b>	AE-20	Valley Agricultural	Agriculture
<b>West</b>	AE-20	Valley Agricultural	Agriculture

*C. Topography, Natural Features and Drainage*

The site is generally flat with no major natural features.

*D. Conformity with General Plans and Spheres of Influence:*

The site is within Porterville Irrigation District's sphere of influence. Detachment of the site from the district would leave the site within the District's sphere of influence.

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

The parcels within the site are not under a Williamson Act or Farmland Security Zone contract.

**3. Population:**

The application states that there are nineteen persons in the proposal area. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

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

The service that Porterville Irrigation District performs is the provision of water. The applicant has a private well and septic system and does not wish to receive services provided by the district. All other public services to the site will continue to be provided by Tulare County.

**5. Boundaries and Lines of Assessment:**

The boundaries of the proposal area are definite and certain and conform to the lines of assessment and ownership. Porterville Irrigation District does not receive a portion of the property taxes, so the reorganization would not need to be filed with the Board of Equalization.

**6. Environmental Impacts:**

Tulare County LAFCO is the lead agency for this proposal. The reorganization is exempt under the "common sense" exemption because it can be seen with certainty that there is no possibility that the reorganization may have a significant effect of the environment (CEQA Guidelines Section 15061(b)(3)). The reorganization will not change the type, intensity, or manner of service that PID provides. Furthermore, the reorganization will not result in construction or other physical alternation of the environment because the reorganization will not require any new infrastructure or any change to the manner in which the property owner receives its water or in which PID delivers its water supplies. LAFCO staff

have prepared a Notice of Exemption in compliance with CEQA to be filed following the hearing.

**7. Landowner Consent:**

The reorganization request comes from the landowner Cristobal Chavez. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. If no protests are received by the end of the public hearing, the Commission may waive the protest hearing. If protests are received by the end of the public hearing, a protest hearing will be held following the 30-day reconsideration period if the reorganization is approved.

**8. Discussion:**

*Litigation Provision of Water*

The applicant has a private well and desires to detach their property from the district in order to avoid district assessments. District assessments to the property owner amount to approximately \$97.69 per acre. The litigation between the property owner and the district has been conditionally settled subject to a detachment of the property owner from the district. If detachment is approved, the litigation will be settled. If the detachment is not approved, then the district and the property owner will likely return to litigation.

**RECOMMENDED ACTIONS:**

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

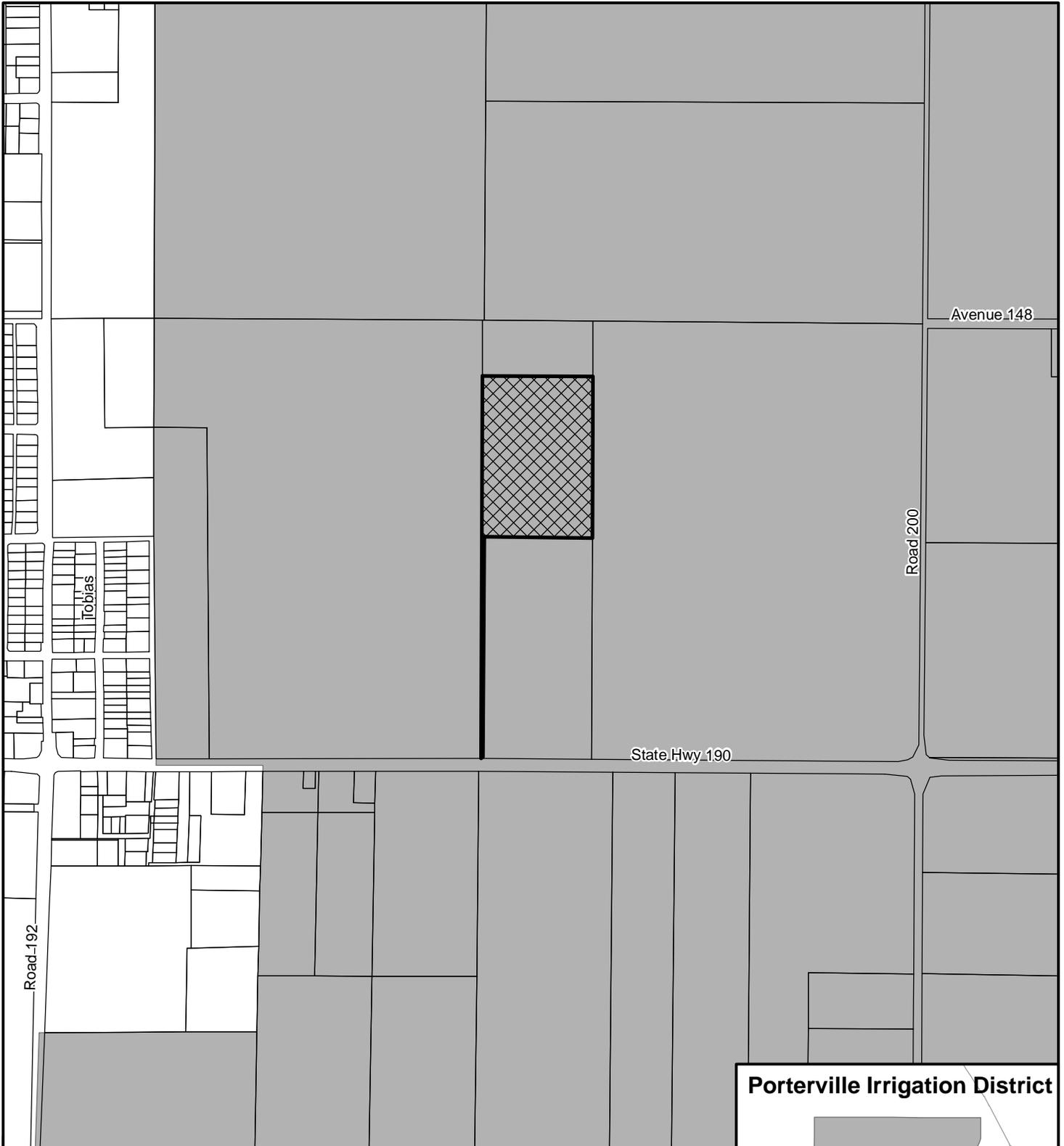
1. Determine that the project is exempt from CEQA under Section 15061(b)(3).
2. Find that the proposed detachment from the Porterville Irrigation District complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56001.
3. Pursuant to LAFCO Policy and Procedure Section C-1, determine that:
  - a. The boundaries of the proposed detachment are definite and certain.
  - b. The proposed detachment represents a logical and reasonable change of organization of the district.
  - c. The proposed detachment is compatible with the plans of the adjacent governmental agencies
4. Find that the territory proposed for this detachment is uninhabited.

5. Approve the proposed detachment, to be known as LAFCO Case Number 1556 (PID)
6. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code §56663 and order the detachment without an election or if written protests are received prior to the conclusion of the public hearing, conduct the protest hearing pursuant to GC §57000.
7. Authorize the Executive Officer to sign and file a Notice of Exemption with the Tulare County Clerk.

**Figures:**

- |          |                   |
|----------|-------------------|
| Figure 1 | Site Location Map |
| Figure 2 | Aerial            |
| Figure 3 | Resolution        |

# LAFCO Case 1556 (PID)



 Site Location 1556 (PID)

 Parcels

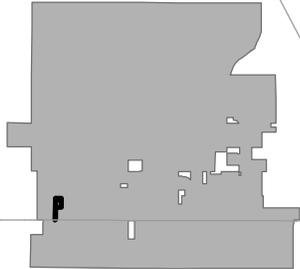
 Porterville Irrigation District





Boundaries as of 2/16/21

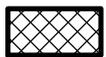
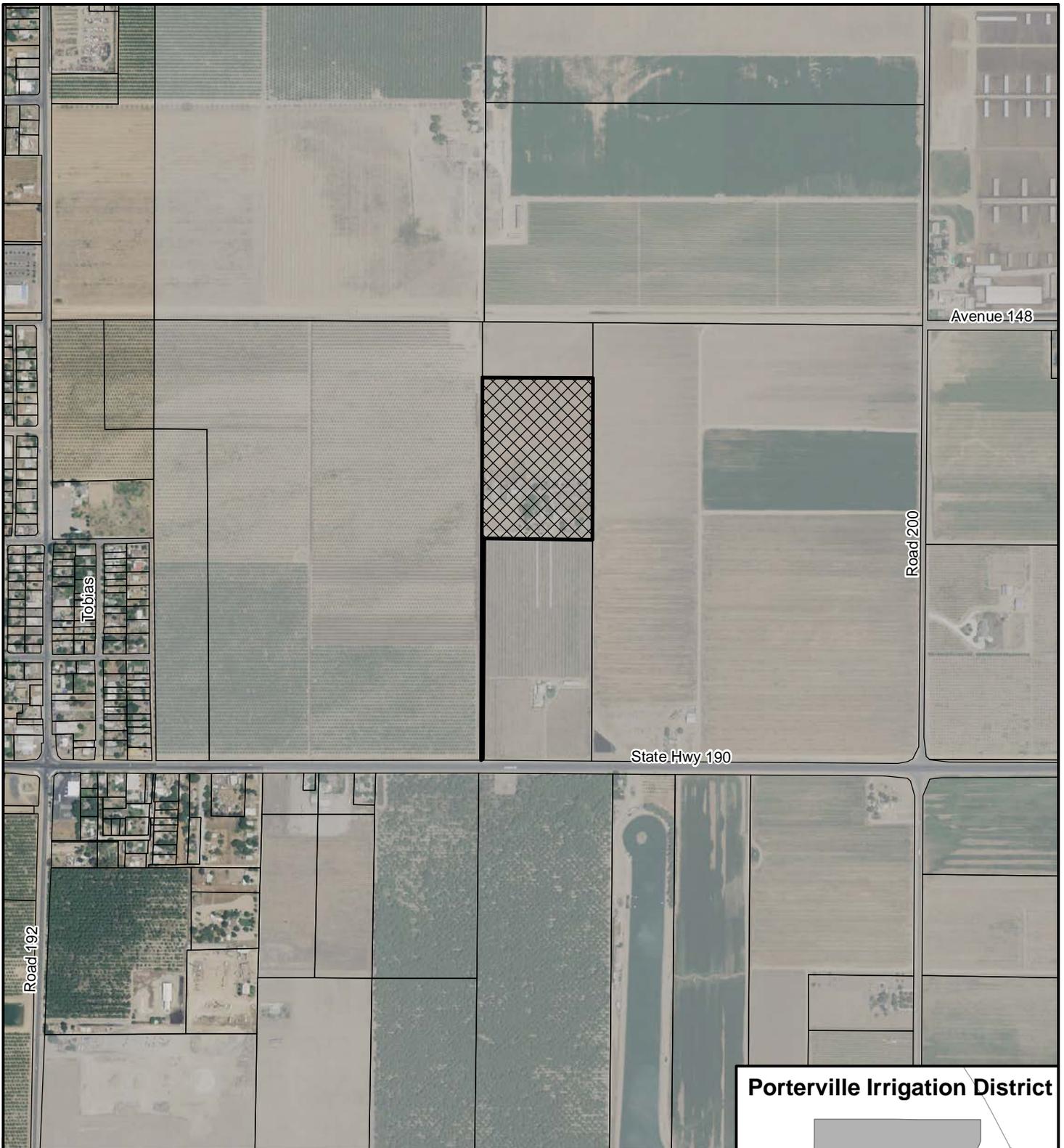
**Porterville Irrigation District**



Created by Tulare County LAFCO

23

# LAFCO Case 1556 (PID)



Site Location 1556 (PID)



Parcels

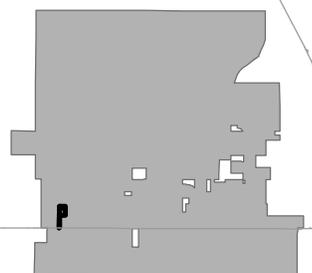


Porterville Irrigation District



Boundaries as of 2/16/21

## Porterville Irrigation District



Created by Tulare County LAFCO

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

In the Matter of the Proposed Detachment        )  
From the Porterville Irrigation District        )        **RESOLUTION NO. 21-XXX**  
LAFCO Case No. 1556 (PID)                        )

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

**WHEREAS**, this Commission has read and considered the 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 April 7, 2021 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

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

2. The Commission hereby determines the said detachment from the Porterville Irrigation District is Exemption from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3).

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

XXXXXXXXXX  
XXXXXXXXXX

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

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

- a. The boundaries of the proposed detachment are definite and certain and conform to lines of assessment.
- b. Fewer than 12 registered voters reside in the affected territory and 100% landowner consent was received.
- c. The territory proposed for this detachment is uninhabited.

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

- a. The proposed detachment represents a logical and reasonable change of organization of the district.
- b. The proposed changes are compatible with the plans of the adjacent governmental agencies.
- c. The proposal is consistent with the findings and declarations of GC §56001.

7. Waive the protest hearing for this proposal in accordance with GC §56663 and order the change of organization without an election *{if protests are not submitted by the close of the public hearing}* or Authorize the Executive Officer to conduct a protest hearing subsequent to these proceedings and to report to the Commission the results of that hearing for action in accordance with GC §§57000-57120 *{if protests are not submitted by the close of the public hearing}*.

8. The Commission hereby approves the proposed detachment of the territory shown in Exhibit "A" attached hereto.

9. The following short form designation shall be used throughout these proceedings: LAFCO Case No. 1556 (PID)

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

11. The Executive Officer is hereby authorized to sign and file a Notice of Exemption with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 7th day of April, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

---

Ben Giuliani, Executive Officer

si

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

*April 7, 2021*

**LAFCO Case Number 1557-V-454  
City of Visalia Annexation 2020-01 (Greystone)**

- PROPOSAL:** Annexation to the City of Visalia and detachment from CSA #1.
- PROPONENT:** The City of Visalia by resolution of its City Council.
- SIZE:** Approximately 19.61 acres
- LOCATION:** Approximately 300 feet northeast of the intersection of Akers St. and Sedona Ave. **(Figure 1)**
- NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.
- SUMMARY:** The annexation area is intended to facilitate a 63-lot single family residential subdivision.
- APNs:** There is one parcel within the subject area, 077-060-034.

**GENERAL ANALYSIS**

**1. Land Use:**

*A. Site Information*

	<b>Existing (County)</b>	<b>Proposed (City)</b>
<b>Zoning Designation</b>	AE-20	R-1-5 (Single-family residential)
<b>General Plan Designation</b>	Low Density Residential	Low Density Residential
<b>Uses</b>	Agriculture/Orchard	Tentative Subdivision Map (for single family residential)

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

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	AE-20 (County)	Low Density Residential	Orchard / Single family residential

<b>South</b>	R-M-2	Medium Density Residential	Vacant land / Approved development
<b>East</b>	R-1-5	Low Density Residential	Orchard
<b>West</b>	Quasi-Public	Public/Institutional	Ridgeview Middle School

*C. Topography, Natural Features and Drainage*

The site is generally flat with no major natural features. Modoc Ditch abuts the site to the north.

*D. Conformity with General Plans and Spheres of Influence:*

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

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

The parcels within the site are not under a Williamson Act or Farmland Security Zone contract. The site is in active agriculture production as an almond orchard.

**3. Population:**

The estimated population of the proposal area is zero. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

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

**Agency providing service**

Service	Now	After	Method of finance
Police Protection	Tulare County Sheriff	City of Visalia	General Fund
Fire Protection	Tulare County Fire (contract with City)	City of Visalia	General Fund
Water Supply	Private wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact / User Fee
Street Lighting	None	City of Visalia	General Fund
Street Maintenance	Tulare County	City of Visalia	General Fund
Planning/Zoning	Tulare County	City of Visalia	General Fund
Garbage Disposal	None	City of Visalia	Impact / User Fee

Cal-Water has provided a will-serve letter (**Figure 3**). The City can provide all other urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services. According to the City, it has more than adequate wastewater treatment capacity. The City's wastewater treatment plant has a capacity of 22 million gallons per day (mgd). Current estimated average daily flow is about 13 mgd. Other undeveloped areas within the city limits add the potential for .0.5 to 1.0 mgd. The annexation would add an estimated 0.01911 mgd.

The City currently maintains Akers Street which provides access to the annexation area. Annexation will allow Akers Street (a designated arterial road) to be fully developed and maintained by the City.

**5. Boundaries and Lines of Assessment:**

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

**6. Assess Value, Tax Rates and Indebtedness:**

The 2020/21 tax rate for the area is 1.064774. Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land: \$571,048  
Improvements: \$263,910

**7. Environmental Impacts:**

The City of Visalia is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and other planning documents, a Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

**8. Landowner Consent:**

The landowner has provided signed consent to annexation. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. If no protests are received by the end of the public hearing, the Commission may waive the protest hearing. If protests are received by the end of the public hearing, a protest hearing will be held following the 30-day reconsideration period if the reorganization is approved.

**9. Regional Housing Needs Assessment (RHNA):**

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of

regional housing needs as determined by the appropriate council of governments.

Sixty-three single family units are proposed for development and are intended to serve the "Moderate" category. A tentative parcel map has been filed with the City of Visalia.

2014-2023 City of Visalia RHNA

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

**10. Discussion:**

Residential Land Supply

The site is pre-zoned for low density residential. A tentative map for a 63-lot residential subdivision has been filed with the City of Visalia.

The City currently has a 5.2 year supply of residential land. If this project is approved, the amount would increase to a 5.3 year supply. This amount assumes a historical population growth rate of 2.52% per year and the current population density of 11.08 people per acre. The City's projected growth rate per their general plan is 2.6%.

Government Services

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

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

**RECOMMENDED ACTIONS:**

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

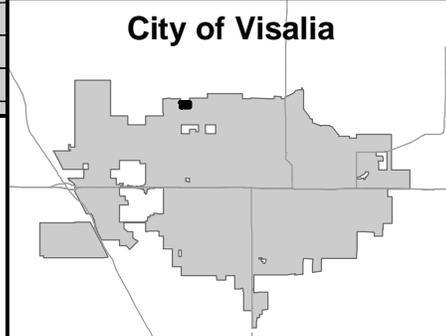
1. Certify that the Commission has reviewed and considered the Negative Declaration prepared by the City of Visalia for this project and determine that the project will not have a significant effect on the environment.

2. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, find that:
  - a. The boundaries of the proposed reorganization are definite and certain.
  - b. The proposed annexation is compatible with the City's General Plan.
  - c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
  - d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
  - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
  - f. All urban services and infrastructure can be provided for by the city.
4. Find that the annexation does not contain any Williamson Act contract land.
5. Find that the territory proposed for this reorganization is uninhabited.
6. Approve the proposed reorganization, to be known as LAFCO Case Number 1557-V-454, City of Visalia Annexation 2020-01 (Greystone) subject to the following conditions:
  - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
  - b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.
7. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code §56663 and order the reorganization without an election or if written protests are received prior to the conclusion of the public hearing, conduct the protest hearing pursuant to GC §57000.
8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

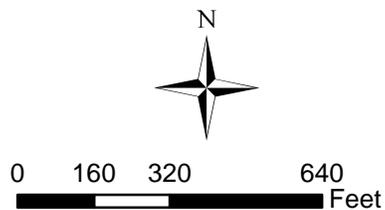
**Figures:**

- Figure 1 Site Location Map
- Figure 2 Aerial
- Figure 3 Cal Water Will Serve Letter
- Figure 4 Tentative Subdivision Map
- Figure 5 Resolution

# LAFCO Case 1557-V-454

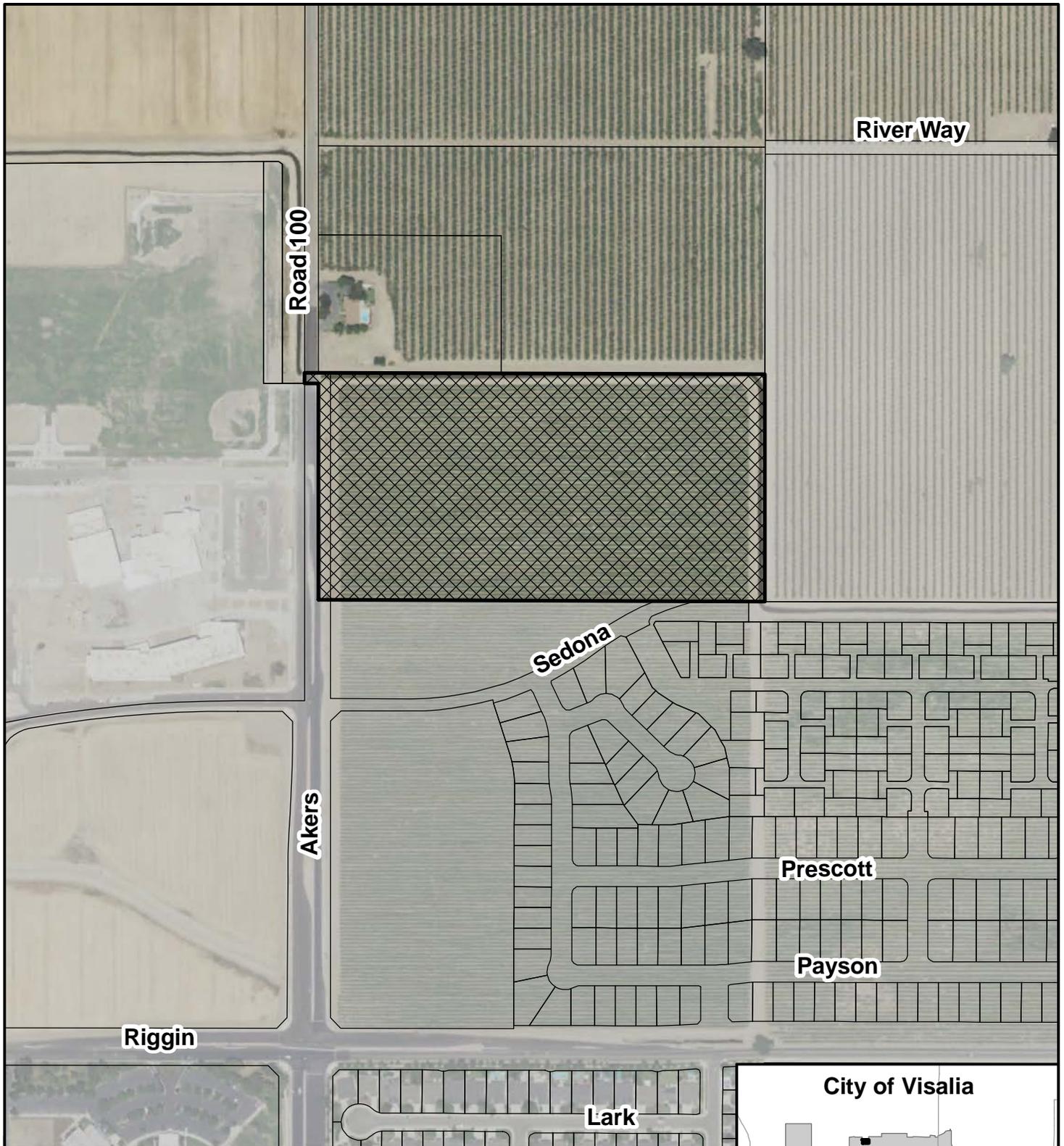


-  Site Location 1557-V-454
-  Parcels
-  City of Visalia

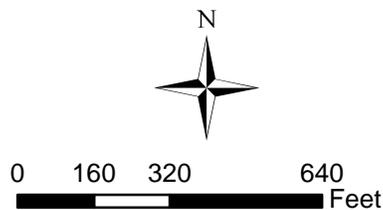


Boundaries as of 2/22/21

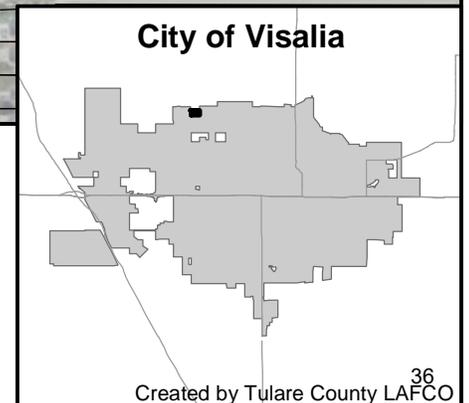
# LAFCO Case 1557-V-454



-  Site Location 1557-V-454
-  Parcels
-  City of Visalia



Boundaries as of 2/22/21





## CALIFORNIA WATER SERVICE

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

September 28, 2020

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

**Will Serve Letter**  
**Tentative Subdivision Map No. 5576**  
**Developer: San Joaquin Valley Homes**

Gentlemen:

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

Cal Water will provide such potable<sup>1</sup> water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells,<sup>2</sup> in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

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

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



## CALIFORNIA WATER SERVICE

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Johnson".

Stephen Johnson  
Interim District Manager

cc: Ting He – Cal Water Engineering Dept.  
File

# City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



No Conflicts please  
create Will serve letter  
Sanchez 9/25/20  
Planning Division

Tel: (559) 713-4359; Fax: (559) 713-4814

September 22, 2020

California Water Service Company  
Attn: Sedelia Sanchez  
216 N. Valley Oaks Drive  
Visalia, CA 93291

## Re: Request for Will Serve Letter for Greystone 3 Tentative Subdivision Map No. 5576:

The City of Visalia hereby requests a will serve letter for Greystone 3 Tentative Subdivision Map No. 5576. The tentative subdivision map, together with the Greystone Annexation No. 2020-01 and General Plan Amendment No. 2020-06, are currently in the entitlement permits application stage. Pursuant to City practice, the City does not consider approving a tentative subdivision map unless and until the servicing water provider is willing to issue a "Will Serve" letter.

Below are project descriptions of the entitlements:

**Greystone Annexation No. 2020-01:** A request by San Joaquin Valley Homes to annex one parcel totaling 19.11 acres into the City limits of Visalia, and to detach from Tulare County Service Area No. 1. Upon annexation, the 19.11 acre site will be zoned R-1-5 (Single-Family Residential 5,000 square foot minimum site area), which is consistent with the General Plan Land Use Designation of Low Density Residential. The project site is located on the east side of North Akers Street between West Sedona Avenue and south of the Modoc irrigation canal (APN: 077-060-034).

**General Plan Amendment GPA 2020-06:** A request by San Joaquin Valley Homes to amend the General Plan Land Use Map by revising the Tier 1 and Tier 2 Urban Growth Development Tiers to move a 19.11-acre site from the Tier 2 Growth Boundary to the Tier 1 Growth Boundary; and, to move approximately 24-acres from the Tier 1 Growth Boundary to the Tier 2 Growth Boundary. The affected sites are located on the east side of North Akers Street between West Sedona Avenue and south of the Modoc irrigation canal (APN: 077-060-034, 19.11 acre site), and 24-acres of an overall 72.49-acre site located on the south side where West Riverway Avenue terminates west of North Chinowth Street (APN: 077-060-024).

**Greystone 3 Tentative Subdivision Map No. 5576:** A request by San Joaquin Valley Homes to subdivide a 19.11-acre parcel into 63 lots for residential use and additional lots for landscaping and lighting district lots, pedestrian connections to the Modoc trail and a pocket park, located within the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The project site is located on the east side of North Akers Street between West Sedona Avenue and south of the Modoc irrigation canal (APN: 077-060-034).

Enclosed for your reference is a copy of the Tentative Subdivision Map. Please note any requirements on the copy and return to the City of Visalia Planning Department prior to October 5, 2020, to ensure we can address any requirements by your agency.

Thank you for your assistance in this matter.



Paul Bernal  
City Planner

Enclosure:

- Greystone 3 Tentative Subdivision Map

JUNE 2, 2020

# GREYSTONE 3 TENTATIVE SUBDIVISION MAP

RECORDS SECTION 48, COUNTY OF TULARE, CALIFORNIA  
 TULARE COUNTY, CALIFORNIA

## LEGEND

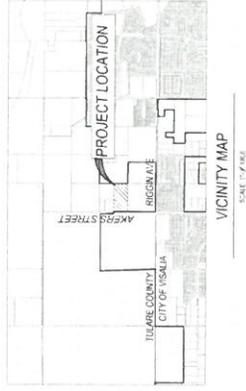
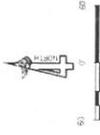
APN: 0177-0604034  
 ACREAGE: 19.11 AC ±  
 COUNTY: X02  
 COUNTY LAND  
 FLOOD ZONE: LOW DENSITY RESIDENTIAL  
 EXISTING ZONING: GENERAL PLAN  
 GENERAL PLAN: CALIFORNIA EDISON  
 ELECTRICITY: CAL WATER  
 ZONING: AT&T (TBD)  
 TELEPHONE: CITY OF VISALIA  
 REFUSE: SOUTHERN CALIFORNIA GAS  
 NATURAL GAS: SOUTHERN CALIFORNIA GAS  
 EXISTING USE: VACANT  
 PROPOSED USE: LOW DENSITY RESIDENTIAL  
 CITY OF VISALIA  
 GROSS AREA: 19.11 AC  
 GROSS COVERAGE: 63 UNITS  
 R-1.5  
 NET ACREAGE: 16.70 AC  
 R-1.5  
 63 UNITS  
 3.77 DU/A

TYPICAL LOT SIZES:  
 TYPE A: 65,351 SF  
 TYPE B: 30,390 SF  
 TYPE C: 3,890 SF  
 TYPE D: 5,594 SF  
 TYPE E: 17,967 SF  
 TOTAL: 63 UNITS

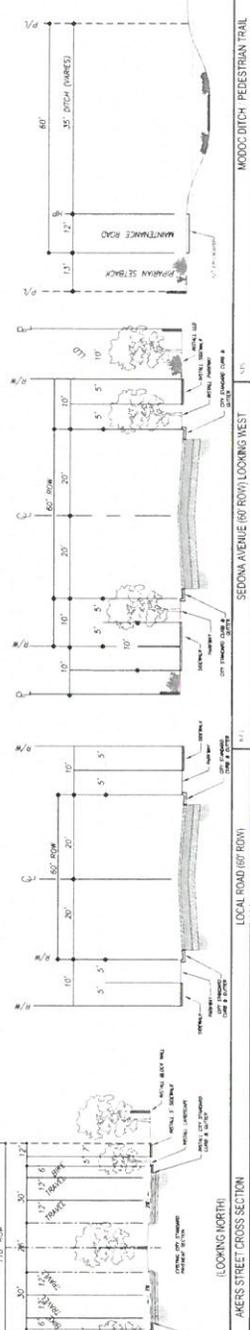
## UTILITIES:

STORM WATER: CONNECTION LOCATED IN AKERS STREET  
 SEWER: CONNECTION LOCATED IN AKERS STREET & S/S PIPELINE DISTRIBUTED THROUGH-POOT PROJECT SITE  
 WATER: 6" WATER TIE INTO EXISTING WATER LINE IN AKERS

LOT A: 65,351 SF (1.6 AC)  
 LOT B: 30,390 SF  
 LOT C: 3,890 SF  
 LOT D: 5,594 SF  
 LOT E: 17,967 SF (POCKET PARK)



BLOCK WALL PLAN FOR PEDESTRIAN PASS THROUGH



AKERS STREET CROSS SECTION (LOOKING NORTH)  
 LOCAL ROAD (60' ROW)  
 SEDONA AVENUE (60' ROW) LOOKING WEST  
 MOCCO DITCH PEDESTRIAN TRAIL

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

In the Matter of the Proposed Annexation        )  
to the City of Visalia and Detachment from        )  
CSA #1. LAFCO Case 1557-V-454,                    )  
City of Visalia Annexation 2020-01 (Greystone))

**RESOLUTION NO. 21-XXX**

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

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

**WHEREAS**, on April 7, 2021 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, the report of the County Assessor, and the report and recommendations of the Executive Officer

(including any corrections), have been received and considered in accordance with Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

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

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, material and facts presented by the following persons who appeared at the meeting and commented on the proposal:

XXXXXXX  
XXXXXXX

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. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited.
- b. The subject territory is within the Sphere of Influence of the City of Visalia.
- c. The proposed reorganization does not contain any Williamson Act contract land.

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

- a. The boundaries of the proposed reorganization are definite and certain.
- b. The proposed annexation is compatible with the City's General Plan.
- c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. All urban services and infrastructure can be provided for by the city.

8. The Commission hereby waives the protest hearing proceedings in accordance with GC §56663 and orders the annexation without an election.

9. The Commission hereby approves the proposed reorganization of the territory described in Exhibit "A," attached hereto, subject to the following conditions:

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

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

LAFCO Case No. 1557-V-454, City of Visalia Annexation 2020-01 (Greystone)

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

12. The Executive Officer to hereby authorized to sign and file a Notice of Determination with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner\_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 7th day of April, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

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Ben 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:  
Julie Allen, Chair  
Rudy Mendoza, V-Chair  
Pete Vander Poel  
Dennis Townsend  
Phil Cox

ALTERNATES:  
Eddie Valero  
Fred Sheriff  
Steve Harrell

EXECUTIVE OFFICER:  
Ben Giuliani

April 7, 2021

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

FROM: Steven Ingoldsby, LAFCO Staff Analyst

SUBJECT: FY 2021/22 Preliminary Budget and Work Program

Enclosed for your review are the Fiscal Year 2021/22 Preliminary Budget and Work Program. LAFCO is required to adopt its preliminary budget by May 1<sup>st</sup> and its final budget by June 15<sup>th</sup> of each year.

**BUDGET 794**

**REVENUES**

**5801 Income from Other Agencies** - \$259,118 is the amount estimated for FY 2021/22 as income from eight cities and the County as required by Government Code Section 56381. For 2020/21, \$60,000 of reserve funds was used to help offset the contribution amount from the cities and the County. It is estimated that there will be approximately \$196,000 in available reserve funds at the end of FY 2020/21.

The Commission may wish to again use the reserve funds to offset some of the cost to the cities and County in FY 2021/22. Attached is a spreadsheet showing different contribution scenarios utilizing different amounts of surplus funds. The \$80,000 scenario would leave contribution levels slightly lower than FY 2020/21 yet still maintain an adequate reserve amount.

**5421 Planning and Engineering Services** – Staff anticipates two new cases to be submitted by the end of this fiscal year (June 15). The total estimated revenue for FY2020/21 is \$26,849. For fiscal year 2021/22, based on feedback from city and district staff, staff has estimated a total estimated revenue of \$38,236.

**EXPENDITURES- Services and Supplies**

**6008 Director's Fees** - \$1,000 is budgeted for reimbursing the public member and alternate public member for expenses incurred as a result of attending monthly LAFCO meetings. For FY 2020/21, no expense claims have been submitted yet.

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

**7027 Memberships** – The CALAFCO membership fees are set by the CALAFCO board. \$7,704 is budgeted for FY 2021/22.

*Estimated expenditure for current FY - \$7,732*

**7036 Office Expenses** - \$800 was allocated for office supplies and other office equipment expenses in FY 2019/20. \$816 is budgeted for FY 2021/22.

*Estimated expenditure for current FY - \$514*

**7043 Professional and Specialized Services** – \$200 is budgeted for FY 2021/22. These are funds used to contract with outside vendors, such as professional services (County Auditor) or consultants. The need for consultant services is likely to remain low in FY 2021/22 as the reduced projected workload is expected to continue.

*Estimated expenditure for current FY - \$200*

**7059 Publications and Notices** – Savings for newspaper notices have been found by advertising public meetings in the Foothills Sun Gazette. \$1,785 is budgeted for FY 2021/22.

*Estimated expenditure for current FY - \$1,244*

**7073 Staff and Commission Member Training** – Training costs of \$3,335 are proposed for FY 2021/22 to cover registration expenses for attending the annual CALAFCO Conference, Executive Officers Workshop and Staff Conference, and other conferences and workshops. The estimated expenditures will include the possible attendance of 2 staff persons and 2 Commissioners for the LAFCO conference and 3 staff members for the LAFCO workshop and other conferences and workshops commissioners and/or staff may attend.

*Estimated expenditure for current FY - \$0*

**7074 Staff and Commission Transportation / Travel** – Transportation/Travel costs of \$5,865 are proposed for FY 2021/22 to accommodate travel by staff and Commission members to and from the various LAFCO related conferences and workshops. The funds in this budget line are used for lodging, meal, and mileage costs incurred by attending the various events. The CALAFCO annual conference and the staff workshop scheduled were canceled this last year.

*Estimated expenditure for current FY - \$0*

**Expenditures – Other Charges**

**7043 Worker's Compensation** – \$0 is proposed for FY 2021/22 to cover expenses for worker's compensation.

*Estimated expenditure for current FY - \$0*

**7043 Property** – \$0 is proposed for FY 2021/22.

*Estimated expenditure for current FY - \$0*

**7043 Liability Insurance** – A total of \$2,819 has been budgeted for FY 2021/22 to cover expenses for general liability insurance.

*Estimated expenditure for current FY - \$2,461*

**7036 ADP Payroll** – A total of \$271 has been budgeted for FY 2021/22.

*Estimated expenditure for current FY - \$271*

**7036 Rent** – A total of \$13,257 has been budgeted for FY 2021/22.

*Estimated expenditure for current FY - \$12,871*

**7036 Alarm Services** – A total of \$100 has been budgeted for FY 2021/22.

*Estimated expenditure for current FY - \$21*

**7036 Telecomm** – A total of \$1000 has been budgeted for FY 2021/22 to cover expenses for telephone service.

*Estimated expenditure for current FY - \$650*

**7036 Utilities** - \$1,950 is budgeted for utility expenses for FY 2021/22.

*Estimated expenditure for current FY - \$1,954*

**7043 Custodial**- \$800 is budgeted for custodial services during FY 2021/22.

*Estimated expenditure for current FY - \$513*

**7036 Printing Services** – \$250 is budgeted for FY 2021/22. This covers costs associated with printing LAFCO documents such as the special district inventory, policy and procedure manual, and assistance with public hearing notice mail outs.

*Estimated expenditure for current FY - \$88*

**7036 Mail Services** - \$900 is budgeted for FY 2021/22. This covers costs for processing mail for LAFCO public hearing notices and other correspondence.

*Estimated expenditure for current FY - \$163*

### **Expenditures – Agency Charges**

**7043 LAFCO Legal Counsel**- AB 2838 establishes LAFCO as an independent agency which means it will be charged an hourly rate for the services of County Counsel to act as LAFCO legal counsel. \$4,000 is proposed for FY 2020/21.

*Estimated expenditure for current FY - \$1,100*

**7066 Services from Other Departments**- This charge includes services provided by other County departments such as TCAG, the County Auditor, Surveyor, Elections, IT, etc. The charges largely stem from review of LAFCO proposals by County departments. \$8,514 has been allotted for FY 2020/2021.

*Estimated expenditure for current FY - \$8,347*

**7066 COWCAP Charges** - The amount budgeted for FY 2021/22 is \$10,000. The COWCAP charges have historically been rather volatile. In FY 2020/21 \$29,757 was charged to LAFCO. In FY 2019/20

\$7,607 was charge to LAFCO. In FY 2018/19 \$22,577 was charged to LAFCO. In FY 2017/18, \$7,722 was charged to LAFCO. In FY 2016/17, \$17,306 was charged to LAFCO. In FY 2014/15 \$14,481 was refunded to LAFCO due to COWCAP overcharges in previous years.

*Estimated expenditure for current FY- \$29,757*

**7043 G.I.S. Services** – The cost for GIS services provided to LAFCO had previously been rolled into “7066 Service from Other Departments”. It is now being pulled out as a separate line item. The budgeted amount for 2021/2022 is \$6,000.

*Estimated expenditure for current FY - \$6,000*

**7066 Intra Agency Services Received (Salaries)** - This item reflects Staff salaries. Staffing services are provided by the Tulare County Association of Governments. \$199,566 in salaries is estimated for FY 2021/22. This includes a half-time Executive Officer, a 25% Clerk, and a 75% Staff Analyst.

*Estimated expenditure for current FY – \$125,000*

### **CONTINGENCY/CARRYOVER**

**7432 Contingency** - A contingency of 10% of the expenses is proposed for 2021/22 in order to provide a “cushion” to offset any unforeseen expenditures or failure to receive anticipated fee revenue. It is not anticipated that contingency funds will be used in the current fiscal year. The contingency for FY 2020/21 is \$25,389. The contingency proposed for FY 2021/22 is \$27,032.

**Budget Reserve – Carryover** – The budget reserve is accounted for in the LAFCO’s 794 cash account. The revenue and expenses lines in the actual spreadsheet will only show transactions for the current FY which means that we still do not have the most up to date reserve numbers. For FY 2020/21, \$60,000 was used to offset the cities and County contribution. Staff estimates that LAFCO will have a reserve of approximately \$196,000 at the end of FY 2020/21. This reserve was generated through Planning and Engineering Services and charges to funding agencies from previous years. The Commission may again consider applying a specified amount of this reserve for the coming year. Attached is a spreadsheet showing different contribution amounts based on differing amounts of reserve funds being used. Also attached, is a table showing city and County contributions and applied reserve from FY01/02 to present.

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

	Object No.	Adopted Budget FY20/21	As of 3/12/2020	Projected Expenses FY 20/21	Proposed Budget FY 21/22
<b>EXPENDITURES</b>					
<b>Services and Supplies</b>					
Board Director's Fees	6008	\$1,000	\$0	\$1,000	\$1,000
Memberships	7027	\$7,732	\$7,732	\$7,732	\$7,704
Office Expenses	7036	\$800	\$257	\$514	\$816
Professional and Specialized	7043	\$200	\$200	\$200	\$200
Publication - Public Hearing Notices	7059	\$1,750	\$622	\$1,244	\$1,785
Training	7073	\$3,355	\$0	\$0	\$3,355
Transportation and Travel	7074	\$5,865	\$0	\$0	\$5,865
<b>Total Services and Supplies</b>		<b>\$20,702</b>	<b>\$8,810</b>	<b>\$10,690</b>	<b>\$20,725</b>
<b>Other Charges</b>					
I/F Workers Compensation	7043	\$0	\$0	\$0	\$0
I/F Expenses - Property	7043	\$0	\$0	\$0	\$0
I/F Expenses - Special Liability Insurance	7043	\$2,614	\$2,461	\$2,461	\$2,819
I/F ADP Payroll	7036	\$228	\$158	\$271	\$271
Rent	7036	\$12,871	\$9,606	\$12,871	\$13,257
Alarm Services	7036	\$100	\$21	\$21	\$100
Telecom	7036	\$1,000	\$325	\$650	\$1,000
Utilities	7036	\$1,850	\$977	\$1,954	\$1,950
Custodial Services	7043	\$800	\$257	\$513	\$800
Printing	7036	\$250	\$44	\$88	\$250
Mail	7036	\$900	\$102	\$163	\$900
<b>Total Other Charges</b>		<b>\$20,613</b>	<b>\$13,950</b>	<b>\$18,992</b>	<b>\$21,347</b>
<b>Agency Charges</b>					
County Counsel Charges	7043	\$4,000	\$545	\$1,100	\$4,000
Services from Other Dpts.	7066	\$8,514	\$3,659	\$7,306	\$8,684
COWCAP Charges	7066	\$10,000	\$29,757	\$29,757	\$10,000
GIS Services	7043	\$0	\$0	\$0	\$6,000
Salaries	7066	\$190,062	\$55,383	\$125,000	\$199,566
<b>Total Agency Charges</b>		<b>\$212,576</b>	<b>\$89,345</b>	<b>\$163,163</b>	<b>\$228,250</b>
<b>Contingencies</b>					
	7432	\$25,389	\$0	\$0	\$27,032
<b>TOTAL EXPENDITURES</b>					
		<b>\$279,280</b>	<b>\$112,105</b>	<b>\$192,845</b>	<b>\$297,354</b>
<b>REVENUES</b>					
Other - Government Agency Contributions	5801	\$181,244	\$181,244	\$181,244	\$259,118
Planning and Engineering Services	5421	\$38,236	\$19,897	\$26,849	\$38,236
Prior Year Revenue Accurals Adjustment	5999				
<b>TOTAL REVENUES</b>		<b>\$219,480</b>	<b>\$201,141</b>	<b>\$208,093</b>	<b>\$297,354</b>
<b>NET COST</b>					
		<b>\$60,000</b>	<b>-\$89,036</b>	<b>-\$15,249</b>	<b>\$0</b>

AGENCY CONTRIBUTIONS  
CARRYOVER SCENARIOS

**Contribution Scenerios**

***Carryover applied: \$0***

	POPULATION (DOF 1/1/2020)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			21/22 CONTRIBUTION	20/21 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$14,033	\$9,759	\$4,274
CITY OF EXETER	11,030	2.30%	\$5,955	\$4,182	\$1,773
CITY OF FAMERSVILLE	11,399	2.37%	\$6,154	\$4,329	\$1,825
CITY OF LINDSAY	13,154	2.74%	\$7,101	\$4,996	\$2,105
CITY OF PORTERVILLE	59,655	12.43%	\$32,205	\$22,599	\$9,606
CITY OF TULARE	67,834	14.13%	\$36,621	\$25,245	\$11,376
CITY OF VISALIA	138,649	28.89%	\$74,850	\$52,307	\$22,543
CITY OF WOODLAKE	7,773	1.62%	\$4,196	\$2,922	\$1,274
COUNTY OF TULARE	144,489	30.10%	\$78,003	\$54,705	\$23,298
TOTAL	479,977	100.00%	\$259,118	\$181,044	\$78,074

(794) LINE 5801

\$259,118

+ \$200.00 billing fee to County Auditor

***Carryover applied: \$15000***

	POPULATION (DOF 1/1/2020)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			21/22 CONTRIBUTION	20/21 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$13,221	\$9,759	\$3,462
CITY OF EXETER	11,030	2.30%	\$5,610	\$4,182	\$1,428
CITY OF FAMERSVILLE	11,399	2.37%	\$5,798	\$4,329	\$1,469
CITY OF LINDSAY	13,154	2.74%	\$6,690	\$4,996	\$1,694
CITY OF PORTERVILLE	59,655	12.43%	\$30,341	\$22,599	\$7,742
CITY OF TULARE	67,834	14.13%	\$34,501	\$25,245	\$9,256
CITY OF VISALIA	138,649	28.89%	\$70,517	\$52,307	\$18,210
CITY OF WOODLAKE	7,773	1.62%	\$3,953	\$2,922	\$1,031
COUNTY OF TULARE	144,489	30.10%	\$73,488	\$54,705	\$18,783
TOTAL	479,977	100.00%	\$244,118	\$181,442	\$62,676

(794) LINE 5801

\$244,118

+ \$200.00 billing fee to County Auditor

***Carryover applied FY : \$25000***

	POPULATION (DOF 1/1/2020)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			21/22 CONTRIBUTION	20/21 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$12,679	\$9,759	\$2,920
CITY OF EXETER	11,030	2.30%	\$5,380	\$4,182	\$1,198
CITY OF FAMERSVILLE	11,399	2.37%	\$5,560	\$4,329	\$1,231
CITY OF LINDSAY	13,154	2.74%	\$6,416	\$4,996	\$1,420
CITY OF PORTERVILLE	59,655	12.43%	\$29,098	\$22,599	\$6,499
CITY OF TULARE	67,834	14.13%	\$33,087	\$25,245	\$7,842
CITY OF VISALIA	138,649	28.89%	\$67,629	\$52,307	\$15,322
CITY OF WOODLAKE	7,773	1.62%	\$3,791	\$2,922	\$869
COUNTY OF TULARE	144,489	30.10%	\$70,477	\$54,705	\$15,772
TOTAL	479,977	100.00%	\$234,118	\$181,442	\$52,676

(794) LINE 5801

\$234,118

+ \$200.00 billing fee to County Auditor

AGENCY CONTRIBUTIONS  
CARRYOVER SCENARIOS

**Carryover applied: \$50000**

	POPULATION (DOF 1/1/2020)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			21/22 CONTRIBUTION	20/21 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$11,325	\$9,759	\$1,566
CITY OF EXETER	11,030	2.30%	\$4,806	\$4,182	\$624
CITY OF FAMERSVILLE	11,399	2.37%	\$4,966	\$4,329	\$637
CITY OF LINDSAY	13,154	2.74%	\$5,731	\$4,996	\$735
CITY OF PORTERVILLE	59,655	12.43%	\$25,991	\$22,599	\$3,392
CITY OF TULARE	67,834	14.13%	\$29,554	\$25,245	\$4,309
CITY OF VISALIA	138,649	28.89%	\$60,407	\$52,307	\$8,100
CITY OF WOODLAKE	7,773	1.62%	\$3,387	\$2,922	\$465
COUNTY OF TULARE	144,489	30.10%	\$62,951	\$54,705	\$8,246
TOTAL	479,977	100.00%	\$209,118	\$181,442	\$27,676

(794) LINE 5801                                      \$209,118                                      + \$200.00 billing fee to County Auditor

**Carryover applied: \$80000**

	POPULATION (DOF 1/1/2020)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			21/22 CONTRIBUTION	20/21 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$9,700	\$9,759	-\$59
CITY OF EXETER	11,030	2.30%	\$4,116	\$4,182	-\$66
CITY OF FAMERSVILLE	11,399	2.37%	\$4,254	\$4,329	-\$75
CITY OF LINDSAY	13,154	2.74%	\$4,909	\$4,996	-\$87
CITY OF PORTERVILLE	59,655	12.43%	\$22,262	\$22,599	-\$337
CITY OF TULARE	67,834	14.13%	\$25,314	\$25,245	\$69
CITY OF VISALIA	138,649	28.89%	\$51,741	\$52,307	-\$566
CITY OF WOODLAKE	7,773	1.62%	\$2,901	\$2,922	-\$21
COUNTY OF TULARE	144,489	30.10%	\$53,920	\$54,705	-\$785
TOTAL	479,977	100.00%	\$179,118	\$181,442	-\$2,324

(794) LINE 5801                                      \$179,118                                      + \$200.00 billing fee to County Auditor

**Carryover applied: \$100000**

	POPULATION (DOF 1/1/2020)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			21/22 CONTRIBUTION	20/21 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$8,617	\$9,759	-\$1,142
CITY OF EXETER	11,030	2.30%	\$3,657	\$4,182	-\$525
CITY OF FAMERSVILLE	11,399	2.37%	\$3,779	\$4,329	-\$550
CITY OF LINDSAY	13,154	2.74%	\$4,361	\$4,996	-\$635
CITY OF PORTERVILLE	59,655	12.43%	\$19,776	\$22,599	-\$2,823
CITY OF TULARE	67,834	14.13%	\$22,488	\$25,245	-\$2,757
CITY OF VISALIA	138,649	28.89%	\$45,964	\$52,307	-\$6,343
CITY OF WOODLAKE	7,773	1.62%	\$2,577	\$2,922	-\$345
COUNTY OF TULARE	144,489	30.10%	\$47,900	\$54,705	-\$6,805
TOTAL	479,977	100.00%	\$159,118	\$181,442	-\$22,324

(794) LINE 5801                                      \$159,118                                      + \$200.00 billing fee to County Auditor

## Contribution History

	FY 2001/02	FY 2002/03	FY 2003/04	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10	FY 2010/11
DINUBA	\$9,838	\$6,716	\$4,325	\$3,455	\$0	\$6,584	\$8,929	\$6,904	\$6,068	\$5,235
EXETER	\$5,404	\$3,627	\$2,336	\$1,873	\$0	\$3,534	\$4,850	\$3,704	\$2,788	\$2,629
FAMERSVILLE	\$4,827	\$3,467	\$2,229	\$1,802	\$0	\$3,494	\$4,751	\$3,613	\$2,747	\$2,655
LINDSAY	\$5,681	\$4,064	\$2,566	\$2,052	\$0	\$3,764	\$5,101	\$3,857	\$3,071	\$2,880
PORTERVILLE	\$23,626	\$15,675	\$10,133	\$8,177	\$0	\$15,181	\$20,624	\$17,765	\$15,790	\$12,833
TULARE	\$26,235	\$17,408	\$11,192	\$9,020	\$0	\$16,881	\$23,478	\$19,308	\$17,610	\$14,423
VISALIA	\$60,715	\$36,375	\$23,674	\$19,274	\$0	\$36,694	\$50,702	\$40,643	\$37,780	\$30,487
WOODLAKE	\$4,042	\$2,666	\$1,691	\$1,350	\$0	\$2,453	\$3,332	\$2,552	\$1,785	\$1,915
COUNTY	\$90,577	\$55,677	\$35,561	\$28,291	\$0	\$51,257	\$70,071	\$49,113	\$43,361	\$35,779

TOTAL \$230,945 \$145,675 \$93,707 \$75,294 \$0 \$139,841 \$191,838 \$147,459 \$131,000 \$108,834

Reserve Applied \$0 \$0 \$100,000 \$150,000 \$150,000 \$30,000 \$40,000 \$60,000 \$70,000 \$100,000

	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
DINUBA	\$4,764	\$8,855	\$8,606	\$8,687	\$11,370	\$9,369	\$9,644	\$9,562	\$9,630	\$9,759
EXETER	\$2,295	\$4,193	\$3,910	\$3,998	\$5,166	\$4,257	\$4,261	\$4,225	\$4,324	\$4,182
FAMERSVILLE	\$2,351	\$4,355	\$4,059	\$4,153	\$5,362	\$4,419	\$4,363	\$4,326	\$4,430	\$4,329
LINDSAY	\$2,613	\$4,849	\$4,164	\$4,707	\$6,170	\$5,084	\$5,037	\$4,994	\$5,096	\$4,996
PORTERVILLE	\$12,028	\$22,124	\$20,688	\$21,148	\$27,334	\$22,524	\$23,239	\$23,043	\$23,538	\$22,599
TULARE	\$13,164	\$24,175	\$22,816	\$23,276	\$30,146	\$24,841	\$25,083	\$24,871	\$25,545	\$25,245
VISALIA	\$27,635	\$50,736	\$47,887	\$48,698	\$63,269	\$52,135	\$51,650	\$51,215	\$52,748	\$52,307
WOODLAKE	\$1,616	\$2,957	\$2,858	\$2,838	\$3,776	\$3,112	\$2,967	\$2,942	\$3,014	\$2,922
COUNTY	\$31,728	\$58,012	\$54,421	\$55,551	\$71,901	\$59,248	\$56,742	\$56,263	\$55,896	\$54,705

TOTAL \$98,195 \$180,257 \$169,409 \$173,057 \$224,494 \$184,989 \$182,985 \$181,442 \$184,222 \$181,044

Reserve Applied \$100,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$60,000

**2021/22  
LAFCO  
WORK PROGRAM**

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Prepared by: Steven Ingoldsby  
Tulare County LAFCO  
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## **Introduction**

### **Overview of LAFCO**

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

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

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

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires each LAFCO to adopt an annual budget. The 2021/22 Work Program for the Tulare County LAFCO outlines the anticipated work to be accomplished by LAFCO during the fiscal year and is prepared to accompany the annual budget.

### **Description of Region**

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

Tulare County has approximately one third of its land area in the Valley. The remaining portion is in the Sierra Nevada Mountains. This offers an abundance of scenic and recreational opportunities for residents and visitors. The land in the Valley produces a wide variety of agricultural products. Tulare County ranks as one of the largest agricultural producing counties in the nation. The population of Tulare County is concentrated in the Valley area. There are eight incorporated cities, which account for 70% of the total county approximate population of 479,977 (DOF – 1/1/20). The eight cities are: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake. There are also numerous special districts in the county, including various Community

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

## Organization of LAFCO

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

### LAFCO Commissioners

Julie Allen, Chair	Public representative
Rudy Mendoza, V-Chair	City representative
Pete Vander Poel	County representative
Dennis Townsend	County representative
Phil Cox	City representative
Eddie Valero	Alternate, County representative
Steve Harrell	Alternate, City representative
Fred Sheriff	Alternate, Public representative

### LAFCO Staff

Ben Giuliani, Executive Officer  
Steven Ingoldsby, Staff Analyst  
Aime Kane, LAFCO Clerk  
Marit Erickson, LAFCO Counsel

## LAFCO Abbreviations and Acronyms

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

## **LAFCO Work Program Elements**

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.01 LAFCO Administration**

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

PREVIOUS WORK: This is an ongoing function of LAFCO.

PRODUCTS:

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

DISCUSSION:

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

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

BUDGET:

Estimated staff costs:	\$55,435	(5.0 Staff Person Months)
Memberships:	\$7,704	
Publications and Notices	\$1,785	
County Counsel:	\$4,000	
COWCAP Charged:	\$10,000	
Board Directors fees:	\$1,000	
Rent	\$13,257	
Insurance	\$2,819	
Prof. & Specialized:	\$200	
Service from Other Dept.	\$8,684	
Total:	\$104,884	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$104,884	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

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

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

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

DISCUSSION:

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

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

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

BUDGET:

Office Expense:	\$816
Telecomm	\$1000
ADP Payroll/Personnel:	\$271
Utilities:	\$1,950
Custodial Services:	\$800
Property	\$0
Mail	\$900
Printing	\$250
Alarm	\$100
GIS	\$6,000
Worker's Compensation	\$0
Total	\$12,087

(Reserve Funds)  
 \$12,087 (County & Cities Contribution)

(Planning & Engineering Fees)

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.03 Training and Travel**

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

PREVIOUS WORK: This is an ongoing work element.

PRODUCTS:

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

BUDGET:

Training (Commissioners & Staff):	\$3,355
Transportation/Travel (Commissioners & Staff)	\$5,865
Total:	\$9,220

Revenue (source):		(Reserve Funds)
Revenue (source):	\$9,220	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.02 Municipal Service Reviews**

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

PREVIOUS WORK: Group 1 MSRs adopted March 2006  
 Group 2 MSRs adopted May 2006  
 Group 3 MSRs adopted March 2007  
 Group 4 MSRs adopted October 2011  
 City of Dinuba MSR updated June 2012  
 City of Visalia MSR updated February 2013  
 City of Tulare MSR updated October 2013  
 City of Porterville MSR updated October 2014  
 City of Exeter MSR update April 2016  
 City of Woodlake MSR update August 2016  
 Goshen CSD MSR update December 2018  
 Lindsay LHD MSR update December 2020  
 Alta HD MSR update January 2021

PRODUCTS: MSRs for Alpaugh CSD, Pixley PUD, Earlimart PUD, Tipton CSD, Strathmore PUD, Teviston CSD, Allensworth CSD and other districts as needed

**DISCUSSION:**

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

Through a contract with Omni-Means consultants, Tulare County's eight cities and 19 of the special districts were reviewed and MSRs were adopted in 3 groups. Group 1, consisting of Visalia, Farmersville, Tulare and surrounding districts were approved by the Commission in March 2006. Group 2, consisting of Dinuba, Woodlake and surrounding districts were approved by the Commission in May 2006. Group 3, consisting of Exeter, Lindsay and Porterville and surrounding districts were approved by the Commission in March 2007. Group 4, consisting of 21 special districts was approved in October 2011. The scope of MSRs has since been expanded to include service needs of disadvantaged unincorporated communities within and adjacent to the subject agency's current SOI. MSR updates have been completed for the cities of Dinuba, Visalia, Tulare, Porterville, Exeter and Woodlake. Due to a reduced level of casework LAFCO Staff has and will continue to complete the MSR updates without the use of a consultant. Thus, no funds will be allocated for consultant services for FY 21/22. By policy, future MSR updates will be completed on an as needed basis following County Community Plan and City General Plan Updates.

**BUDGET:**

Estimated staff costs:	\$66,522	(6.0 Staff Person Month)
Total:	\$66,522	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$66,522	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

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

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

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

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

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

**BUDGET:**

Estimated staff costs:	\$11,087	(1.0 Staff Person Months)
Total:	\$11,087	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$11,087	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

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

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

PREVIOUS WORK: In 2011; Alpine Village-Sequoia Crest CSD, Ducor CSD, East Orosi CSD, Patterson Tract CSD, Ponderosa CSD, Three Rivers CSD, Tract 92 CSD, Porter Vista PUD, CSA #1, Strathmore FPD and Woodlake FPD. Lindmore ID (2011) Lindsay-Strathmore ID (2011) Sultana (2011) Ivanhoe (2011) City of Dinuba (2012) Lindmore Irrigation District (2012) Lindsay-Strathmore Irrigation (2012) Allensworth CSD (2012) Sultana CSD (2012) Three Rivers CSD (2012) City of Lindsay (2014) City of Porterville (2014) City of Exeter (2016) City of Woodlake (2016) City of Tulare (2017) City of Visalia (2018), Goshen CSD (2018)

PRODUCTS: 1. SOI Reviews (and updates as needed) for Tulare County principal districts and cities

DISCUSSION:

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

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

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

BUDGET:

Estimated staff costs:	\$22,174	(2 Staff Person Months)
Total:	\$22,174	
Revenue (source):	\$	(Reserve Funds)
Revenue (source):	\$17,199	(County & Cities Contribution)
Revenue (source):	\$4,975	(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.06 Special Projects**

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

PREVIOUS WORK: Agricultural Land Updates  
Public Cemetery District Report  
Memorial District Report

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

**DISCUSSION:**

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

The work element accounts for staff and consultant resources required to respond to the need for such special studies as may be authorized by LAFCO during the fiscal year. There is no anticipated need for consultant services in FY 21/22.

**BUDGET:**

Estimated staff costs:	\$11,087	(1.0 Staff Person Month)
Total:	\$11,087	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$11,087	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 102 CASE PROCESSING

WORK ELEMENT: **102.01 LAFCO Case Processing**

PURPOSE: To process applications submitted by LAFCO.

PREVIOUS WORK: In FY 2020/21 as of this date, staff has processed 10 cases (annexations, detachments, sphere of influence amendments, activation of latent powers and extension of services agreements). In prior years, a separate work element (101.05 Island Annexation Program) was dedicated to the island annexation program which is now incorporated in this element

PRODUCTS: This is an ongoing work element. Staff will continue to process case applications as they are submitted. For fiscal year 2021/22, based on feedback from local agencies, staff is estimating processing 12 cases.

**BUDGET:**

Estimated staff costs:	\$33,261	(3 Staff Person Months)
Total:	\$33,261	
		(Reserve Funds)
Revenue (source):	\$	(County & Cities Contribution)
Revenue (source):	\$33,261	(Planning & Engineering Fees)

## LAFCO Work Program Summary

Activity Description	Work Element Number	Revenue Source and Amount				Expenditures
		Reserve Funds	Income from Other Agencies	Planning & Engineering Services	Fees Paid by County for Incorporation	
LAFCO Administration	100.01	\$0	\$104,884	\$0	\$0	\$104,884
Office Expenses / Fixed Assets	100.02	\$0	\$12,087	\$0	\$0	\$12,087
Training and Travel	100.03	\$0	\$9,220	\$0	\$0	\$9,220
Municipal Service Reviews	101.02	\$0	\$66,522	\$0	\$0	\$66,522
Cities & Special District Inventory Update	101.03	\$0	\$11,087	\$0	\$0	\$11,087
Sphere of Influence Updates & Amendments	101.04	\$0	\$17,199	\$4,975	\$0	\$22,174
Special Projects	101.06	\$0	\$11,087	\$0	\$0	\$11,087
LAFCO Case Processing	102.01	\$0	\$0	\$33,261	\$0	\$33,261
Subtotals	NA	\$0	\$232,086	\$38,236	\$0	\$270,322
Contingency	NA	\$0	\$27,032	\$0	\$0	\$27,032
TOTALS		\$0	\$259,118	\$38,236	\$0	\$297,354

Total Staff Person Months = 18.0  
 (Executive Director – 6.0; Staff Analyst – 9; Clerk - 3)

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

<i>FY</i>	<i>MSR</i>	<i>SOI UPDATE</i>	<i>SPECIAL PROJECTS</i>	<i>Pending Proposals, Possible Future Projects, Annual Work Elements</i>
2021/22	Alpaugh CSD, Pixley PUD, Earlimart PUD, Tipton CSD, Strathmore PUD, Teviston CSD, Allensworth CSD and other districts as needed	As needed based on MSR results		<i>Possible Future Projects</i> <ul style="list-style-type: none"> <li>• District dissolutions</li> <li>• District formations</li> <li>• Incorporation studies</li> <li>• Policy updates</li> <li>• Implementation of MSRs</li> </ul> <i>Annual Work Elements</i> <ul style="list-style-type: none"> <li>• Case Processing</li> <li>• SOI Amendments</li> <li>• City-Special Districts Inventory</li> <li>• Special Projects</li> </ul>
2022/23	Future MSRs and SOI updates will be completed based on County Community Plan Updates and City General Plan Updates.			
2023/24				
2024/25				
2025/26				
2026/27				

## CALAFCO Daily Legislative Report as of Wednesday, March 31, 2021

[AB 339](#) ([Lee D](#)) State and local government: open meetings.

Current Text: Introduced: 1/28/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Status: 1/29/2021-From printer. May be heard in committee February 28.

Summary: Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

Attachments: [AB 339 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services. The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak). The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates. This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

[AB 361](#) ([Rivas, Robert D](#)) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 2/12/2021-Referred to Com. on L. GOV.

Summary: Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

Attachments: [AB 361 Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon. This bill is sponsored by the CA Special Districts Association (CSDA). According to CSDA, amendments are pending that will: address concerns of access mentioned throughout the fact sheet (e.g., call-in or internet-based access), language prohibiting local agencies from requiring that public comments be submitted in advance, adding a 30-day sunset provision, and addressing technological disruptions, limiting the applicability of the bill's provisions to local emergencies proclaimed by counties (i.e., not cities) and technical language about the immediacy of the health threats covered by the bill. The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

[AB 703](#) (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Summary: Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As introduced, the bill removes the requirement to post agendas at all teleconference meeting locations and having to identify all telecon locations in the notice and agenda for the meeting. The bill explicitly requires a local agency to give notice to the public how they can observe the meeting and offer public comment. It further required the local agency to respond to requests for reasonable ADA accommodation requests. The bill also removes certain provisions relating to the telecon meeting of a health authority.

It is CALAFCO's understanding that the author is working with Assm. Rivas (AB 361) and the Assembly Local Government Committee on amendments and possibly joining the two bills. Amendments are not yet available so CALAFCO will keep a watch on the bill until those are available. The bill is sponsored by Three Valleys Municipal Water Agency.

[AB 1581](#) (Committee on Local Government) Local government: omnibus.

Current Text: Introduced: 3/9/2021 [html](#) [pdf](#)

Introduced: 3/9/2021

Status: 3/11/2021-Referred to Com. on L. GOV.

Summary: Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. Current law requires the commission to adopt, amend, or revise spheres of influence after a public hearing called and held for that purpose. This bill would revise and recast that provision to provide that the commission is required to adopt, amend, or update spheres of influence after a public hearing called and held for that purpose.

Attachments: [LAFCo Support letter template](#) [CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a). Several other non-substantive amendments to CKH are pending and the bill will be amended to reflect those upon completion of the full stakeholder review process.

[SB 810](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Urgency clause adopted. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments: [CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

[SB 811](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Urgency clause adopted. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk

Summary: This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments: [CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

[SB 812](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments: [CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

[AB 1195](#) ([Garcia, Cristina](#) D) Southern Los Angeles County Regional Water Agency.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Coms. on L. GOV. and E.S. & T.M.

Summary: Would create the Southern Los Angeles County Regional Water Agency as a regional water agency serving the drinking water needs of the cities, unincorporated areas, and residents in the communities overlying the Central Basin and West Coast Basin aquifers in southern Los Angeles County. The bill would require the agency to serve the region as the leader in interagency collaboration on water resource issues and to be governed by a 5-member board of locally elected officials in the agency's jurisdiction, each appointed by a specified state or local entity. The bill would authorize the agency to serve the water needs of its region through specified activities, including, among others, operating public water systems or other water infrastructure and integrating other water systems in the region into its operations, as prescribed.

Attachments: [AB 1195 Fact Sheet](#)

Position: Watch

Subject: Water

CALAFCO Comments: AB 1195 creates the Southern Los Angeles County Regional Water Agency, intended to provide a framework for regional water collaboration that reduces conflict and provides a public agency that can take over failing water systems. The bill does a number of things including: Authorizes the Regional Agency to do the full range of activities related to water, from operating wholesale and retail public water systems to reducing stormwater pollution and cleaning up groundwater contamination; establishes a board of directors made up of locally elected council members (including COG appointed representatives); and authorizes the Regional Agency to draw revenues from the customers for the public water systems it operates and the services it provides, which may include water rates, charges, fees, or parcel charges. The bill specifies the boundaries of the new Agency, as well as the authority and powers, and governance structure.

In its current form, this is a special legislation Agency without LAFCo involvement in the formation. CALAFCO and LA LAFCo are working to find out what local entities were involved in the discussions of this legislation and what the intended and unintended impacts/consequences this bill will have. The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill.

[AB 1250](#) ([Calderon](#) D) Water and sewer system corporations: consolidation of service.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on E.S. & T.M. and U. & E.

Calendar: 4/7/2021 9 a.m. - State Capitol, Room 4202 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: The California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current

law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. The bill would require the commission to approve or deny the application within 8 months, except as provided.

Attachments: [AB 1250 Fact Sheet 2021](#)

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M. The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process. The bill is sponsored by the California Water Association and does not have an impact on LAFCos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

[AB 1295](#) (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on L. GOV. and H. & C.D.

Summary: Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Attachments: [AB 1295 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022. This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area. The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

[SB 55](#) (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 3/3/2021-Re-referred to Coms. on GOV. & F. and HOUSING.

Summary: Would, in furtherance of specified state housing production and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Attachments: [SB 55 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill. This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

[SB 403](#) ([Gonzalez](#) D) Drinking water: consolidation.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 3/16/2021-From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 5. Noes 1.) (March 15). Re-referred to Com. on GOV. & F

Summary: The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is at risk of failing to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that are at risk of failing to provide an adequate supply of safe drinking water.

Attachments: [SB 403 Fact Sheet 2021](#)

Position: Oppose unless amended

Subject: Disadvantaged Communities, Water

CALAFCO Comments: Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended. The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO has reached out to the author's office for more information on the bill and to discuss amendments.

[AB 11](#) ([Ward](#) D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 1/25/2021-Re-referred to Com. on NAT. RES.

Summary: Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Attachments: [AB 11 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill. This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill. UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

[AB 473](#) ([Chau](#) D) California Public Records Act.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/24/2021-Read second time. Ordered to Consent Calendar.

Calendar: 4/5/2021 #40 ASSEMBLY CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 474](#) ([Chau](#) D) California Public Records Act: conforming revisions.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/24/2021-Read second time. Ordered to Consent Calendar.

Calendar: 4/5/2021 #41 ASSEMBLY CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

Summary: Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 897](#) ([Mullin](#) D) Office of Planning and Research: regional climate networks: climate adaptation action plans.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on NAT. RES.

Calendar: 4/14/2021 9 a.m. - State Capitol, Room 4202 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ,

Summary: Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan.

Current law establishes the Office of Planning and Research in state government in the Governor's office.

Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks.

Attachments: [AB 897 Fact Sheet](#)

Position: Watch

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

The bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 7-1-22 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill would allow LAFcos to be a part of these regional climate networks. This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

[AB 903](#) ([Frazier](#) D) Los Medanos Community Healthcare District.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county in order to operate the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as described above, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

[AB 959](#) ([Mullin](#) D) Park districts: regulations: nuisances: abatement.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 3/4/2021-Referred to Com. on L. GOV.

Summary: Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. Current law requires the board of directors to superintend, control, and make available to all the inhabitants of the district all public recreation lands and facilities, as provided. Existing law authorizes the board to adopt regulations. Current law provides that a violation of an ordinance, rule, or regulation adopted by the board is a misdemeanor punishable by a fine or imprisonment in the county jail, as provided. This bill would authorize the board of directors to adopt regulations relating to nuisances and establish a procedure for the abatement of the nuisances, including administrative abatement.

Attachments: [AB 959 Fact Sheet](#)

Position: Watch

CALAFCO Comments: As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

[AB 975](#) ([Rivas, Luz](#) D) Political Reform Act of 1974: statement of economic interests and gifts.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on ELECTIONS.

Summary: The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

[AB 1021](#) ([Mayes](#) I) Imperial Irrigation District.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on L. GOV.

Summary: Would require the commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites, by December 1, 2022, a joint study of voting rights, and options for providing electricity, in the Imperial Irrigation District. The bill would require the joint study to include a description of voting rights in the district and a determination of whether and how the district can extend voting rights to its residents, as well as options for providing electricity in the district's jurisdiction and other affected service areas, in the circumstance that the district desires to no longer provide electrical service in its jurisdiction.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFcos to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section. This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district). The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

[AB 1053](#) ([Gabriel](#) D) City selection committees: quorum: teleconferencing.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on L. GOV

Summary: Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Position: Oppose unless amended

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means. The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

[AB 1246](#) ([Nguyen](#) R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Summary: Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

[SB 10](#) ([Wiener](#) D) Planning and zoning: housing development: density.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 3/22/2021

Status: 3/22/2021-Read second time and amended. Re-referred to Com. on GOV. & F.

Summary: Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.

Position: Watch

Subject: Housing

[SB 13](#) ([Dodd](#) D) Local agency services: contracts: Counties of Napa and San Bernardino.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 1/28/2021-Referred to Com. on GOV. & F.

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

Position: Watch

Subject: CKH General Procedures

CALAFCO Comments: This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature. There are amendments pending from the City of St. Helena that as proposed would drastically change the intent of SB 13. CALAFCO is working with the author's office, Napa and San Bernardino LAFCos and the City of St. Helena on those amendments and will carefully watch the bill.

[SB 96](#) ([Dahle](#) R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 1/28/2021-Referred to Coms. on GOV. & F. and E. & C.A.

Summary: Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real

property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

[SB 261](#) ([Allen](#) D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 3/16/2021-From committee: Do pass and re-refer to Com. on TRANS. (Ayes 5. Noes 2.) (March 15).  
Re-referred to Com. on TRANS.

Summary: current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: CALAFCO is currently reviewing the bill.

[SB 273](#) ([Hertzberg](#) D) Water quality: municipal wastewater agencies.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 3/18/2021-Set for hearing April 12.

Calendar: 4/12/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary: Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

Attachments: [SB 273 Fact Sheet](#)

Position: Support

Subject: Municipal Services

CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

CALAFCO is requesting an amendment to add a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo. The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

[SB 274](#) ([Wieckowski](#) D) Local government meetings: agenda and documents.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 3/25/2021-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (March 25).

Calendar: 4/5/2021 #8 SENATE SENATE BILLS - SECOND READING FILE

Summary: The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions.

Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the

agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Attachments:

[CALAFCO Support SB 274 \(3-15-21\)](#)

[SB 274 Fact Sheet](#)

Position: Support

Subject: Public Records Act

CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

[SB 427](#) ([Eggman](#) D) Water theft: enhanced penalties.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 3/25/2021

Status: 3/25/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Calendar: 4/8/2021 Upon adjournment of Session - John L. Burton Hearing Room

(4203) SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary: Existing law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions, to \$100 for the first violation, \$200 for a 2nd violation of the same ordinance within one year of the first violation, and \$500 for each additional violation of the same ordinance within one year of the first violation. This bill would authorize the legislative body of a city or a county that is authorized by the applicable local agency formation commission to provide water service to adopt an ordinance that prohibits water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified. The bill would require the local agency to adopt an ordinance that sets forth the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of the administrative fines or penalties for water theft and to establish a process for granting a hardship waiver to reduce the amount of the fine, as specified.

Position: Watch

Subject: Water

[SB 475](#) ([Cortese](#) D) Transportation planning: sustainable communities strategies.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 3/18/2021-Re-referred to Coms. on E.Q., TRANS., and HOUSING. Referral to Com. on HOUSING rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.

Summary: Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: CALAFCO is currently reviewing the amendments dated March 10, 2021.

[SB 499](#) ([Leyva](#) D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 3/25/2021-April 8 set for first hearing canceled at the request of author.

Summary: Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Attachments: [SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty. The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

[SB 574](#) ([Laird](#) D) Agricultural preserves: Williamson Act.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/4/2021

Status: 3/25/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts. CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

[SB 813](#) (Committee on Governance and Finance) Controller: local government financial reports.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/3/2021-Referred to Com. on GOV. & F.

Summary: Current law requires the Controller to compile, publish, and make publicly available on the Controller's website reports of the financial transactions and information on annual compensation of each county, city, and special district within this state. This bill would specify that the reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later.

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 33

Total Tracking Forms: 33