



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:
Rudy Mendoza, Chair
Dennis Townsend, V-Chair
Julie Allen
Pete Vander Poel
Liz Wynn

LAFCO MEETING AGENDA

April 6, 2022 @ 2:00 P.M.

ALTERNATES:
Larry Micari
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 Assembly Bill 361, available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB361

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

Assembly Bill 361 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:

TULARE COUNTY HUMAN RESOURCES AND DEVELOPMENT
2500 West Burrel Avenue
Visalia, CA 93291

I. Call to Order

II. Approval of Minutes from March 2, 2022

(Pages 01-02)

III. Public Comment Period

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

IV. Action Items and Presentations

- 1. Remote Attendance at Public Meetings Pursuant to State Assembly Bill 361 (Pages 03-04)
[No Public Hearing]Recommended Action: Approval

LAFCO commissioners may continue to have the option to participate in governing board meetings remotely through the use of the teleconferencing provisions of AB 361.

- 2. 2022/2023 Preliminary Budget and Work Program (Pages 05-28)
[Public Hearing].....Recommended Action: Approval

Pursuant to GC 56381, the Commission must adopt a proposed budget and work program for the

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

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.

3. Public Member Selection Committee **(Pages 29-32)**
[No Public Hearing] Recommended Action: Select Committee

The application period for the Public Member closed on March 28, 2022. One application was received. The Public Member Selection Committee will update and/or make a recommendation to the Commission.

V. Executive Officer's Report

1. Legislative Update **(Pages 33-48)**
Enclosed is a listing of bills that CALAFCO is tracking.
2. Upcoming Projects **(No Page)**
The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO projects.

VI. Correspondence

None

I. Other Business

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

II. Setting Time and Place of Next Meeting

1. May 4, 2022 @ 2:00 P.M in the Tulare County Human Resources and Development Building, 2500 W. Burrell Ave., Visalia, CA 93291.

III. 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
2500 W. Burrel Ave., Visalia, CA 93291
Tulare County Human Resources and Development Building
March 2, 2022 – Meeting Minutes**

Members Present: Allen, Mendoza, Vander Poel, Townsend, Wynn
Members Absent:
Alternates Present: Micari
Alternates Absent: Sheriff, Harrell
Staff Present: Giuliani, Ingoldsby, & Kane recording
Counsel Present: Matt Pierce

- I. **Call to Order:** Chair Mendoza called the meeting to order at 2:00 p.m.
- II. **Approval of the January 19, 2022 Meeting Minutes:**
Upon motion by Commissioner Vander Poel and seconded by Commissioner Townsend, the Commission unanimously approved the LAFCO minutes.
- III. **Public Comment Period:**
Chair Mendoza opened/closed the Public Comment Period at 2:01 p.m. No public comments received.
- IV. **Action Items and Presentations:**
 1. **Remote Attendance at Public Meetings Pursuant to State Assembly Bill 361**
Chair Mendoza outlined the conditions in AB-361 which he explained needed to be confirmed to allow for remote access.
Upon motion by Commissioner Vander Poel and seconded by Commissioner Allen, the Commission unanimously reaffirmed AB-361 conditions.
 2. **Sphere of Influence (SOI) Amendment to the City of Porterville, Case 1560-P-323A**
Staff Analyst Ingoldsby provided background and discussion on the proposed amendment to the sphere of influence for the City of Porterville. Staff Analyst Ingoldsby provided a brief outline of the required determinations and stated that staff recommendations would be to approve the sphere of influence amendment as requested by the City of Porterville.

Chair Mendoza opened the Public Hearing at 2:07 p.m.
Jason Ridenour, with City of Porterville spoke in support of the proposed amendment.
Chair Mendoza closed the Public Hearing at 2:08 p.m.

Upon motion by Commissioner Allen and seconded by Commissioner Vander Poel, the Commission unanimously approved the SOI amendment to the City of Porterville.
 3. **Public Member Selection Committee**
Staff Analyst Ingoldsby explained appointment process for members of the Commission to serve four-year terms. The current term for the public member will expire May of this year, 2022. In compliance with the current appointment process, advertisement of the open position would begin and a selection committee consisting of one County and one City member would be formed.

Upon motion by Commissioner Vander Poel, and seconded by Commissioner Mendoza the Commission approved to appoint Commissioner Wynn and Commissioner Townsend to the selection committee.

4. **Commissioner Code of Ethics and Roles & Responsibilities:**

EO Giuliani outlined the commissioner code of ethics and roles & responsibilities policy that had been requested by the Commission at the December 1, 2021 meeting. A draft copy was distributed and reviewed by the Commissioners and discussion ensued. If approved a copy would be signed by each Commissioner and filed with the LAFCo Board Clerk.

Upon motion by Commissioner Wynn and seconded by Commissioner Allen, the Commission unanimously approved the Code of Ethics and Roles & Responsibilities policy.

V. **Executive Officer's Report**

1. **LAFCO 101**

EO Giuliani presented his LAFCO 101 presentation which provided many details and outlined what LAFCO's role is, history, formation, purpose, and mission.

2. **Legislative Update**

EO Giuliani reviewed the legislative report, highlighting SB 852: Climate resilience districts: formation: funding mechanisms; and AB 1773: Williamson Act: subvention payments: appropriation.

3. **Upcoming Projects**

EO Giuliani stated that a draft of the budget, County and City of Visalia ESA agreement for the Sequoia gateway project, and possibly an annexation for the City of Lindsay were amongst the upcoming projects.

VI. **Correspondence:**

None

VII. **Other Business:**

1. **Commissioner Report:**

Commissioner Allen expressed her interest in continuing to serve on the LAFCO Commission.

Commissioner Mendoza announced that the City of Woodlake would be hosting the league of cities dinner on March 10, 2022.

Commissioner Vander Poel announced that the Highway 99 Summit would be held March 3-4, 2022 to discuss finishing the 99 widening efforts.

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 6, 2022 at 2:00 p.m.** in the Tulare County Human Resources and Development Building, 2500 W. Burrel Ave., Visalia, CA 93291.

IX. **Adjournment:** The Tulare County LAFCO meeting adjourned at 2:40 p.m.



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EXECUTIVE OFFICER
Ben Giuliani

To: LAFCO Members, Alternates and Executive Officer
From: Matt Pierce, County Counsel
Subject: Confirm Conditions of State Assembly Bill 361 to Continue Remote Attendance

BACKGROUND:

In response to the COVID-19 pandemic, the Governor suspended part of the Brown Act concerning the requirements for allowing Governing Board members to remotely participate in Board meetings. The suspended provisions require that (1) Governing Board meeting agendas allowing remote Board Member participation list each of the specific locations from which Board members will be remotely participating, (2) such agendas be posted at each such location, and (3) members of the general public must be allowed to remotely participate in the meeting from each of the listed locations. The suspension was done to promote social distancing and so to help limit the spread of COVID-19.

DISCUSSION:

The Governor's suspension of these Brown Act provisions expired as of September 30 and was replaced by new AB 361, an urgency statute that became effective as of September 30. Under AB 361, Governing Boards can continue to allow remote Board members participation in Brown Act public meetings if several conditions are met:

1. The meeting is held during a declared State of Emergency (Like the Governor's COVID-19 pandemic State of Emergency that's still in effect in California);
2. The Governing Board adopts findings to the effect that allowing remote meeting participation by Governing Board members promotes social distancing, which in turn helps prevent the spread of COVID-19;
3. The Governing Board confirms these conditions continue to be met every 30 days.

RECOMMENDATION:

Confirm the conditions to continue allowing the option to participate in its governing board meetings remotely through the use of the teleconferencing provisions of AB 361

FISCAL IMPACT:

None

ATTACHMENT:

None



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:
Rudy Mendoza, Chair
Dennis Townsend, V-Chair
Julie Allen
Pete Vander Poel
Liz Wynn

ALTERNATES:
Larry Micari
Fred Sheriff
Steve Harrell

EXECUTIVE OFFICER:
Ben Giuliani

April 6, 2022

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

FROM: Steven Ingoldsby, LAFCO Staff Analyst

SUBJECT: FY 2022/23 Preliminary Budget and Work Program

Enclosed for your review are the Fiscal Year 2022/23 Preliminary Budget and Work Program. LAFCO is required to adopt its preliminary budget by May 1st and its final budget by June 15th of each year.

BUDGET 794

REVENUES

5801 Income from Other Agencies - \$271,140 is the amount estimated for FY 2022/23 as income from eight cities and the County as required by Government Code Section 56381. For 2021/22, \$80,000 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 \$280,000 in available reserve funds at the end of FY 2021/22.

The Commission may wish to again use the reserve funds to offset some of the cost to the cities and County in FY 2022/23. Attached is a spreadsheet showing different contribution scenarios utilizing different amounts of surplus funds. The \$92,000 scenario would leave contribution levels comparable to FY 2021/22 yet still maintain an adequate reserve amount.

5421 Planning and Engineering Services – Staff anticipates two to three new cases to be submitted by the end of this fiscal year (June 15). The total estimated revenue for FY2021/22 is \$21,456. For fiscal year 2022/23, 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 2021/22, 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. \$8,081 is budgeted for FY 2022/23.

Estimated expenditure for current FY - \$7,704

7036 Office Expenses - \$816 was allocated for office supplies and other office equipment expenses in FY 2021/22. \$832 is budgeted for FY 2022/23.

Estimated expenditure for current FY - \$800

7043 Professional and Specialized Services – \$200 is budgeted for FY 2022/23. 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 2022/23 as the reduced projected workload is expected to continue.

Estimated expenditure for current FY - \$200

7059 Publications and Notices – Public meetings are advertised in the Foothills Sun Gazette. \$2,040 is budgeted for FY 2022/23.

Estimated expenditure for current FY - \$2,000

7073 Staff and Commission Member Training – Training costs of \$3,335 are proposed for FY 2022/23 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 2022/23 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 2022/23 to cover expenses for worker's compensation.

Estimated expenditure for current FY - \$0

7043 Property – \$0 is proposed for FY 2022/23.

Estimated expenditure for current FY - \$0

7043 Liability Insurance – A total of \$3,417 has been budgeted for FY 2022/23 to cover expenses for general liability insurance.

Estimated expenditure for current FY - \$3,403

7036 ADP Payroll – A total of \$276 has been budgeted for FY 2022/23.

Estimated expenditure for current FY - \$271

7036 Rent – A total of \$13,654 has been budgeted for FY 2022/23.

Estimated expenditure for current FY - \$13,257

7036 Alarm Services – A total of \$100 has been budgeted for FY 2022/23.

Estimated expenditure for current FY - \$21

7036 Telecomm – A total of \$1000 has been budgeted for FY 2022/23 to cover expenses for telephone service.

Estimated expenditure for current FY - \$1000

7036 Utilities - \$1,989 is budgeted for utility expenses for FY 2022/23.

Estimated expenditure for current FY - \$1,950

7043 Custodial- \$816 is budgeted for custodial services during FY 2022/23.

Estimated expenditure for current FY - \$800

7036 Printing Services – \$250 is budgeted for FY 2022/23. 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 - \$250

7036 Mail Services - \$900 is budgeted for FY 2022/23. This covers costs for processing mail for LAFCO public hearing notices and other correspondence.

Estimated expenditure for current FY - \$900

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. \$4,080 is proposed for FY 2022/23.

Estimated expenditure for current FY - \$4,000

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. \$8,858 has been allotted for FY 2022/2023.

Estimated expenditure for current FY - \$8,684

7066 COWCAP Charges - The amount budgeted for FY 2022/23 is \$10,000. The COWCAP charges have historically fluctuated from year to year. In FY 2021/22 \$722 was charged to LAFCO. 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- \$722

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 2022/2023 is \$5,000.

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. \$209,538 in salaries is estimated for FY 2022/23. This includes a half-time Executive Officer, a 25% Clerk, and a 75% Staff Analyst.

Estimated expenditure for current FY – \$105,000

CONTINGENCY/CARRYOVER

7432 Contingency - A contingency of 10% of the expenses is proposed for 2022/23 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 2021/22 is \$27,032. The contingency proposed for FY 2022/23 is \$28,125.

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 2021/22, \$80,000 was used to offset the cities and County contribution. Staff estimates that LAFCO will have a reserve of approximately \$280,000 at the end of FY 2021/22. 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 FY 21/22	As of 03/15/22	Projected Expenses FY 21/22	Proposed Budget FY 22/23
EXPENDITURES					
Services and Supplies					
Board Director's Fees	6008	\$1,000	\$0	\$1,000	\$1,000
Memberships	7027	\$7,704	\$7,704	\$7,704	\$8,081
Office Expenses	7036	\$816	\$423	\$800	\$832
Professional and Specialized	7043	\$200	\$200	\$200	\$200
Publication - Public Hearing Notices	7059	\$1,785	\$1,325	\$2,000	\$2,040
Training	7073	\$3,355	\$0	\$0	\$3,355
Transportation and Travel	7074	\$5,865	\$0	\$0	\$5,865
Total Services and Supplies		\$20,725	\$9,652	\$11,704	\$21,373
Other Charges					
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	\$2,819	\$3,403	\$3,403	\$3,417
I/F ADP Payroll	7036	\$271	\$0	\$271	\$276
Rent	7036	\$13,257	\$8,772	\$13,257	\$13,654
Alarm Services	7036	\$100	\$21	\$21	\$100
Telecom	7036	\$1,000	\$353	\$1,000	\$1,000
Utilities	7036	\$1,950	\$797	\$1,950	\$1,989
Custodial Services	7043	\$800	\$585	\$800	\$816
I/F RMA - Printing	7036	\$250	\$93	\$250	\$250
I/F RMA - Mail	7036	\$900	\$409	\$900	\$900
Total Other Charges		\$21,347	\$14,434	\$21,852	\$22,402
Agency Charges					
County Counsel Charges	7043	\$4,000	\$835	\$4,000	\$4,080
Services from Other Dpts.	7066	\$8,684	\$3,961	\$8,684	\$8,858
COWCAP Charges	7066	\$10,000	\$722	\$722	\$10,000
GIS Services	7043	\$6,000	\$0	\$6,000	\$5,000
Salaries	7066	\$199,566	\$24,873	\$105,000	\$209,538
Total Agency Charges		\$228,250	\$30,391	\$124,406	\$237,476
Contingencies					
	7432	\$27,032	\$0	\$0	\$28,125
TOTAL EXPENDITURES					
		\$297,354	\$54,476	\$157,962	\$309,376
REVENUES					
Other - Government Agency Contributions	5801	\$179,118	\$179,118	\$179,118	\$271,140
Planning and Engineering Services	5421	\$38,236	\$7,252	\$21,456	\$38,236
Prior Year Revenue Accurals Adjustment	5999				
TOTAL REVENUES		\$217,354	\$186,370	\$200,574	\$309,376
NET COST					
		\$80,000	-\$131,894	-\$42,612	\$0

AGENCY CONTRIBUTIONS
CARRYOVER SCENARIOS

Contribution Scenerios

Carryover applied: \$0

	POPULATION (DOF 1/1/2021)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			22/23 CONTRIBUTION	21/22 CONTRIBUTION	
CITY OF DINUBA	26,517	5.50%	\$14,925	\$9,700	\$5,225
CITY OF EXETER	10,997	2.28%	\$6,190	\$4,116	\$2,074
CITY OF FAMERSVILLE	11,327	2.35%	\$6,375	\$4,254	\$2,121
CITY OF LINDSAY	13,090	2.72%	\$7,368	\$4,909	\$2,459
CITY OF PORTERVILLE	59,571	12.37%	\$33,529	\$22,262	\$11,267
CITY OF TULARE	69,246	14.37%	\$38,975	\$25,314	\$13,661
CITY OF VISALIA	139,254	28.91%	\$78,378	\$51,741	\$26,637
CITY OF WOODLAKE	8,054	1.67%	\$4,533	\$2,901	\$1,632
COUNTY OF TULARE	143,677	29.83%	\$80,868	\$53,920	\$26,948
TOTAL	481,733	100.00%	\$271,140	\$179,118	\$92,022

(794) LINE 5801 \$271,140 + \$200.00 billing fee to County Auditor

Carryover applied: \$25000

	POPULATION (DOF 1/1/2021)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			22/23 CONTRIBUTION	21/22 CONTRIBUTION	
CITY OF DINUBA	26,517	5.50%	\$13,549	\$9,700	\$3,849
CITY OF EXETER	10,997	2.28%	\$5,619	\$4,116	\$1,503
CITY OF FAMERSVILLE	11,327	2.35%	\$5,787	\$4,254	\$1,533
CITY OF LINDSAY	13,090	2.72%	\$6,688	\$4,909	\$1,779
CITY OF PORTERVILLE	59,571	12.37%	\$30,438	\$22,262	\$8,176
CITY OF TULARE	69,246	14.37%	\$35,381	\$25,314	\$10,067
CITY OF VISALIA	139,254	28.91%	\$71,151	\$51,741	\$19,410
CITY OF WOODLAKE	8,054	1.67%	\$4,115	\$2,901	\$1,214
COUNTY OF TULARE	143,677	29.83%	\$73,411	\$53,920	\$19,491
TOTAL	481,733	100.00%	\$246,140	\$179,118	\$67,022

(794) LINE 5801 \$246,140 + \$200.00 billing fee to County Auditor

Carryover applied FY : \$50000

	POPULATION (DOF 1/1/2021)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			22/23 CONTRIBUTION	21/22 CONTRIBUTION	
CITY OF DINUBA	26,517	5.50%	\$12,173	\$9,700	\$2,473
CITY OF EXETER	10,997	2.28%	\$5,048	\$4,116	\$932
CITY OF FAMERSVILLE	11,327	2.35%	\$5,200	\$4,254	\$946
CITY OF LINDSAY	13,090	2.72%	\$6,009	\$4,909	\$1,100
CITY OF PORTERVILLE	59,571	12.37%	\$27,346	\$22,262	\$5,084
CITY OF TULARE	69,246	14.37%	\$31,787	\$25,314	\$6,473
CITY OF VISALIA	139,254	28.91%	\$63,925	\$51,741	\$12,184
CITY OF WOODLAKE	8,054	1.67%	\$3,697	\$2,901	\$796
COUNTY OF TULARE	143,677	29.83%	\$65,955	\$53,920	\$12,035
TOTAL	481,733	100.00%	\$221,140	\$179,118	\$42,022

(794) LINE 5801 \$221,140 + \$200.00 billing fee to County Auditor

AGENCY CONTRIBUTIONS
CARRYOVER SCENARIOS

Carryover applied: \$75000

	POPULATION (DOF 1/1/2021)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			22/23 CONTRIBUTION	21/22 CONTRIBUTION	
CITY OF DINUBA	25,994	5.42%	\$10,622	\$9,700	\$922
CITY OF EXETER	11,030	2.30%	\$4,507	\$4,116	\$391
CITY OF FAMERSVILLE	11,399	2.37%	\$4,658	\$4,254	\$404
CITY OF LINDSAY	13,154	2.74%	\$5,375	\$4,909	\$466
CITY OF PORTERVILLE	59,655	12.43%	\$24,378	\$22,262	\$2,116
CITY OF TULARE	67,834	14.13%	\$27,720	\$25,314	\$2,406
CITY OF VISALIA	138,649	28.89%	\$56,658	\$51,741	\$4,917
CITY OF WOODLAKE	7,773	1.62%	\$3,176	\$2,901	\$275
COUNTY OF TULARE	144,489	30.10%	\$59,045	\$53,920	\$5,125
TOTAL	479,977	100.00%	\$196,140	\$179,118	\$17,022

(794) LINE 5801 \$196,140 + \$200.00 billing fee to County Auditor

Carryover applied: \$92000

	POPULATION (DOF 1/1/2021)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			22/23 CONTRIBUTION	21/22 CONTRIBUTION	
CITY OF DINUBA	26,517	5.50%	\$9,861	\$9,700	\$161
CITY OF EXETER	10,997	2.28%	\$4,089	\$4,116	-\$27
CITY OF FAMERSVILLE	11,327	2.35%	\$4,212	\$4,254	-\$42
CITY OF LINDSAY	13,090	2.72%	\$4,868	\$4,909	-\$41
CITY OF PORTERVILLE	59,571	12.37%	\$22,152	\$22,262	-\$110
CITY OF TULARE	69,246	14.37%	\$25,750	\$25,314	\$436
CITY OF VISALIA	139,254	28.91%	\$51,784	\$51,741	\$43
CITY OF WOODLAKE	8,054	1.67%	\$2,995	\$2,901	\$94
COUNTY OF TULARE	143,677	29.83%	\$53,429	\$53,920	-\$491
TOTAL	481,733	100.00%	\$179,140	\$179,118	\$22

(794) LINE 5801 \$179,140 + \$200.00 billing fee to County Auditor

Carryover applied: \$100000

	POPULATION (DOF 1/1/2021)	PERCENT OF POPULATION	PROPOSED		DIFFERENCE
			22/23 CONTRIBUTION	21/22 CONTRIBUTION	
CITY OF DINUBA	26,517	5.50%	\$9,420	\$9,700	-\$280
CITY OF EXETER	10,997	2.28%	\$3,907	\$4,116	-\$209
CITY OF FAMERSVILLE	11,327	2.35%	\$4,024	\$4,254	-\$230
CITY OF LINDSAY	13,090	2.72%	\$4,650	\$4,909	-\$259
CITY OF PORTERVILLE	59,571	12.37%	\$21,163	\$22,262	-\$1,099
CITY OF TULARE	69,246	14.37%	\$24,600	\$25,314	-\$714
CITY OF VISALIA	139,254	28.91%	\$49,471	\$51,741	-\$2,270
CITY OF WOODLAKE	8,054	1.67%	\$2,861	\$2,901	-\$40
COUNTY OF TULARE	143,677	29.83%	\$51,043	\$53,920	-\$2,877
TOTAL	481,733	100.00%	\$171,140	\$181,442	-\$10,302

(794) LINE 5801 \$171,140 + \$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	FY 2011/12
DINUBA	\$9,838	\$6,716	\$4,325	\$3,455	\$0	\$6,584	\$8,929	\$6,904	\$6,068	\$5,235	\$4,764
EXETER	\$5,404	\$3,627	\$2,336	\$1,873	\$0	\$3,534	\$4,850	\$3,704	\$2,788	\$2,629	\$2,295
FAMERSVILLE	\$4,827	\$3,467	\$2,229	\$1,802	\$0	\$3,494	\$4,751	\$3,613	\$2,747	\$2,655	\$2,351
LINDSAY	\$5,681	\$4,064	\$2,566	\$2,052	\$0	\$3,764	\$5,101	\$3,857	\$3,071	\$2,880	\$2,613
PORTERVILLE	\$23,626	\$15,675	\$10,133	\$8,177	\$0	\$15,181	\$20,624	\$17,765	\$15,790	\$12,833	\$12,028
TULARE	\$26,235	\$17,408	\$11,192	\$9,020	\$0	\$16,881	\$23,478	\$19,308	\$17,610	\$14,423	\$13,164
VISALIA	\$60,715	\$36,375	\$23,674	\$19,274	\$0	\$36,694	\$50,702	\$40,643	\$37,780	\$30,487	\$27,635
WOODLAKE	\$4,042	\$2,666	\$1,691	\$1,350	\$0	\$2,453	\$3,332	\$2,552	\$1,785	\$1,915	\$1,616
COUNTY	\$90,577	\$55,677	\$35,561	\$28,291	\$0	\$51,257	\$70,071	\$49,113	\$43,361	\$35,779	\$31,728

TOTAL \$230,945 \$145,675 \$93,707 \$75,294 \$0 \$139,841 \$191,838 \$147,459 \$131,000 \$108,834 \$98,195

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

	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	FY 2021/22
DINUBA	\$8,855	\$8,606	\$8,687	\$11,370	\$9,369	\$9,644	\$9,562	\$9,630	\$9,759	\$9,700
EXETER	\$4,193	\$3,910	\$3,998	\$5,166	\$4,257	\$4,261	\$4,225	\$4,324	\$4,182	\$4,116
FAMERSVILLE	\$4,355	\$4,059	\$4,153	\$5,362	\$4,419	\$4,363	\$4,326	\$4,430	\$4,329	\$4,254
LINDSAY	\$4,849	\$4,164	\$4,707	\$6,170	\$5,084	\$5,037	\$4,994	\$5,096	\$4,996	\$4,909
PORTERVILLE	\$22,124	\$20,688	\$21,148	\$27,334	\$22,524	\$23,239	\$23,043	\$23,538	\$22,599	\$22,262
TULARE	\$24,175	\$22,816	\$23,276	\$30,146	\$24,841	\$25,083	\$24,871	\$25,545	\$25,245	\$25,314
VISALIA	\$50,736	\$47,887	\$48,698	\$63,269	\$52,135	\$51,650	\$51,215	\$52,748	\$52,307	\$51,741
WOODLAKE	\$2,957	\$2,858	\$2,838	\$3,776	\$3,112	\$2,967	\$2,942	\$3,014	\$2,922	\$2,901
COUNTY	\$58,012	\$54,421	\$55,551	\$71,901	\$59,248	\$56,742	\$56,263	\$55,896	\$54,705	\$53,920

TOTAL \$180,257 \$169,409 \$173,057 \$224,494 \$184,989 \$182,985 \$181,442 \$184,222 \$181,044 \$179,118

Reserve Applied \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$60,000 \$80,000

**2022/23
LAFCO
WORK PROGRAM**

Prepared by: Steven Ingoldsby
Tulare County LAFCO
210 N. Church St., Suite B
Visalia, CA 93277
Phone: (559) 623-0450
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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 2022/23 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 km², 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 481,733 (DOF – 1/1/21). 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

Rudy Mendoza, Chair	City representative
Dennis Townsend, V-Chair	County representative
Julie Allen	Public representative
Pete Vander Poel	County representative
Liz Wynn	City representative
Larry Micari	Alternate, County representative
Fred Sheriff	Alternate, Public representative
Steve Harrell	Alternate, City representative

LAFCO Staff

Ben Giuliani, Executive Officer
Steven Ingoldsby, Staff Analyst
Aime Kane, LAFCO Clerk
Matthew Pierce, LAFCO Counsel

LAFCO Abbreviations and Acronyms

CALAFCO	<i>California Association of Local Agency Formation Commissions</i>
C-K-H	<i>Cortese-Knox-Hertzberg Local Government Reorganization Act Of 2000</i>
CSD	<i>Community Services District</i>
GC	<i>Government Code</i>
LAFCO	<i>Local Agency Formation Commission</i>
MSR	<i>Municipal Service Review</i>
PUD	<i>Public Utility District</i>
SOI	<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:	\$58,205	(5.0 Staff Person Months)
Memberships:	\$8,081	
Publications and Notices	\$2,040	
County Counsel:	\$4,080	
COWCAP Charged:	\$10,000	
Board Directors fees:	\$1,000	
Rent	\$13,654	
Insurance	\$3,417	
Prof. & Specialized:	\$200	
Service from Other Dept.	\$8,858	
Total:	\$109,535	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$109,535	(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/. 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:	\$832
Telecomm	\$1000
ADP Payroll/Personnel:	\$276
Utilities:	\$1,989
Custodial Services:	\$816
Property	\$0
Mail	\$900
Printing	\$250
Alarm	\$100
GIS	\$5,000
Worker's Compensation	\$0
Total	\$11,163

(Reserve Funds)
 \$11,163 (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 were 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 22/23. 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:	\$69,846	(6.0 Staff Person Month)
Total:	\$69,846	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$69,846	(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:	\$11,641	(1.0 Staff Person Months)
Total:	\$11,641	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$11,641	(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. SOI Amendments typically occur in conjunction with an annexation and per LAFCO policy does not require a MSR.

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

BUDGET:

Estimated staff costs:	\$23,282	(2 Staff Person Months)
Total:	\$23,282	
Revenue (source):	\$	(Reserve Funds)
Revenue (source):	\$19,969	(County & Cities Contribution)
Revenue (source):	\$3,313	(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 22/23.

BUDGET:

Estimated staff costs:	\$11,641	(1.0 Staff Person Month)
Total:	\$11,641	
Revenue (source):		(Reserve Funds)
Revenue (source):	\$11,641	(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 2021/22 as of this date, staff has processed 4 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 2022/23, based on feedback from local agencies, staff is estimating processing 11 cases.

BUDGET:

Estimated staff costs:	\$34,923	(3 Staff Person Months)
Total:	\$34,923	
		(Reserve Funds)
Revenue (source):	\$	(County & Cities Contribution)
Revenue (source):	\$34,923	(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	\$109,535	\$0	\$0	\$109,535
Office Expenses / Fixed Assets	100.02	\$0	\$11,163	\$0	\$0	\$11,163
Training and Travel	100.03	\$0	\$9,220	\$0	\$0	\$9,220
Municipal Service Reviews	101.02	\$0	\$69,846	\$0	\$0	\$69,846
Cities & Special District Inventory Update	101.03	\$0	\$11,641	\$0	\$0	\$11,641
Sphere of Influence Updates & Amendments	101.04	\$0	\$19,969	\$3,313	\$0	\$23,282
Special Projects	101.06	\$0	\$11,641	\$0	\$0	\$11,641
LAFCO Case Processing	102.01	\$0	\$0	\$34,923	\$0	\$34,923
Subtotals	NA	\$0	\$243,015	\$38,236	\$0	\$281,269
Contingency	NA	\$0	\$28,125	\$0	\$0	\$28,125
TOTALS		\$0	\$271,140	\$38,236	\$0	\$309,376

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>
2022/23	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"> • District dissolutions • District formations • Incorporation studies • Policy updates • Implementation of MSRs <i>Annual Work Elements</i> <ul style="list-style-type: none"> • Case Processing • SOI Amendments • City-Special Districts Inventory • Special Projects
2023/24	Future MSRs and SOI updates will be completed based on County Community Plan Updates and City General Plan Updates.			
2024/25				
2025/26				
2026/27				
2027/28				

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

In The Matter of the 2022/23)
Proposed Budget for the Tulare County) RESOLUTION NO. **22-0XX**
Local Agency Formation Commission)

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

WHEREAS, in accordance with Section 56381, this Local Agency Formation Commission on April 6, 2022, considered the Fiscal Year 2022/23 proposed budget as recommended by the Executive Officer.

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

1. The proposed Fiscal Year 2022/23 budget, attached hereto as Exhibit "A", is hereby adopted.
2. The Executive Officer is hereby authorized and directed to forward said proposed budget to the Board of Supervisors; to each city; and to the clerk and chair of the city selection committee, if any, in accordance with the requirements of Government Code Section 56381.

RESOLUTION NO. **22-00X**
PAGE 2

The foregoing resolution was adopted upon the motion by Commissioner _____, and seconded by Commissioner _____, at a regular meeting held on this 6th day of April 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

si



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:
Rudy Mendoza, Chair
Dennis Townsend V-Chair
Julie Allen
Pete Vander-Poel
Liz Wynn

ALTERNATES:
Larry Micari
Fred Sheriff
Steve Harrell

EXECUTIVE OFFICER:
Ben Giuliani

April 6, 2022

TO: LAFCO Commissioners and Alternates, Executive Officer

FROM: Steven Ingoldsby, Staff Analyst

SUBJECT: Selection Committee Recommendation for Public Member
Appointment

BACKGROUND

Members of the Commission are appointed to four-year terms of office and may be reappointed. The current term for the public member expires on May 2, 2022. Pursuant to Commission Policy, staff circulated an announcement for applications for the appointment for the public member position. At the March 2nd Commission meeting, Liz Wynn and Dennis Townsend were appointed to a selection committee to review applications and to determine a recommendation for the April 6th Commission meeting.

DISCUSSION

One application was forwarded to the selection committee for review. The application was initially screened by staff to ensure consistency with Government Code section 56331:

No person appointed as a public member or alternate public member pursuant to this chapter shall be an officer or employee of the county or any city or special district with territory in the county.

The public member is to be selected by the county and city members and must have at least one affirmative vote from a county and a city member pursuant to GC section 56325(d):

Selection of the public member shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities.

RECOMMENDATION

Either appoint a public member for the term of May 2, 2022, to May 4, 2026, or extend the application period.

Attachments: Resolution

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

In the Matter of the Appointment of)
A Public Member to serve on LAFCO)

RESOLUTION NO. **22-XXX**

WHEREAS, the office of the Alternate Commissioner representing the general public on the Tulare County Local Agency Formation Commission was vacated prior to the completion of the term; and

WHEREAS, the term of office of the Commissioner representing the general public on the Tulare County Local Agency Formation Commission expires on May 2, 2022; and

WHEREAS, the new term of the public member begins May 2, 2022, and ends May 4, 2026; and

WHEREAS, Government Code Section 56325 (d) provides that the Public Member of the Commission shall be appointed by the other members of the Commission; and

WHEREAS, a selection committee was appointed by the Commission on March 2, 2022, to review applications and to make a recommendation to the Commission.

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

<name> is hereby appointed to the Local Agency Formation Commission of Tulare County to serve as the Commissioner representing the general public. Said appointment shall run from May 2, 2022, to May 4, 2026. *OR* The application period for the public member is extended to <date>.

The forgoing resolution was adopted upon motion of Commissioner x, seconded by Commissioner x, at a regular meeting held on this 6th day of April 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

si

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CALAFCO Daily Legislative Report as of Wednesday, March 30, 2022

[AB 2957](#) (Committee on Local Government) Local government: reorganization.

Current Text: Introduced: 3/2/2022 [html](#) [pdf](#)

Introduced: 3/2/2022

Status: 3/17/2022-Referred to Com. on L. GOV.

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires that an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory. Current law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified. This bill would define the term "successor agency," for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district.

Attachments: [CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual Omnibus bill sponsored by CALAFCO. As introduced it makes 3 minor, technical non-substantive changes in CKH: (1) Replaces "to be completed and in existence" with "take effect" under GCS 56102; (2) Adds GCS 56078.5: "Successor Agency" means the local agency the Commission designates to wind up the affairs of a dissolved district; and (3) Replaces "proposals" with "applications" within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2).

[SB 938](#) (Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.

Current Text: Amended: 3/24/2022 [html](#) [pdf](#)

Introduced: 2/8/2022

Last Amended: 3/24/2022

Status: 3/24/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Calendar: 3/31/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary:

Current law authorizes a commission to dissolve an inactive district if specified conditions are satisfied. This bill would also authorize a commission to initiate a proposal for the dissolution of a district if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act. The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies. The bill would authorize the commission, at the conclusion of the remediation period, to find that the district has failed to remedy the deficiencies and adopt a resolution to dissolve the district.

Attachments:

[SB 938 CALAFCO Support letter](#)

[SB 938 CALAFCO Fact Sheet](#)

[SB 938 Author Fact Sheet](#)

Position: Sponsor

Subject: CKH General Procedures, Other

CALAFCO Comments: CALAFCO is the sponsor of this bill. SB 839 represents a collaborative three-year effort (by an 18-member working group) to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. In response to a recommendation made in the 2017 Little Hoover Commission report (Special Districts: Improving Oversight and Transparency), CALAFCO initiated a working group of stakeholders in early 2019 to discuss the protest process for dissolutions of special districts. The bill's current format (dated 2/8/22) represents the restructuring of existing protest provisions scattered throughout CKH. There have been some minor technical language added for clarifications. These changes are all minor in nature (by legislative standards).

The bill will be amended to reflect the newly designed process that codifies the ability for LAFCo to initiate a district dissolution at 25% protest threshold. The conditions under which this can occur include one or more of the following, any/all of which must be documented via determinations in a Municipal Service Review (MSR):

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies;
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending;
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to;
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis;
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency's recent annual audits show chronic issues with the agency's fiscal controls and the agency has taken no action to remediate the issues.

The proposed process is:

1. LAFCo to present the MSR in a 21-day noticed public hearing. At that time the LAFCo may choose to adopt a resolution of intent to dissolve the district. The resolution shall contain a minimum 12-month remediation period.
2. The district will have a minimum of 12 months to remediate the deficiencies.
3. Half-way through the remediation period, the district shall provide LAFCo a written report on the progress of their remediation efforts. The report is to be placed on a LAFCo meeting agenda and presented at that LAFCo meeting.
4. At the conclusion of the remediation period, LAFCo conducts another 21-day noticed public hearing to determine if district has remedied deficiencies. If the district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped. If not, commission adopts a resolution making determinations to dissolve the district.
5. Standard 30-day reconsideration period.
6. Protest proceedings at 25% threshold can be noticed with a required 60-day protest period.
7. Protest hearing is held and amount of qualified protests determined based on 25% threshold. LAFCo either orders dissolution, election, or termination.

As this bill - when amended - adds requirements for LAFCos and districts, it will likely be keyed fiscal (for now it is not). An author fact sheet and CALAFCO fact sheet are posted in our attachments section as well as the CALAFCO Support letter and LAFCo support letter template.

[SB 1490](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/28/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 3/24/2022-Read third time. Urgency clause adopted. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Would enact the First Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments: [SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is the first of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

[SB 1491](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/28/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 3/24/2022-Read third time. Urgency clause adopted. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Would enact the Second Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments: [SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is the second of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

[SB 1492](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/28/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 3/24/2022-Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Would enact the Third Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments: [SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is the third of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

[AB 1640](#) (Ward D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.

Current Text: Amended: 3/23/2022 [html](#) [pdf](#)

Introduced: 1/12/2022

Last Amended: 3/23/2022

Status: 3/24/2022-Re-referred to Com. on APPR.

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, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks.

Attachments:

[AB 1640, CALAFCO Letter of Support - March 2022](#)

[AB 1640 Author Fact](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: This bill is a follow up and very similar to AB 897 (2021). The bill would authorize eligible entities, as defined (including LAFCo), to establish and participate in a regional climate network, as defined. The bill would authorize a regional climate network to engage in activities to address climate change, as specified. Further, it requires a regional climate network to develop a regional climate adaptation and resilience action plan and to submit the plan to OPR for review, comments, and certification. The bill would require OPR to: (1) encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks; (2) develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks by 7-1-23; and (3) provide technical assistance to regions seeking to establish a regional climate network, facilitate coordination between regions, and encourage regions to incorporate as many eligible entities into one network as feasible.

The difference between this bill and AB 897 is this bill removes requirements for OPR to develop guidelines and establish standards and required content for a regional climate adaptation and resilience action plan (to be produced by the network), and removes some specified technical support requirements by OPR. Those requirements were covered in SB 170, a budget trailer bill from 2021.

[AB 1773](#) ([Patterson R](#)) **Williamson Act: subvention payments: appropriation.**

Current Text: Introduced: 2/3/2022 [html](#) [pdf](#)

Introduced: 2/3/2022

Status: 2/10/2022- Referred to Coms. on AGRI. and L. GOV.

Summary: The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2022–23 fiscal year, would appropriate an additional \$40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes. The bill would make various findings in this regard.

Attachments:

[AB 1773 CALAFCO Letter of Support - March 2022](#)

[AB 1773 Author Fact Sheet](#)

Position: Support

Subject: Ag Preservation - Williamson

CALAFCO Comments: AB 1773 resurrects funding the Williamson Act for the 2022-2023 budget year. The Williamson Act was created to preserve open space and conserve agricultural land. For many years, the state funded the Act at around \$35-\$40 million per year. This funding ceased during the recession, and has not been reinstated since. AB 1773 would allocate \$40 million from the General Fund to the Williamson Act for the purpose of subvention payments.

[AB 1944](#) (Lee D) Local government: open and public meetings.

Current Text: Introduced: 2/10/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Status: 2/18/2022-Referred to Com. on L. GOV.

Summary: Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.

Attachments: [AB 1944 Author Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill would delete the requirement that an individual participating in a Brown Act meeting remotely from a non-public location must disclose the address of the location. If the governing body chooses to allow for remote participation, it must also provide video streaming and offer public comment via video or phone.

[AB 2081](#) (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.

Current Text: Introduced: 2/14/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Status: 3/23/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 23). Re-referred to Com. on APPR.

Summary:

The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Current law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to approve such an application. This bill would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2025.

Attachments:

[AB 2081 CALAFCO Oppose 03-16-2022](#)

[AB 2081 Author Fact Sheet](#)

Position: Oppose

Subject: Water

CALAFCO Comments: This bill extends the sunset date created in AB 1361 (2017). Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, under specified circumstances, to apply to the applicable LAFCo to provide this service of water to Indian lands, as defined, that are not within the district and requires the LAFCo to approve such an application. This bill extends the sunset date from January 1, 2023 to January 1, 2025.

CALAFCO opposed AB 1361 in 2017 as the process requires LAFCo to approve the extension of service, requires the district to extend the service, and does not require annexation upon extension of service. CALAFCO reached out to the author's office requesting information as to the reason for the extension and we have not been given a reason.

[AB 2449](#) (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Status: 3/3/2022-Referred to Com. on L. GOV.

Summary:

Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill authorizes the use of teleconferencing without noticing and making available to the public teleconferencing locations if a quorum of the members of the legislative body participate in person from a singular location that is noticed and open to the public and require the legislative body to offer public comment via video or phone. CALAFCO reached out to the author's office for information and we've not yet heard back. The bill is not keyed fiscal.

[AB 2647](#) (Levine D) Local government: open meetings.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Status: 3/10/2022-Referred to Coms. on L. GOV. and JUD.

Summary:

The Ralph M. Brown Act requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates or post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill seeks to amend the law to make clear that writings that have been distributed to a majority of a local legislative body less than 72 hours before a meeting can be posted online in order to satisfy the law. The bill is sponsored by the League of Cities and is not keyed fiscal.

[SB 852](#) (Dodd D) Climate resilience districts: formation: funding mechanisms.

Current Text: Amended: 3/9/2022 [html](#) [pdf](#)

Introduced: 1/18/2022

Last Amended: 3/9/2022

Status: 3/22/2022-Set for hearing March 31. March 31 set for first hearing canceled at the request of author.

Calendar: 4/7/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary:

Current law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. Current law provides for the financing of these activities by, among other things, the issuance of bonds serviced by property tax increment revenues, and requires the authority to adopt a community revitalization and investment plan for the community revitalization and investment area that includes elements describing and governing revitalization activities. This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.

Attachments: [SB 852 Author Fact Sheet](#)

Position: Watch

Subject: Special District Principle Acts

CALAFCO Comments: This bill creates the Climate Resilience Districts Act. The bill completely bypasses LAFCo in the formation and oversight of these new districts because the districts are primarily being created as a funding mechanism for local climate resilience projects (as a TIF or tax increment finance district - for which LAFCos also have no involvement).

The bill authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill authorizes a district created pursuant to these provisions to have boundaries that are identical to the boundaries of the participating entities or within the boundaries of the participating entities. The bill also authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the district. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. It requires 95% of monies collected to fund eligible projects, and 5% for district administration. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually.

Section 62304 details the formation process, Section 62305 addresses the district's governance structure, and 62307 outlines the powers of the district.

[SB 1100](#) (Cortese D) Open meetings: orderly conduct.

Current Text: Amended: 3/21/2022 [html](#) [pdf](#)

Introduced: 2/16/2022

Last Amended: 3/21/2022

Status: 3/22/2022-Set for hearing April 5.

Calendar: 4/5/2022 1:30 p.m. - 1021 O Street, Room 1200 SENATE JUDICIARY, UMBERG, Chair

Summary:

Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting to remove an individual for willfully interrupting the meeting. The bill, except as provided, would require removal to be preceded by a warning by the presiding member of the legislative body that the individual is disrupting the proceedings, a request that the individual curtail their disruptive behavior or be subject to removal, and a reasonable opportunity to cease the disruptive behavior. The bill would similarly require a warning, a request that the individual curtail their disruptive behavior or be subject to removal, and a reasonable opportunity to cease the disruptive behavior before clearing a meeting room for willful interruptions by a group or groups. The bill would define “willfully interrupting” to mean intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law and applicable rules, as specified.

Attachments: [SB 1100 Author Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill would authorize the removal of an individual from a public meeting who is “willfully interrupting” the meeting after a warning and a request to stop their behavior. “Willfull interrupting” is defined as intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law.

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

Current Text: Amended: 7/14/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 7/14/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

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, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[CALAFCO Support July 2021](#)

[AB 897 Fact Sheet](#)

Position: Support

Subject: Climate Change

CALAFCO Comments:

2/24/22 UPDATE: It appears this bill is being replaced with AB 1640 (Ward, Mullin, etc.). CALAFCO will keep this bill on Watch and follow the new bill.

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

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 5/19/2021)(May be acted upon Jan 2022)

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 develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would 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 for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, 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.

2022 UPDATE: Given Member Frazier is no longer in the Assembly and the appellate court overturned the lower court's decision, it is likely the bill will not move forward. CALAFCO will retain WACTH on the bill.

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

Current Text: Amended: 5/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2021

Status: 2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.

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.

UPDATE AS OF 2/24/22 - The author's office indicates they are moving forward with the bill this year and are planning amendments. They are not clear what those amendments will be so CALAFCO will retain a WATCH position on the bill.

[AB 1195](#) ([Garcia, Cristina D](#)) **Drinking water.**

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 6/9/2021)(May be acted upon Jan 2022)

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

Attachments:

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

UPDATE AS OF 2/10/22 - According to the author's office, the author is not intending to move the bill forward at this time. CALAFCO will continue to WATCH and monitor the bill. As a result, the bill was downgraded from a P-1 to a P-3.

[AB 1757](#) ([Ward D](#)) **Groundwater sustainability agency.**

Current Text: Amended: 3/10/2022 [html](#) [pdf](#)

Introduced: 2/2/2022

Last Amended: 3/10/2022

Status: 3/14/2022-Re-referred to Com. on W.,P., & W.

Summary:

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin. Existing law governs the formation of a groundwater sustainability agency. This bill would authorize a conservation district formed pursuant to federal law and overlying a groundwater basin in this state to decide to become a groundwater sustainability agency for that basin and would make the law governing the formation of a groundwater sustainability agency applicable to that district.

Position: Watch

Subject: Water

[AB 2041](#) ([Garcia, Eduardo D](#)) California Safe Drinking Water Act: primary drinking water standards: compliance.

Current Text: Introduced: 2/14/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Status: 3/23/2022-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary:

Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.

Attachments: [AB 2041 Author Fact Sheet](#)

Position: Watch

Subject: Water

CALAFCO Comments: This bill would require the SWRCB to take specified actions if the SWRCB adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures. CALAFCO reached out to the author's office for information on the bill and has not heard back.

[AB 2201](#) ([Bennett D](#)) Groundwater sustainability agency: groundwater extraction permit.

Current Text: Amended: 3/17/2022 [html](#) [pdf](#)

Introduced: 2/15/2022

Last Amended: 3/17/2022

Status: 3/21/2022-Re-referred to Com. on W.,P., & W.

Summary:

Would, on and after July 1, 2023, prohibit, except as specified, a groundwater extraction facility in a basin that is designated by the Department of Water Resources as a basin that is subject to critical conditions of overdraft from extracting water without a valid groundwater extraction permit issued by the groundwater sustainability agency pursuant to the requirements of the bill. The bill would also require a groundwater sustainability agency responsible for managing a basin designated by the department as being subject to critical conditions of

overdraft to develop, on or before June 30, 2023, a process for the issuance of a groundwater extraction permit, as specified. The bill would also prohibit the issuance of a groundwater extraction permit for a new or expanded groundwater facility in a probationary basin, unless the State Water Resources Control Board determines that all or part of a probationary basin is being adequately managed, as specified.

Position: Watch

Subject: Water

CALAFCO Comments: 2/15/2022: As introduced, a spot holder.

3/17/2022: As amended, this bill now seeks to add a new section into the Water Code that would require, after July 1, 2023, designated extraction facilities to procure permits from the Department of Water Resources (DWR.) Extraction facilities are defined as those located in a basin that has already been designated by DWR as subject to critical overdraft conditions. It would also define times when permits are not needed, including for “de minimis extractors” (as defined by Section 10721), for replacement extractors, when drinking water is needed by a water system for public health purposes, for habitat and wetlands conservation, for photovoltaic or wind energy generation when less than 75 acre feet of groundwater is needed annually, when required by an approved CEQA document, and for facilities constructed to ensure a sustain water supply to consolidated public water systems. This bill would also require groundwater sustainability agencies (GSAs) to develop a process for the issuance of groundwater extraction permits which considers demonstrations of need, adherence to a groundwater sustainability plan, a showing that the extraction will not contribute to an undesirable result, and other procedural requirements. Additionally, the bill would require notification to all groundwater users within one mile of the proposed groundwater extraction facility, and to the DWR when the proposed extraction is within one mile of a disadvantaged community or a domestic well user, and other procedural steps. Also allows those GSAs in a basin not designated as subject to critical conditions of overdraft to adopt an ordinance that establishes their own process, in accordance with this section, for the issuance of groundwater extraction permits, and allows imposition of fees as long as they do not exceed reasonable agency costs. DWR shall provide technical assistance to assist GSA implement this section. This bill would further amend Water Code Section 10728 to require annual reports by GSA to include information regarding the number, location, and volume of water encompassed by permits issued under this section.

AB 2442 (Rivas, Robert D) Climate change.

Current Text: Amended: 3/24/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Last Amended: 3/24/2022

Status: 3/28/2022-Re-referred to Com. on L. GOV.

Summary:

The California Disaster Assistance Act requires the Director of Emergency Services to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. Current law also authorizes the director to implement mitigation measures when the director determines that the measures are cost effective and substantially reduce the risk of future damage, hardship, loss, or suffering in any area where a state of emergency has been proclaimed by the Governor. This bill would specify that mitigation measures for climate change and disasters related to climate, may include, but are not limited to, measures that reduce emissions of greenhouse gases, the preservation of open space, improved forest management and wildfire risk reduction measures, and other investments in natural infrastructure, as defined.

Position: Watch

Subject: Ag/Open Space Protection

CALAFCO Comments: Seeks to add climate change to California Disaster Assistance Act and adds, as noted cost effective mitigation measures, the preservation of open space, improved forest management and wildfire risk reduction measures, and other investments in natural infrastructure (in line with definition of a “natural

infrastructure” in GC Section 65302(g)(4)(C)(v).) Also would amend GC Sec 65302 to require General Plans to include "a set of measures designed to reduce emissions of greenhouse gases resulting in climate change, and natural features and ecosystem processes in or near identified at-risk areas threatened by the impacts attributable."

[SB 12](#) ([McGuire D](#)) Local government: planning and zoning: wildfires.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/1/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was H. & C.D. on 6/24/2021)(May be acted upon Jan 2022)

Summary:

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: UPDATE 2/24/22: According to the author's office, they do plan to move this bill forward in 2022 and no other details are available at this time.

[SB 418](#) ([Laird D](#)) Pajaro Valley Health Care District.

Current Text: Chaptered: 2/4/2022 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 1/24/2022

Status: 2/4/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2022.

Summary:

Would create the Pajaro Valley Health Care District, as specified, except that the bill would authorize the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors.

Position: Watch

Subject: Special District Principle Acts

CALAFCO Comments: Gut and amended on 1/14/22, this bill forms the Pajaro Valley Health Care District within Santa Cruz and Monterey counties. The formation, done by special legislation, bypasses the LAFCo process, with language explicitly stating upon formation, LAFCo shall have authority. The bill requires that within 5 years of the date of the first meeting of the Board of Directors of the district, the board of directors shall divide the district into zones. The bill would require the district to notify Santa Cruz LAFCo when the district, or any other entity, acquires the Watsonville Community Hospital. The bill requires the LAFCo to order the dissolution of the district if the hospital has not been acquired by January 1, 2024 through a streamlined process, and requires the district to notify LAFCo if the district sells the Watsonville Community Hospital to another entity or stops providing health care services at the facility, requiring the LAFCo to dissolve the district under those circumstances in a streamlined process.

Given the hospital has filed bankruptcy and this is the only hospital in the area and serves disadvantaged communities and employs a large number of people in the area, the bill has an urgency clause.

Several amendments were added on 1/24/22 by the ALGC and SGFC all contained within Section 32498.7.

CALAFCO worked closely with the author's office, Santa Cruz County lobbyist and the Santa Cruz and Monterey LAFcos on this bill. We have requested further amendments which the Senator has agreed to take in a follow-up bill this year. Those amendments include requiring Santa Cruz LAFco to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFco for the first 3 years, Santa Cruz LAFco conducting a special study on the district after 3 years, and representation from both counties on the governing board. The bill is sponsored by the Pajaro Valley Healthcare District Project.

[SB 969](#) ([Laird D](#)) **Pajaro Valley Health Care District.**

Current Text: Amended: 3/2/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amended: 3/2/2022

Status: 3/22/2022-Set for hearing March 31.

Calendar:

3/31/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary:

Current law creates the Pajaro Valley Health Care District, as specified, and authorizes the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors. Current law requires, within 5 years of the date of the first meeting of the Board of Directors of the Pajaro Valley Health Care District, the board of directors to divide the district into zones and number the zones consecutively. Current law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Current law requires the district to notify the County of Santa Cruz local agency formation commission (LAFco) when the district, or any other entity, acquires the Watsonville Community Hospital. Existing law requires the LAFco to dissolve the district under certain circumstances. This bill would require the LAFco to develop and determine a sphere of influence for the district within one year of the district's date of formation, and to conduct a municipal service review regarding health care provision in the district by December 31, 2025, and by December 31 every 5 years thereafter.

Position: Watch

Subject: Other

CALAFCO Comments: This bill is a follow up to SB 418 (Laird) and contains some of the amendments requested by CALAFco and Monterey and Santa Cruz LAFcos. As introduced the bill requires Santa Cruz LAFco to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFco for the first 2 years, Santa Cruz LAFco conducting a Municipal Service Review on the district every 5 years with the first being conducted by 12-31-25. Our final requested amendment, ensuring representation from both counties on the governing board, is still being worked on and not reflected in the introduced version of the bill.

[SB 1405](#) ([Ochoa Bogh R](#)) **Community service districts: Lake Arrowhead Community Service District: covenants, conditions, and restrictions: enforcement.**

Current Text: Amended: 3/15/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 3/15/2022

Status: 3/23/2022-Re-referred to Coms. on GOV. & F. and JUD.

Calendar: 4/7/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary: Would authorize the Lake Arrowhead Community Services District to enforce all or part of the covenants, conditions, and restrictions for tracts within that district, and to assume the duties of the Arrowhead Woods Architectural Committee for those tracts, as provided.

Position: Watch

Subject: Other

[SB 1425](#) ([Stern D](#)) **Open-space element: updates.**

Current Text: Amended: 3/16/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 3/16/2022

Status: 3/23/2022-Re-referred to Com. on GOV. & F.

Calendar: 4/7/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary:

Current law requires cities and counties to prepare, adopt, and amend general plans and elements of those plans, as specified. Current law requires the general plan to include a housing element and an open-space element, which is also called an open-space plan. Current law sets forth various deadlines for updates to the housing element. This bill would require every city and county to review and update, as specified, its local open-space plan by January 1, 2026, and every time it updates its housing element.

Position: Watch

Subject: Other

[SB 1449](#) ([Caballero D](#)) **Office of Planning and Research: grant program: annexation of unincorporated areas.**

Current Text: Amended: 3/16/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 3/16/2022

Status: 3/23/2022-Re-referred to Com. on GOV. & F.

Calendar: 4/7/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary: Current law requires the Office of Planning and Research to, among other things, accept and allocate or expend grants and gifts from any source, public or private, for the purpose of state planning and undertake other planning and coordinating activities, as specified, and encourage the formation and proper functioning of, and provide planning assistance to, city, county, district, and regional planning agencies. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires that an applicant seeking a change of organization or reorganization submit a plan for providing services within the affected territory that includes, among other requirements, an enumeration and description of the services to be extended to the affected territory and an indication of when those services can feasibly be extended. This bill would require the office to, upon appropriation by the Legislature, establish the Unincorporated Area Annexation Incentive Program, authorizing the office to issue a grant to a city for the purpose of funding infrastructure projects related to the proposed or completed annexation of a substantially surrounded unincorporated area, as defined, subject to approval by the director after the city submits an application containing specified information.

Position: Watch

Subject: Annexation Proceedings

CALAFCO Comments: This is currently a spot bill. According to the author's office, they are working on state funding to incentivize annexation of inhabited territory (when the VLF was taken away, so too was any financial incentive to annex inhabited territory). For many years bills have been run to reinstate funding, none of which have ever successfully passed. There is no other information available on this bill at this time. CALAFCO will

continue conversations with the author's office as this is an important topic for LAFCos. (The bill will remain a P-3 until amended.)

[SB 1489](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2022.

Current Text: Introduced: 2/28/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 3/9/2022-Referred to Coms. on GOV. & F. and HOUSING.

Summary:

Current law sets forth requirements for the passage of city ordinances. Current law requires ordinances to be read in full either at the time of introduction or passage except when, after reading the title, further reading is waived by regular motion adopted by majority vote of the legislative body. This bill would provide that a reading of the title or ordinance is not required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

Position: Watch

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

Total Measures: 28

Total Tracking Forms: 28