



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
Pete Vander Poel
Liz Wynn
Richard Feder

LAFCO MEETING AGENDA September 7, 2022 @ 2:00 P.M. TULARE COUNTY HUMAN RESOURCES AND DEVELOPMENT 2500 West Burrel Avenue Visalia, CA 93291

ALTERNATES:
Larry Micari
Fred Sheriff
Steve Harrell

EXECUTIVE OFFICER:
Ben Giuliani

I. Call to Order

II. Approval of Minutes from August 15, 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. Annexation to the City of Visalia and Detachment from County Service Area #1, (Higgins Ranch) Case 1567-V-457 (Pages 03-14)
[Public Hearing] Recommended Action: Approval

The City of Visalia has submitted a request for an annexation of approximately 32.35 acres of land located at the southeast corner of Cherry Avenue and Lovers Lane. The proposal is intended to facilitate a single-family residential development of 174 units on the site. A Negative Declaration has been prepared by the City of Visalia.

2. Extraterritorial Service Agreement 2022-06 (Pages 15-28)
[No Public Hearing] Recommended Action: Approval

The City of Lindsay has submitted a request for an extraterritorial service agreement for one dwelling on approximately 0.21 acres of land to be provided with sewer service. The site is located one lot south of the southeast corner of E Sierra View St. and Sycamore Ave. The proposal is exempt from CEQA.

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

3. Presentation from County RMA on MSR program (No Page)
4. Designation of Voting Delegate and Alternate for CALAFCO Conference (No Page)
[No Public Hearing]..... Recommended Action: Designate Delegate and Alternate

During each CALAFCO Annual Conference, voting delegates appointed by each member LAFCO vote on various CALAFCO policy and procedural matters and vote to elect nominees to the CALAFCO Board of Directors.

5. Cancellation of October 5, 2022, Meeting (No Page)
[No Public Hearing]..... Recommended Action: Cancel Meeting if no continued items

If no items are continued, there would be no urgent items schedule for the October 5, 2022, meeting. The next regularly scheduled meeting is November 2, 2022

V. Executive Officer's Report

1. Legislative Update (Pages 29-46)
 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

1. CALAFCO Quarterly Report (Pages 47-50)

VIII. Other Business

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

IX. Setting Time and Place of Next Meeting

1. October 5, 2022, or November 2, 2022 @ 2:00 P.M in the Tulare County Human Resources and Development Building, 2500 W. Burrel Ave., Visalia, CA 93291.

X. Adjournment

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking. 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
145 North Magnolia Street, Woodlake, CA 93286
Woodlake Community Center
August 15, 2022 – Meeting Minutes**

Members Present: Townsend, Vander Poel, Wynn, Feder
Members Absent: Mendoza
Alternates Present: Harrell
Alternates Absent: Micari, Sheriff
Staff Present: Giuliani, Ingoldsby, & Kane recording
Counsel Present: Jeff Kuhn

- I. **Call to Order:** Vice-Chair Townsend called the meeting to order at 2:38 p.m.
- II. **Approval of the July 6 , 2022 Meeting Minutes:**
Upon motion by Commissioner Vander Poel and seconded by Commissioner Feder, the Commission unanimously approved the LAFCO minutes.
- III. **Public Comment Period:**
Vice-Chair Townsend opened/closed the Public Comment Period at 2:38 p.m. No public comments received.
- IV. **Action Items and Presentations:**

1. **Annexation to the City of Tulare, Detachment from County Service Area #1, and Detachment from Tulare Irrigation District, Case 1566, Cordeniz Residential Subdivision**

Staff Analyst Ingoldsby reported that the City of Tulare is requesting an annexation of approximately 39.2 acres of land located at the northwest corner of Cartmill Avenue and De La Vina Street. The proposal is intended to facilitate the development of a 144-lot single family residential subdivision. Staff Analyst Ingoldsby discussed the impacts on agricultural, the environment, and services of the area.

Vice-Chair Townsend opened the Public Hearing at 2:44 p.m.

Mario Anaya, City Planner with City of Tulare, and Jim Robinson, with San Joaquin Valley Homes, spoke in favor of the proposed annexation and detachment.

Vice-Chair Townsend closed the Public Hearing at 2:45 p.m.

Upon motion by Commissioner Vander Poel and seconded by Commissioner Wynn, the Commission unanimously approved the proposed annexation and the detachment from the Tulare Irrigation District as presented.

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

1. **ESA 2022-05 (Porterville)**

EO Giuliani provided a copy of a letter of approval of the ESA agreement that permits the City of Porterville to provide domestic water service to existing development on APN 261-190-045 (498 S. Ruth St.).

1. **Legislative Update**

EO Giuliani reviewed the legislative report, highlighting AB 2957, SB 938, AB 1773, AB 1944 and SB 1449: Office of Planning and Research: grant program.

2. **Upcoming Projects**

EO Giuliani stated that for the September meeting the following projects would be presented: one annexation request from the city of Visalia; and one extraterritorial service agreement for the City of Lindsay.

VI. **Correspondence:**

None

VII. **Other Business:**

1. **Commissioner Report:**

None

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 **September 7, 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 2:52 p.m.

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

September 7, 2022

**LAFCO Case Number 1567-V-457
City of Visalia Annexation No. 2021-003 (Higgins Ranch)**

PROPOSAL: Annexation to the City of Visalia and detachment from CSA #1.

PROPONENT: The City of Visalia by resolution of its City Council.

SIZE: Approximately 32.35 acres

LOCATION: The Southeast corner of Cherry Avenue and Lovers Lane.
(Figure 1)

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

SUMMARY: The proposal is intended to facilitate the development of a 174-lot Higgins Ranch single family residential subdivision.

APN: 127-030-018

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing (County)	Proposed (City)
Zoning Designation	AE-20	Single-Family Residential 5,000 sq. ft. minimum site area (R-1-5)
General Plan Designation	Low Density Residential (LRD)	No Change
Uses	Undeveloped land, agricultural use, walnut farming, no structures onsite	174-lot Higgins Ranch Subdivision Map

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

	Zoning Designation	General Plan Designation	Existing Use
North	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Residential Low Density	Single family residential Subdivision
South	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Residential Low Density, Residential Medium Density	Undeveloped and Agricultural Use
East	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Residential Low Density	Undeveloped and Agricultural Use
West	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Residential Low Density	Lovers Lane, Church property & Single family residential

C. Topography, Natural Features and Drainage

The site is relatively flat and does not contain any natural topographical features. To the east the site is bordered by a canal that is owned the Tulare Irrigation District. The site is undeveloped and currently used as a walnut orchard.

D. Conformity with General Plans and Spheres of Influence:

The site is entirely inside of the City's Sphere of Influence. It is also inside the City's Tier 2 Urban Development Boundary (UDB).

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

The proposal site is not under Williamson Act contract.

3. Population:

There are no people living on the subject property, in that, there are no habitable structures onsite and the property is undeveloped. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

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

Agency providing service

Service	Now	After	Method of finance
Police Protection	County of Tulare	City of Visalia	General Fund
Fire Protection	City of Visalia (Contract w/ County)	City of Visalia	General Fund
Water Supply	Private Wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact / User Fee
Street Lighting	None	City of Visalia	General Fund
Street Maintenance	County of Tulare	City of Visalia	General Fund
Planning/Zoning	County of Tulare	City of Visalia	General Fund
Garbage Disposal	None	City of Visalia	User Fees
Storm Drain	None	City of Visalia	Impact / User Fee
Ground Water	None	City of Visalia	Impact / User Fee

The City can provide urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services.

The City has more than enough sewer capacity in its treatment plant to accommodate this annexation proposal. Visalia's wastewater treatment plant has a capacity of 22 million gallons per day. Current estimated average daily flow is about 13 million gallons per day. Other undeveloped area already within the city limits add a potential for another 0.5 to 1.0 million gallons per day. Based on coefficients for sewer flow per acre of a particular land use found in the City's Sewer Master Plan, this annexation proposal would add an estimated 0.03235 million (32,350) gallons per day if undeveloped lands within the annexation area were to develop. This plus the existing flows, plus anticipated future flows already in the city, would be well under the current capacity of the treatment plant.

The City currently maintains South Lovers Lane which is a north/south minor arterial roadway and E. Cherry Avenue, which is an east/west local roadway. Both of these two major streets provide access to the annexation area. Annexation will allow both South Lovers Lane and East Cherry Avenue to be fully developed and maintained by the City.

Services which would be extended to the area, including police and fire safety services and development permit services, will be funded primarily through the City General Fund and user permit fees. Road improvements are funded

through a combination of various sources including, but not limited to, the General Fund, development fees, and Measure R.

5. Boundaries and Lines of Assessment:

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

6. Assess Value, Tax Rates and Indebtedness:

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

Land: \$259,995

Improvements: \$167,812

Estimated per capita assessed valuation: \$2,458.66 / lot (174 lot subdivision)

7. Environmental Impacts:

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

8. Landowner Consent:

The landowner has provided signed consent to annexation. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. Because this annexation is uninhabited, no affected local agency has requested a protest hearing and there is 100% landowner consent within the annexation area, the protest hearing may be waived pursuant to GC §56662.

9. Regional Housing Needs Assessment (RHNA):

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

The proposal involves the annexation of 32.35 acres of land designated by the Visalia General Plan Land Use Map as Residential Low Density. The subsequent development of this property in accordance with City policies and standards will contribute towards the Regional Housing Needs Allocation, as determined by Tulare County Association of Governments.

2014-2023 City of Visalia RHNA

Very Low	Low	Moderate	Above Moderate	Total
2,616	1,931	1,802	3,672	10,021

During the 5th Cycle, the City of Visalia has made the following progress towards providing its fair share of regional housing.

Very Low	Low	Moderate	Above Moderate	Total
157	608	2,057	1,744	4,566

The table below shows the total remaining fair share of regional housing for the City of Visalia.

Very Low	Low	Moderate	Above Moderate	Total
2,459	1,323	-	1,928	5,710

If approved, this proposal would add an additional 144 units that are anticipated to serve the moderate income groups.

10. Discussion:

Residential Land Supply and Development

The City currently has approximately a 3.2 year supply of residential land. This assumes the remaining 1,126 acres of undeveloped residential land within the City develops at the current City population density of 11.4 person per acre of developed residential land at a growth rate of 2.73% per year which is the growth rate for the City from 2000 to 2020.

Government Services

The adequacy of governmental service will be improved within the subject area. According to the City they are currently able to provide the annexation area urban services and infrastructure for development such as sewer services, fire, police, streets lighting, etc., as well as planning and building services. The closest fire and police stations are in and operated by the City of Visalia. Cal Water has provided a will serve letter.

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

RECOMMENDED ACTIONS:

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

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

2. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, determine that:
 - a. The boundaries of the proposed reorganization are definite and certain.
 - b. The proposed annexation is compatible with the city's General Plan.
 - c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
 - d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
 - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
 - f. All urban services and infrastructure can be provided for by the city.
4. Find that the annexation does not contain any Williamson Act contract land.
5. Find that the territory proposed for this reorganization is uninhabited.
6. Approve the proposed reorganization, to be known as LAFCO Case Number 1567-V-457, City of Visalia Annexation No. 2021-003 subject to the following conditions:
 - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
 - b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
7. Waive the protest hearing for this proposal in accordance with Government Code §56662 and order the reorganization without an election.
8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

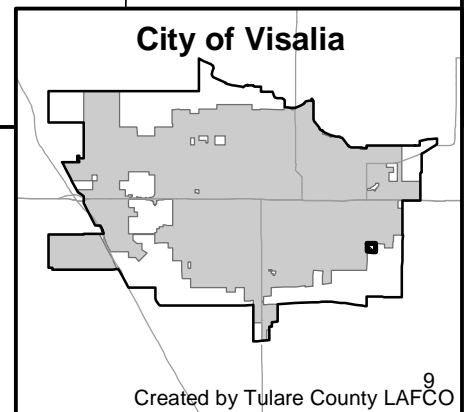
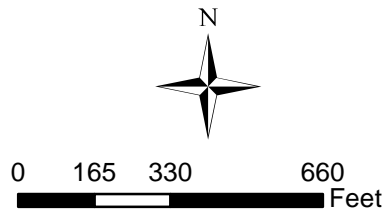
Figures:

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

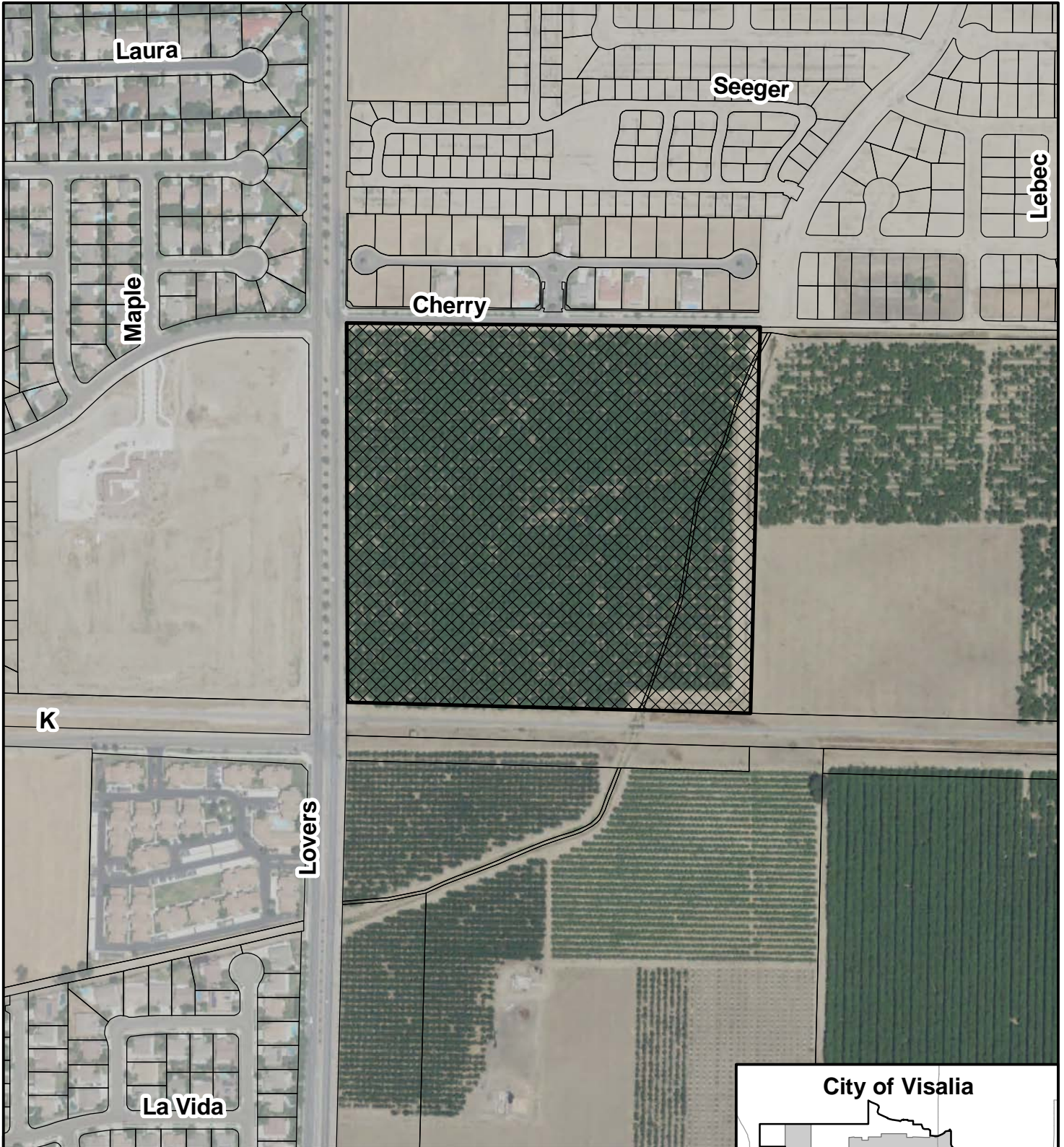
LAFCO Case 1567-V-457



-  Site Location 1567-V-457
-  Parcels
-  City of Visalia
-  Visalia SOI



LAFCO Case 1567-V-457

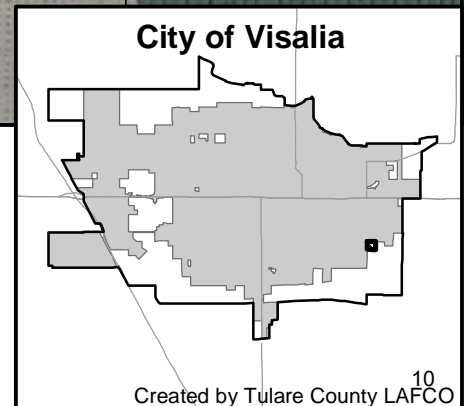


-  Site Location 1567-V-457
-  Parcels
-  City of Visalia
-  Visalia SOI



0 165 330 660 Feet

Boundaries as of 7/21/22



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

In the Matter of the Proposed Annexation)
to the City of Visalia and Detachment from) **RESOLUTION NO. 22-XXX**
CSA #1. LAFCO Case 1567-V-457,)
City of Visalia Annexation No. 2021-003)
(Higgins Ranch))

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

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

WHEREAS, on September 7, 2022 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

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

2. The City of Visalia, as the Lead Agency, prepared an initial study/environmental checklist and on the basis of that study and other planning documents, a Negative Declaration was approved for use with this proposal. And finds that the Commission has reviewed and considered the Negative Declaration prepared by the City of Visalia for this project and determines that the project will not have a significant effect on the environment.

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

XXXXXXXXXXXXX
XXXXXXXXXXXXX

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

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

- a. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited.
- b. The subject territory is within the Sphere of Influence of the City of Visalia with the approval of LAFCO Case 1567-V-457.
- c. The proposed reorganization does not contain any Williamson Act contract land.

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

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

7. The Commission hereby waives the protest hearing proceedings in accordance with GC §56662 and orders the annexation without an election.

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

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

b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.

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

LAFCO Case No. 1567-V-457, City of Visalia Annexation No. 2021-003 (Higgins Ranch)

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.12. The Executive Officer to hereby authorized to sign and file a Notice of Determination with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting held on this 7th day of September 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ak

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

September 7, 2022

LAFCO Extraterritorial Service Request 22-006

PROPOSAL: Extraterritorial Sewer Service Request to Single Family Dwelling

PROPONENT: Jose A (Tony) Vasquez

SIZE: 0.21 acres

LOCATION: Southeast corner of E Sierra View St and Sycamore Ave (**Figure 1**)

NOTICE: Notice was provided in accordance with Government Code Section 54954.2(a). This project is not subject to a public hearing.

SUMMARY: The purpose for the Extraterritorial Service Agreement (ESA) is to serve the property with sewer service provided by the City of Lindsay.

APN: 202-152-018

Proposal:

A request for approval of an Extraterritorial Service Agreement (ESA) setting the terms and conditions for extension of sewer service from the City of Lindsay. The purpose for the extension of sewer services is to serve the development of a single-family residence one lot south of the southeast corner of East Sierra View Street and Sycamore Avenue. The subject property owner owns the adjacent property to the north which is developed with a single-family residence.

Agreement

A signed service agreement between the agencies providing and receiving service were included in the ESA application (**Figure 1**).

Type of Review Required

Tulare County LAFCO policy delegated authority to the Executive Officer to act on proposals to extend services beyond jurisdictional boundaries for property that is already developed. Since this proposal is for new development, it must come before the Commission.

Environmental Impacts

The City of Lindsay is the lead agency and has determined that the proposal is exempt from CEQA.

Proposal Considerations

The proposal area is within the Sphere of Influence of the City of Lindsay. The surrounding area is already developed with single family residences and is within a County island. The City of Lindsay is not prepared at this time to annex the entirety of the area but is willing to provide sewer service to the proposed site.

RECOMMENDED ACTIONS:

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


1. Determine that the project is exempt from CEQA.
2. Approve the proposed extraterritorial service agreement.:


Attachments:


- Figure 1 Site Location Map
- Figure 2 Aerial
- Figure 3 Copy of Agreement
- Figure 4 Resolution


ESA 2022-09




 Site Location 2022-06

 City of Lindsay

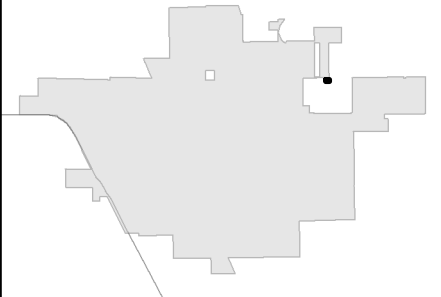
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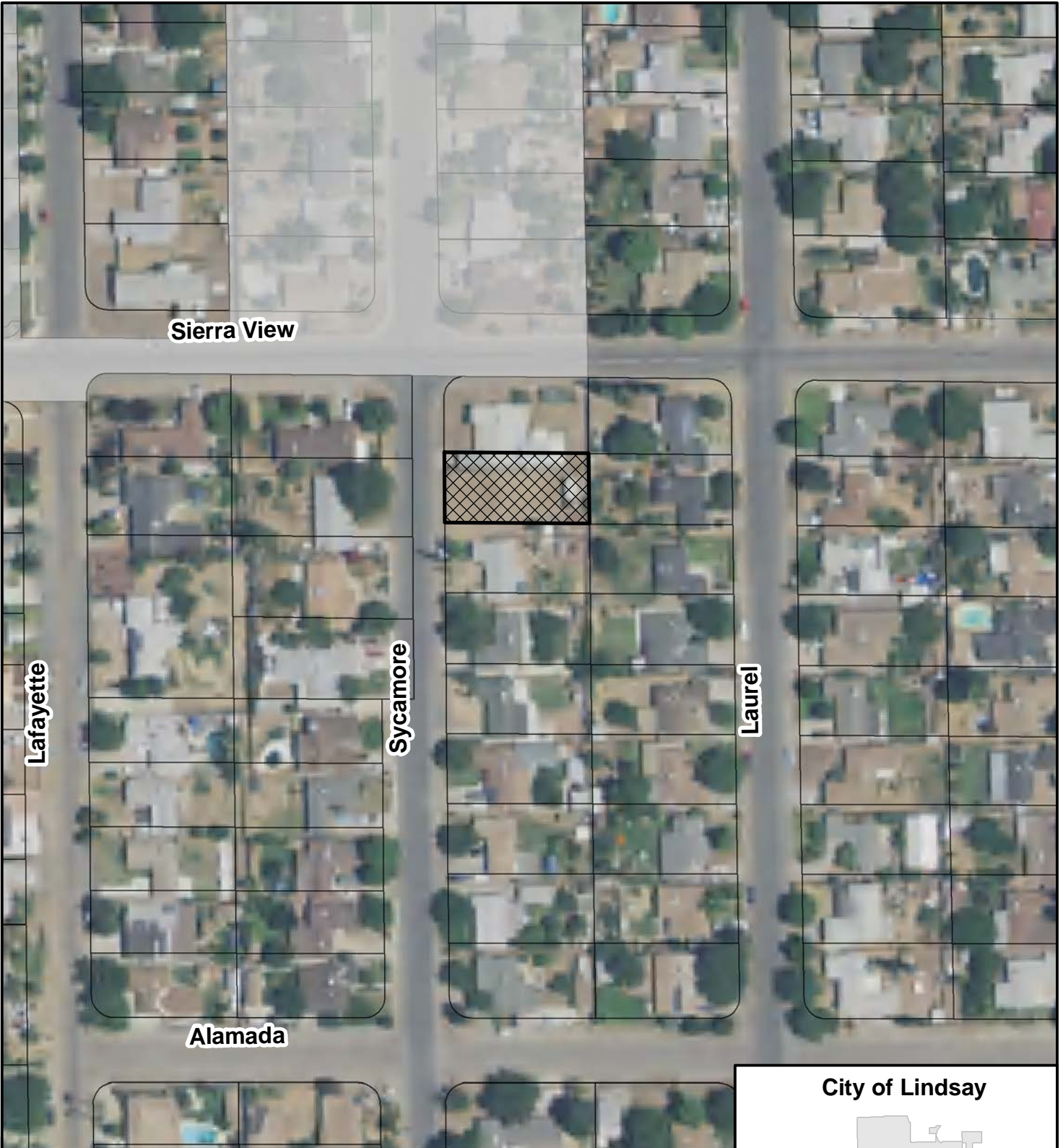
Boundaries as of 8/30/22

City of Lindsay



17
Created by Tulare County LAFCO

ESA 2022-09



Site Location 2022-06



City of Lindsay



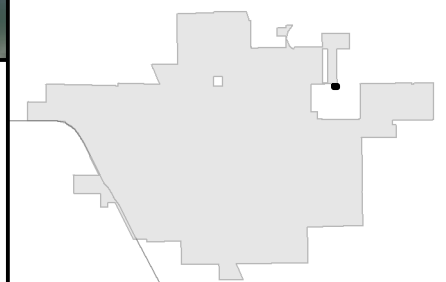
Parcels



0 50 100 200 Feet

Boundaries as of 8/30/22

City of Lindsay



Created by Tulare County LAFCO

**EXTRA-TERRITORIAL SEWER SERVICE AND OFFSITE INFRASTRUCTURE
AGREEMENT BETWEEN THE CITY OF LINDSAY AND TONY VASQUEZ**

THIS AGREEMENT is made and entered into effective the day of June 24, 2022, {"Effective Date"} by and between the City of Lindsay, a California municipal corporation (hereinafter referred to as "City"), and Tony Vasquez, an individual (hereinafter referred to as "Property Owner").

RECITALS

WHEREAS, Property Owner is the owner of that subject property commonly known as 894 Sycamore Avenue, Lindsay, California 93247 APN 202-152-013 ("the Subject Property" or "the Property") consisting of 1- SINGLE FAMILY RESIDENCE ON A ACRE PARCEL; and

WHEREAS, the property currently lies in the County of Tulare and the Property Owner is interested in connecting to the City's infrastructure to supply sewer capacity to the Subject Property; and

WHEREAS, the Property Owner is currently experiencing or anticipates inadequate sewer services (Utility services) to support full use of the above defined property; and

WHEREAS, the subject property is within the City's sphere of influence, but is currently outside of the City's boundary limit and contiguous with the City limit line (also commonly referred to as the "City Limit"); and

WHEREAS, the Property Owner desires the City submit an application to Tulare Local Agency Formation Commission ("LAFCO") for the City to be able to provide Utility Services without the requirement that the Property be annexed into the City; and

WHEREAS, the City does not desire to annex the Subject Property to the City at this time, but is willing to provide the Property Owner with Utility Services given that the Property Owner pay any and all costs associated with making such connections and obtaining all necessary permits and approvals; and

WHEREAS, the necessity of this Agreement is to address immediate health and safety needs of the public; consistent with Government Code section 56133 (c); and

WHEREAS, the City has available Utility Services (Sewer) with sufficient capacity which may be extended to the Subject Property, and is willing to provide Utility Services so long as the Property Owner fully complies with, abides by, and performs all conditions precedent to such City performance, as specified in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the WHEREAS provisions above which shall be considered contractual provisions, the mutual covenants set forth herein and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto, agree as follows:

- A. **GENERAL PROVISIONS.** Property Owner will fully complete all of the following tasks, at Property Owner's sole cost and expense, as a condition precedent to City's obligation to provide Utility Services(Sewer):
1. Submit an application for extraterritorial services on a form provided by City and pay the application deposit (which includes, without limitation, the costs of preparing this agreement). The application will have the following as attachments:
 - a. Submit design and engineering diagrams prepared by Property Owner (or Property Owner's duly licensed consultant) in a form satisfactory to the City Engineer and City Director of City Services & Planning showing how Utility Services will be connected and identifying the point of connection to City's system.
 - b. Submit an estimate of annual Utility Service consumption.
 - c. Upon tentative approval by City and delivery by City to Property Owner of a written cost estimate and connection analysis, the Property Owner shall submit payment for an application to LAFCO for approval of extraterritorial Utility Services (City will submit its evidence of consent to provide service as requested by LAFCO).
 - d. Upon receiving LAFCO approval, submit a standard City application for connection to the City Utility Service and pay all standard fees and costs associated with such applications and pay any special costs as estimated by the City Engineer and City Director of City Services & Planning that will be incurred by the City in connection with connecting Utility Services outside the City Limits, including without limitation any and all City costs in connection with construction inspection and plan review for purposes of granting approvals.
 - e. Approve the written statement (City Statement) prepared by City staff showing the exact costs to be paid and the timing of payment and approve the Point of Service and any other technical details required to affect the Utility Service Connection.
 - f. Property Owner obtaining, at Property Owner's sole cost and expense, any and all permits and approvals required for the Utility Service connection by any governmental or quasi-governmental or utility entity and complying with any and all (if any) environmental reviews including without limitation those pertaining to the California Environmental Quality Act (CEQA). Such efforts will be at Property Owner's sole cost and expense.
- B. **PROVISIONS DURING THE TERM OF THIS AGREEMENT.** During the term of this Agreement, Property Owner, on his behalf and on behalf of any successors or assigns who possess any interest in the Subject Property, agree to the following terms and conditions to the continuing receipt of City Services:

1. Property Owner shall pay to City, at the time of execution of this Agreement and consistent with when other City Utility Customers are required to make payment, all City delivery charges, fees and taxes, including but not limited to the City's Utility Taxes, and any other applicable fees, charges or taxes required by City.
2. To grant City employees and contractors access to the Subject Property as necessary to effect repairs to the Utility Service facilities and to cooperate with the City in obtaining any permits or approvals from the County of Tulare needed to maintain the utility system.

C. PROVISIONS RELATED TO CONNECTION TO UTILITY SERVICES.

Connection to City's municipal sewer system by Property Owner shall be subject to the following conditions:

1. **Metered Service Connection.** City will allow a metered service connection for domestic use to a sewer main at a point specified in the City Statement ("Point of Service").
2. **Construction of New Sewer System.** Property Owner shall construct in accordance with the designed and engineered system approved by City, at its sole responsibility and expense, a public sewer line from the Point of Service to the Subject Property (hereinafter "New Sewer System"). The New Sewer System shall be a public sewer line and be operated and maintained by the City of Lindsay during the term of this Agreement.
3. **Alignment and Permits.** Pipeline construction by Property Owner for the New Sewer System shall follow an alignment acceptable to Tulare County and shall comply with any required permits issued by Tulare County. All permits and approvals required from Tulare County are the sole responsibility of Property Owner.
4. **Easements Required for New Sewer System.** Property Owner will secure, and if necessary, pay for all easements required for the construction and installation of the New Sewer System. City to Provide Sewer Service. Upon installation and determining the New Sewer System is operational and upon Property Owner's full and complete performance of all obligations and responsibilities under this Agreement, City agrees to provide Property Owner with sewer services from City's municipal waste water treatment system.
5. **No Representation Regarding Sewer Service.** City does not make any representation, warranty or guarantee of any kind or nature and hereby specifically disclaims any kind of representation, warranty or guarantee any of the New Sewer System when constructed and installed will yield any specific volume to the Subject Property under static or demand scenarios or for any use by Property Owner and its tenants, lessees, purchasers, successors or assigns. However, City will use reasonable efforts to assure that the New Sewer System is treated equally with all other portions of its Municipal Waste Water Treatment System with respects to system performance.
6. **Maintenance and Repair of New Sewer System.** City shall, at its sole cost and expense maintain the City's municipal sewer water system and will maintain the New Sewer System to the Property during the term of this agreement. Property Owner shall, at its sole cost and expense, maintain, repair and replace any portion of the sewer lines from the meter to the house connection. Under no circumstances shall

the City be required or accountable to maintain, repair or replace the private portion of the sewer lines from the meter to the house connection.

7. **Sewer Facilities on Owners Property.** All sewer lines and facilities located from the meter which run through the Subject Property premises are private sewer facilities, the property of Property Owner and shall not be considered a portion of the New Sewer System. The Property Owner shall have the same responsibilities, duties and obligations for its private sewer facilities, including repair and maintenance, as would any other property owner within the jurisdiction of the City of Lindsay subject to the Lindsay Municipal Code, as may be amended, including enforcement by City of Lindsay pertinent Municipal Code Provisions.
8. Property Owner shall not permit any additional connections to either the New Sewer System or to any portion of the private facilities from the point of service to the house connection other than one connection for the residence or sewer uses existing at the time of signing this Agreement. Property Owner shall not increase the intensification of land uses on the Subject Property that would substantially increase the current sewer demands from the connection existing at the time of signing this Agreement without written approval of the City. The definition of "substantially increase" as used within this section would be an amount in excess of 10% usage over the average monthly usage of Property Owner over a six month period of time after entering into this Agreement and City begins to supply sewer services.
9. **Possible Removal of the New Sewer System.** If as part of extending Sewer Services to the entire area surrounding the Subject Property, City determines that the New Sewer System is inadequate for integration into the larger system, Property Owner will remove the New Sewer System at Property Owner's sole cost and expense to allow connection into any such new system then being constructed.

D. ADDITIONAL PROVISIONS.

1. **Continuing Obligations and Responsibilities of Property Owner.** Property Owner agrees to promptly pay to City any and all charges, fees and taxes for Utility Services supplied by City to Property Owner's Subject Property. All fees listed in the City's Fee Schedule are regularly updated and amended from time to time by City's Council. Notwithstanding any other section of this Agreement, the fees and rates set forth by the City's Fee Schedule, as currently in effect or as it may be amended, are incorporated herein and shall have precedence over the fees listed in this Agreement and attached exhibits. Property Owner is responsible to pay the charges, fees and rates as set forth by the Master Fee Schedule. Property Owner agrees to maintain its Utility Service accounts with City in a current status. Property Owner acknowledges and agrees that should its Utility Services account with City become sixty (60) days delinquent, City shall have the right, at City's sole option, to discontinue Utility Services to Property Owner's Subject Property.
2. **Consent to Future Annexation.** In further consideration of City's agreement to provide Utility Services from City's municipal Utility Services systems to the Subject Property, Property Owner agrees not to oppose or protest, in any way, the future annexation of Property Owner's Subject Property to City and to pay Property Owner's share of all applicable fees and charges City or any other governmental agency may require at the time of annexation of Property Owner's Subject Property to City. Property Owner will sign a petition to annex the Subject Property when requested by City. Any material breach by Property Owner within this Agreement to

Annexation into the City of Lindsay will be considered a crossbreach of this Agreement affording City any and all remedies it would otherwise have related to a material breach of this Agreement.

3. **Covenants Running with the Land.** Property Owner acknowledges and agrees that all of Property Owner's covenants, agreements, promises, representations and warranties as set forth in this Agreement are covenants running with Property Owner's Subject Property as defined in the applicable provisions of Section 1457 et seq. of the California Civil Code. Property Owner's covenants, agreements, promises, representations and warranties as contained in this Agreement, shall run with Property Owner's Subject Property and shall be 7 binding on Property Owner, their successors and assigns and all parties and persons claiming under them. Within thirty (30) days of execution by the last party to sign, City will record a copy of this Agreement as a covenant running with the land.
4. **Successors and Assigns.** The covenants and agreements contained in this Agreement shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of the parties hereto. Property Owner may not assign its rights and/or obligations under this Agreement without the prior written consent of City, which consent shall not be unreasonably withheld. Any such consent by City shall not, in any way, relieve Property Owner of its obligations and responsibilities under this Agreement.
5. **Notices.** Any notice required or intended to be given to either party under the terms of this Agreement shall be in writing and shall be deemed to be duly given if delivered personally, transmitted electronic means, or by facsimile followed by telephone confirmation of receipt or sent by United States registered or certified mail, with postage prepaid, return receipt requested, addressed to the party to which notice is to be given at the party's address set forth on the signature page of this Agreement or at such other address as the parties may from time to time designate by written notice. Notices served by United States mail in the manner above described shall be deemed sufficiently served or given at the time of the mailing thereof.
6. **Binding.** Subject to Section 18 hereafter, once this Agreement is signed by all parties, it shall be binding upon, and shall inure to the benefit of, all parties, and each parties' respective heirs, successors, assigns, transferees, agents, servants, employees and representatives.
7. **Waiver.** The waiver by either party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement. No provisions of this Agreement may be waived unless in writing and signed by all parties to this Agreement. Waiver of any one provision herein shall not be deemed to be a waiver of any other provision herein.
8. **Indemnification of City.** To the greatest extent allowed by law, Property Owner shall indemnify, hold harmless and defend City and each of its officers, officials, attorneys, employees, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by City, Property Owner or any other person, and from any and all claims, demands, liabilities, damages and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of

the performance of this Agreement or the performance of any or all work to be done in and upon the street rights-of-way, the Subject Property, and premises adjacent thereto, pursuant to this Agreement, or arising or alleged to have arisen directly or indirectly in any way related to the construction, installation and operation of the Utility Service System by anyone occupying any portion of Property Owner's Subject Property, including, without limitation, any such claims, causes of action, damages, liabilities, fees, costs, expenses and attorney fees arising from water quality compliance, a lack of volume of water, inadequate fire flow, or lack of water pressure in, from or delivered to the New Sewer System. Property Owner's obligations under the preceding sentence shall apply regardless of whether Property Owner are passively negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused by the active or sole negligence, or willful misconduct, of City or any of its officers, officials, attorneys, employees, agents or volunteers. Property Owner also acknowledges that City's sewer supply contains detectable concentrations of various regulated and unregulated substances, as set forth in the City's 2019 Annual Water Quality Report. Property Owner agrees there are no property rights granted herein and that Property Owner only obtains a contract right to City sewer under the terms of this Agreement. With respect to any sewer quality-related issues, concerns or claims Property Owner may have, Property Owner's only remedy under this Agreement is to terminate the agreement or continue to accept sewer from the City. Property Owner agrees to indemnify City consistent with this section related to any actual or potential contamination within City's water supplied under this Agreement. This section shall survive termination or expiration of this Agreement.

9. **Public Health, Safety and Welfare.** Nothing contained in this Agreement shall limit City's authority to exercise its police powers, governmental authority or take other appropriate actions to address threats to public health, safety and welfare, including temporarily suspending Utility Services as deemed appropriate by City in its sole determination.
10. **Governing Law and Venue.** This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of California. Venue for purposes of the filing of any action regarding the enforcement or interpretation of this Agreement and any rights and duties hereunder shall be Tulare County, California.
11. **Headings.** The section headings in this Agreement are for convenience and reference only and shall not be construed or held in any way to explain, modify or add to the interpretation or meaning of the provisions of this Agreement.
12. **Severability.** The provisions of this Agreement are severable. The invalidity or unenforceability of any of one provision in this Agreement shall not affect the other provisions.
13. **Interpretation.** The parties acknowledge this Agreement in its final form is the result of the combined efforts of the parties and that, should any provision of this Agreement be found to be ambiguous in any way, such ambiguity shall not be resolved by construing this Agreement in favor of or against either party, but rather by construing the terms in accordance with their generally accepted meaning.
14. **Attorney's Fees.** If either party is required to commence any proceeding or legal action to enforce or interpret any term, covenant or condition of this Agreement, the

prevailing party in such proceeding or action shall be entitled to recover from the other party its reasonable attorney's fees and legal expenses.

15. **Exhibits.** Each exhibit and attachment referenced in this Agreement is, by the reference, incorporated into and made a part of this Agreement.
16. **Precedence of Documents.** In the event of any conflict between the body of this Agreement and any Exhibit or Attachment hereto, the terms and conditions of the body of this Agreement shall control and take precedence over the terms and conditions expressed within the Exhibit and Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Agreement, shall be null and void.
17. **Cumulative Remedies.** No remedy of election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity.
18. **No Third-Party Beneficiaries.** The rights, interests, duties and obligations defined within this Agreement are intended for the specific parties hereto as identified in the preamble of this Agreement. Notwithstanding anything stated to the contrary in this Agreement, it is not intended that any rights or interests in this Agreement benefit or flow to the interest of any third parties.
19. **Extent of Agreement.** Each party acknowledges the have read and fully understand the contents of this Agreement. This Agreement represents the entire and integrated agreement between the parties with respect to the subject matter hereof and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be modified only by written instrument duly authorized and executed by both City and Property Owner.

****SEE FOLLOWING PAGE FOR SIGNATURES****

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date first written above written by their respective officers duly authorized on their behalf.

CITY OF LINDSAY:

City of Lindsay
251 E. Honolulu St.
Lindsay, CA 93247

By: 

Joseph Tanner, City Manager



City Clerk

Property Owner:

Tony Vasquez
894 Sycamore Avenue
Lindsay, CA 932147

By: 

Tony Vasquez

BEFORE THE LOCAL AGENCY FORMATION COMMISSION

OF THE

COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Extraterritorial Service)
Agreement between the City of Lindsay and)
Jose A “Tony” Vasquez)

RESOLUTION NO. 22-XXX

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

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

WHEREAS, on September 7, 2022 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

1. The information, material and facts set forth in the application and the report of the Executive Officer (including any corrections), have been received and considered in accordance with GC §56133. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The City of Lindsay, as Lead Agency, determined that the project is exempt from the California Environmental Quality Act (CEQA). And the Commission hereby determines that the project is exempt from CEQA under Section 15303 Class 3.

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

4. Based upon the evidence and information on the record before it and the findings, the Commission hereby determines extension of sewer service from the City of Lindsay is consistent with the Government Code Section 56133.

5. The proposed extraterritorial service agreement for sewer service to APN 202-152-018 described in Exhibit "A" attached hereto is hereby approved.

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

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting held on this 7th day of September, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

CALAFCO Daily Legislative Report as of Wednesday, August 31, 2022

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

Current Text: Chaptered: 6/21/2022 [html](#) [pdf](#)

Introduced: 3/2/2022

Last Amended: 4/18/2022

Status: 6/21/2022-Approved by the Governor. Chaptered by Sec of State - Chapter 37, Statutes of 2022.

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 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).

April 18, 2022 bill amended with additional changes requested by CALAFCO. Amendments include grammatical changes, the correction of a PUC citation in GC Sec 56133(e)(5) from 9604 to 224.3, the extension of the sunset date within R&T Section 99(b)(8)(B) to January 1, 2028, and it renumbers remaining provisions as needed due to the above changes.

[SB 739](#) (Cortese D) Private golf courses: conversion to housing.

Current Text: Amended: 6/13/2022 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amended: 6/13/2022

Status: 6/20/2022-Re-referred to Coms. on NAT. RES. and H. & C.D. pursuant to Assembly Rule 96. **Summary:** Would authorize a development proponent to submit an application to convert land that was previously used as a golf course to market-rate and affordable housing and would provide that the application is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. In this regard, the bill would require a development subject to the provisions to be located on a site that was used as a golf course, but has been closed for at least 5 years before the effective date of these provisions and would require that the development include at least 600 housing units. The bill would require the development to dedicate at least 30% of the new housing units to lower income households and persons and families of moderate income, as specified. By requiring local governments to approve development applications submitted under these provisions, the bill would impose a state-mandated local program.

Attachments: [SB 738 - Author's Fact Sheet](#)

Position: Oppose unless amended

Subject: Ag/Open Space Protection, Annexation Proceedings, Growth Management, Housing, LAFCo Administration, Municipal Services, Planning, Sustainable Community Plans

CALAFCO Comments: SB 739 was gutted and amended on June 13th and now seeks to add provisions to the Government Code to allow for a rapid, and ministerial, conversion of golf courses that have been closed for at least 5 years to housing developments of at least 600 units. As proposed, the bill is to be in effect until January 1, 2030, authorizes a development proponent to submit an application and receive streamlined, ministerial approvals of both county CUPs and the LAFCo process to speed development. Additionally, while not expressly called out in the bill, it contains provisions that address contracting requirements which discuss high rise developments; the implication being that high rise developments of at least 600 housing units would have to be ministerially approved on all levels. CALAFCO is currently in discussions with the author's office.

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

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/8/2022

Last Amended: 6/9/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Sec of State. Chapter 89, Statutes of 2022.

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there is a local agency formation commission (commission) that oversees these changes of organization and reorganization. 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, as described, 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.

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: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 94, Statutes of 2022.

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: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Sec of State. Chapter 95, Statutes of 2022.

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: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Sec of State. Chapter 96, Statutes of 2022.

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: 5/19/2022 [html](#) [pdf](#)

Introduced: 1/12/2022

Last Amended: 5/19/2022

Status: 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)

Summary:

Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research 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:

[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.

The bill is author-sponsored and keyed fiscal. An author fact sheet is included in our attachments area, as well as the CALAFCO Support letter.

Amended 3/23/2022 to provide that regional climate networks MAY be developed rather than the former requirement. Minor clean ups of other superfluous language.

Amended 5/19/2022 to remove the deadline for OPR to develop and publish guidelines for eligible entities to establish regional climate networks, removed an exemption to cover multiple counties when population was greater than 2 million people, removed requirements for membership and biennial reports to OPR.

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

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

Introduced: 2/3/2022

Status: 5/19/2022-In committee: Held under submission.

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. Current 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.

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: Amended: 5/25/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amended: 5/25/2022

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)

Summary:

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. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

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.

Amended 5/25/2022 to add that for this provision to apply, no less than a quorum of members of the legislative body must participate from a single physical location that is identified on the agenda, open to the public, and situated within the boundaries of the legislative body.

7/5/2022: Bill failed deadline and is now DEAD.

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

Current Text: Enrolled: 8/26/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Last Amended: 5/12/2022

Status: 8/24/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 75. Noes 0.).

Summary:

Current law permits a municipal water districts 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, among other things, would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2027.

Attachments:

[AB 2081 CALAFCO Oppose Letter, dated 5-26-2022](#)

[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: Enrolled: 8/29/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Last Amended: 8/8/2022

Status: 8/25/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 67. Noes 2.).

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. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

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.

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

Current Text: Enrollment: 8/29/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 8/4/2022

Status: 8/29/2022-Enrolled and presented to the Governor at 3:30 p.m.

Summary:

Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, 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. 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 and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts 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.

Amended on April 19, 2022, to add a provision that agendas will note the physical location from which hard copies of such post-agenda documents can be retrieved.

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

Current Text: Enrollment: 8/23/2022 [html](#) [pdf](#)

Introduced: 1/18/2022

Last Amended: 8/8/2022

Status: 8/23/2022-Enrolled and presented to the Governor at 12:30 p.m.

Summary:

Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Current law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan. 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, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, except as specified. The bill would require a district to finance only specified projects that meet the definition of an eligible project. 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.

Amended 5/18/2022 to impose requirements on projects undertaken or financed by a district, including requiring a district to obtain an enforceable commitment from the developer that contractors and subcontractors performing the work use a skilled and trained workforce, and would expand the crime of perjury to these certifications.

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

Current Text: Chaptered: 8/22/2022 [html](#) [pdf](#)

Introduced: 2/16/2022

Last Amended: 6/6/2022

Status: 8/22/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 171, Statutes of 2022.

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 or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The bill, except as provided, would require removal to be preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual’s behavior is disrupting the meeting and that the individual’s failure to cease their behavior may result in their removal. The bill would authorize the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The bill would define “disrupting” for this purpose.

Attachments:

[SB 1100 - CALAFCO Letter of Support](#)

[SB 1100 Author Fact Sheet](#)

Position: Support

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.

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

Current Text: Enrollment: 8/29/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 4/19/2022

Status: 8/29/2022-Read third time. Passed. Ordered to the Senate. In Senate. Ordered to engrossing and enrolling.

Summary:

Would require the Office of Planning and Research 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 of State Planning after the city submits an application containing specified information. The bill would require the office to match, on a dollar-for-dollar basis, any dollar contribution a city makes toward a project funded by the program, subject to a maximum funding threshold as determined by the director. The bill would, by September 1, 2023, require the office to develop guidelines, and consult with various local representatives to prepare those guidelines, for purposes of implementing the program, and would provide that the guidelines are not subject to the rulemaking requirements of the Administrative Procedure Act.

Attachments: [SB 1449 - CALAFCO Letter of Support](#)

Position: Support

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.)

Amended 3/16/2022 to remove spot holder language, add definitions and other language tying to CKH, and add language more specific to a grant program. LAFcos added in to assist OPR develop the program guidelines.

[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: 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/16/2021)

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

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

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.

8/12/2022. Bill failed deadline and is now DEAD.

[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: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. 2 YEAR on 7/14/2021)

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.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022. 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.

Failed deadline. DEAD as of 7/5/2022.

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

Current Text: Amended: 6/16/2022 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 6/16/2022

Status: 8/22/2022-Ordered to inactive file at the request of Senator Umberg.

Summary:

The Political Reform Act of 1974 generally requires elected officials, candidates for elective offices, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other persons and entities, to file periodic campaign statements and certain reports concerning campaign finances and related matters. Current law permits a report or statement that has been on file for at least two years to be retained by a filing officer as a copy on microfilm or other space-saving materials and, after the Secretary of State certifies an online filing and disclosure system, as an electronic copy. This bill would permit a filing officer to retain a report or statement filed in a paper format as a copy on microfilm or other space-saving materials or as an electronic copy, as specified, without a two-year waiting period. The bill would also

permit a filing officer to retain a report or statement as an electronic copy before the Secretary of State certifies an online filing and disclosure system.

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.

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

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 1757](#) ([Garcia, Cristina D](#)) California Global Warming Solutions Act of 2006: climate goal: natural and working lands.

Current Text: Amended: 8/28/2022 [html](#) [pdf](#)

Introduced: 2/2/2022

Last Amended: 8/28/2022

Status: 8/30/2022-Withdrawn from committee. Ordered to third reading.

Calendar: 8/31/2022 #58 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary:

Current law requires, no later than July 1, 2023, the Natural Resources Agency, in coordination with the State Air Resources Board, the California Environmental Protection Agency, the Department of Food and Agriculture, and other relevant state agencies, to establish the Natural and Working Lands Climate Smart Strategy and, in developing the strategy, to create a framework to advance the state's climate goals. Current law requires the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond. This bill would require the Natural Resources Agency, in collaboration with specified entities including the state board and the expert advisory committee as specified, to determine on or before January 1, 2024, an ambitious range of targets for natural carbon sequestration, and for nature-based climate solutions, that reduce greenhouse gas emissions for 2030, 2038, and 2045 to support state goals to achieve carbon neutrality and foster climate adaptation and resilience. The bill would require these targets to be integrated into the above-described scoping plan and other state policies. The bill would require the Natural Resources Agency, in consultation with specified agencies including the state board, to review and update the Natural and Working Lands Climate Smart Strategy to achieve these targets. The bill would require the Natural Resources Agency and the state board to jointly establish an expert advisory committee to inform and review modeling and analyses for natural and working lands, to advise state agencies on implementation strategies and standardized accounting, and to provide recommendations on addressing barriers to efficient implementation of the provisions of the bill. The bill would require the Natural Resources Agency to publish data on its internet website on progress made in achieving these targets, as specified.

Position: Watch

Subject: Water

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

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Last Amended: 4/18/2022

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

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 comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Specifically, the bill would require the state board to determine which public water system may not be able to comply with the primary drinking water standard without receiving financial assistance and develop a compliance plan, including a financial plan to assist that public water system in complying with the primary drinking water standard. The bill would also require the state board, if a public water system is in violation of the primary drinking water standard after the compliance period, to take into consideration whether or not the public water system implemented the compliance plan.

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.

Failed deadline. DEAD as of 5/20/2022.

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

Current Text: Amended: 8/11/2022 [html](#) [pdf](#)

Introduced: 2/15/2022

Last Amended: 8/11/2022

Status: 8/30/2022-In Assembly. Concurrence in Senate amendments pending.

Calendar: 8/31/2022 #5 ASSEMBLY CONCURRENCE IN SENATE AMENDMENTS

Summary:

Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. The bill would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among

other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

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.

Unfunded mandate, now reimbursements provided. Keyed: fiscal.

Amended 4/27/2022 to removes all provisions regarding groundwater extraction facilities, adds in provisions regarding local agencies, which are defined as cities, counties, districts, agencies, or other entities with the authority to issue a permit for a a new groundwater well or for an alteration to an existing well.

[AB 2442](#) (Rivas, Robert D) California Disaster Assistance Act: climate change.

Current Text: Amended: 8/11/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Last Amended: 8/11/2022

Status: 8/30/2022-Ordered to inactive file at the request of Senator Dodd.

Summary:

The California Disaster Assistance Act requires the Director of Emergency Services to authorize the replacement of a damaged or destroyed facility, whenever a local agency and the director determine that the general public and state interest will be better served by replacing a damaged or destroyed facility with a facility that will more adequately serve the present and future public needs than would be accomplished merely by repairing or restoring the damaged or destroyed facility. 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 and investments in natural infrastructure, as defined, including, but not limited to, the

preservation of natural and working lands, as described, improved forest management, and wildfire risk reduction measures.

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: 6/6/2022 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 6/6/2022

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. H. & C.D. on 5/24/2022)

Summary:

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a housing element and a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. Current law requires the housing element to be revised according to a specific schedule. Current law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. 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.

This bill failed to make deadlines and is DEAD as of 7/5/2022.

[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 and is not keyed fiscal.

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

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amended: 3/2/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 90, Statutes of 2022.

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. Existing law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Existing 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: Enrollment: 8/29/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 4/18/2022

Status: 8/29/2022-Read third time. Passed. Ordered to the Senate. In Senate. Ordered to engrossing and enrolling.

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. This bill contains other related provisions.

Position: Watch

Subject: Other

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

Current Text: Enrollment: 8/30/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 4/18/2022

Status: 8/30/2022-Enrolled and presented to the Governor at 3 p.m.

Summary: Existing law requires cities and counties to prepare, adopt, and amend general plans and elements of those plans, as specified. Existing law requires the general plan to include a housing element and an open-space element, which is also called an open-space plan. Existing law sets forth various deadlines for updates to the housing element. This bill would require every city and county to review and update its local open-space plan by January 1, 2026. The bill would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element. By imposing additional duties on local officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Other

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

Current Text: Enrollment: 8/30/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Last Amended: 6/20/2022

Status: 8/30/2022-Ordered to special consent calendar. Assembly amendments concurred in. (Ayes 38. Noes 0.) Ordered to engrossing and enrolling.

Summary: Current law, including the Professional Land Surveyors' Act, the Mello-Roos Community Facilities Act of 1982, the Subdivision Map Act, provisions relating to official maps of counties and cities, and provisions relating to maps of certain special assessment districts, prescribe requirements for the identification, storage, access, and preservation of maps. This bill would revise requirements for storage, access, and preservation of maps, in connection with the above-described laws, to authorize alternative methods by which maps may be identified, kept safe and reproducible, and to which they may be referred, and would generally eliminate the requirement that they be fastened and stored in books.

Position: Watch

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



BOARDROOM Brief

AT ITS VIRTUAL meeting on July 22, the Board received the year-end financial reports from our accountant, considered a revised FY 22-23 budget, and resumed their discussion of the Government Code Section 56133 legislative amendment proposal.

The Fourth Quarter financial report found that the association is sound financially. It also disclosed an FY 21-22 net balance that was slightly larger than had been expected in April. Consequently, a revised FY 22-23 budget was also presented to the Board to capture the higher carryover, as well as to remove an erroneously duplicated stipend calculation from the Executive Director's salary line for the upcoming year. Those adjustments, along with another that the Board made to the payroll tax line, resulted in a revised FY 22-23 budget. The differences from the original version approved in April were increased carryover and contingency lines, and reductions to the ED salary and payroll tax lines. The revised budget can be found on the Board meeting portion of the website.

The last action item considered was the reconsideration of the legislative proposal from San Diego LAFCo regarding Government Code §56133. As many will recall, the topic has been a continuing one having been discussed and tabled at the January and April Board meetings. In April, the Board sent the proposal back to the Legislative Committee to complete additional research. Ultimately, the Board approved adding the endeavor to the list of CALAFCO projects, as well as approving a White Paper to guide the effort.

Reports were also received regarding CALAFCO U and the fall conference - including Elections. It was noted that Achievement Awards have an upcoming **deadline of AUGUST 12TH** - so get those nomination packets in ASAP!

The next Board meeting is scheduled for October 21st during the conference.

All agendas, staff reports, and minutes can be found on the CALAFCO website at www.calafco.org. Any questions should be directed to the Executive Director at rlaroche@calafco.org.

SBA 938 Chaptered



Screen shot of Senator Hertzberg presenting SB 938 on the Senate Floor on June 23, 2022

AS MOST of you already know, SB 938 (the Protest Provisions bill) has been successfully concluded. It passed the Senate Floor on June 23rd with a 38-0 vote, and was signed by the Governor on July 1st.

Thank you to the many LAFCOs who rushed to get letters submitted to the Governor after that June 23rd passage.

Given that this is the culmination of an effort that began in 2017, special thanks must again go to the Protest Provisions Working Group members for the YEARS of work on this bill.

The Board of Directors - and all of CALAFCO - extends its sincerest thanks and gratitude to **Jo MacKenzie, José Henriquez, Kai Luoma, Steve Lucas, Paul Novak, Holly Whatley** and, of course, **Pamela Miller** (who stayed on to work the bill in a volunteer capacity.)

Other Legislative Updates

AB 2957, the CALAFCO sponsored Omnibus bill has also been successfully completed. It was passed by the Senate on June 9th, and signed by the Governor on June 21, 2022. Thank you to all of the Legislative Committee members and EOs who submitted proposed changes for the bill. Special thanks to Joe Serrano who had the unenviable task of logging all of those changes!

See **OTHER UPDATES** on Page 3



A Message from the
Executive Director

It's been a busy few months in the office.

We've held two successful and well-received CALAFCO U webinars. Like much of what we do, these could not exist without the volunteerism of our panelists. Thanks to Carolyn Emery (OC), Alison Alpert (BB&K), and Gary Phillips (Bob Murray and Associates) for participating in our June webinar on recruitments and hiring in a post pandemic world. Also, kudos to David Ruderman (Colantuono, Highsmith & Whatley) for organizing our July offering regarding R&T 99, with thanks to panelists José Henriquez (Sacramento), Israel Guevara (OC Auditor-Controller) and Holly Whatley (CHW). I hear time and again how much our members appreciate these offerings!

Our next CALAFCO U is scheduled in September, then they will go on hiatus through the conference and holidays. The target month for our first session in 2023 is February. Thanks to Dawn Mittleman Longoria (Napa) who has been my wing person on these. I could NOT have made it without her!!

Jeni and I are now in full conference mode. Registration opened on July 5th and they have been coming in steadily. If you missed the July 31st Early Bird deadline, the next date to watch is **August 31st** which will be the last day to get the Standard Registration Fee. After that it will be Late Fee only.

Sponsorship packets were sent out and we're seeing some new and returning sponsors already! However, I would ask and encourage you all to send a packet to those in your networks as well.

Our conference planning committee is working hard and the program is taking shape. Many thanks to José Henriquez who is spearheading that effort. Look for more specifics to be announced soon.

Also, a reminder that **ACHIEVEMENT AWARD NOMINATIONS** are due no later than **August 12th at 5:00 PM** so

See **ED**, column right

IN MEMORIAM

JERRY GLADBACH, Los Angeles LAFCo Commissioner

Sad news from Los Angeles LAFCo who lost long-time commissioner, Jerry Gladbach, on July 14th. Commissioner Gladbach was a representative of the Santa Clarita Valley Water Agency and had held a seat on the L.A. LAFCo where he had served as its Chair for 16 years. Commissioner Gladbach also served as a CALAFCO Director from 2005 to 2013, held the position of CALAFCO Board Chair in 2012, received the Most Outstanding Commissioner Award in 2013, as well as the prestigious and well-deserved Lifetime Achievement Award in 2021.



A resident of the Santa Clarita Valley since 1968, Commissioner Gladbach was a do-er who had also served on boards of the National Water Resources Association and the California Water Agencies Joint Powers Insurance Authority. He was renowned for his knowledge, dedication, kindness, and friendliness and will be missed by all.

CALAFCO sends its deepest condolences to Commissioner Gladbach's family, friends, and co-workers.



Contra Costa LAFCo bid farewell to Commissioner Igor Skaredoff

(Contra Costa Resource Conservation District) who served as a Special District member since 2014. During Commissioner Skaredoff's tenure, Contra Costa LAFCo competed numerous Municipal Service Reviews covering fire/emergency medical, reclamation, healthcare, parks & recreation, cemetery, and city services; and acted on over 75 proposals including dozens of boundary changes and reorganizations, and four district dissolutions. Also, during Commissioner Skaredoff's tenure, Contra Costa LAFCO Commissioners were named "Most Effective Commission" at the 2019 annual CALAFCO conference.

See **CONNECTIONS** on Page 4

ED, Continued from left column

get those nominations in to Steve Lucas today!

Another date to note is **September 19th** at 5:00 PM - which is when Director Nominations, Requests for Absentee/Electronic Ballots, and names of voting delegates must be **received**.

And if that wasn't enough, Absentee Ballots are due **October 14th**.

Lastly, a special shout out to Gary Thompson (Riverside) who will be presenting at the CSDA conference in balmy Palm Desert on August 24th. Many thanks, Gary!

Okay, folks, I know that's a lot of dates but you'll also find them all on the Calendar of Events on Page 3.

As usual, please feel free to reach out to me any time that you have any questions or concerns. Enjoy the summer, be safe, and see you at the Conference!!

Upcoming EVENTS

CALAFCO 2022 ANNUAL CONFERENCE

October 19 - 21, 2022

Join us at the **Hyatt Regency Newport Beach John Wayne Airport** on



October 19-21, 2022 for our long-awaited, long-overdue Annual Conference! The program planning committee is finalizing what is sure to be a great program. Go

to calafco.org for more details. *See you in Newport Beach!*

2023 STAFF WORKSHOP

April 26 - 28, 2023

Learn technical topics in a beautiful setting! Don't miss next year's Staff Workshop on the beautiful grounds of Ironstone Vineyards in Murphys, California.



CALAFCO U explores topics of interest to LAFcos and are offered at no cost to our members.

Sep. 19, 2022: **Two Agencies in Dispute: LAFco's Role in Assisting in Resolving the Conflict**
1:00 PM

TBD, 2023: **The Dirty Dozen: Things I Wish I Knew About The Act**

BOARD MEETINGS:

Oct. 21, 2022 LOCATION: Newport Beach (Conference)

Dec. 2, 2022 LOCATION: Virtual

LEGISLATIVE COMMITTEE MEETINGS:

Sept. 16, 2022 **CANCELLED**

Oct. 7, 2022 LOCATION: Virtual

Nov. 4, 2022 LOCATION: TBD

OTHER IMPORTANT DATES:

Aug. 12, 2022 ACHIEVEMENT AWARD NOMINATIONS DUE

Sept. 19, 2022 BOARD OF DIRECTOR NOMINATIONS DUE

Sept. 19, 2022 ABSENTEE/ELECTRONIC BALLOT REQUESTS DUE

Sept. 19, 2022 NAME OF VOTING DELEGATE DUE

Oct. 14, 2022 ABSENTEE BALLOTS ARE DUE

Oct. 20, 2022 ELECTIONS

OTHER UPDATES

Continued from Page 1

CALAFCO is currently tracking a total of 29 bills. Included among those are:

- AB 897** (Mullin), establishment of a regional climate network. This bill has stalled and is in its second year.
- AB 1640** (Ward), would authorize the creation of regional climate networks, as well as set up guidelines. Referred to the Senate Appropriations suspense file.
- AB 1773** (Patterson), return of Williamson Act subvention funding. Held under submission in Assembly Appropriations on May 19th.
- SB 739** (Cortese), was a gut and amend seeking to create ministerial processes for the annexations of unused golf courses to be used for the development of high rise buildings with 600-700 residences. The author's office notes that it will not be pursuing this bill this year.
- SB 852** (Dodd), is similar to AB 1640 in that it addresses the formation of climate resilience districts, however, this bill focuses on enhanced infrastructure financing to fund public capital facilities including projects that address climate change impacts. Scheduled for third reading in the Assembly on August 8th.
- SB 1100** (Cortese), which would amend the Brown Act to include provisions and procedures regarding meeting disruptions has passed both houses and is now in Engrossing and Enrolling.
- SB 1490, 1491, and 1492**, the annual Validation Acts, have now been chaptered.

The legislative season is now nearing a close with August 12th being the last day for fiscal committees to meet and report bills. After that, the remainder of the month will be Floor sessions only, with August 25th being the last day to amend bills on the floor. August 31st is the deadline for each house to pass bills, and the Final Recess will begin upon adjournment on that date.

It is fitting to note at this time that this important work does not happen in a vacuum. The Legislative Committee is composed of 32 members who have committed to give generously of their time and expertise. CALAFCO could not do what it does without them, so our sincerest thanks to the following:

Board Appointees - Bill Connelly, Gay Jones, Mike Kelley, Chris Lopez, Jo MacKenzie, Daron McDaniel, Mike McGill, Margie Mohler, Anita Paque, and Josh Susman.

Staff Voting Members - Clark Alsop, Gary Bell, Mark Bramfitt, Scott Browne, Carolyn Emery, René LaRoche, Steve Lucas, Kai Luoma, Jennifer Stephenson, and Gary Thompson.

Staff Alternates - Rob Fitzroy, Paula Graf, Joe Serrano, and Paula de Sousa.

Advisory - Tara Bravo, Crystal Craig, Brandon Fender, Sara Lytle-Pinhey, Priscilla Mumpower, Erica Sanchez, Jim Simon, and Luis Tapia.

CONNECTIONS

Continued from Page 2

Contra Costa also welcomed Commissioner Patricia Bristow in June as its new Special District member. Commissioner Bristow currently serves as Board Member on both the Byron-Brentwood-Knightsen Union Cemetery District and the Byron Sanitary District and serves on the Contra Costa County Transportation Authority Citizen Advisory. Commissioner Bristow has lived in Brentwood and Byron her entire life and was a teacher and counselor in the Brentwood Unified School District for 34 years. Her family has farmed in the community for over 100 years.

NEW Roles

LUIS TAPIA promotes to OC AEO

Orange County LAFCo announced the promotion of Luis Tapia to the Assistant Executive Officer position. Luis brings a great deal of experience to the role having been with Orange LAFCo since 2016 and is an Advisory member to the CALAFCO Legislative Committee.

NATASHA CARBAJAL hired as Santa Barbara's new Analyst-Clerk

Santa Barbara LAFCo is pleased to welcome Natasha Carbajal as its new Analyst/Clerk. Natasha had been providing clerking services for

about 10 months while she was with the Santa Barbara Clerk of the Board's Office. She comes to LAFCo with a broad range of skills and abilities, including great local government experience and all around good public service skills. Natasha has a Master of Public Administration from California State University Northridge and a Bachelor of Arts, Sociology from University Channel Islands.

MORGAN BING welcomed as SLO Clerk Analyst

Morgan Bing has joined San Luis Obispo LAFCo as their new Clerk Analyst. She comes to SLO LAFCo with a Bachelors and Masters degree from Cal Poly San Luis Obispo and four years of experience. SLO LAFCo is very excited to have her on their team!

SAFARINA MALUKI becomes Clerk in Monterey

Monterey LAFCo has welcomed Safarina Maluki as their new Clerk to the Commission/Office Administrator. Safarina has a wide range of responsibilities in support of the Commission and staff, and she looks forward to getting to know her colleagues around the State!

Congratulations one and all!

Associate Member SPOTLIGHT

The information below is provided by the Associate member upon joining the Association. All Associate Member information can be found in the CALAFCO Member Directory

E MULBERG & ASSOCIATES

Services include Municipal Service Reviews, Sphere of Influence updates, changes in organization, staff support, CEQA analysis, and assistance with applications to LAFCo.

To learn more about E Mulberg & Associates, visit their website at www.emulberg.com, or contact Elliot Mulberg at Elliot@emulberg.com.



LOS ANGELES COUNTY SANITATION DISTRICTS

Provides sewer service to 78 cities and unincorporated areas of LA County. Before a district can provide sewage service to a territory, it must be within its jurisdictional boundaries. Donna Curry administers the annexation program, including processing applications for annexation.

To learn more about LACSD visit their website at www.lacsd.org, or contact Donna Curry at dcurry@lacsd.org

CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to highlighting you all in future Newsletters.