



# TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:  
Dennis Townsend, Chair  
Richard Feder, V. Chair  
Liz Wynn  
Pete Vander Poel  
Rudy Mendoza

**LAFCO MEETING AGENDA**  
March 1, 2023 @ 2:00 P.M.  
BOARD OF SUPERVISORS CHAMBERS  
COUNTY ADMINISTRATIVE BUILDING  
2800 West Burrel Avenue  
Visalia, CA 93291

ALTERNATES:  
Larry Micari  
Fred Sheriff  
Steve Harrell

EXECUTIVE OFFICER:  
Ben Giuliani

Virtual Attendance for Members of the Public:  
Toll-free call-in: 888-475-4499 | Meeting ID: 876 2737 6776 | Passcode: 399803

**I. Call to Order**

**II. Approval of Minutes from January 18, 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. Consent Calendar**

None

**V. Action Items**

1. Annexation to the City of Visalia and Detachment from Tulare County Service Area #1, Case 150-V-458, Annexation 2022-01 (Victory Oaks Annexation) **(Pages 3 – 18)**  
[Public Hearing] ..... Recommended Action: Approve

The City of Visalia has submitted a request for an annexation of approximately 23.7 acres of land located at the north side of Ferguson Avenue approximately 800 feet west of Demaree Street. The proposal is intended to facilitate the development of a residential subdivision of 117 residential lots. A Mitigated Negative Declaration has been prepared in compliance with CEQA by the City of Visalia.

**NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact LAFCO Staff at 559-623-0450. Documents related to the items on this Agenda submitted to the Board after distribution of the Agenda packet are available for public inspection at 210 N Church Ste. B Visalia CA 93291**

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

1. Commissioner Stipends **(Pages 19 – 22)**  
Enclosed is information on commissioner stipends from 2019. CALAFCO has not yet compiled up to date information from their biennial survey which includes stipend data.
2. Draft Amendment to LAFCO Policy C-5 (Sphere of Influence) **(Pages 23 – 24)**  
Enclosed is a draft amendment to LAFCO C-5 which would modify the definitions of SOI Amendments and Updates.
3. Legislative Update **(Pages 25 - 30)**  
The State legislature reconvened on January 4<sup>th</sup> and the deadline to introduce bills was February 17<sup>th</sup>. Enclosed is the first CALAFCO legislative report.
4. Upcoming Projects **(No Page)**  
The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO projects.

## **VII. Correspondence**

1. State Water Resources Control Board, Regarding Orosi Public Utility District and East Orosi Community Services District Consolidation Order Follow Up **(Pages 31 - 38)**

## **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. April 5, 2023 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building, 2800 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  
2500 W. Burrel Avenue, Visalia, CA 93291  
Tulare County Human Resources and Development  
January 18, 2023 – Meeting Minutes**

**Members Present:** Vander Poel  
**Members Absent:** Townsend, Feder, Wynn, Mendoza  
**Alternates Present:** Micari, Sheriff, Harrell  
**Alternates Absent:**  
**Staff Present:** Giuliani, Kane, and Gallo recording.  
**Counsel Present:** Matt Pierce

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**I. Call to Order**

Acting Chair Micari called the meeting to order at 2:00 p.m.

**II. Approval of the December 7, 2022 Meeting Minutes**

Upon motion by Commissioner Vander Poel and seconded by Commissioner Harrell, the Commission unanimously approved the LAFCO minutes.

**III. Public Comment Period**

Acting Chair Micari opened/closed the Public Comment Period at 2:02 p.m. No public comments received.

**IV. Consent Calendar:**

None

**V. Action Items:**

**1. Annexation to the City of Tulare and Detachment from County Service Area #1, Case 1569-T-169, Annexation 2022-01, East Tulare No. 34 (Fulton Estates Residential Subdivision)**

Staff Analyst Kane reported that the City of Tulare is requesting an annexation of approximately 38.48 acres of land located at the southwest corner of Tulare Avenue (SR 137) and Oakmore Street. The proposal is intended to facilitate the development of a 185-lot single family residential subdivision and commercial corner. Staff Analyst Kane discussed the impacts on agricultural, the environment, and services of the area.

Acting Chair Micari opened the Public Hearing at 2:11 p.m. Darlene Matta, representing the developer, and Mario Anaya, Interim Community Development Director and City Planner with the City of Tulare, spoke in favor of the proposed annexation and detachment.

Upon motion by Alternate Commissioner Sheriff and seconded by Commissioner Vander Poel, the Commission unanimously approved the annexation to the City of Tulare and Detachment from County Service Area #1 as recommended.

**VI. Executive Officer's Report**

**1. Agriculture Report**

EO Giuliani provided information on Tulare County agricultural land based on information from the Tulare County Agriculture Commissioner, other south San Joaquin Valley agriculture commissioners, and the California Department of Conservation. The report highlighted Tulare County ag production, crop land, and contained several maps of illustrating agricultural land use in the county and cities.

**2. Commissioner Stipends**

Because CALAFCO was still conducting its biennial survey, which included information regarding commissioner stipends, a full discussion was postponed until the survey results had been compiled.

**3. 2023 CALAFCO Calendar**

EO Giuliani provided the 2023 CALAFCO Events Calendar, highlighting the Staff Workshop in April and the Annual Conference in October.

**4. CALAFCO Quarterly Newsletter**

EO Giuliani provided the CALAFCO December 2022 Quarterly Newsletter, highlighting the report on the 2022 CALAFCO Annual Conference.

**5. Legislative Update**

EO Giuliani stated that no updates would be available until January when Congress resumed session.

**6. Upcoming Projects**

EO Giuliani stated that the following projects would be presented at the March meeting: one annexation for the City of Visalia, and possibly annexations for the City of Tulare and the Goshen Community Services District.

**VII. Correspondence:**

None.

**VIII. Other Business:**

**1. Commissioner Report:**

None

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

None

**IX. Setting Time and Place of Next Meeting:**

The next Local Agency Formation Commission (LAFCO) meeting is scheduled for **March 1, 2023, at 2:00 p.m.** in the Board of Supervisors Chambers in the County Administration Building, 2800 W. Burrel Ave., Visalia, CA 93291.

**X. Adjournment: The Tulare County LAFCO meeting adjourned at 2:23 p.m.**

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

*March 1, 2023*

**LAFCO Case Number 1570-V-458  
Annexation 2022-001 to the City of Visalia  
(Victory Oaks Annexation)**

- PROPOSAL:** Annexation to the City of Visalia, detachment from CSA #1.
- PROPONENT:** The City of Visalia by resolution of its City Council.
- SIZE:** Approximately 23.7 acres
- LOCATION:** The North side of Ferguson Avenue approximately 800 feet west of Demaree Street (**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 177-lot single family residential subdivision and small (2.02 acre) community park.
- APNs:** 077-190-007

**GENERAL ANALYSIS**

**1. Land Use:**

*A. Site Information*

	<b>Existing</b>	<b>Proposed (City)</b>
<b>Zoning Designation</b>	County - AE-20	Single-family residential, 5,000 sq. ft. minimum site area (R-1-5) and Quasi Public (QP)
<b>General Plan Designation</b>	Low Density Residential (LRD) Parks/Recreation (PR)	No Change
<b>Uses</b>	Undeveloped land, pomegranate orchard, no structures onsite	117 single family lots, and 2.02 acre park

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

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	R-1-5 (Single-family residential, 5,00 sq. ft. min. site area)	Residential Low Density	Single Family Subdivision
<b>South</b>	R-1-5 (Single-family residential, 5,00 sq. ft. min. site area)	Residential Low Density	Single Family Subdivision
<b>East</b>	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Residential Low Density, Residential Medium Density	Undeveloped and Agricultural Use
<b>West</b>	R-1-5 (Single-family residential, 5,00 sq. ft. min. site area)	Residential Low Density	Residential

*C. Topography, Natural Features and Drainage*

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

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

The project is entirely inside of the City Sphere of Influence. It is also inside the City's Tier 1 Urban Development Boundary (UDB).

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

The site is no longer under Williamson Act contract. The Tulare County Board of Supervisors has approved (Figure 4), and the County of Tulare has processed a partial Williamson Act contract cancellation for Contract No. 2735 for the portion of the contract that applies to the subject parcel, and therefore the site is no longer under the Land Conservation 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. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

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

**Agency providing service**

Service	Now	After	Method of finance
Police Protection	Tulare County Sheriff Dept.	City of Visalia Police Department	General Fund
Fire Protection	City of Visalia Fire Department (Contracted with County of Tulare)	City of Visalia Fire Department	General Fund
Water Supply	Private Wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact / User Fees
Street Lighting	None	City of Visalia	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

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. Cal Water has provided a Will Serve letter for the project.

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 21,680 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.

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 tax revenue.

**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.

**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: \$100,800  
Improvements: \$5,288

**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 Mitigated 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 the annexation. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. Since this reorganization has received 100%, the protest hearing can be waived in accordance with Government Code §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.

117 single family units are proposed for development that are intended to serve the “Moderate” income category. A tentative subdivision map has been filed with the City of Visalia. The table below shows the current RHNA cycle allocation.

5<sup>th</sup> Cycle City of Tulare RHNA allocation

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

During the 5<sup>th</sup> 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

**10. Discussion:**

*Residential Land Supply and Development*

The City currently has approximately a four 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 11.2 persons per acre of developed residential land at a growth rate of 2.18% per year which is the growth rate for the City from 2000 to 2020.

With the addition of the proposed annexation and development of the 117 single family units the city would add approximately an additional 3 months of residential land supply, assuming the growth rate estimates noted above stay consistent for the City.

*LAFCO Case 1561-V-456*

LAFCO approved Case 1561-V-456 (Figure 5) on 8/4/21 and the annexation was recorded on 10/7/21. This annexation bisected an existing County island, creating two smaller islands. A condition of approval was included for this annexation which stated the following:

*Within one year of the recording of the Certificate of Completion for this reorganization, the City of Visalia shall submit an application for annexation of the remainder of the Akers/Ferguson islands under the streamlined island annexation procedures.*

City staff has indicated that the annexation of these islands are in process.

## **RECOMMENDED ACTIONS:**

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

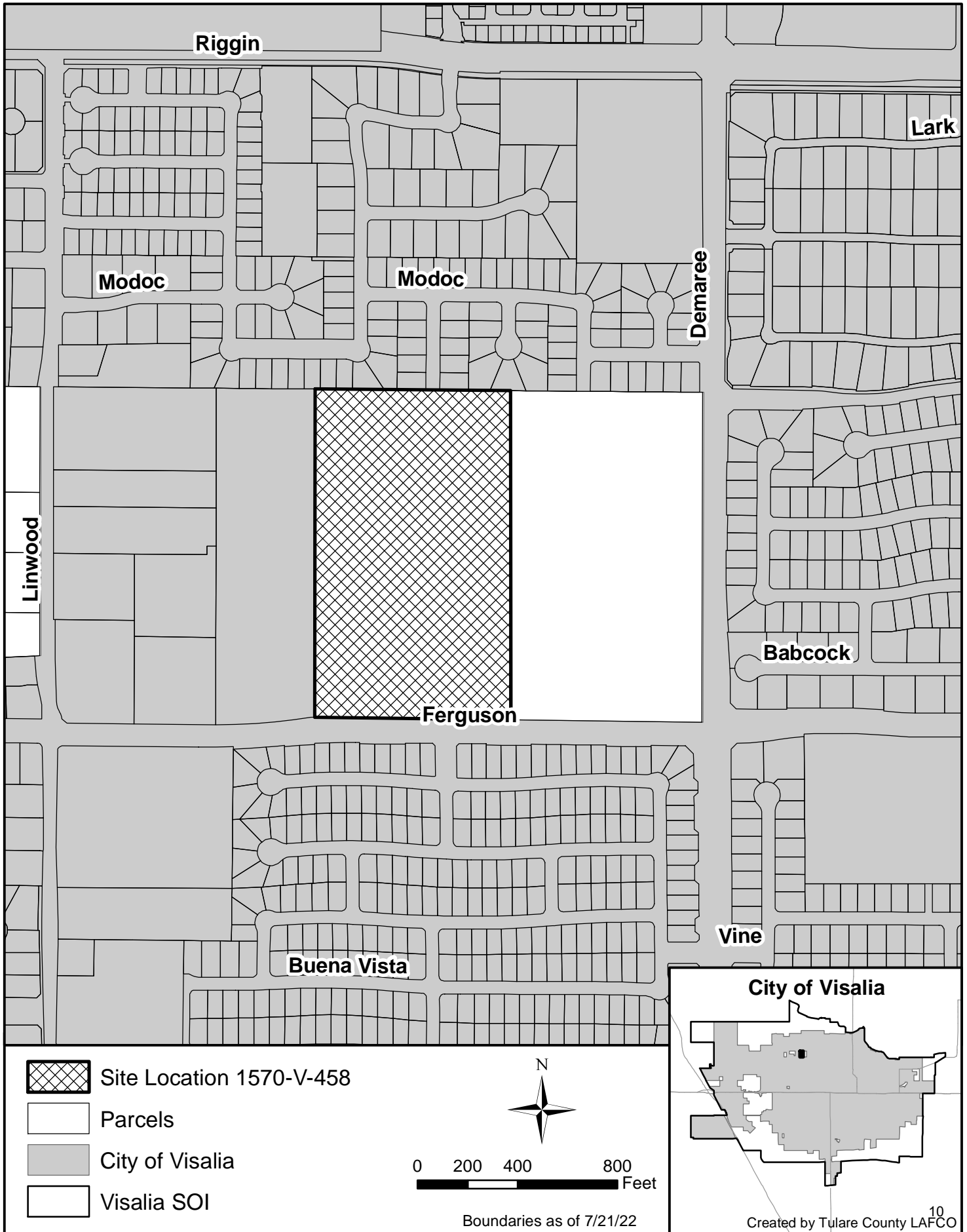
1. Certify that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determine that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.
2. Find that the proposed reorganization of the City of Tulare 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 1570-V-458, City of Visalia Reorganization, Annexation 2022-01 (Victory Oaks) 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.

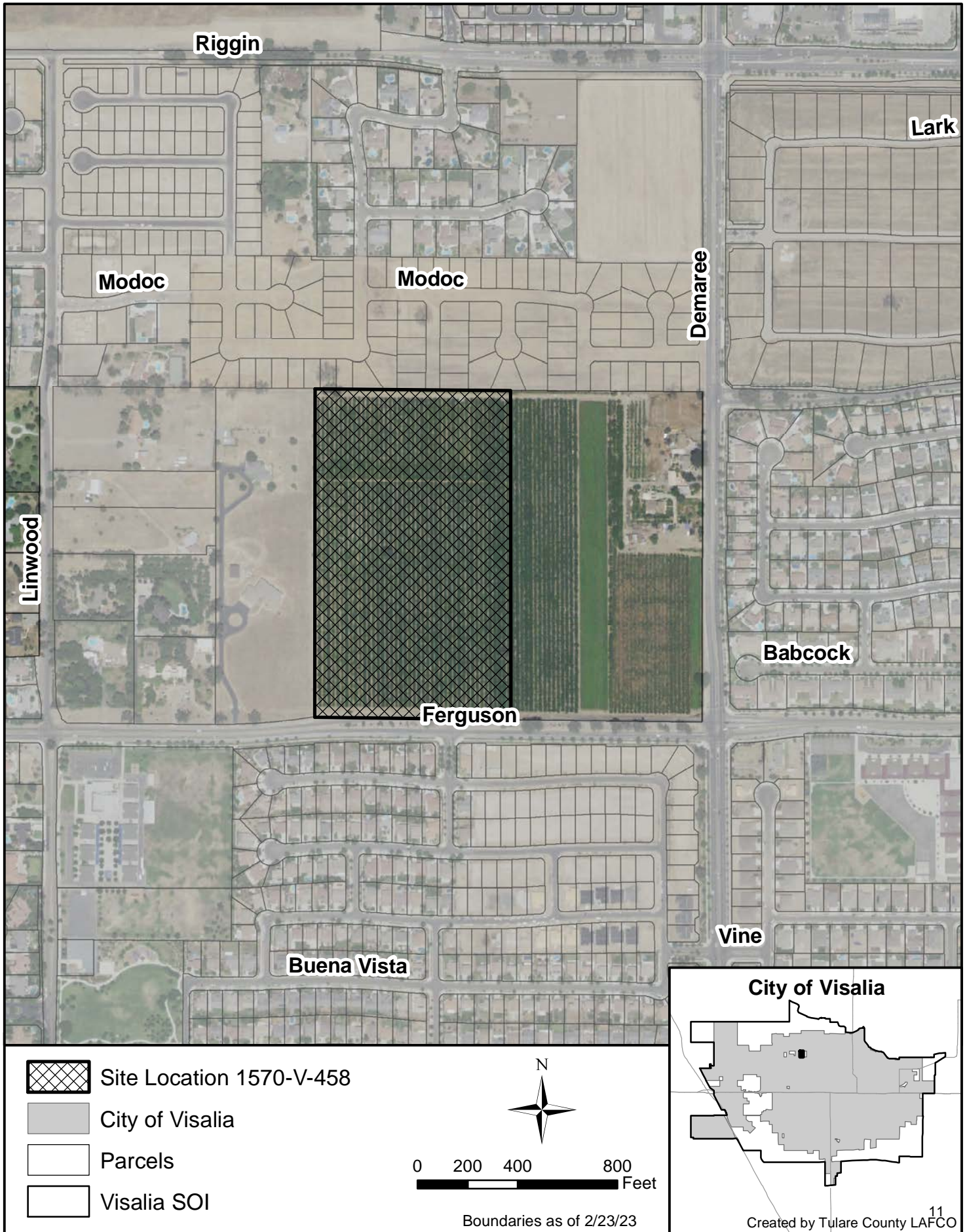
**Figures:**

- |          |  |
|----------|--|
| Figure 1 | Site Location Map  |
| Figure 2 | Aerial   |
| Figure 3 | Resolution, Annexation to City of Visalia and Detachment from CSA #1 |
| Figure 4 | County Resolution Cancelling Williamson Act Contract                 |
| Figure 5 | Site Location Map – Case 1561-V-456                                  |

# LAFCO Case 1570-V-458



# LAFCO Case 1570-V-458



**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. 23-XXX**  
CSA #1. LAFCO Case 1570-V-458,                    )  
City of Visalia Annexation No. 2022-001         )  
(Victory Oaks)    )

**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 March 1, 2023 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 Mitigated Negative Declaration was approved for use with this proposal. And finds that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determines that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.

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.

- 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.

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



LAFCO Case No. 1570-V-458, City of Visalia Annexation No. 2022-001 (Victory Oaks)

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

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

The foregoing resolution was adopted upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 1<sup>st</sup> day of March 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

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Ben Giuliani, Executive Officer

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

IN THE MATTER OF Williamson Act )  
Cancellation No. WAC 21-001 and WAC ) Resolution No. 2022-0655  
22-001 )

UPON MOTION OF SUPERVISOR SHUKLIAN, SECONDED BY SUPERVISOR MICARI, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD AUGUST 2, 2022, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: Jocelyn Britton  
Deputy Clerk

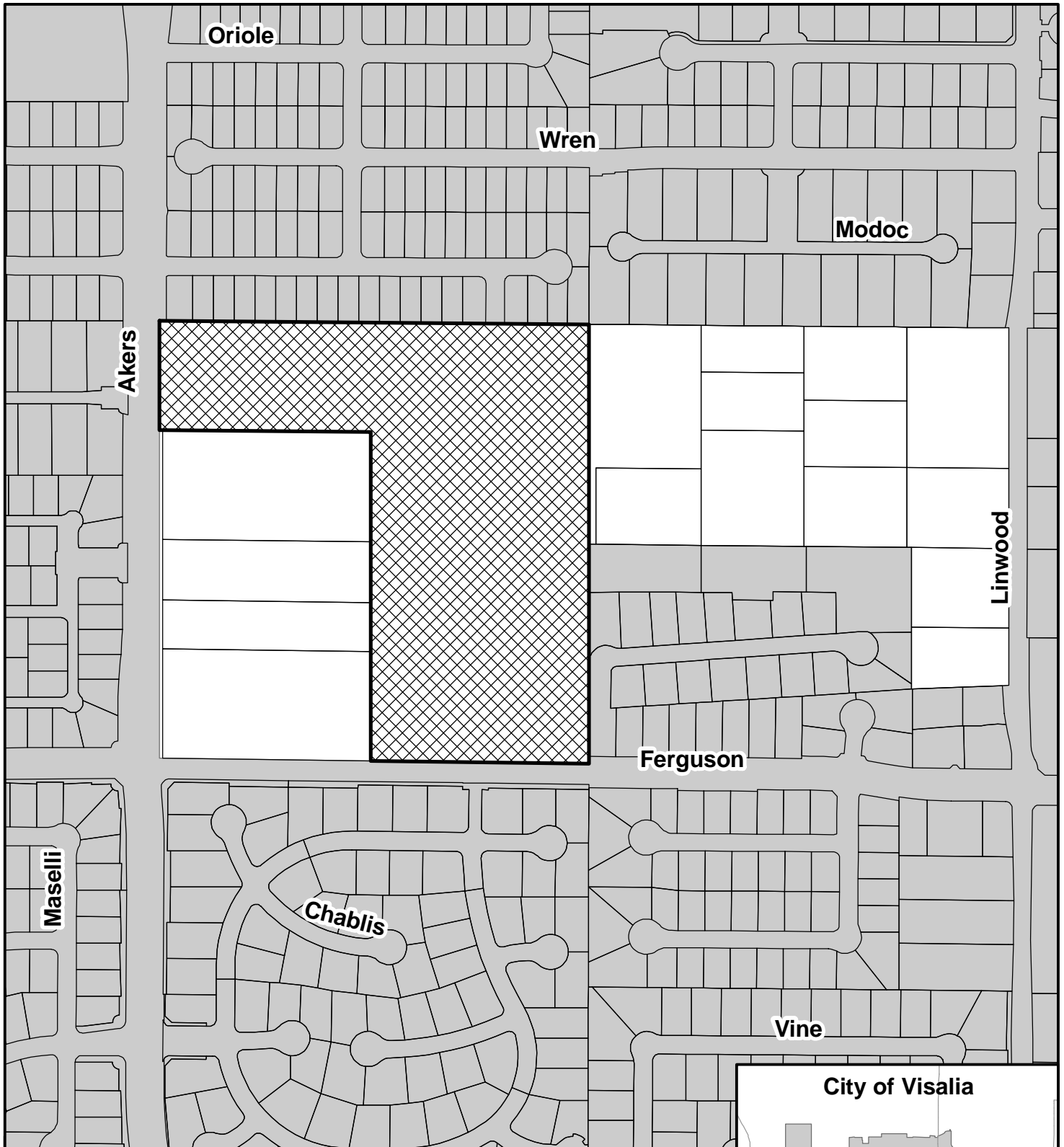
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1. Held a public hearing to cancel two Williamson Act Cancellations.
2. Approved Williamson Act Cancellation No. WAC 21-001 between the County and Ronda Colleen Hash, to remove a 20.0-acre parcel from Agricultural Preserve No. 3472 and Williamson Act Contract No. 10335, located at 15570 Avenue 292, on the northwest corner of Avenue 292 and Road 156. The site is within the Section 35, Township, 18 South, Range 25 East, MDB&M (APN: 101-100-005).
3. Approved Williamson Act Cancellation No. WAC 22-001 between the County and DR Horton (Melody Haigh), (Agent: Provost & Prichard Consulting Group, Jarred Olsen), to remove a 24.0-acre parcel from Agricultural Preserve No. 187 and Williamson Act Contract No. 2735, located on the north side of Ferguson Avenue, and approximately 750 feet west of North Demaree Street . The site is within the Section 23, Township, 18 South, Range 24 East, MDB&M (APN: 077-190-007).

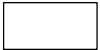
4. Determined that the cancellations are consistent with the purposes of the Williamson Act.
5. Determined and certified to the County Auditor the cancellation fee for WAC 21-001 shall be in the amount of \$87,500. The fee amount will be equal to 12.5% of the Current Fair Market Value of \$700,000.
6. Determined and certified to the County Auditor the cancellation fee for WAC 22-001 shall be in the amount of \$437,500. The fee amount will be equal to 12.5% of the Current Fair Market Value of \$3,500,000.
7. Adopted the conditions of approval for tentative cancellation of WAC 21-001.
8. Adopted the conditions of approval for tentative cancellation of WAC 22-001.
9. Directed the Clerk of the Board to request a Certificate of Tentative Cancellation in the Office of the County Recorder.
10. Authorized the Clerk of the Board of Supervisors to execute the Final Certificate of Cancellation of Land Conservation Contract No. 10335 and 2735 upon which time the conditions and contingencies have been satisfied and enumerated in the Certificate of Tentative Cancellation.
11. Directed the Clerk of the Board of Supervisors to record the executed Certificate of Final Cancellation in the office of the Tulare County Recorder.
12. Approved a Categorical Exemption, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15305, Class 5, pertaining to Minor Alterations in Land Use Limitations.

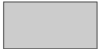
RMA  
8/2/22  
JJB

# LAFCO Case 1561-V-456




 Site Location 1561-V-456

 Parcels

 City of Visalia

0 165 330 660 Feet

Boundaries as of 6/21/21



**City of Visalia**

Created by Tulare County LAFCO

18



# TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:  
*Dennis Townsend, Chair  
Rick Feder, Vice-Chair  
Liz Wynn  
Pete Vander Poel  
Rudy Mendoza*

ALTERNATES:  
*Larry Micari  
Fred Sheriff  
Steve Harrell*

EXECUTIVE OFFICER:  
*Ben Giuliani*

March 1, 2023

TO: LAFCO Commissioners and Alternates

FROM: Ben Giuliani, Executive Officer

SUBJECT: Commissioner Stipends

## **BACKGROUND**

At the December meeting, the Commission requested information regarding how other LAFCOs in the State treat stipends for commissioners. Currently, Tulare County LAFCO does not have stipends for commissioners. There is mileage reimbursement that has been consistently set aside in the annual budget for public members attendance to commission meetings. However, this reimbursement is not included in existing Tulare County LAFCO policy.

## **DISCUSSION**

CALAFCO is currently compiling its biennial survey which includes information regarding commissioner stipends. As of January 31<sup>st</sup>, 48 of the 57 counties in CALAFCO (Kern is no longer a member) have responded. Once the results are compiled, the information will be conveyed to the Commission.

Attached are the results of a stipend survey that was conducted at the beginning of 2019. In this survey, 26 LAFCOs responded. Of the 26, 23 LAFCOs have stipends for commissioners ranging from \$20 to \$200 per meeting. Within those 23, there are many variations. For example, less than half include mileage reimbursement to meetings. Also, some LAFCOs do not issue stipends to all of the commissioners such as Placer does not give stipends to County members and Napa does not give stipends to alternate members unless they vote. There are also many variations regarding subcommittee meetings and CALAFCO functions.

In Tulare County, there are three associated groups that currently receive stipends; the Grand Jury (\$25), Planning Commission (\$100) and Assessment Appeals Board (\$150). The Board of Supervisors do not receive stipends and other associated boards such as the Workforce Investment Board and TCAG do not receive stipends.

## **RECOMMENDATION**

The Commission may give direction to staff for a policy change regarding stipends to bring back for action at the next meeting based on the 2019 data, wait until more up to date information is collected from the current CALAFCO survey or take no further action regarding stipends.

If the Commission wishes to develop a policy regarding stipends, the following must be determined:

- The amount of the stipend
- Who receives the stipend
- Whether or not mileage continues to be reimbursed
- Do subcommittees or ad hoc committees receive stipends
- Do commissioners who attend CALAFCO functions receive stipends

**Attachment:** 2019 CALAFCO Commissioner Stipend matrix

**LAFCo Compensation Matrix**  
**April 16, 2019**

LAFCo	Compensation, stipend, or reimbursement for Commission meeting	Compensation, stipend, or reimbursement for standing or ad hoc committee meetings	Compensation, stipend, or reimbursement for other meetings, including CALAFCO functions	Limits on paid meetings per month
Note: "R&N" means "reimbursed for reasonable and necessary expenses."				
Amador	\$50	None		None
Contra Costa	\$150	\$150	\$150	Max 5
El Dorado	Stipend + R&N	R&N	R&N	None
Fresno	\$100 + mileage	mileage only	R&N	None
Glenn	\$50 + mileage			
Humboldt	\$20 + mileage			
Kings	\$20			
Los Angeles	\$150 + round trip mileage			None
Madera	\$100	None	mileage	None
Marin	\$125	\$125	\$125	Max 5
Mariposa	\$50 + mileage			
Mendocino	\$50 + mileage	R&N	R&N	
Merced	\$75	\$75	\$13 breakfast, \$14 lunch, \$23 dinner + mileage	None
Napa	\$150			
Nevada	May request \$50 per diem + mileage	See note	R&N	
Orange	\$100 + mileage	R&N, no stipend	R&N, no stipend	Max 2
Placer	\$100	\$100	\$100	
Riverside	\$175 + mileage	Standing meeting: \$60 + mileage Ad Hoc: mileage, expenses	CALAFCO BoD meeting, if elected to Board: \$175 + mileage, expenses CALFACO Conferences:	
Santa Barbara	\$150			
Solano	\$100			Max 2
Sonoma	\$100	See note		Max 2
San Benito	None	None	None	None
San Diego	\$200/day	See note		
Tulare	mileage for Public members		R&N	n/a
Ventura	\$50 + mileage	R&N See note	R&N See note	Max 2
Yolo	None			

LAFCo	NOTES
Marin	No staff meetings paid. Mileage \$0.545/mile ONLY IF per diem not paid. Conference mileage not reimbursed. "Otherwise they only get a \$100 stipend for attendance at commission meetings.
Mariposa	Rate is for any meeting.
Merced	No ad hoc or meetings with staff are reimbursed.
Napa	Alternates receive stipends only when voting.
Nevada	When budgetary funding permits, members appointed to committees shall receive a stipend for attendance at committee
Orange	W-2 issued.
Placer	Supervisors on LAFCo are not compensated.
Riverside	CALAFCO conferences cant read cut off early--check
Santa Barbara	Stipends processed as taxable income -Commissioners issued W-2s
Sonoma	When scheduled for two meetings a day, paid only once; no payment to attend CALAFCO conference
San Diego	Commissioners and Alternates shall be reimbursed for reasonable and necessary expenses incurred in attending meetings and in performing official LAFCO duties.
Ventura	"No stipend shall be paid for conferences, classes, training sessions, etc. or other functions or gatherings that are not publicly noticed meetings of the Commission."

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# TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:  
Dennis Townsend, Chair  
Rick Feder, Vice-Chair  
Liz Wynn  
Pete Vander Poel  
Rudy Mendoza

ALTERNATES:  
Larry Micari  
Fred Sheriff  
Steve Harrell

EXECUTIVE OFFICER:  
Ben Giuliani

March 1, 2023

TO: LAFCO Commissioners and Alternates  
FROM: Ben Giuliani, Executive Officer  
SUBJECT: Draft Amendment to Policy C-5 (Sphere of Influence)

## BACKGROUND

Currently, State law requires Municipal Service Reviews (MSRs) for “SOI Updates” but does not require MSRs for “SOI Amendments”. The State definitions of SOI Updates vs SOI Amendments are a little vague so we have existing local policy that the definitions as follows:

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

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

## DISCUSSION

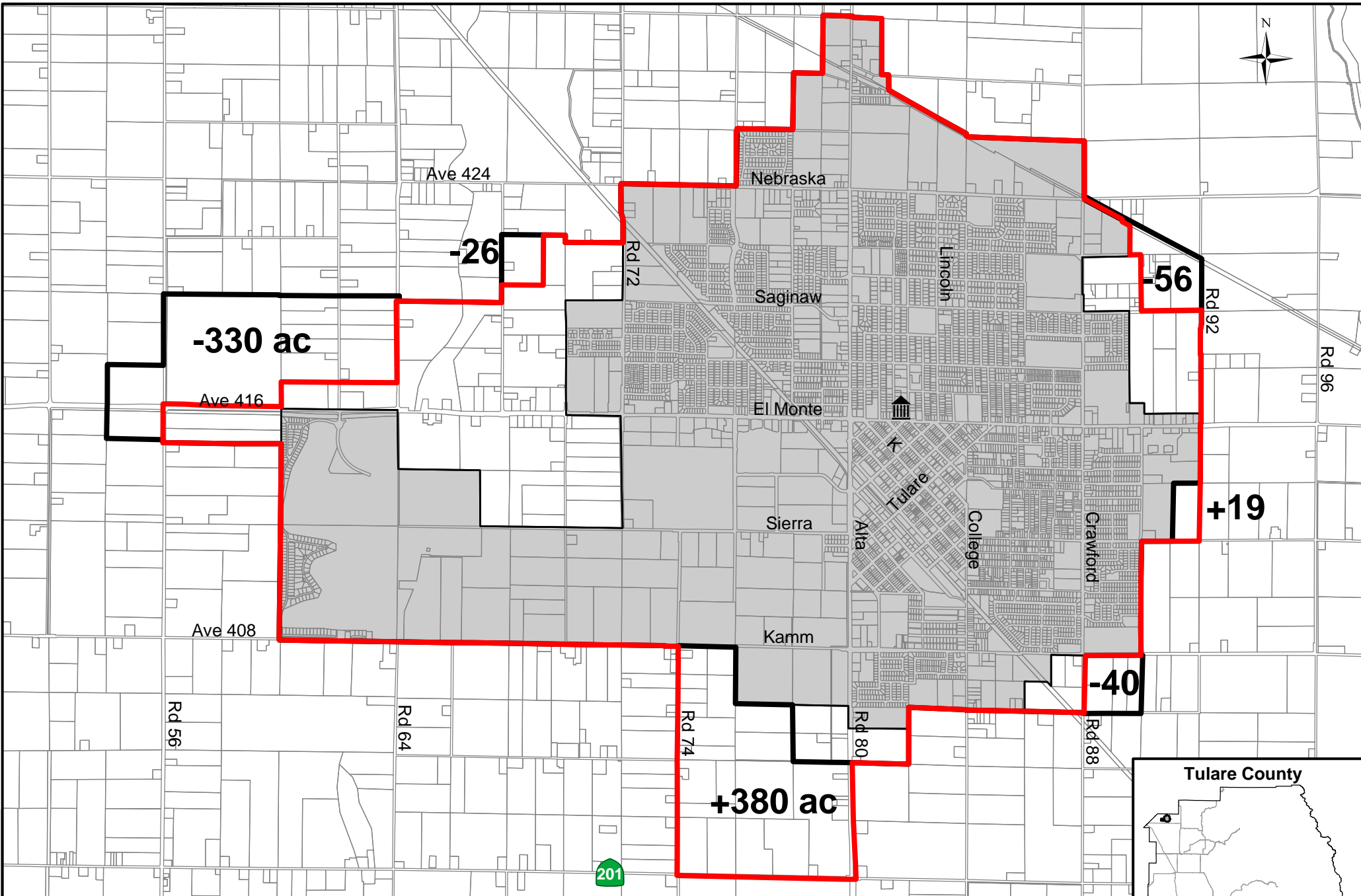
The above SOI definitions are proposed to be modified due to an upcoming general plan update by the City of Dinuba. Basically, the City is redirecting growth to areas around their new high school from other areas around the City (map attached). The proposed modifications to the SOI would actually result in a net reduction of 53 acres. Because the SOI modifications would result in the net reduction of the SOI footprint, there doesn’t appear to be a need to go through the time and expense of updating the MSR. The proposal to amend LAFCO policy is as follows:

*SOI Amendment: a modification to a SOI that is associated with a concurrent proposal for a change of organization or an out of agency service agreement **or a modification that results in a net reduction of the size of the SOI.***

*SOI Update: a comprehensive review and modification of a SOI that is not associated with a concurrent proposal for a change of organization or an out of agency service agreement **and results in the net increase of the size of the SOI.***

**Attachment:** Draft Dinuba SOI Map

# City of Dinuba



**-330 ac**





**-26**

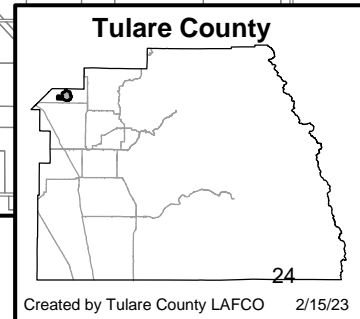
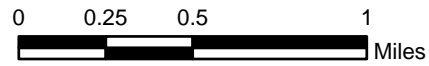
**-56**

**+19**

**-40**

**+380 ac**

 City of Dinuba  Existing SOI  Proposed SOI  Parcels



## CALAFCO Daily Legislative Report as of Wednesday, February 22, 2023

[AB 930](#) ([Friedman D](#)) **Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.**

**Current Text:** Introduced: 2/14/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Status:** 2/15/2023-From printer. May be heard in committee March 17.

**Summary:**

Would authorize the legislative bodies of 2 or more local governments, defined to include a city, county, special district, or transit agency, to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would require the Office of Planning and Research (OPR) to develop standards for the formation of RISE districts no later than November 30, 2025. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government.

**Position:** Neutral

**Subject:** Special District Principle Acts

**CALAFCO Comments:** This bill has a similar overtone to SB 852 Dodd in 2022 regarding the formation of climate resilience districts outside of the LAFCo process. As introduced, this bill (AB 930) is focused on the generation of funding and the governance of the expenditure of those funds. However, it should be carefully tracked in case that mission is expanded.

[AB 1439](#) ([Garcia D](#)) **Housing.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/18/2023-From printer. May be heard in committee March 20.

**Summary:** Current law generally sets forth the duties of the Department of Housing and Community Development, which is the principal state department responsible for coordinating federal-state relationships in housing and community development and for implementing the California Statewide Housing Plan. This bill would state the intent of the Legislature to enact legislation related to housing.

**Position:** Placeholder - Spot Bill

**Subject:** Housing

**CALAFCO Comments:** This is a spotholder bill that only notes an intent to address housing.

[AB 1460](#) ([Bennett D](#)) **Local government.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/18/2023-From printer. May be heard in committee March 20.

**Summary:** Existing law, 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. This bill would make a nonsubstantive change to the provision naming the act.

**Position:** Neutral

**Subject:** CKH General Procedures, Other

**CALAFCO Comments:** As introduced, this bill makes only a minor nonsubstantive change to CKH in that it would merely add commas to Section 56000 so that it would read: "This division shall be known, and may be cited, as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000."

**[SB 68](#) ([McGuire D](#)) Local government.**

**Current Text:** Introduced: 1/5/2023 [html](#) [pdf](#)

**Introduced:** 1/5/2023

**Status:** 1/18/2023-Referred to Com. on RLS.

**Summary:**

Current law provides for the formation and powers of various local governments, including counties and cities. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would state the intent of the Legislature to enact legislation relating to local government.

**Position:** Watch

**CALAFCO Comments:** 1-6-2023: As it currently stands, this bill appears to be a spot holder. In the write-up it notes that the legislative intent will be to address local government and it specifically mentions CKH.

Consequently, the Executive Director reached out to the author's office requesting more particulars. On 1-9-2023, the author's office responded that they had no additional info to share but that, while the the leg counsel introduction mentioned CKH, their language had nothing to do with it.

**[SB 455](#) ([McGuire D](#)) Governmental organization.**

**Current Text:** Introduced: 2/13/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Status:** 2/14/2023-From printer. May be acted upon on or after March 16.

**Summary:**

Current constitutional and statutory law prescribes the organization of the government in California. The Government Code prescribes certain definitions for purposes of its interpretation, including definitions for "state," "county," and "city." This bill would state the intent of the Legislature to enact legislation relating to governmental organization.

**Position:** Placeholder - Spot Bill

**Subject:** Other

**CALAFCO Comments:** This is a spotholder bill that notes that its intent will be to enact legislation relating to governmental organization.

**[SB 537](#) ([Becker D](#)) Open meetings: local agencies: teleconferences.**

**Current Text:** Introduced: 2/14/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Status:** 2/15/2023-From printer. May be acted upon on or after March 17.

**Summary:**

Would state the intent of the Legislature to enact subsequent legislation that expands local government's access to hold public meetings through teleconferencing and remote access.

**Position:** Placeholder - Spot Bill

**Subject:** Brown Act

**CALAFCO Comments:** This is a spotholder bill that states an intent to expand local government's access to hold public meetings through teleconferencing and remote access.

**[SB 768](#) ([Caballero D](#)) California Environmental Quality Act: transportation impact analysis: rural areas.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/21/2023-From printer. May be acted upon on or after March 20.

**Summary:**

Would state the intent of the Legislature to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of CEQA. This bill contains other existing laws.

**Position:** Placeholder - Spot Bill

**Subject:** CEQA

**CALAFCO Comments:** This is a spotholder bill that notes an intent to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of the California Environmental Quality Act.

**[SB 833](#) ([McGuire D](#)) Natural resources.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/21/2023-From printer. May be acted upon on or after March 20.

**Summary:**

Current law declares that resource conservation is of fundamental importance to the prosperity and welfare of the people of this state, and provides for the formation and powers of resource conservation districts. This bill would declare the intent of the Legislature to enact subsequent legislation relating to natural resources.

**Position:** Placeholder - Spot Bill

**Subject:** Special District Powers, Special District Principle Acts, Special Districts Governance

**CALAFCO Comments:** This is a spotholder bill that notes only an intent to enact subsequent legislation relating to natural resources.

**[SB 865](#) ([Laird D](#)) Municipal water districts: automatic exclusion of cities.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/21/2023-From printer. May be acted upon on or after March 20.

**Summary:**

Current law authorizes a governing body of a municipal water district to adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, if the territory is annexed prior to the effective date of the formation of the municipal water district. Current law requires the Secretary of State to issue a certificate reciting the passage of the ordinance and the exclusion of the area from the municipal water district within 10 days of receiving a certified copy of the ordinance. This bill would extend the number of days the Secretary of State has to issue a certificate to 14 days.

**Position:** None at this time

**Subject:** Annexation Proceedings

**CALAFCO Comments:** Existing law authorizes a governing body of a municipal water district may adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, providing that the territory is annexed prior to the effective date of the formation of the municipal water district. If that happens, the Secretary of State must, within 10 days of receiving a certified copy, issue a certificate reciting the passage of the ordinance that excludes the area from the municipal water district. This bill would extend the Secretary of State's window to issue that certificate from 10 to 14 days.

**[AB 557](#) (Hart D) Open meetings: local agencies: teleconferences.**

**Current Text:** Introduced: 2/8/2023 [html](#) [pdf](#)

**Introduced:** 2/8/2023

**Status:** 2/17/2023-Referred to Com. on L. GOV.

**Summary:**

Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

**Position:** Neutral

**Subject:** Brown Act

**CALAFCO Comments:** Similar in scope to SB 411, this bill is follow-on legislation to AB 361 (2022) and seeks to return some of the pandemic-era teleconferencing provisions to the Brown Act. This bill is sponsored by CSDA.

**[AB 817](#) (Pacheco D) Local government: open meetings.**

**Current Text:** Introduced: 2/13/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Status:** 2/14/2023-From printer. May be heard in committee March 16.

**Summary:**

Current law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. This bill would make nonsubstantive changes to a provision of the Ralph M. Brown Act.

**Position:** Placeholder - Spot Bill

**Subject:** Brown Act

**CALAFCO Comments:** This bill appears to be a spot holder in that it currently only makes minor grammatical changes. The lack of substance raises concern regarding future changes to this bill.



**[AB 1348](#) ([Grayson D](#)) Local government: open meetings.**

**Current Text:** Introduced: 2/16/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Status:** 2/17/2023-From printer. May be heard in committee March 19.

**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 make nonsubstantive changes to the public record provisions governing the writings related to agendas of public meetings.

**Position:** Neutral

**Subject:** Brown Act

**CALAFCO Comments:** This bill as introduced would change the Section 54957.5 of the Brown Act in a minor and nonsubstantive way by changing an "a" to "any" in two places.

**[SB 411](#) ([Portantino D](#)) Open meetings: teleconferences: bodies with appointed membership.**

**Current Text:** Introduced: 2/9/2023 [html](#) [pdf](#)

**Introduced:** 2/9/2023

**Status:** 2/10/2023-From printer. May be acted upon on or after March 12.

**Summary:**

Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would alternatively define "legislative body" for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the Ralph M. Brown Act.

**Position:** Neutral

**Subject:** Brown Act

**CALAFCO Comments:** This bill would permanently add back provisions to Section 54953.4 of the Brown Act that had been temporarily enacted during the COVID-19 pandemic. The amendment would allow a legislative body to use teleconferencing provisions, and would define the proper procedure for conducting such a meeting, would require the legislative body to take no further action in the event of a broadcasting disruption within the local agency's control until the broadcast can be resumed, would require time public comment periods to remain open until the public comment time has elapsed, and would not only prevent requiring comments in advance but would also require that the public be afforded the chance to comment in real time.

**[SB 878](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/21/2023-From printer. May be acted upon on or after March 20.

**Summary:**

Would enact the First Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Position:** None at this time

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the first of three annual validating acts.

**[SB 879](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/21/2023-From printer. May be acted upon on or after March 20.

**Summary:**

Would enact the Second Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Position:** None at this time

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts.

**[SB 880](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 2/21/2023-From printer. May be acted upon on or after March 20.

**Summary:**

Would enact the Third Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Position:** None at this time

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts.





# **TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION**

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

COMMISSIONERS:  
*Dennis Townsend, Chair  
Rick Feder, Vice-Chair  
Liz Wynn  
Pete Vander Poel  
Rudy Mendoza*

ALTERNATES:  
*Larry Micari  
Fred Sheriff  
Steve Harrell*

EXECUTIVE OFFICER:  
*Ben Giuliani*

March 1, 2023

TO: LAFCO Commissioners and Alternates

FROM: Ben Giuliani, Executive Officer

SUBJECT: Orosi PUD/East Orosi CSD water system consolidation

## **BACKGROUND**

The State Water Resources Control Board issued two more letters (attached) to Orosi PUD and Tulare County RMA (as the administrator of the East Orosi CSD water system) on January 24<sup>th</sup>, 2023 regarding missing documents and information in the construction funding application for the consolidation of the two water systems. The notice also includes that a consolidation plan has not yet been submitted.

## **DISCUSSION**

Listed below is a timeline of major milestones and correspondence between the SWRCB and the two districts. There have also been numerous staff level meetings between the SWRCB, the districts and the County that are not listed below. Tulare County RMA staff will be giving an update to the Commission at the April 5<sup>th</sup> meeting regarding the current status of the project.

2012 – East Orosi CSD receives State funding for a feasibility study to evaluate three project alternatives to meet safe drinking water standards.

June 2017 – A preliminary engineering report is completed that recommended East Orosi connect to Orosi PUD's water system.

2/16/2018 – Planning project deadline.

7/13/2018 – The SWRCB sends notices to East Orosi and Orosi giving a 6 month deadline to complete a voluntary consolidation plan.

10/22/2018 – SWRCB conducts a public meeting in Orosi regarding the potential consolidation.

1/9/2019 – East Orosi requests a 6 month extension to continue negotiations with Orosi.

2/11/2019 – SWRCB denies East Orosi's extension request.

4/10/2019 – SWRCB conducts another public meeting in Orosi regarding the potential consolidation.

9/10/2020 – SWRCB sends notification to East Oroshi initiating the Public Administrator process.

10/27/2020 – SWRCB releases mandatory consolidation order to Oroshi and East Oroshi and gives a 12/18/2020 deadline for Oroshi to submit a consolidation plan.

11/17/2020 – Oroshi and East Oroshi submit a draft consolidation plan to SWRCB.

11/20/2020 – Oroshi requests an extension to submit a consolidation plan to 1/31/21.

12/18/2020 – SWRCB sends comments to Oroshi and East Oroshi regarding the draft plan.

2/11/2021 – SWRCB issues a violation order to Oroshi and East Oroshi for failure to comply a revised consolidation plan.

4/7/2021 – SWRCB public hearing regarding the identification of an Administrator (Tulare County RMA) for East Oroshi CSD's water system.

10/19/2022 – SWRCB issues a compliance order to Oroshi and East Oroshi for consolidation. The order included a 2/1/2023 deadline to submit a complete construction funding application to SWRCB with a consolidation deadline of 12/31/2024.

1/24/2023 – SWRCB issues notice to Oroshi and East Oroshi (Tulare County RMA) regarding missing documents and information in the construction funding application. The notice also includes that a consolidation plan has not yet been submitted.

**Attachments:** SWRCB letters to Oroshi PUD and Tulare County RMA

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## State Water Resources Control Board

Division of Drinking Water

January 24, 2023

Ross Miller  
Tulare County Resource Management Agency  
5961 S. Mooney Blvd.  
Visalia, CA 93277

Dear Mr. Miller,

Compliance Order No. 24\_E1\_22R\_004 (hereinafter “Order”), was issued to the East Orosi Community Service District (hereinafter “East Orosi CSD”) on October 19, 2022. The Order included legally enforceable directives with specific due dates. On or before February 1, 2023, East Orosi CSD and Orosi PUD are required to submit a complete construction funding application to the State Water Board, required under Directive No. 1 of the Order. The deadline to achieve consolidation between East Orosi CSD and Orosi PUD water systems is December 31, 2024.

As of January 18, 2023 the construction funding application is missing documents in the general, technical, environmental, and financial packages. A consolidation/water service agreement is also required with the restructured water system that identifies: (i) the terms of service; (ii) infrastructure ownership; (iii) operation and maintenance; (iv) transfer of facilities; (v) inactivation of the consolidating water system; (vi) intent to surrender its domestic water supply agreement; and (vii) other terms as negotiated between the entities. A consolidation agreement has not been provided to the State Water Board to date.

Effective November 1, 2023 Tulare County Resource Management Agency (RMA) was appointed as the administrator to East Orosi CSD. Tulare County RMA has administrative, technical, operational, legal, financial, and managerial control of all aspects of East Orosi CSD. All correspondence and negotiations regarding the consolidation project shall go through Tulare County RMA.

Please contact Caitlin Juarez ([Caitlin.Juarez@waterboards.ca.gov](mailto:Caitlin.Juarez@waterboards.ca.gov)) with any questions you may have.

---

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

265 West Bullard Avenue, Suite 101, Fresno, CA 93704 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Sincerely,

Bryan Potter, P.E.  
Safe and Affordable Funding for Equity and Resilience, Southern Engagement Unit  
State Water Resources Control Board – Division of Drinking Water

cc:

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Kristin Willet, P.E.  
Tulare District Engineer  
[Kristin.Willet@waterboards.ca.gov](mailto:Kristin.Willet@waterboards.ca.gov)

---

## State Water Resources Control Board

Division of Drinking Water

January 24, 2023

Board of Directors  
Orosi Public Utility District  
12488 Avenue 416  
Orosi, CA 93647

Board of Directors,

Compliance Order No. 24\_E1\_22R\_004 (hereinafter “Order”), was issued to the Orosi Public Utility District (hereinafter “Orosi PUD”) on October 19, 2022. The Order included legally enforceable directives with specific due dates. On or before February 1, 2023, East Orosi CSD and Orosi PUD are required to submit a complete construction funding application to the State Water Board, required under Directive No. 1 of the Order. The deadline to achieve consolidation between East Orosi CSD and Orosi PUD water systems is December 31, 2024.

As of January 18, 2023 the construction funding application is missing documents in the general, technical, environmental, and financial packages. A consolidation/water service agreement is also required with the restructured water system that identifies: (i) the terms of service; (ii) infrastructure ownership; (iii) operation and maintenance; (iv) transfer of facilities; (v) inactivation of the consolidating water system; (vi) intent to surrender its domestic water supply agreement; and (vii) other terms as negotiated between the entities. A consolidation agreement has not been provided to the State Water Board to date.

Effective November 1, 2023 Tulare County Resource Management Agency (RMA) was appointed as the administrator to East Orosi CSD. Tulare County RMA has administrative, technical, operational, legal, financial, and managerial control of all aspects of East Orosi CSD. All correspondence and negotiations regarding the consolidation project shall go through Tulare County RMA.

Please contact Caitlin Juarez ([Caitlin.Juarez@waterboards.ca.gov](mailto:Caitlin.Juarez@waterboards.ca.gov)) with any questions you may have.

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E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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Sincerely,

Bryan Potter, P.E.  
Safe and Affordable Funding for Equity and Resilience, Southern Engagement Unit  
State Water Resources Control Board – Division of Drinking Water

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