



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

LAFCO MEETING AGENDA March 6, 2024 @ 2:00 P.M. BOARD OF SUPERVISORS CHAMBERS COUNTY ADMINISTRATIVE BUILDING 2800 West Burrel Avenue Visalia, CA 93291

COMMISSIONERS:
Richard Feder, Chair
Liz Wynn, V. Chair
Maribel Reynosa
Pete Vander Poel
Dennis Townsend

ALTERNATES:
Larry Micari
Fred Sheriff
Steve Harrell

EXECUTIVE OFFICER:
Ben Giuliani

NOTE: This meeting will allow members of the public to participate, observe, and provide public comments during the meeting via Teleconference.

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

Although members of the public are able to participate via teleconference, Commissioners and LAFCo Staff will participate in person. LAFCo has designated the physical location noted above for any persons wishing to participate in person.

I. Call to Order

II. Approval of Minutes from January 24, 2024

(Page 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 Tulare and Detachment from County Service Area #1, (Chandler Grove) Case 1581-T-170

(Pages 03-20)

[Public Hearing] Recommended Action: Approval
The City of Tulare has submitted a request for an annexation of approximately 863 acres of land located on the Northeast corner of Bardsley Aven and Oakmore Street. The proposal is intended to develop residential units, a neighborhood commercial center, a school, community center, park, and open space. The City of Tulare has prepared an Environmental Impact Report for use in this project.

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

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

2. Annexation to the City of Visalia and Detachment from County Service Area #1, City of Visalia Annexation 2023-03 (County Island Akers/Ferguson/Linwood) LAFCo Case No. 1582-V-466 **(Pages 21-34)**
[Public Hearing] *Recommended Action: Approval*
 The City of Visalia has submitted a request for an annexation of approximately 35.76 acres of land comprised of two County Islands, the first is located on the east side of North Akers Street between West Ferguson and West Modoc Avenue while the second County Island is located on the west side of North Linwood Street between West Ferguson and West Delaware Avenues. The proposal is intended to facilitate the development of family residential homes. The City of Visalia has prepared a Notice of Exemption for use in this project.

3. Annexation to the City of Visalia and Detachment from County Service Area #1, City of Visalia Annexation 2022-02 (Belissa Annexation) Case 1583-V-467 **(Pages 35-50)**
[Public Hearing] *Recommended Action: Approval*
 The City of Visalia has submitted a request for an annexation of approximately 69.92 acres, located at the northwest corner of North Demaree Street and West Pratt Avenue. The proposal is intended to facilitate the development of approximately 309 single family residential units on 57.84 acres, commercial development on 7.51 acres, and a small park/open space on 2.57 acres. The City of Visalia has prepared a Mitigated Negative Declaration for use in this project.

4. Sphere of Influence Amendment to the Goshen Community Services District, Case 1584 (Goshen) **(Pages 51-60)**
[Public Hearing] *Recommended Action: Approval*
 The Goshen CSD has submitted a request for a Sphere of Influence amendment for approximately 32 acres of land to accommodate the annexation (1584A) located at the southwest corner between Avenue 304 and Road 68 in Goshen. The County of Tulare has prepared an addendum to the Goshen Community Plan Environmental Impact Report in compliance with CEQA.

5. Annexation to the Goshen Community Services District, Case 1584A (Avila Project Annexation) **(Pages 61-72)**
[Public Hearing] *Recommended Action: Approval*
 The Goshen CSD has submitted a request for an annexation of approximately 80.75 acres of land intended to facilitate the industrial development of a packing plant facility located at the southwest corner between Avenue 304 and Road 68 in Goshen. The County of Tulare has prepared an addendum to the Goshen Community Plan Environmental Impact Report in compliance with CEQA.

6. Alternate Public Member Selection Committee **(Pages 73-76)**
[No Public Hearing] *Recommended Action: Select Committee*
 At least one month prior to the expiration of the term of office of the Public or Alternate Public Member, the Commission shall appoint a selection committee consisting of one County Member and one City Member. The term of office of the Alternate Public Member representing the general public on the Tulare County Local Agency Formation Commission expires on May 6, 2024. It is recommended that the Commission initiate action to appoint the members of the selection committee.

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

7. SB-1209 Local agency formation commission: indemnification (Page 77-78)
[No Public Hearing]Recommended Action: Support
This bill would specifically give LAFCOs the power to require indemnification agreements from applicants. The bill was written as a result of a San Luis Obispo court ruling against the validity of an indemnification agreement between SLO LAFCO and the City of Pismo Beach. The bill text is enclosed. CALAFCO will soon be releasing a template letter of support.

V. Executive Officer's Report

1. Extraterritorial Service Agreements (Pages 79-86)
Enclosed are two ESAs approved by the Executive Officer for the provision of domestic water by the City of Porterville to two residences in East Porterville.
2. Legislative Update (Pages 87-94)
Enclosed is a listing of bills that CALAFCO is tracking.
3. Upcoming Projects (No Page)
The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO projects.

VI. Correspondence

1. Allensworth CSD Letter to State Water Board (Pages 95-96)
2. CALAFCO Quarterly Newsletter (Pages 97-105)

VII. Other Business

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

VIII. Setting Time and Place of Next Meeting

1. April 3, 2024 @ 2:00 P.M in the Board of Supervisors Chambers in the County Administration Building, 2800 W. Burrel Ave., Visalia, CA 93291.

IX. Adjournment

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

This page intentionally left blank.

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
2500 W. Burrel Avenue, Visalia, CA 93291
Tulare County Human Resources and Development
January 24, 2024 – Meeting Minutes**

Members Present: Feder, Wynn, Reynosa, Townsend, Vander Poel
Members Absent:
Alternates Present: Micari, Sheriff
Alternates Absent: Harrell
Staff Present: Giuliani, Kane, and Adams recording
Counsel Present: Matthew Pierce

I. Call to Order

Chair Feder called the meeting to order at 2:00pm.

II. Approval of the December 6, 2023 Meeting Minutes

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

III. Public Comment Period

Chair Feder opened/closed the Public Comment Period at 2:01 p.m. No public comments received.

IV. Action Items and Presentations:

1. Annexation to the City of Visalia and Detachment from County Service Area #1 (Mineral King – Road 148 / East Side Regional Park) Case 1579-V-465

Staff Analyst Kane reported that the City of Visalia is requesting an annexation of approximately 129 acres of land for a regional park located on the east side of the future Road 148 alignment between Houston Avenue and Mill Creek.

Chair Feder opened the Public Hearing for comments. Paul Bernal, City of Visalia, spoke in favor of the project.

Upon motion by Commissioner Wynn and seconded by Commissioner Townsend, the Commission unanimously approved the annexation to the City of Visalia and Detachment from County Service Area #1 as recommended.

2. Annexation to the Goshen Community Services District, Case 1580 (Goshen)

Staff Analyst Kane reported that San Joaquin Valley Homes submitted a request to annex 60.64 acres of land **for residential development** located at the northwest corner of Avenue 304 and Road 64 in the Goshen Community.

Chair Feder opened the Public Hearing for comments. No comments received.

Upon motion by Commissioner Vander Poel and seconded by Commissioner Townsend, the Commission unanimously approved the annexation to the Goshen Community Services District.

3. Legislative Policy

EO Giuliani presented the CALAFCO legislative platform for 2024.

Upon motion by Commissioner Townsend and seconded by Commissioner Wynn, the Commission unanimously adopted the 2024 CALAFCO legislative platform.

V. Executive Officer's Report

1. 2023 LAFCO Annual Report

Staff Analyst Kane provided an overview of the past year.

2. Legislative Update

EO Giuliani stated that the state legislature reconvened on January 3rd, 2024 and the list of CALAFCO tracked bills will be included in next month's LAFCO meeting.

3. Upcoming Projects

EO Giuliani stated there are four annexations that will be presented at the LAFCO meeting in March: two annexations in Visalia, one in Tulare, and another in Goshen.

VI. Correspondence:

1. CALAFCO 2024 Calendar

EO Giuliani presented the 2024 calendar of events for CALAFCO.

2. State Water Board Letter to the Cutler Public Utility District

EO Giuliani reviewed a letter provided by the State Water Board to Cutler PUD regarding water consolidation with Orosi PUD.

VII. Other Business:

1. Commissioner Report:

None

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

None

1. Setting Time and Place of Next Meeting:

The next Local Agency Formation Commission (LAFCO) meeting is scheduled for **March 6, 2024 at 2:00pm** in the Board of Supervisors Chambers, 2800 W. Burrell Ave., Visalia, CA 93291.

2. Adjournment:

The Tulare County LAFCO meeting adjourned at 2:27 p.m.

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

March 6, 2024

**LAFCO Case Number 1581-T-170
Annexation 2020-01, East Tulare No. 36
(Chandler Grove)**

PROPOSAL: Annexation to the City of Tulare, detachment from CSA #1.

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

SIZE: Approximately 863 acres

LOCATION: The Northeast and Southeast corners of Bardsley Avenue and Oakmore Street to East Tulare Villa and Rd 132 **(Figure 1)**.

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

SUMMARY: The proposal is intended to facilitate the development of low, medium, and high residential units, a neighborhood commercial center, a school, community center, park, and open space and includes the College of Sequoias (COS) Tulare Campus and Kaweah Delta Water Conservation District (KDWCD) ponding basins.

APNs: 184-050-007, 184-050-010, 184-050-034, 184-050-035, 184-080-005, 184-080-006, 184-080-007, 184-090-011, 184-090-012

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing	Proposed (City)
Zoning Designation	County - AE-40	C-3, R-1-5, RM-2, RM-4, and PL
General Plan Designation	TOD, Public, Community Commercial, Medium & Low Density Residential	Community Commercial, Public, Residential (Low, Medium, and High Density)
Uses	Agriculture, COS Campus, Recharge Basin	Single-family Residential, Multi-family, commercial, parks, school.

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

	Zoning Designation	General Plan Designation	Existing Use
North	AE-40	COS North TOD (City)	Agriculture
South	AE-40	County GP No City Designation – Agriculture	Agriculture
East	R-1 and AE-40	County GP No City Designation, Low Density and Agriculture	East Tulare Villas Agriculture
West	RA and PL	Public Lands, Rural Residential (City)	Mission Oak High School Residential (County) Residential (City)

C. Topography, Natural Features and Drainage

The site is relatively flat with general gradient to the south and west. Bardsley Avenue divides the area proposed for development and the COS owned properties. Oakmore street is the western boundary and a canal controlled by a ditch company runs through the annexation area.

D. Conformity with General Plans and Spheres of Influence:

The site is within the planning area for the City's General Plan and is within the City's Sphere of Influence.

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

The parcels within the site are not under a Williamson Act contract.

3. Population:

The estimated population of the proposal area is 12 based off the three residences within the proposed annexation area. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited for the purposes of change of organization protest provisions. (There are 5 registered voters within the City's proposed annexation area.)

Oakmore St Island

There are 21 residences and 60 people within the area that would become a substantially surrounded County island as a result of this annexation. There are 30 registered voters within the area. The addition of this area to the annexation would result in making the annexation inhabited for the purposes of change of organization protest provisions. Annexation options and the annexation survey of

this area and East Tulare Villa are reviewed under the Discussion section later in this report.

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 Tulare Police Department	City General Fund & Grants
Fire Protection	Tulare County Fire Dept.	City of Tulare Fire Department	General Fund, Grants, DIFS
Water Supply	Groundwater Well	City of Tulare	Developer, then water use rates
Sewage Disposal	Individual Septic	City of Tulare	Developer, then water use rates
Street Lighting	None	City of Tulare / SCE	Developer fees, LMD
Street Maintenance	County of Tulare	City of Tulare	DIFs, Grants, Gas Tax etc.
Planning/Zoning	County of Tulare	City of Tulare	Service Fees, General Fund
Garbage Disposal	Private Company	City of Tulare	User Rates
Other Services:	County of Tulare	City of Tulare	Various

The property in the proposed annexation area has historically used individual wells. The City of Tulare currently serves the COS campus. City of Tulare water services mains are currently provided in Bardsley Avenue, running along the southern boundary of the annexation area that is proposed for future development.

The City of Tulare is to provide water services to the property. The project proponent will be required to extend service mains within Bardsley Avenue and Oakmore Street and within local streets to be established within the proposed development as part of the conditions of development.

According to the City's Water Supply Assessment, the estimated water demand for the project (Chandler Grove) is 629 acre feet per year (AFY). The existing agricultural use for the project area is 699 AFY.

The City's Wastewater Treatment Plant Division operates and maintains the city's wastewater treatment facilities (WWTF), which consists of a domestic plant and an industrial plant. The domestic plant has a capacity to treat 6.0 million gallons per day (MGD). The domestic plant is currently treating about 4.15 MGD. The Project's total wastewater generation would be 696,430 gallons per day (gpd).

With the development in this area, expansion of services for police, fire, water, sanitary sewer, street maintenance, landscape, and storm drains are anticipated.

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: 648,198

Improvements: \$344,245

7. Environmental Impacts:

The City of Tulare 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 an Environmental Impact Report was approved for use with this proposal. The City adopted a Statement of Overriding Considerations for the unavoidable cumulative impacts to agricultural resources, air quality, greenhouse gas emissions and transportation. A copy of the document is included in the application materials.

8. Landowner Consent:

The landowner has provided signed consent for the Chandler Grove development portion of the annexation. The COS Tulare Campus was added to the annexation because the area already receives City services through a LAFCO approved Extraterritorial Service Agreement (ESA 2009-02). The ESA required eventual annexation to the City.

Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area and the county island area that could be included with the annexation. For the proposed annexation area, since the annexation is uninhabited and no affected local agency has requested a protest hearing, the protest hearing can be waived in accordance with Government Code §56662. If the Oakmore Street County island area is added to the annexation, the protest hearing can still be waived if there are no protests received prior to the end of the public hearing.

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.

1,197 single family residential units are proposed for development that are intended to serve the “Low, Moderate, and Above Moderate” income category. A tentative subdivision map has been filed with the City of Tulare. The table below shows the current RHNA cycle allocation.

6th Cycle City of Tulare RHNA allocation

Very Low	Low	Moderate	Above Moderate	Total
1,435	884	677	1,753	4,749

This is the first proposal during the 6th Cycle, the City of Tulare has made, therefore the following reflects the progress towards providing its fair share of regional housing if this proposal is approved.

Very Low	Low	Moderate	Above Moderate	Total
0	364	281	552	1,197

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

Very Low	Low	Moderate	Above Moderate	Total
1435	520	396	1201	3,552

10. Discussion:

Residential Land Supply and Development

The City currently has approximately a eight year supply of residential land. This assumes the remaining 628 acres of undeveloped residential land within the City develops at the current City population density of 16.7 persons per acre of developed residential land at a growth rate of 2.82% per year which is the estimated growth rate for the City from 2000 to 2020.

With the addition of the proposed annexation and development of the 1,197 single family units the city would add approximately an additional 2 years of residential land supply, assuming the growth rate estimates noted above stay consistent for the City.

Government Services

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

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

Uchita Island

This annexation would result in fully surrounding a 40 acre parcel (APN 184-110-027) to the south of Mission Oak High School. Pursuant to GC §56744, the creation of fully surrounded county islands is prohibited unless the Commission makes the following finding:

The application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation is so located that it cannot be reasonably annexed to another city or incorporated as a new city.

This area is included within a proposed annexation that is still in-process with the City. Due to the ongoing annexation application and that the area is undeveloped and likely to annex to the City in the near-term, the above finding is recommended to be made.

East Tulare Villa

East Tulare Villa is a disadvantaged unincorporated community (DUC) that borders the proposed annexation area to the east. According to the 2020 Census, the area has a population of 773 and has 222 housing units. Pursuant to GC §56375(a)(8), DUCs that border annexations of greater than 10 acres must also be annexed unless written evidence is provided to show that a majority of registered voters within the DUC don't want to be annexed.

The City conducted a survey of registered voters within the DUC. Of the registered voters who responded, 37 were opposed to annexation, 18 supported annexation, 2 responded "don't know" and 2 responded "don't care". Since the majority of registered voter respondents are against annexation, it is recommended that the DUC not be annexed by the City at this time.

Oakmore Street County Island

This area is already a substantially surrounded county island that would become further enclosed as a result of this annexation. This area does not qualify for the streamlined provisions for the annexation of county islands because the area became substantially surrounded after January 1, 2014 (GC §56375.4).

The inclusion of this area into the annexation would make the annexation inhabited in terms of LAFCO's protest provisions. This means that in addition to landowners, registered voters would have the right to protest. In a registered voter protest hearing, if 25% of the annexation area's registered voters protest, the annexation would be subject to an election. If greater than 50% of the annexation area's registered voters protest, the annexation is terminated.

The City conducted a survey of the registered voters within the area. Five were in favor of annexation, five were against annexation, six responded “don’t know” and 12 did not reply to the survey.

There are three options regarding Oak Street County Island:

- 1) If no registered voters provide protest to the annexation prior to the close of the public hearing, the Commission could include the county island area and waive the protest hearing.
- 2) Do not include Oak Street County Island in the annexation, whether or not there are registered voter protests prior to the end of the public hearing.
- 3) Include the Oak Street County Island in the annexation area even if there are registered voter protests. (Note that this option runs the risk of the annexation going to election or being terminated at the protest hearing.)

RECOMMENDED ACTIONS:

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

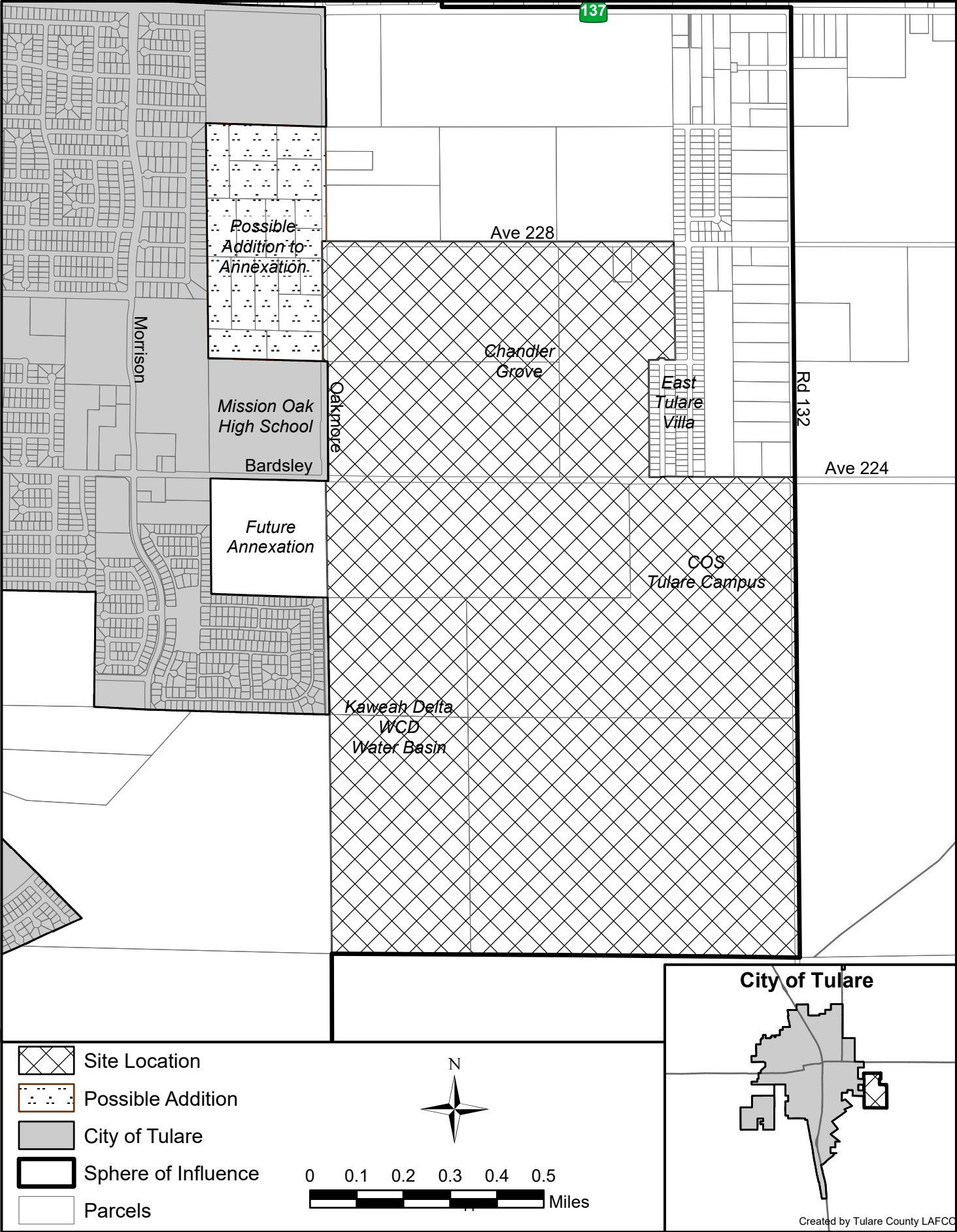
1. Certify that the Commission has reviewed and considered the Environmental Impact Report and Statement of Overriding Considerations prepared by the City of Tulare for this project and determine that the project will have significant impacts on the environment though the benefits of the Project outweigh the unavoidable environmental effects for the reasons presented by the Lead Agency in the Statement of Overriding Considerations, consistent with the Guidelines of the California Environmental Quality Act (CEQA).
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.
 - g. The prohibition of the creation of a fully surrounded County island (APN 184-110-027) is waived because the application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation is so located that it cannot be reasonably annexed to another city or incorporated as a new 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. *<inhabited if Oakmore Street Island is added>*
 6. Approve the proposed reorganization, to be known as LAFCO Case Number 1581-T-170, City of Tulare Reorganization, Annexation 2020-01 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.
 - c. *<if Oak Street Island is added>* The map and legal description must be updated to include the Oak Street Island area in the change of organization.
 7. Waive the protest hearing for this proposal in accordance with Government Code §56662 and order the reorganization without an election. *<or waive per GC §56663 if Oakmore Street Island is added without protest>*
 8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

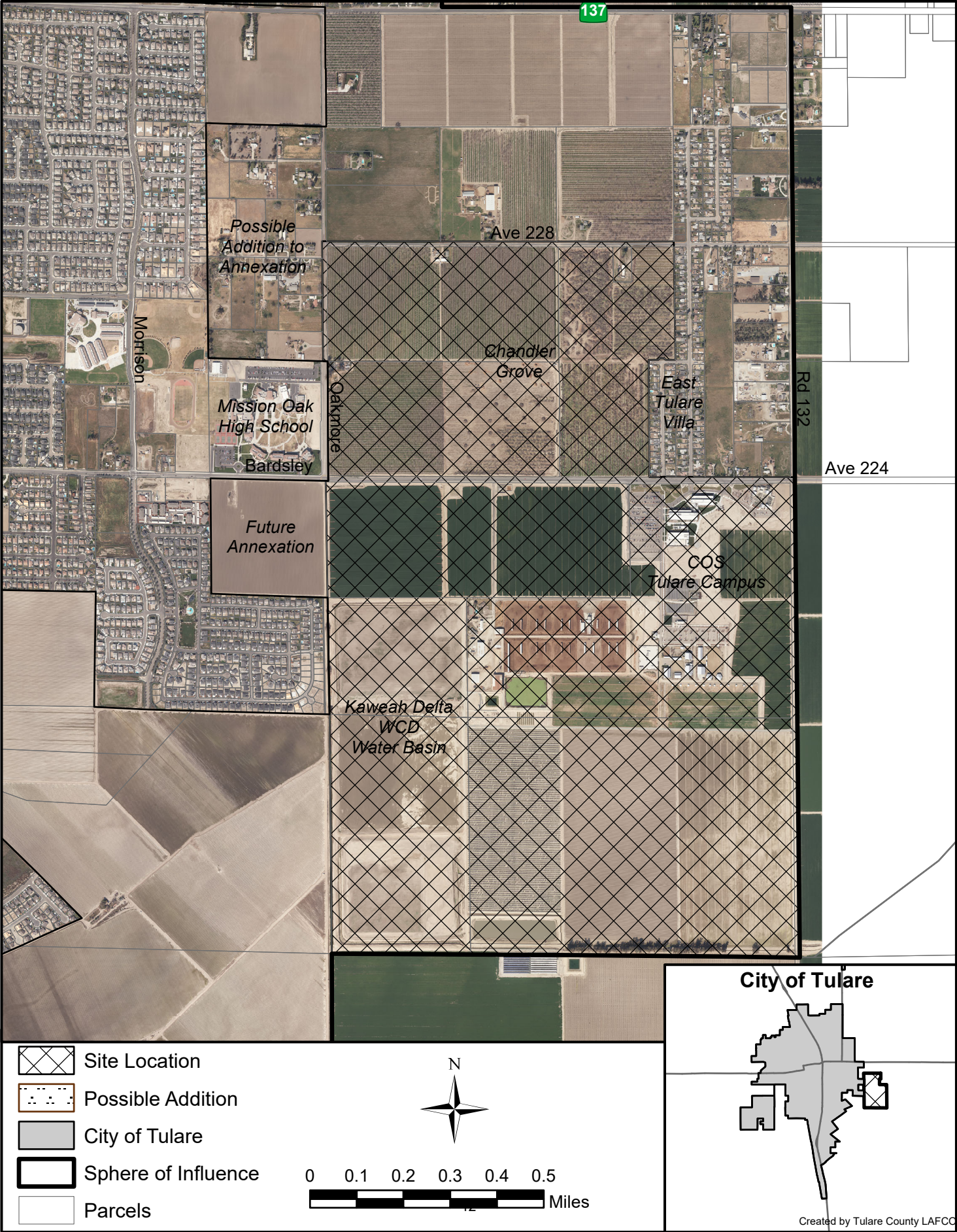
Figures:

- | | |
|----------|---|
| Figure 1 | Site Location Map |
| Figure 2 | Aerial |
| Figure 3 | Proposed Chandler Grove Conceptual Map |
| Figure 4 | Resolution, Annexation to City of Tulare and Detachment from CSA #1 |

LAFCO Case 1581-T-170







LAFCO Case 1581-T-170





Land Use

Land Use	Quantity
Low Density Residential	
	364
Total Acreage	100.3 AC
Density (DU/AC)	3.6 DU/AC
Medium Density Residential	
	160
	121
Total Medium Density Units	281
Total Acreage	32.9 AC
Density (DU/AC)	8.5 DU/AC
High Density Residential	
	552
Total Acreage	29.9 AC
Density (DU/AC)	18.5 DU/AC
Total Units	
1,197	
Other Uses	
Parks and Recreation (Central Park)	14.1 AC
Neighborhood Commercial Center	10.8 AC
Public / Quasi-Public (School)	4.9 AC
Public / Quasi-Public (Community Center)	0.78 AC

Legend

-  Property line
-  Piped irrigation canal
-  Proposed bus stop

SOURCE: Russell Mills 2022

This page intentionally left blank.

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

In the Matter of the Annexation to the City of)

Tulare and Detachment from County Service)

RESOLUTION NO. 24-XXX

Area #1, LAFCO Case1581-T-170, City of)

Tulare Annexation 2020-01 (Chandler Grove))

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 reorganize 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 6, 2024 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 Tulare, as Lead Agency, filed an Environmental Impact Report and Statement of Overriding Consideration in compliance with the California Environmental Quality Act (CEQA). And finds that the Commission has reviewed and considered the Environmental Impact Report and Statement of Overriding Considerations prepared by the City of Tulare for this project and determine that the project will have significant impacts on the environment though the benefits of the Project outweigh the unavoidable environmental effects for the reasons presented by the Lead Agency in the Statement of Overriding Considerations, consistent with the Guidelines of the California Environmental Quality Act (CEQA).

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

XXXXXXX
XXXXXXX

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

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

- a. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited. <if Oak Street Island is added, change to greater than 12 which is considered inhabited>

- b. The subject territory is within the Sphere of Influence of the City of Tulare.
- c. The proposed annexation 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 and conform to lines of assessment.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation is compatible with the City's General Plan.
- 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.
- g. The prohibition of the creation of a fully surrounded County island (APN 184-110-027) is waived because the application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation is so located that it cannot be reasonably annexed to another city or incorporated as a new city.

7. The Commission hereby waives the protest hearing proceedings in accordance with GC §56662 and orders the reorganization without an election. <change to GC §56663 if Oak Street Island is added without protests>

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 Board of Equalization.
- c. <If Oak Street Island is added> The map and legal description must be amended prior to the recording to the Certificate of Completion to add the Oak Street County Island to the Change of Organization.

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

LAFCO Case No. 1581-T-170, City of Tulare Annexation 2020-01, East Tulare No. 36 (Chandler Grove).

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

11. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice 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 6th day of March
2024, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ak

This page intentionally left blank.

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

March 6, 2024

**LAFCO Case Number 1582-V-466
Annexation 2023-03 to the City of Visalia
(County Island – Akers/Ferguson/Linwood)**

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

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

SIZE: Approximately 35.76 acres

LOCATION: The proposal is comprised of two County Islands, located on the east side of North Akers Street between West Ferguson and West Modoc Avenue while the second County Island is located on the west side of North Linwood Street between West Ferguson and West Delaware Avenues. **(Figures 1 & 2)**

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

SUMMARY: The proposal fulfills a condition of approval to annex the county islands from LAFCO Case 1561-V-456 (Sycamore Heights).

APNs: 077-070-032, 077-070-033, 077-070-039, 077-070-040, 077-070-041, 077-070-042, 077-070-045, 077-070-047, 077-070-066, 077-070-067, 077-070-068, 077-070-069, 077-070-070, 077-070-071, 077-310-016, and 070-310-017

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing	Proposed (City)
Zoning Designation	AE-20	R-1-20 (Single-family Residential, 20,000 square foot minimum site area) zone for 12 parcels, 21.56-acres. R-1-5 (Single-family Residential, 5,000 square foot minimum site area) zone for 4 parcels, 14.2-acres.
General Plan Designation	Residential Very Low Density and Residential Low	Residential Very Low Density and Residential Low Density (consistent

EXECUTIVE OFFICER'S REPORT
1582-V-466
PAGE 1

	Density (based upon Visalia City Council approval of General Plan Amendment No. 2021-16 on November 20, 2023)	with both the R-1-20 and R-1-5 zoning designations).
Uses	Existing residential, large lot development	No project to change current uses.

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	Summerfield Subdivision
South	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Residential Low Density	Ferguson Avenue / Chardonnay Gated Subdivision
East	R-1-20 (Single-family residential, 20,000 sq. ft. min. site area)	Residential Very Low Density	Estate lots & Northgate Estates Gated Subdivision
West	R-1-5 (Single-family Residential)	Residential Low Density	Akers Street, Estate lots & Siena Gated Subdivision

C. Topography, Natural Features and Drainage

The area is relatively flat and does not contain any natural topographical features.

The two county island areas are developed with residential houses on large estate lots with ancillary structures. There are no natural boundaries defining the area.

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).

E. Designate and describe, generally, the major highways and streets adjacent to the subject territory.

Akers Street, a 110-foot wide four lane arterial roadway with a raised median, abuts the project site along the west boundary, and Ferguson Avenue, an 84-foot wide collector street abuts the project site along the southern boundary of the project site while Linwood Street, a designated 84-foot collector, abuts the project site to the east. An approved 91-lot subdivision (Sycamore Heights) was approved that bisected the large county island resulting in two smaller county islands.

Impact on Prime Agricultural Land, Agriculture and Open Space:

The site is not under Williamson Act contract.

3. Population:

The estimated population of the proposal area is 53, as there are 16 residential addresses in the annexation area. The County Elections Division has indicated that there are more than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is inhabited.

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 Fire Department (Contracted with County of Tulare)	City of Visalia Fire Department	General Fund
Water Supply	Private Wells/Cal Water	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
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 currently maintains Akers Street which is a north/south arterial roadway, Linwood Street, which is a north/south collector roadway, and Ferguson Avenue, which is an east/west collector roadway. These major streets provide access to the annexation area.

Services that 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.

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: \$2,656,317

Improvements: \$4,722,597

7. Environmental Impacts:

The City of Visalia is the lead agency for this proposal. The City has provided a Notice of Exemption, citing Statutory Exemptions – State code number: 15061 (b)(3) for use in this project under the California Environmental Quality Act (CEQA). A copy of the document is included in the application materials.

8. Landowner Consent:

The landowners have not provided signed consent to the annexation. The City held a community outreach meeting on December 7th at the City Council Chambers from 6:00 p.m. to 7:00 p.m.

Notice of the LAFCO public hearing was mailed to all landowners and registered voters within 300 feet of the reorganization area. Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH) provides for an expedited process for cities to request LAFCOs to annex qualifying islands of unincorporated territory (GC56375.3). If the Commission finds that this island meets the requirements for the stream-lined island annexation provisions as listed in section 6 of the attached resolution, the protest hearing must be waived.

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.

There is no housing proposed with this proposal. Any future development of the properties will be a continuation of current conditions, or new construction as market forces for housing strengthen over time. All will be in accordance with City policies and standards and will contribute towards the Regional Housing Needs Allocation, as determined by Tulare County Association of Governments.

10. Discussion:

Residential Land Supply and Development

Although the result of this annexation would not immediately add additional housing units it could allow for future development within some of the larger parcels. The annexation of these County islands also meets a condition of approval that was stipulated in LAFCO case 1561-V-456 (Sycamore Heights).

County Islands

The annexation of the subject islands will further LAFCO goals and policies. The subject territory is substantially developed, fully surrounded, and inhabited islands of County jurisdiction in the City of Visalia and qualifies for the streamlined island annexation process and waiver of protest hearing pursuant to GC section 56375.3. Many of the properties within the subject island already receive municipal services. The reasons supporting annexation of these islands include creation of a more definitive and organized city boundary, efficient provision of government services, and to ensure the provision of services and facilities needed to accommodate planned population densities in the project area.

RECOMMENDED ACTIONS:

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

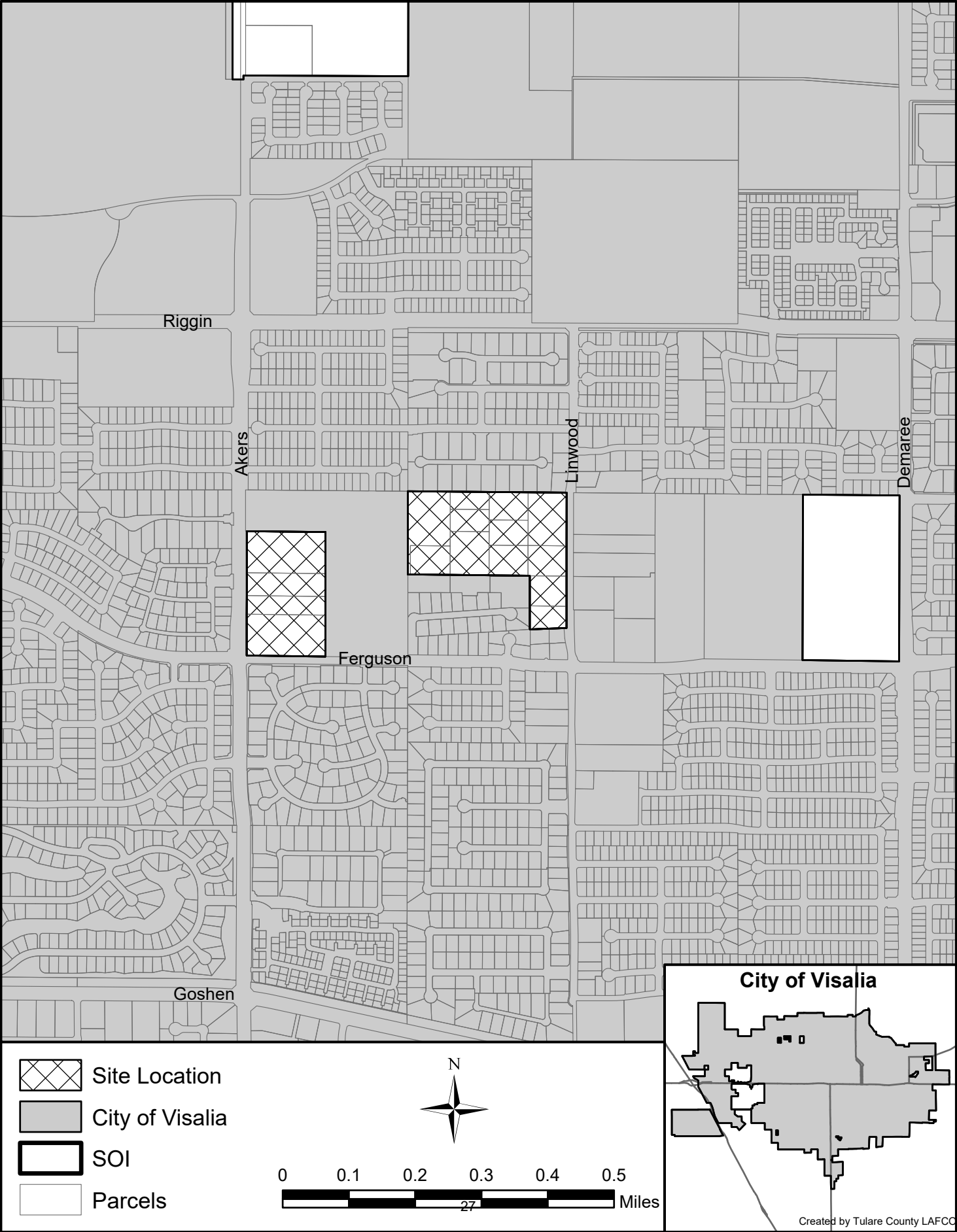
1. Certify that the Commission has reviewed and considered the Notice of Exemption provided by the City of Visalia for this project and determine that the Statutory Exemption is sufficient under the California Environmental Quality Act (CEQA).
2. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, GC §56377.
3. Find that the proposed annexation conforms to the criteria for “island” annexations as described in GC §56375.3 and find that the territory:
 - a. does not exceed 150 acres in size
 - b. comprises the entire island of unincorporated territory
 - c. was substantially surrounded by the City as of 1/1/2014
 - d. is substantially developed or developing
 - e. is not considered prime agricultural land as defined in GC §56064
 - f. will benefit from the annexation or is receiving benefits from the City

4. 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.
5. Find that the annexation does not contain any Williamson Act contract land.
6. Find that the territory proposed for this reorganization is inhabited.
7. Approve the proposed reorganization, to be known as LAFCO Case Number 1582-V-466, City of Visalia Reorganization, Annexation 2023-03 (County Island – Akers/Ferguson/Linwood) 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.
8. Waive the protest hearing for this proposal in accordance with Government Code §56375.3 and order the reorganization without an election.
9. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

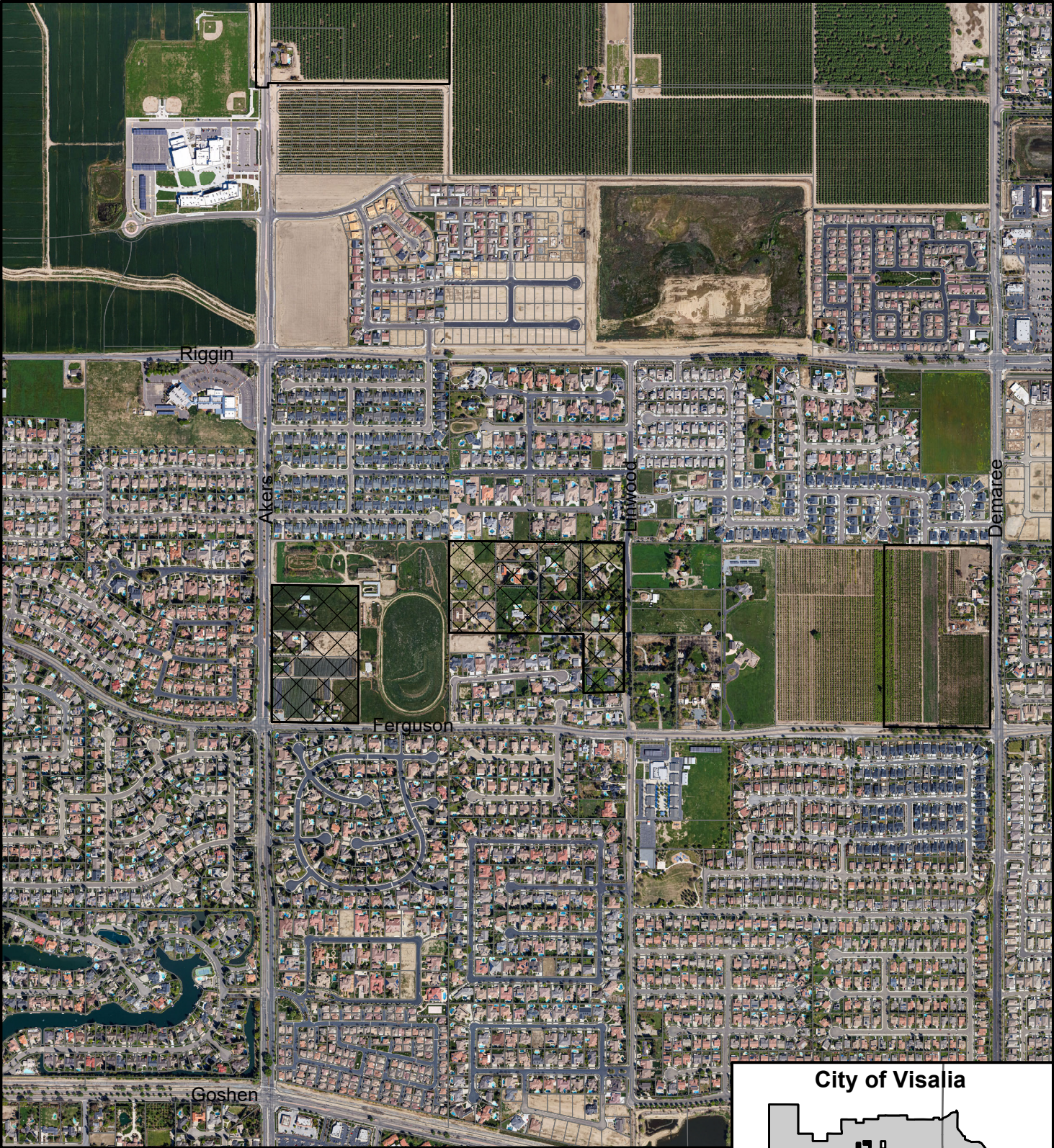
Figures:

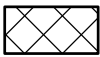



- | | |
|----------|--|
| Figure 1 | Site Location Map |
| Figure 2 | Aerial |
| Figure 3 | Resolution, Annexation to City of Visalia and Detachment from CSA #1 |

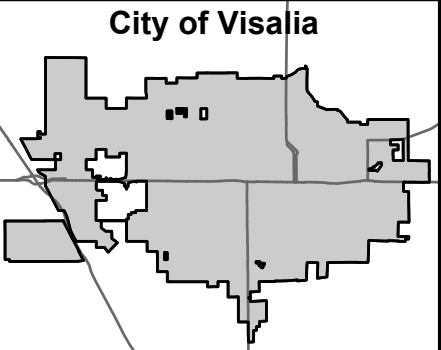
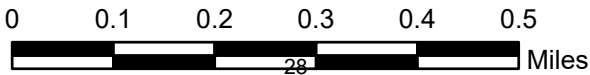
LAFCO Case 1582-V-466



LAFCO Case 1582-V-466



-  Site Location
-  City of Visalia
-  SOI
-  Parcels



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. 24-XXX**
CSA #1. LAFCO Case 1582-V-466,)
City of Visalia Annexation No. 2023-03)
(County Island – Akers/Ferguson/Linwood))

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 6, 2024 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 a Notice of Exemption, citing Statutory Exemptions – State code number: 15061 (b)(3) in compliance with the California Environmental Quality Act. And finds that the Commission has reviewed and considered the Notice of Exemption.

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. The proposal is for the annexation of two fully surrounded unincorporated islands consisting of approximately 35.76 acres.
- b. More than 12 registered voters reside in the affected territory, which is considered inhabited.
- c. The subject territory is within the Sphere of Influence of the City of Visalia.
- d. The proposed reorganization does not contain any Williamson Act contract land.

- e. The unincorporated islands were components of a 60.5 acre fully surrounded island that existed prior to January 1, 2014 as provided in GC §56375.4.

6. The annexation is proposed by resolution of the City of Visalia, and meets the following requirements for annexation of unincorporated islands as set forth in Government Code Section 56375.3:

- a. The annexation was initiated on or after January 1, 2000.
- b. The annexation is proposed by resolution adopted by the affected city.
- c. The territory contained in the annexation meets all of the requirements set forth in GC §56375.3(b):
 - i. The territory does not exceed 150 acres in area and that area constitutes the entire island.
 - ii. The territory constitutes an entire unincorporated island located within the limits of a city.
 - iii. The territory is surrounded or substantially surrounded by the city which annexation is proposed.
 - iv. The territory is substantially developed or developing based on consideration of the availability of public utilities, the presence of public improvements or physical improvements upon the parcels.
 - v. The territory is not considered prime agricultural land, as defined by GC §56064.
 - vi. The territory will benefit from annexation or is receiving benefits from the annexing city.

7. 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 other urban services and infrastructure can be provided for by the city.

8. The Commission hereby waives the protest hearing proceedings in accordance with GC §56375.3 and orders the annexation without an election.

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

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

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

LAFCO Case No. 1582-V-466, City of Visalia Annexation No. 2023-03 (County Island – Akers/Ferguson/Linwood)

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 6th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ak

This page intentionally left blank.

TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION EXECUTIVE OFFICER'S REPORT

March 6, 2024

LAFCO Case Number 1583-V-467 Annexation 2022-02 to the City of Visalia (Belissa)

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

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

SIZE: Approximately 59.84 acres

LOCATION: Northwest corner of North Demaree Street/Road 108 and West Pratt Avenue. **(Figures 1 & 2)**

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 309 single-family residential dwelling units and 168 multifamily residential dwelling units. **(Figure 3)**

APNs: 077-050-018, 019

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing	Proposed (City)
Zoning Designation	AE-40 (Exclusive Agricultural, 40 acre minimum)	<ul style="list-style-type: none"> • R-1-5 (Single-Family Residential 5,000 square foot minimum site area), 28.9 acres • R-M-2 (Multi-Family Residential, one unit per 3,000 square feet site area), approximately 14.5 acres • R-M-3 (Multi-Family Residential, one unit per 1,200 square feet site area), Approximately 8.1 acres C-N (Neighborhood Commercial), Approximately 6.89 acres
General Plan Designation	<ul style="list-style-type: none"> • Low Density Residential • Medium Density 	<ul style="list-style-type: none"> • Low Density Residential, approximately 28.9 acres

EXECUTIVE OFFICER'S REPORT
1583-V-467
PAGE 1

	Residential • High Density Residential Neighborhood Commercial	<ul style="list-style-type: none"> • Medium Density Residential, approximately 14.5 acres • High Density Residential, approximately 8.1 acres Neighborhood Commercial, approximately 6.89 acres
Uses	Agriculture	59.84-acre new community with up to 309 single family residential dwelling units, 168 multifamily dwelling units, a 7.51 acre parcel for future commercial development, and 2.57 acres of parks / open space area.

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

	Zoning Designation	General Plan Designation	Existing Use
North	AE-40 (Agricultural Exclusive 40-acre) County Zoning	Residential Low Density, Residential Medium Density	Agricultural land
South	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area); R-M-2 (multi-family residential, one unit per 3,000 sq. ft. site area)	Residential Low Density, Residential Medium Density	Wild Horse Ranch subdivision, agricultural land
East	AE-20 (Agricultural Exclusive 20-acre), AE-40 County Zonings	Residential Low Density, Parks/Recreation	Shannon Ranch subdivision, agricultural land
West	AE-40 County Zoning	Public/Institutional, Parks/Recreation, Residential Medium Density, Residential Low Density	Agricultural land

C. Topography, Natural Features and Drainage

The area is relatively flat and not does not contain any natural topographical features. One man-made irrigation ditch runs through the eastern portion of the site.

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 2 Urban Development Boundary (UDB).

E. Designate and describe, generally, the major highways and streets adjacent to the subject territory.

Demaree Street/Road 108, a north/south minor arterial street, is adjacent to the project site to the east. Riverway Avenue, an east/west former minor arterial street that is now a designated local road, is adjacent to the project site from the

south. The Linwood Street alignment, a north/south collector street, once extended will be adjacent to the project site to the west.

The Modoc Ditch traverses north/south through the eastern portion of the project site and borders the project site from the south and west. State Route 198 is located 2.5 miles to the south and State Route 99 is located 5 miles to the west.

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

The site is not under Williamson Act contract.

3. Population:

The estimated population of the proposal area is 0, as there is no structures on site 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 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
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.

Demaree Street is located along the eastern portion of the project site and is currently maintained by the City of Visalia. Both Linwood Avenue and Riverway Avenue will be located along the west and south perimeter of the annexation area respectively and will also be maintained by the City of Visalia upon development. All streets will be improved with development of the subdivision.

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 source including, but not limited to, the General Fund, development fees, and Measure R. Water is to be provided by the California Water Service. A will-serve letter from Cal Water has been provided (Figure 4).

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: \$3,442,500

Improvements: \$0.00

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.

Upon annexation, the applicants are proposing to develop the property with 309 single-family residential dwelling units, 168 multifamily dwelling units, and a 7.51-acre parcel for future commercial development. A tentative subdivision map has been filed with the City of Visalia. The table below shows the current RHNA cycle allocation.

6th Cycle City of Visalia RHNA allocation

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	1,321	3,423	10,791

During the 6th Cycle, the City of Visalia made the following progress towards providing its fair share of regional housing from the annexations that were approved since December.

Very Low	Low	Moderate	Above Moderate	Total
0	146	691	708	1,545

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

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,001	480	2,547	8,769

10. Discussion:

Residential Land Supply and Development

The City currently has approximately over a 4 year supply of residential land. This assumes the remaining 1,247 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 2.17% per year which is the growth rate for the City from 2000 to 2020.

At the December meeting, about another 3 years of residential land supply was added with the approved annexations. With the addition of the proposed annexation and development of the 309 single-family units and 168 multifamily residential units (totaling 477 residential dwelling units), the city would add approximately an additional 5 months of residential land supply, assuming the growth rate estimates noted above stay consistent for the City.

RECOMMENDED ACTIONS:

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

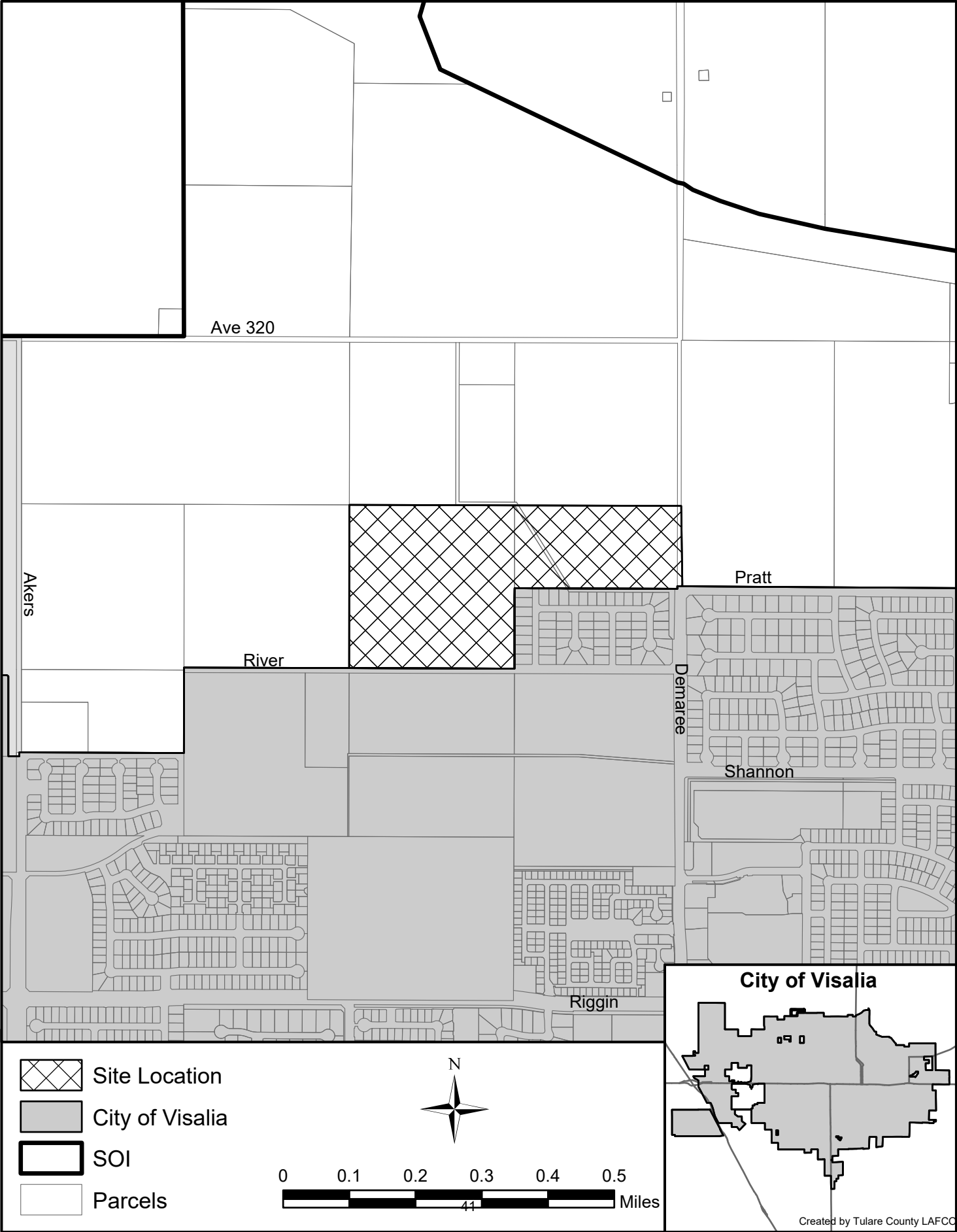
1. Certify that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determine that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because 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 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 1583-V-467, City of Visalia Reorganization, Annexation 2022-02 (Belissa Annexation) 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.

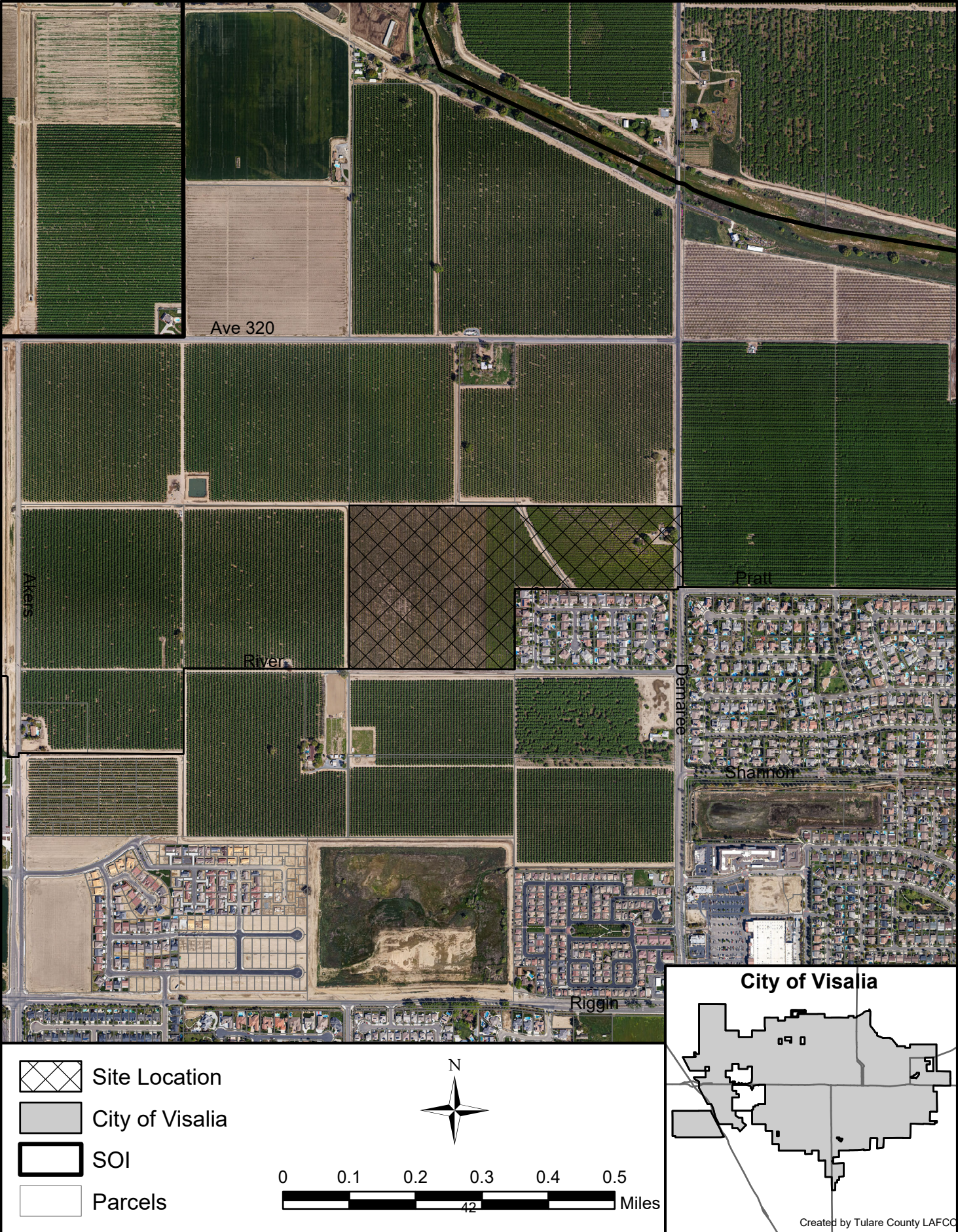
Figures:

- Figure 1 Site Location Map
- Figure 2 Aerial
- Figure 3 Belissa Subdivision Map
- Figure 4 Cal Water Will Serve Letter
- Figure 5 Resolution, Annexation to City of Visalia and Detachment from CSA #1

LAFCO Case 1583-V-467



LAFCO Case 1583-V-467



PORTION OF LOT 2 OF SHANNON RANCH CENTRAL SUBDIVISION, RECORDED IN VOL. 40 OF MAPS, AT PAGE 99, LOCATED IN THE SE 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, 24 EAST, M08BAM, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA

077-050-004, 077-050-006
 59.84 AC. (GROSS) ±
 AE-40 (COUNTY)
 R-1.5 (PD)
 VACANT
 RESIDENTIAL
 LOW RESIDENTIAL

LOOD ZONE:
URISDICTION:
SALIA UDB TIER:

AND USE TOTALS:	AREA	DU	NET DENSITY
LOW DENSITY RESIDENTIAL:	14.1 AC	159	11.27 DU/AC
MEDIUM DENSITY RESIDENTIAL:	10.68 AC	150	13.76 DU/AC
HIGH DENSITY RESIDENTIAL:	574 AC	168	29.24 DU/AC
HEIGHT-ORHORIZED COMMERCIAL:	7.50 AC		
PARKS/OPEN SPACE:	257 AC		
ROADS/DITCH (LOTS & R)	120		
LOCAL STREETS	1465 AC		
COLLECTOR/ARTERIAL STREETS:	2.97 AC		
LANDSCAPE LOTS:	0.25 AC		

TOTAL	59.84 AC	477
-------	----------	-----

IMC TITLE 18 - AGRICULTURAL PRESERVATION ORDINANCE

TOTAL PRIME FARMLAND:	59.84 ACRES
EXCLUSIONS (PER VMC 18.04.060 (C):	20.19 ACRES
REQUIRED AGRICULTURAL LAND PRESERVATION:	39.65 ACRES

GROSS DENSITY CALCS:		GROSS AREA	DU	GROSS DENSITY
DR:		27.9 AC	159	5.7 DU/AC
IDR:		15.0 AC	150	10.0 DU/AC
IDR:		7.6 AC	168	22.1 DU/AC

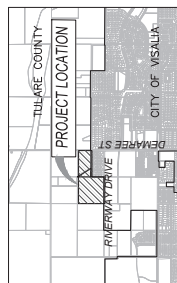
ARK/OPEN SPACE: 2.57 AC
 LOT C: 0.03 AC; LOT D: 0.10 AC; LOT G: 0.25 AC; LOT H: 0.24 AC; LOT I: 0.10 AC; LOT J: 0.17 AC; LOT K: 0.22 AC; LOT L: 0.70 AC; LOT N: 0.18 AC; LOT O: 0.18 AC; LOT P: 0.05 AC; MFR PARKSPACE: 0.36 AC
 MIN. REQUIRED 15% OF RESIDENTIAL AREA: 2.52 AC

NOTES

- LOTS A - P TO BE PART OF A LANDSCAPE & LIGHTING DISTRICT AND DEDICATED TO CITY OF VISALIA WITH THIS MAP.

PHASE 1 MDR LOTS SHALL BE NOTIFIED THAT PHASE 2 HDR SITE MAY CONSTRUCT 2 AND/OR 3 STORY DEVELOPMENT ADJACENT TO THEM.

- 20-FT REAR YARD SETBACK REQUIRED FOR LOTS 1-3 & 130-143.
- ALL OFF-SITES TO BE INSTALLED WITH PHASE 1.
- SANITARY SEWER AND WATER UTILITIES TO TIE INTO EXISTING LINES ALONG RIVERWAY DRIVE AND DENAEE STREET
- ALL LOTS TO CONNECT TO REQUIRED TEMPORARY STORMWATER BASIN. POTENTIAL CONNECTION TO EXISTING SD SYSTEM TBD DURING CIVIL DESIGN.

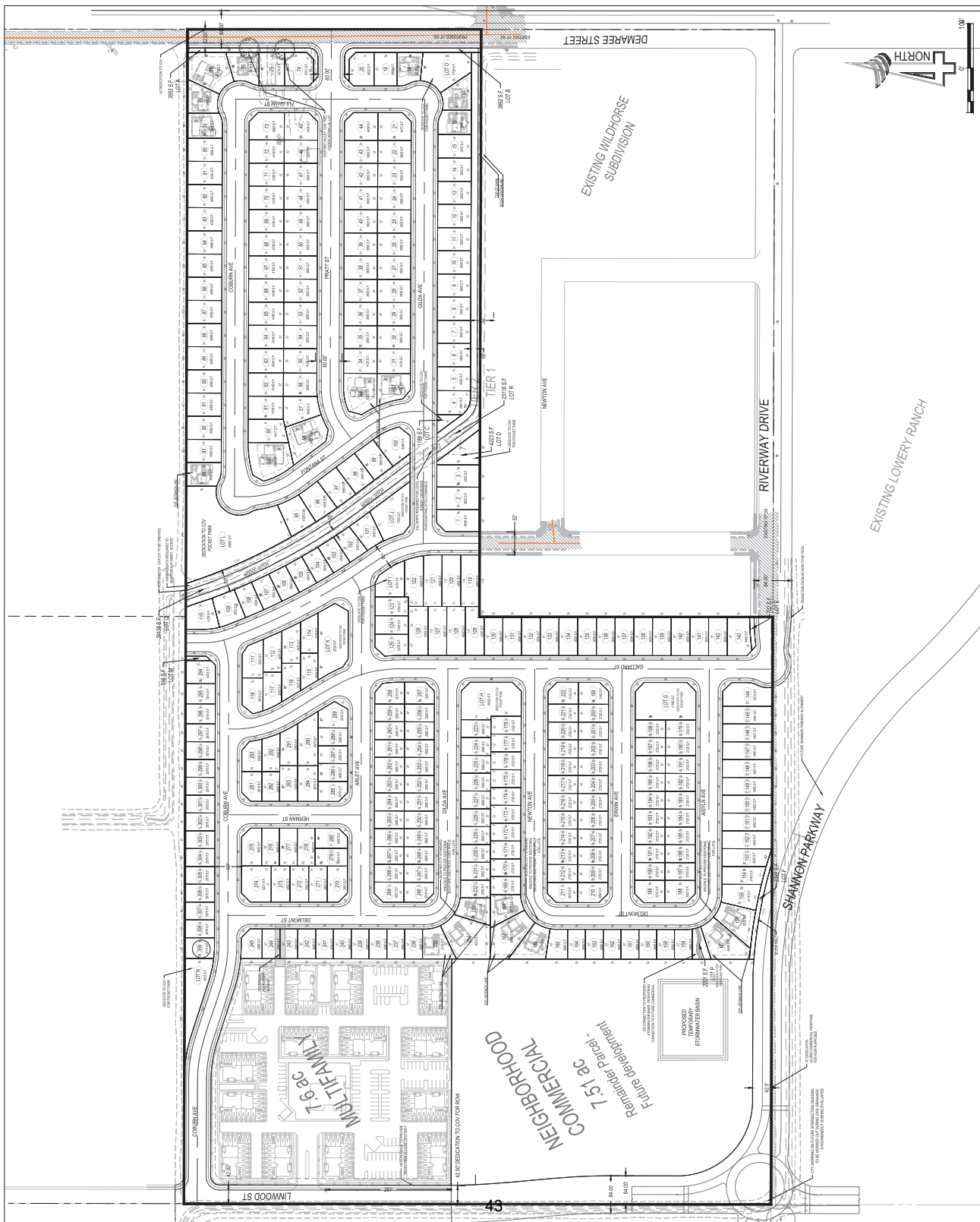


VICINITY MAP

PREPARED BY:

24 S. SANTA FE, STE. A
SALINA, CA 93292
TEL: 559.802.3052
FAX: 559.802.3215
www.A-Creels.com

DOBBERS



This page intentionally left blank.



CALIFORNIA WATER SERVICE

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

December 7, 2023

Rafael Garcia
315 E Acequia
Visalia, CA 93291

Will Serve Letter
APN: 2022-02 (Belissa Subdivision)
Owner: Wathen-Castanos

Dear Mr. Garcia:

California Water Service Company Visalia district ("Cal Water") has determined that water is available to serve the above-referenced project based on the information provided. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This determination of water availability shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

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

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

If you have any questions regarding the above, please call me at (559) 624-1621.



CALIFORNIA WATER SERVICE

Sincerely,

Stephen Johnson

Stephen Johnson
District Manager

cc: Patrick Kalvass – Cal Water Engineering Dept
File

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. 24-XXX**
CSA #1. LAFCO Case 1583-V-467,)
City of Visalia Annexation No. 2022-02)
(Belissa Annexation))

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 6, 2024 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 other 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. 1583-V-467, City of Visalia Annexation No. 2022-02 (Belissa Annexation)

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 6th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ak



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church St., Suite B, Visalia, CA 93291 (559) 624-7274 FAX (559) 733-6720

COMMISSIONERS:

*Richard Feder, Chair
Liz Wynn, V-Chair
Pete Vander Poel
Maribel Reynosa
Dennis Townsend*

ALTERNATES:

*Larry Micari
Fred Sheriff
Steve Harrell*

EXECUTIVE OFFICER:
Ben Giuliani

March 6, 2024

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Amie Kane, Staff Analyst

SUBJECT: LAFCO Case 1584A, Sphere of Influence Amendment for the Goshen
Community Services District

Discussion

The Goshen Community Services District is requesting a Sphere of Influence (SOI) amendment to include approximately 30 acres of land near the southwest corner of Road 68 and Avenue 304. The SOI amendment is needed to accommodate the annexation of 80 acres of land, 50 of which are already within the SOI (**Figure 1**). Notice of the public hearing for this proposal was provided in accordance with Government Code Section 56427.

Environmental Impacts

The County of Tulare is the lead agency for this proposal. The County prepared an addendum to the EIR for the Goshen Community Plan Update (SCH #2014021057). A copy of the document is included in the application materials.

Municipal Service Review

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCO to establish Spheres of Influence for cities and special districts. Prior to, or in conjunction with establishing an agency's SOI, LAFCO is required to conduct a Municipal Service Review (MSR) for each agency. Neither the LAFCO statute nor the OPR Guidelines specifically prescribe how often a MSR must be updated, other than as needed. Therefore, it is left to each LAFCO to establish review parameters. The MSR for the Goshen Community Services District was last adopted in 2018. However, per Policy C-5.1, a SOI amendment that is associated with a concurrent proposal for a change of organization is not subject to a MSR update.

Impact on Prime Agricultural Land, Agriculture and Open Space:

The site is not under Williamson Act contract or Farmland Security Zone contract.

Required Determinations

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

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

The amendment to the SOI includes 30 acres of agricultural land within an 80 acre annexation area. A packing plant is proposed in the annexation area.

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

The purpose of the SOI amendment and concurrent annexation is to allow for the provision of sewer services from the Goshen CSD.

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

The District has the capacity to serve the area.

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

The subject area does not contain social or economic communities of interest.

(5) The present and probable need for those public facilities and services (sewer service, municipal and industrial water or structural fire protection) of any disadvantaged unincorporated communities within the existing sphere of influence.

The inclusion of the subject area into the SOI has no impact on disadvantaged unincorporated communities within the existing SOI in regards to the provision of the specified public facilities and services.

Coterminous Annexation

The intent of the SOI amendment is to make the SOI boundary coterminous with the proposed annexation LAFCO Case #1584. The approval of the SOI amendment is necessary to accommodate the annexation.

Recommendations:

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

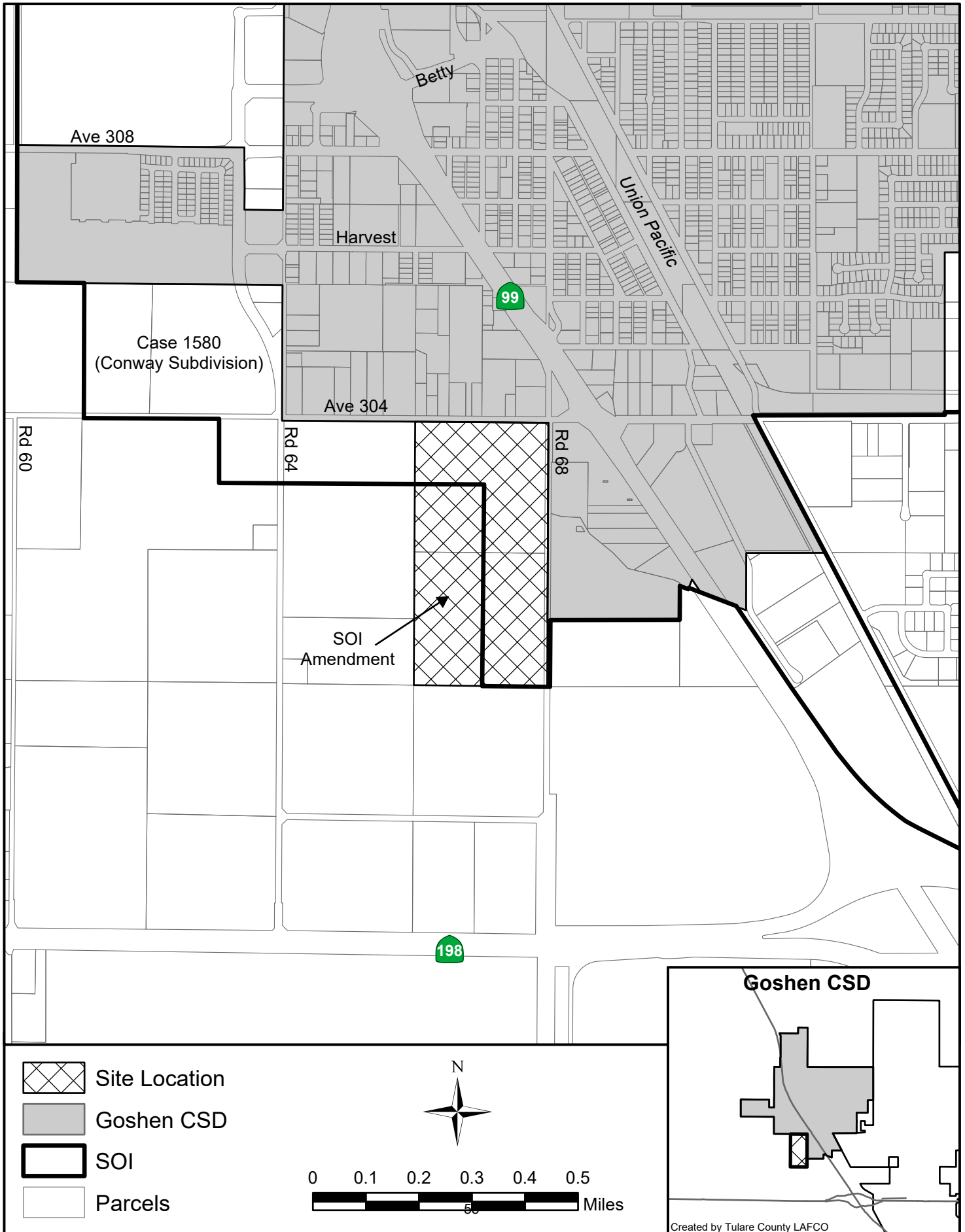
- A. Certify that the Commission has reviewed and considered the addendum to the EIR for the Goshen Community Plan Update (SCH #2014021057) prepared by the County of Tulare for this project and determine that the project will have no additional unmitigated impacts not already addressed in the Goshen Community Plan Update EIR.
- B. Adopt the written statement of determinations and find that the proposed Goshen Community Services District Sphere of Influence amendment complies with the GC §56425.
- C. Find that there are no Williamson Act contracts within the SOI amendment area.
- D. The SOI amendment is contingent on the approval of LAFCO Case #1584 (Goshen CSD).
- E. Approve the Sphere of Influence to be known as LAFCO Case 1584A (Goshen CSD).

Figures & Exhibits

- Figure 1 Site Location Map
- Figure 2 Resolution

This page intentionally left blank.

LAFCO Case 1584



This page intentionally left blank.

BEFORE THE LOCAL AGENCY FORMATION COMMISSION

OF THE

COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Amendment to the)
Goshen Community Services District Sphere of) **RESOLUTION NO. 24-XXX**
Influence LAFCO Case No. 1584A (Goshen CSD))

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

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

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

WHEREAS, on March 6, 2024 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 boundaries of the Sphere of Influence amendment are definite and certain as shown in Exhibit “A”.

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

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

XXXXXXXXXX
XXXXXXXXXX

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

5. Pursuant to Commission Policy C-5.1, this proposal is a Sphere of Influence amendment that is associated with a concurrent proposal for a change of organization which is not subject to a Municipal Services Review.

6. Pursuant to GC §56426, the Commission finds that the Sphere of Influence amendment contains no Williamson Act land.

7. The Commission has considered the following criteria as required under GC §56425(e):

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

The amendment to the SOI includes 30 acres of agricultural land within an 80 acre annexation area. A packing plant is proposed in the annexation area.

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

The purpose of the SOI amendment and concurrent annexation is to allow for the provision of sewer services from the Goshen CSD.

- (3) *The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.*

The District has the capacity to serve the area.

- (4) *The existence of any social or economic communities of interest in the area.*

The subject area does not contain social or economic communities of interest.

- (5) *The present and probable need for those public facilities and services (sewer service, municipal and industrial water or structural fire protection) of any disadvantaged unincorporated communities within the existing sphere of influence.*

The inclusion of the subject area into the SOI has no impact on disadvantaged unincorporated communities within the existing SOI in regards to the provision of the specified public facilities and services.

8. The Commission certifies that it has reviewed and considered the addendum to the EIR for the Goshen Community Plan Update (SCH #2014021057) prepared by the County of Tulare for this project and adopts its findings.

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

10. The Sphere of Influence for the Goshen Community Services District is hereby amended with the following condition:

- A) The Sphere of Influence amendment is contingent on the approval of LAFCO Case 1584 (Goshen CSD).

11. The Sphere of Influence Amendment shall be known as LAFCO Case 1584A (Goshen CSD)

The foregoing resolution was adopted upon the motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held this 6th day of March 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

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

March 6, 2024

**LAFCO Case Number 1584 (Goshen)
Goshen Community Services District Annexation (Avila Project)**

PROPOSAL: Goshen Community Services District Annexation

PROPONENT: Goshen CSD by resolution

SIZE: 80.7 acres

LOCATION: Southwest corner of Avenue 304 and Road 68 (*Figures 1 & 2*)

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

SUMMARY: The annexation is intended to facilitate the development of a packing plant.

APNs: 073-070-004 and -005

GENERAL ANALYSIS

1. Land Use:

A. Site Information

	Existing (County)	Proposed (County)
Zoning Designation	M-1/AE-40 dual zone	M-1
General Plan Designation	Light Industrial/Agriculture	Light Industrial
Uses	Agriculture/Vacant	Future packing plant

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

	Zoning Designation	General Plan Designation	Existing Use
North	M-1	Industrial	Industrial/Commercial
South	AE-40	Agriculture	Agriculture
East	M-1	Industrial	Truck yard/Ag sales
West	AE-40	Agriculture	Agriculture

C. Topography, Natural Features, and Drainage

The site is relatively flat with Mill Creek Ditch running through the site.

D. Conformity with General Plans and Spheres of Influence:

The site conforms with the County General Plan and is within the Goshen Urban Development Boundary. A 30 acre SOI amendment is needed to accommodate the annexation.

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

The parcels are not under Williamson Act contract.

3. Population:

There are no residents in the proposed annexation area. Therefore, pursuant to GC Section 56046 (less than 12 registered voters), the annexation area is uninhabited.

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

Agency providing service

<i>Service</i>	<i>Now</i>	<i>After</i>	<i>Method of finance</i>
Police Protection	Tulare County Sheriff	Tulare County Sheriff	General Fund
Fire Protection	Tulare County Fire	Tulare County Fire	General Fund
Water Supply	None	Cal Water	Service Fees
Sewage Disposal	None	Goshen CSD & City of Visalia	Service Fees
Street Lighting	None	Community Facility District	CFD
Street Maintenance	County of Tulare	County of Tulare	General Fund
Planning/Zoning	County of Tulare	County of Tulare	Service Fees and General Fund
Garbage Disposal	None	Mid Valley Disposal	Private Service Fees

5. Boundaries and Lines of Assessment:

The boundaries of the proposal area are definite and certain and conform to the lines of assessment. The adequacy of the map and legal description for filing with the State Board of Equalization will be determined prior to the public hearing.

6. Assessed 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	\$ 1,072,203
Improvements	\$ 0
Total	\$ 1,072,203

7. Environmental Impacts:

The County of Tulare is the lead agency for this proposal. The County prepared an addendum to the EIR for the Goshen Community Plan Update (SCH #2014021057). A copy of the document is included in the application materials.

8. Landowner Consent:

Signed consent to this annexation has been received from all property owners. Notice was mailed to all landowners and registered voters within 300 feet of the annexation area. Since this annexation has received 100% landowner consent, 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 County in achieving its fair share of regional housing needs as determined by the appropriate council of governments.

This annexation does not involve residential land so will have no direct impact on regional housing needs.

10. Discussion:

Government Services

The adequacy of governmental service will be improved within the subject area. According to the the County they are currently able to provide the annexation area urban services and infrastructure for development such as police, fire, streets, lighting, etc., as well as planning and building services. The only service the District would provide to the area is the conveyance of wastewater to be treated by the City of Visalia at the City's wastewater treatment plant. The full

build out of the packing plant is estimated to add .048 MGD in wastewater flow, 89 ppd for BOD and 89 ppd for SS.

The City of Visalia approved an amendment to the City/Goshen wastewater treatment agreement on December 18th, 2023. The City, Goshen CSD and Tulare County will need to continue to coordinate to ensure that the City's wastewater treatment facility continues to have capacity to accommodate growth in Goshen.

Scenario	Flow Avg	Flow Max	BOD Avg	BOD Max	SS Avg	SS Max
	(MGD)	(MGD)	(PPD)	(PPD)	(PPD)	(PPD)
2022 (QK Study)	.326	.411	796	2,725	676	2,780
Prior Agreement	.360	.540	1,180	1,770	950	1,425
New Amendment	.563	.850	1,750	2,600	1,460	2,200

BOD = Biochemical Oxygen Demand, SS = Suspended Solids, PPD = Pounds per Day, MGD = Millions of Gallons per Day

The area will need increased services. The District and the County are prepared to provide these services. Services which would be extended to this area will be funded primarily through impact fees and the general fund. The applicant has not yet provided a will-serve letter from Cal Water. A condition of approval that a will-serve letter must be provided prior to recording the Certificate of Completion is recommended.

Sphere of Influence

The requested SOI amendment (Case 1584A) to add 30 acres of the site into the SOI must be approved to allow for the annexation of the site into Goshen CSD.

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 Addendum to the Goshen Community Plan EIR (SCH #2014021057) prepared by the County of Tulare for this project and adopt its findings.
2. Find that the proposed annexation to the Goshen Community Services District complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, find or determine that:
 - a. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.

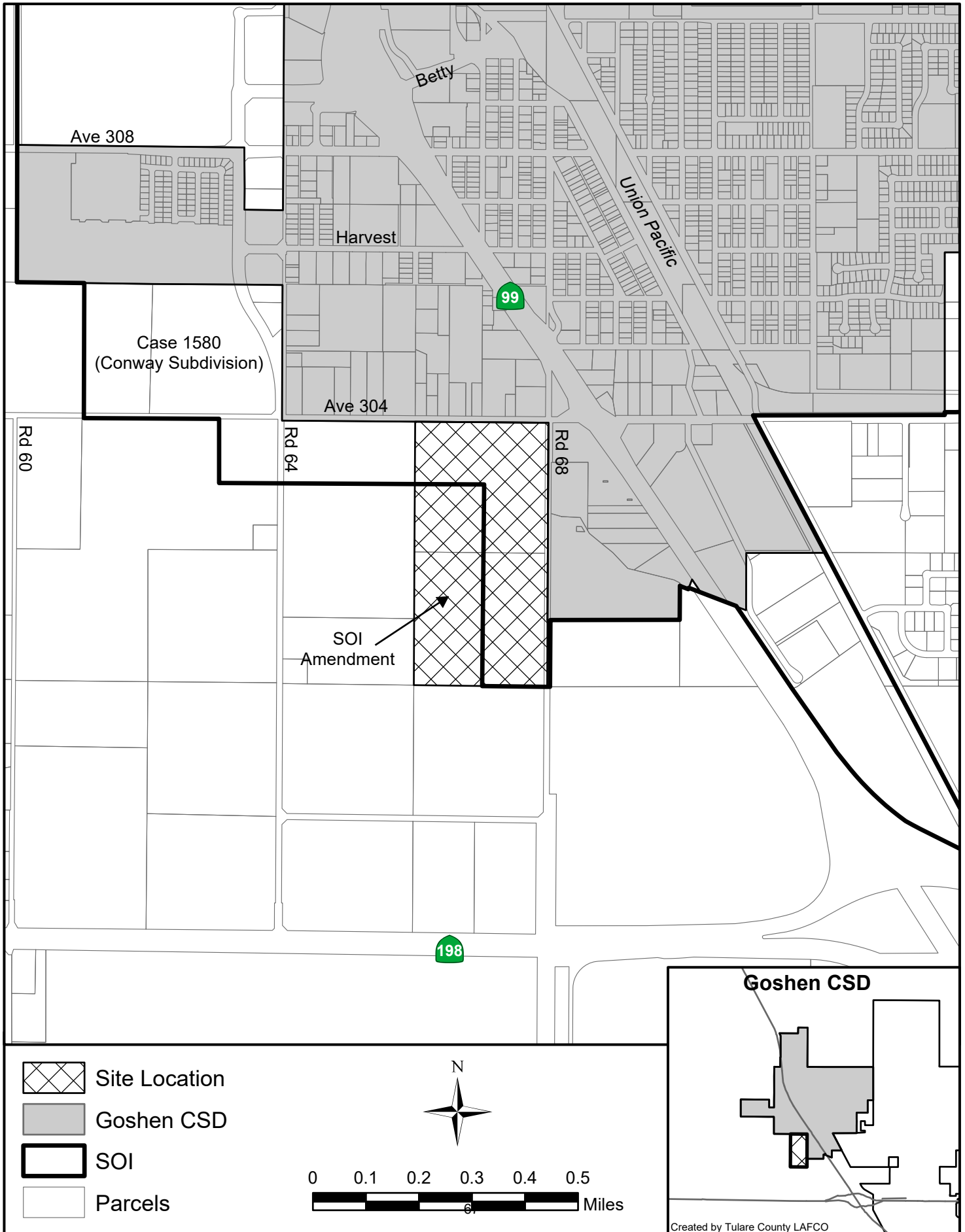
- b. The proposed annexation represents a logical and reasonable expansion of the district.
 - c. The proposed annexation is compatible with the plans of the adjacent governmental agencies
- 4. Find that the territory proposed for this annexation is uninhabited.
- 5. Find that the annexation territory does not contain any Williamson Act contract land.
- 6. Approve the proposed annexation, to be known as LAFCO Case Number 1580 (Goshen) subject to the following condition:
 - a. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
 - b. Provide a will-serve letter from Cal Water prior to the recording of the Certificate of Completion.
- 7. Waive the protest hearing for this proposal in accordance with Government Code §56662 and order the annexation 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 Photo
- Figure 3 Resolution





This page intentionally left blank.

LAFCO Case 1584



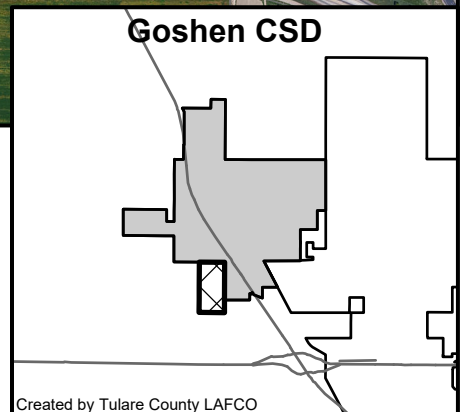
LAFCO Case 1584



-  SOI
-  Site Location
-  Parcels
-  Goshen CSD



0 0.1 0.2 0.3 0.4 0.5
Miles



Created by Tulare County LAFCO

BEFORE THE LOCAL AGENCY FORMATION COMMISSION

OF THE

COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Annexation)

To the Goshen Community Services District)

LAFCO Case No. 1584 (Goshen))

RESOLUTION NO. 24-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 from the Goshen Community Services District to annex certain territories shown in attached Exhibit “A” made a part hereof; and

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

WHEREAS, on March 6, 2024 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

1. The information, material and facts set forth in the application and the report of the Executive Officer (including any corrections), have been received and

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

2. The County of Tulare as Lead Agency, filed an Addendum to the to the EIR for the Goshen Community Plan Update (SCH #2014021057) in compliance with the California Environmental Quality Act (CEQA) and adopt it's findings.

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

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. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.
- b. Fewer than 12 registered voters reside in the affected territory and 100% landowner consent was received.
- c. The territory proposed for this annexation is uninhabited.
- d. The subject territory is within the Sphere of Influence of the Goshen Community Services District subject to the approval of LAFCO Case 1584A.
- e. The annexation territory 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 proposed annexation represents a logical and reasonable expansion of the district.
- b. The proposed changes are compatible with the plans of the adjacent governmental agencies.
- c. The proposal is consistent with the findings and declarations of GC §56001.

7. The Commission hereby approves the proposed annexation of the territory shown in Exhibit “A”, subject to the following conditions:

- a. The applicant must provide the required filing fee for the State of Boundary Change that is to be submitted to the Board of Equalization.
- b. Provide a will-serve letter from Cal Water prior to the recording of the Certificate of Completion.

8. Waive the protest hearing for this proposal in accordance with GC §56662 and order the change of organization without an election.

9. The following short form designation shall be used throughout these proceedings: LAFCO Case No. 1584 (Goshen CSD), Avila Project

10. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice 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 6th day of
March, 2024 by the following vote:

AYES:

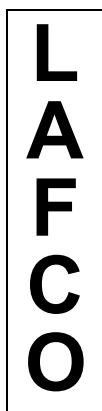
NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:

*Richard Feder, Chair
Liz Wynn, V-Chair
Pete Vander Poel
Maribel Reynosa
Dennis Townsend*

ALTERNATES:

*Larry Micari
Fred Sheriff
Steve Harrell*

EXECUTIVE OFFICER:

Ben Giuliani

March 6, 2024

To: LAFCO Commissioners and Alternates, Executive Officer

From: Ben Giuliani, Executive Officer

Subject: Alternate Public Member Selection Process

BACKGROUND

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

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

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

4.4 Public Member Selection and Appointment Policy (Resolution 96-06, 4-3-96)

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

- A. In accordance with GC §56334, the term of office for the Public Member and Alternate Public Member shall be four years to expire on the first Monday in May or upon the qualification of the Commissioner's successor. The terms of office of the Public Member and Alternate Public Member shall be staggered by two years. The first full term for the Alternate Public Member shall begin on the first Monday in May, 1996.
- B. At least two months prior to the expiration of the term of office, the Executive Officer shall seek application to the position from the community at large. Reasonable effort

shall be taken to advertise the opening of the broadest selection of candidates possible. Candidates should be encouraged to submit a resume and statement regarding their qualifications and interest in serving on the Commission. This does not preclude the incumbent Public or Alternate Public Member from applying for appointment.

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

DISCUSSION

The Commission amended (10/5/11) the Public Member and Alternate Member selection and appointment process to open the positions to the community at large at least two months before the expiration of the Member's term of office. The incumbent member may also reapply for another term. The Alternate Public Member's term, currently held by Fred Sheriff, is expiring on May 6, 2024.

Listed below is the proposed timeline for the selection and appointment of the Alternate Public Member for the term from May 6, 2024 to May 4, 2028. The timeline can be extended if there are no applications for the position or at Commission discretion.

- | | |
|-----------------------|---|
| 3/6/24 to
4/12/24 | Advertise the Alternate Public Member position to the public. |
| 3/6/24 | The Commission appoints a selection committee consisting of one County of Tulare member and one City member. |
| 4/15/24 to
4/26/24 | The selection committee reviews applications, interviews as necessary and selects a candidate to recommend to the Commission. |
| 5/1/24 | The Commission takes action to appoint the Alternate Public Member.
(Note: the appointment of the Alternate Public Member shall be subject to the affirmative vote of at least one County member and one City member.) |

RECOMMENDATION

It is recommended that the Commission take action to appoint the members of the Alternate Public Member Selection Committee consisting of one County member and one City member.

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

In the Matter of the Appointment of the)
Alternate Public Member Selection Committee)

RESOLUTION NO. **24-XXX**

WHEREAS, the term of office of the Alternate Public Member representing the general public on the Tulare County Local Agency Formation Commission expires on May 6, 2024; and

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

WHEREAS, in accordance with Tulare County LAFCO Policy A-4 at least one month prior to the expiration of the term of office, the Commission shall appoint a selection committee consisting of one County Member and one City Member; and

WHEREAS, the committee members will consider any materials submitted by the applicants, may conduct interviews of the candidates; and select a candidate to recommend to the Commission.

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

For the Alternate Public Member position due to expire on May 2, 2022, Commissioner _____ (County Member) and Commissioner _____ (City Member) are hereby appointed to the Selection Committee. The Committee will be charged with selecting a candidate to recommend to the Commission. The recommendation of the Selection Committee will be presented to the Commission at a regular meeting of the Commission. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.

The forgoing resolution was adopted upon motion of Commissioner XXXXX, seconded by Commissioner XXXX, at a regular meeting held on this 6th day of March, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)

SB-1209 Local agency formation commission: indemnification. (2023-2024)

SHARE THIS:



Date Published: 02/15/2024 09:00 PM

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE BILL

NO. 1209
Introduced by Senator Cortese
February 15, 2024

An act to add Section 56383.5 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1209, as introduced, Cortese. Local agency formation commission: indemnification.

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. The act continues in existence in each county a local agency formation commission (LAFCO) that consists of members appointed, as specified, and oversees those changes of organization and reorganization. The act authorizes a LAFCO to, among other things, review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, as specified.

This bill would authorize a LAFCO to require, as a condition for, among other things, processing a change of organization or reorganization, that the applicant agrees to defend, indemnify, and hold harmless the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, arising from or relating to the action or determination by the LAFCO.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 56383.5 is added to the Government Code, to read:

56383.5. The commission may require, as a condition for processing a change of organization or reorganization, a sphere amendment or a sphere update, or any other action or determination requested from the commission, that the applicant agrees to defend, indemnify, and hold harmless the commission, its agents, officers, and employees from any claim, action, or proceeding against the commission, its agents, officers, or employees arising from or relating to the action or determination by the commission.

This page intentionally left blank.



**TULARE COUNTY
LOCAL AGENCY FORMATION COMMISSION**

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

COMMISSIONERS:
Rick Feder, Chair
Liz Wynn, Vice-Chair
Pete Vander Poel
Maribel Reynosa
Dennis Townsend

ALTERNATES:
Larry Micari
Fred Sheriff
Stephen Harrell

EXECUTIVE OFFICER:
Ben Giuliani

February 22, 2024

City of Porterville
291 N. Main St.
Porterville, CA 93257

Re: Extraterritorial Service Agreement No. 2024-01 (City of Porterville/A-A Home Helpers)

This is to inform you that your request for an Extraterritorial Service Agreement, submitted to the Tulare County Local Agency Formation Commission (LAFCO) on February 20th, 2024, (ESA No. 2024-01), is hereby approved by the Executive Officer. Approval of this agreement is in accordance with Government Code Section 56133 and Tulare County LAFCO Policy C-6. The property is subject to an agreement with the City for future annexation. The agreement permits the City of Porterville to provide domestic water service to existing development (1 residential structure) on APN 263-170-004 (465 S Page St).

Should you have any questions, please contact me at 623-0450 or bgiuliani@tularecounty.ca.gov.

Sincerely,

Benjamin Giuliani, Executive Officer
Tulare County LAFCO

Cc:
Sergio Tapia

This page intentionally left blank.

Extraterritorial Service Agreement 2024-01



★ ESA 2024-01
(456 S Page St)



Parcels

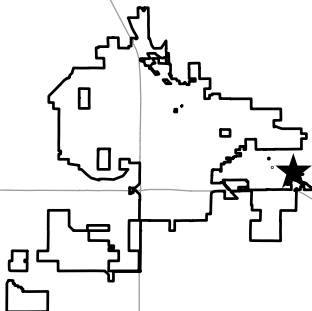


City of Porterville



0 1,000
Feet

City of Porterville



Created by Tulare County LAFCO

2/21/24

This page intentionally left blank.



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

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

ALTERNATES:
*Larry Micari
Fred Sheriff
Stephen Harrell*

EXECUTIVE OFFICER:
Ben Giuliani

February 22, 2024

City of Porterville
291 N. Main St.
Porterville, CA 93257

Re: Extraterritorial Service Agreement No. 2024-02 (City of Porterville/A-A Home Helpers)

This is to inform you that your request for an Extraterritorial Service Agreement, submitted to the Tulare County Local Agency Formation Commission (LAFCO) on February 20th, 2024, (ESA No. 2024-02), is hereby approved by the Executive Officer. Approval of this agreement is in accordance with Government Code Section 56133 and Tulare County LAFCO Policy C-6. The property is subject to an agreement with the City for future annexation. The agreement permits the City of Porterville to provide domestic water service to existing development (1 residential structure) on APN 262-173-027 (501 S Conner St).

Should you have any questions, please contact me at 623-0450 or bgiuliani@tularecounty.ca.gov.

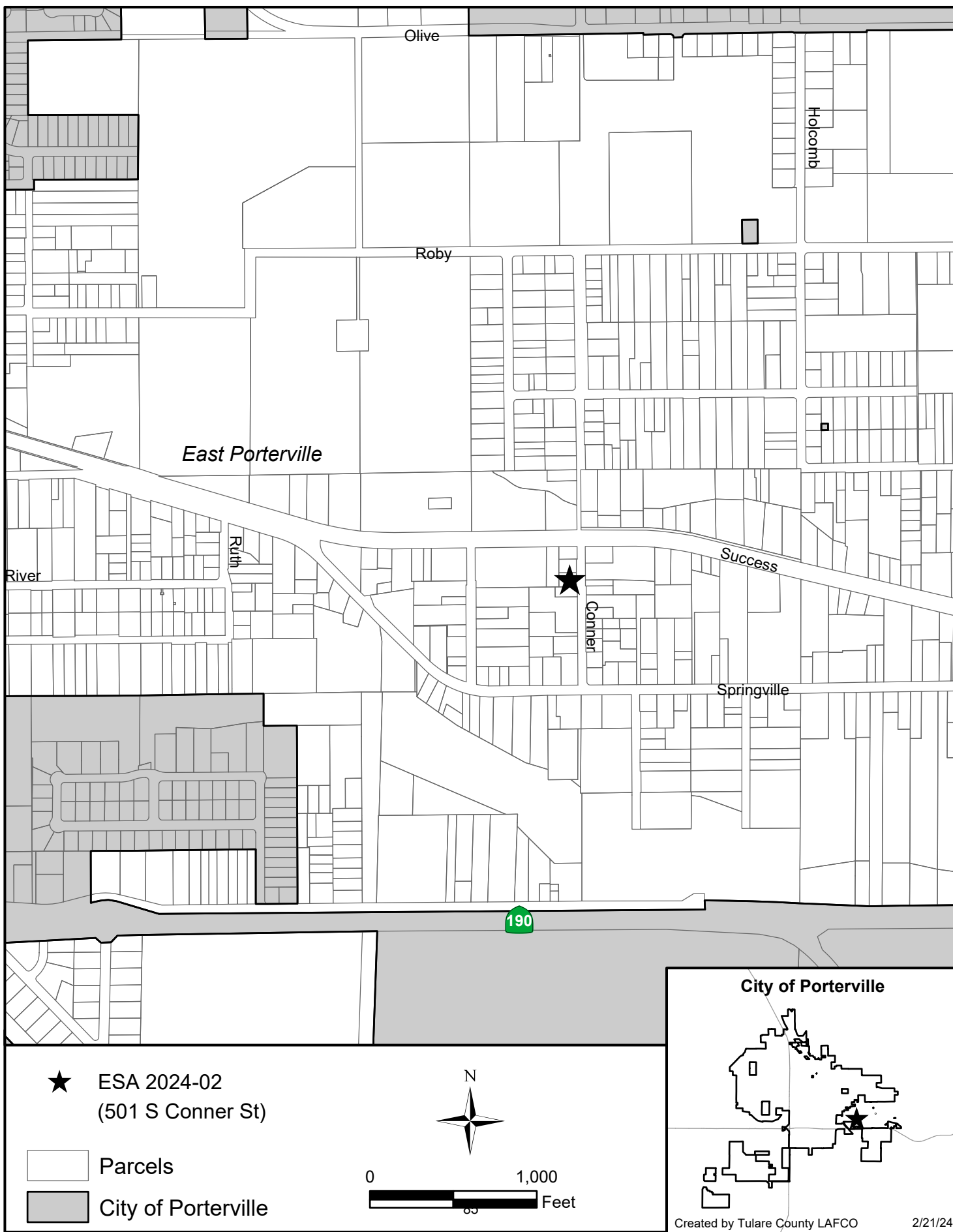
Sincerely,

Benjamin Giuliani, Executive Officer
Tulare County LAFCO

Cc:
Sergio Tapia

This page intentionally left blank.

Extraterritorial Service Agreement 2024-02



This page intentionally left blank.

CALAFCO Daily Legislative Report as of Tuesday, February 27, 2024

AB 817 (Pacheco D) Open meetings: teleconferencing: subsidiary body.

Current Text: Amended: 1/17/2024 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amended: 1/17/2024

Summary:

The Ralph M. Brown Act requires, with specified exceptions, 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. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, 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 (nonemergency provisions). This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

Position: Watch

Subject: Brown Act

CALAFCO Comments: 1/25/2024; Moved out of the Assembly. Waiting on assignment from Senate Rules Committee.

1/17/2024: Amended to add a Sunset date of January 1, 2026.

3/16/2023: The bill was amended to speak specifically to teleconferenced meetings of subsidiary bodies, defined as a body that serves exclusively in an advisory capacity, and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements. For qualifying bodies, this bill would remove the requirement to post an agenda at the location of the subsidiary body member who was participating from off site- providing that the legislative body that formed the subsidiary body has previously made findings noting that teleconferenced meetings of the subsidiary body would enhance public access, and would promote the attractions, retention and diversity of the subsidiary body. The superior legislative body would need to revisit the matter and repeat those finding every 12 months thereafter. This bill also reaffirms that other provisions of the Brown Act are applicable to subsidiary bodies.

AB 828 (Connolly D) Sustainable groundwater management: managed wetlands.

Current Text: Amended: 1/11/2024 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amended: 1/11/2024

Status: 1/29/2024-Read third time. Passed. Ordered to the Senate. (Ayes 47. Noes 15.) In Senate. Read first time. To Com. on RLS. for assignment.

Summary:

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms “managed wetland” and “small community water system.”

Position: None at this time

Subject: Water

CALAFCO Comments: 1/11/24: Amended to strike provisions regarding small community water systems serving disadvantaged communities and pivots to groundwater sustainability agencies with provisions that go into effect on January 1, 2028, that address spacing requirements on new groundwater wells, extraction controls, authorization for temporary and permanent transfers with an agency's boundaries, and to establish accounting rules.

4/17/2023: Amended to define agencies and entities required or excluded from existing 10726.4 (a)(4). Amends Water Code section 10730.2 to add language regarding fees, and amends Water Code section 10733 to address groundwater sustainability plans.

Failed to make April policy committee deadline and now cannot be acted upon until January 2024.

As introduced, would add definitions for Managed Wetlands, and Small community water system to Water Code Section 10721.

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

Current Text: Amended: 1/22/2024 [html](#) [pdf](#)

Introduced: 2/14/2023

Last Amended: 1/22/2024

Status: 1/29/2024-Read third time. Passed. Ordered to the Senate. (Ayes 52. Noes 16.) In Senate. Read first time. To Com. on RLS. for assignment.

Summary:

Would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified. The bill would require the Office of Planning and Research (OPR) to develop guidelines for the formation of RISE districts no later than November 30, 2026. 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: 1/22/2024 Amended to remove section of definitions, change the word "standards" to "guidelines", and to strike section 62412 relative to the elements of a RISE development plan to be reviewed.

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, it focuses 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 1928 (Sanchez R) Worker classification: employees and independent contractors.

Current Text: Introduced: 1/25/2024 [html](#) [pdf](#)

Introduced: 1/25/2024

Status: 2/12/2024-Referred to Coms. on L. & E. and JUD.

Summary:

Current law, as established in the case of *Dynamex Operations W. v. Superior Court* (2018) 4 Cal.5th 903 (*Dynamex*), creates a presumption that a worker who performs services for a hirer is an employee for purposes of claims for wages and benefits arising under wage orders issued by the Industrial Welfare Commission. Current law requires a 3-part test, commonly known as the “ABC” test, to determine if workers are employees or independent contractors for those purposes. This bill would repeal the above-described provisions that codify the ABC test. The bill would declare that its purpose is to suspend and nullify the California Supreme Court’s decision in *Dynamex* and provide that this decision does not apply for purposes of California law.

CALAFCO Comments: Of interest to CALAFCO because of its potential effect on operations.

1/25/2024, bill introduced. AB 1928 would repeal the provisions that were enacted by the passage of AB 5 in 2019. Known as the Gig Worker law, AB 5 reclassified which workers could be considered as contractors. A limited number of professional categories were set aside and excluded from the law. However, those not included in the exclusions were required, under new reclassification requirements, to be considered as employees regardless of whether they were performing the services in connection to an ongoing business. The shift required CALAFCO to amend its internal practices to re-classify its contractors to employees, resulting in increased costs, as well as extra reporting requirements.

AB 1987 (Bennett D) Local government.

Current Text: Introduced: 1/30/2024 [html](#) [pdf](#)

Introduced: 1/30/2024

Status: 1/31/2024-From printer. May be heard in committee March 1.

Summary:

Current law sets forth provisions for the formation, duties, and other authorizations, among other things, relating to cities, counties, cities and counties, and other local agencies. This bill would state the intent of the Legislature to enact legislation relating to local government.

Position: None at this time

CALAFCO Comments: Spot holder bill relative to local government. Monitoring because of its topic.

AB 2557 (Ortega D) Local agencies: legislative bodies.

Current Text: Introduced: 2/14/2024 [html](#) [pdf](#)

Introduced: 2/14/2024

Status: 2/15/2024-From printer. May be heard in committee March 16.

Summary:

Current law defines the term “legislative body” for purposes of laws relating to cities, counties, and other local agencies. This bill would make a nonsubstantive change to that definition.

Position: Placeholder - Spot Bill

CALAFCO Comments: Spotholder relative to GC section 53000. Monitoring.

AB 2596 (Lee D) Government operations.

Current Text: Introduced: 2/14/2024 [html](#) [pdf](#)

Introduced: 2/14/2024

Status: 2/15/2024-From printer. May be heard in committee March 16.

Summary:

Current law establishes the Government Operations Agency, which consists of several departments, including the Department of General Services. Current law requires the department to develop and enforce

policy and procedures and institute or cause the institution of those investigations and proceedings as it deems proper to assure effective operation of all functions performed by the department and to conserve the rights and interests of the state. This bill would state the intent of the Legislature to enact legislation related to government operations.

Position: Placeholder - Spot Bill

CALAFCO Comments: Spotholder as introduced on 2/14/2024. Monitoring for changes as the Leg Counsel description mentions CKH.

[AB 2715](#) (Boerner D) Ralph M. Brown Act: closed sessions.

Current Text: Introduced: 2/14/2024 [html](#) [pdf](#)

Introduced: 2/14/2024

Status: 2/15/2024-From printer. May be heard in committee March 16.

Summary:

The Ralph M. Brown Act generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Current law authorizes a legislative body to hold a closed session on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a closed session to consider or evaluate matters related to cybersecurity, as specified, provided that any action taken on those matters is done in open session.

Position: None at this time

Subject: Brown Act

CALAFCO Comments: As introduced on 2/14/2024, would make minor changes in the Brown Act. Monitoring.

[AB 3152](#) (Jones-Sawyer D) Local government.

Current Text: Introduced: 2/16/2024 [html](#) [pdf](#)

Introduced: 2/16/2024

Status: 2/17/2024-From printer. May be heard in committee March 18.

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. This bill would make nonsubstantive changes to those provisions.

Position: Placeholder - Spot Bill

CALAFCO Comments: Spotholder bill that references GC 56000.

[SB 537](#) (Becker D) Open meetings: multijurisdictional, cross-county agencies: teleconferences.

Current Text: Amended: 9/5/2023 [html](#) [pdf](#)

Introduced: 2/14/2023

Last Amended: 9/5/2023

Status: 9/14/2023-Ordered to inactive file on request of Assembly Member Bryan.

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. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

Position: Watch

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.

3/22/2023: was amended and fleshed out to add teleconferencing provisions to allow legislative bodies of multijurisdictional agencies to meet remotely. Multijurisdictional agencies are defined as boards, commissions, or advisory bodies of a multijurisdictional, cross county agency, which is composed of appointed representatives from more than one county, city, city and county, special district, or a joint powers entity.

The bill is sponsored by Peninsula Clean Energy, a community choice aggregator with a board comprised of local elected officials from the County of San Mateo and its 20 cities, as well as the City of Los Banos.

4/24/2023: The bill was amended to further clarify definitions and the requirements needed for members of an eligible legislative body to meet remotely.

The bill passed Senate Judiciary on 5/2/23, and had its third reading in the Senate on 5/30/2023.

7/12/23: The bill passed the Assembly Local Government Committee.

Amended on August 14, 2023, to require eligible legislative bodies that receive compensation to participate from a physical location that is open to the public.

9/14/2023, the bill was moved into the inactive file.

[SB 768](#) ([Caballero D](#)) California Environmental Quality Act: State Air Resources Board: vehicle miles traveled: study.

Current Text: Amended: 1/11/2024 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amended: 1/11/2024

Status: 1/29/2024-Read third time. Passed. (Ayes 34. Noes 4.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary:

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law requires the Office of Planning and Research to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and

adoption proposed revisions to guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law creates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state. Existing law authorizes the state board to do those acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board. This bill would require the state board, by January 1, 2026, to conduct and submit to the Legislature a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA, as specified.

Subject: CEQA

CALAFCO Comments: Introduced as a spotholder bill that noted 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.

3/22/2023: The bill was amended and would add language into the Public Resource Code to provide that a public agency, in approving or carrying out certain types of projects, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project.

Failed to meet deadlines and now a 2 year bill that cannot be acted upon until January, 2024.

1/11/2024: Gutted and Amended. Topic now specific to a study by the state regarding vehicle miles traveled in CEQA studies. Continuing to monitor for any detrimental changes to CEQA but, at this time, bill is not a concern to CALAFCO.

SB 1209 (Cortese D) Local agency formation commission: indemnification.

Current Text: Introduced: 2/15/2024 [html](#) [pdf](#)

Introduced: 2/15/2024

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 continues in existence in each county a local agency formation commission (LAFCO) that consists of members appointed, as specified, and oversees those changes of organization and reorganization. The act authorizes a LAFCO to, among other things, review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, as specified. This bill would authorize a LAFCO to require, as a condition for, among other things, processing a change of organization or reorganization, that the applicant agrees to defend, indemnify, and hold harmless the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, arising from or relating to the action or determination by the LAFCO.

Position: Sponsor

Subject: LAFCo Administration

CALAFCO Comments: CALAFCO sponsored bill in response to a 2022 appellate decision out of San Luis Obispo that held that LAFCOs could not use indemnification provisions in applications because indemnifications are a form of agreement that LAFCOs are currently not authorized to enter into. As introduced, the bill would allow LAFCOs to use provisions similar to counties and cities.

AB 805 (Arambula D) Sewer service: disadvantaged communities.

Current Text: Amended: 1/22/2024 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amended: 1/22/2024

Status: 1/30/2024-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. (Ayes 76. Noes 0.). In Senate. Read first time. To Com. on RLS. for assignment.

Summary:

Under current law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Current law authorizes a regional board to order the provision of sewer service by a receiving sewer system, as defined, to a disadvantaged community served by an inadequate onsite sewage treatment system, as defined. This bill would authorize the state board to require a sewer service provider to contract with an administrator designated or approved by the state board for administrative, technical, operational, legal, or managerial services to assist a designated sewer system with the provision of adequate sewer service, as defined. The bill would also authorize the state board to order a designated sewer system to accept those services, including full management and control of all aspects of the designated sewer system, from an administrator. The bill would define “designated sewer system” for these purposes as a sewer system that serves a disadvantaged community and that the state board finds to be either an inadequate sewage treatment system or a sewer system that has demonstrated difficulty in maintaining technical, managerial, and financial capacity to prevent fraud and mismanagement, or a sewer system that voluntarily accepts financial assistance for the provision of adequate sewer service.

Position: Support if Amended

Subject: Disadvantaged Communities, Waste Water

CALAFCO Comments: 1/26/2024: Support, if amended, approved. Amendment requested is the inclusion of language requiring the state board to consult with the local LAFCO.

1/22/2024: Gutted and amended. No longer addresses consolidation of waste water systems but, rather, would set up a program in which the state would provide technical, managerial, administrative, and financial assistance, where applicable, to disadvantaged communities. Position changed to support if amended to include a provision requiring the state board to consult with the local LAFCO regarding the system.

As introduced, this bill would have authorized the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities. It failed to meet 2023 deadlines and became a 2 year bill that cannot be acted upon until January, 2024.

AB 2302 (Addis D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/12/2024 [html](#) [pdf](#)

Introduced: 2/12/2024

Status: 2/26/2024-Referred to Com. on L. GOV.

Summary:

The Ralph M. Brown Act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1,

2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, 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 boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.

Position: Watch

Subject: Brown Act

CALAFCO Comments: Introduced on 2/12/2024, this bill would enact changes to Brown Act provisions that allow members of legislative bodies to teleconference for meetings. Currently, the law limits teleconferencing to no more than 3 consecutive months, 20% of the regular meetings in a calendar year, or 2 meetings for bodies that meet less than 10 times in a calendar year. This bill redefines those limits as 2 meetings per year for bodies meeting monthly or less; 5 meetings per year for those meeting twice per month; or 7 meetings per year if the body meetings three times or more per month.



January 29, 2024

Re: Request for Additional time to Respond to Administrator Process Notification
Letter for Water System 5400544

Mr. Bryan Potter, P.E.
Senior Water Resource Control Engineer
State Water Resources Control Board, Division of Drinking Water
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

Dear Mr. Potter:

Thank you for your letter dated January 19 advising the Board of Directors of the initiation of the Administrator Appointment process for Allensworth Community Services District. We appreciate the conversations, and your January 9 visit that preceded the notice. On behalf of Allensworth Community Services District, I thank you for your efforts to be of assistance to the community of Allensworth.

The appointment of an Administrator represents a significant development for Allensworth that will affect everyone in our community. We request additional time to plan, organize and conduct a community meeting where we will hear feedback from residents, and for our governing board to hold a special meeting or workshop. Although it is not stated in the notice, our aforementioned conversations with SWRCB have led us to believe this would be a partial scope administrator. Therefore, internal discussions about which functions would be most helpful are called for.

With respect to the notice's deadline of February 20, 2024 to address the violations and to submit requested documentation, we request an extension of time through April 1, 2024.

If you have any questions about this request, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

Sherry Hunter
Board President, Allensworth Community Services District

cc:
(via email)

Kristin Willet, Tulare District Engineer
Division of Drinking Water
Kristin.willet@waterboards.ca.gov

Tricia Wathen, Central California Section Chief
Division of Drinking Water
Tricia.wathen@waterboards.ca.gov

Chad Fischer, Supervising Water Resource Control Engineer
Division of Drinking Water
Chad.Fischer@waterboards.ca.gov

James Garrett, Senior Water Resource Control Engineer
Division of Financial Assistance
James.Garrett@waterboards.ca.gov

Jasmine Oaxaca, Water Resource Control Engineer
Division of Financial Assistance
Jasmine.Oaxaca@waterboards.ca.gov

David Rice, Staff Counsel
Office of Chief Counsel
David.Rice@waterboards.ca.gov

Ana Melendez, Director of Legislative Affairs
Office of Legislative Affairs
Ana.Melendez@waterboards.ca.gov

Marina Perez, Staff Service Manager I
Office of Public Participation
Marina.perez@waterboards.ca.gov

Ben Giuliani, Executive Officer
Tulare County Local Agency Formation Commission
bgiuliani@tularecounty.ca.gov

Pete Vander Poel III, Supervisor, District 2
Tulare County Board of Supervisors
pvanderpoel@tularecounty.ca.gov

Denise England, Water Resources Manager
Tulare County

FROM THE BOARD CHAIR

**Dear Board of Directors and esteemed
LAFCO members,**

I am honored by your invitation to serve as the Chair of the CALAFCO Board for 2024. I sincerely appreciate your trust and confidence in me, and I look forward to working with you to advance our organization's mission and vision.

As the Chair of the Board, I will strive to uphold the highest standards of leadership, integrity, and accountability. I will also seek to foster a culture of collaboration, innovation, and excellence among our board members, staff, and stakeholders. I believe that together, we can overcome any challenges and seize any opportunities that may arise in our dynamic environment.

I am excited about the prospects of our organization and the potential impact we can have on our communities and beyond. I am eager to hear your ideas, insights, and feedback on improving our performance and achieving our goals. I invite you to



contact me anytime with your suggestions, concerns, or questions.

Thank you once again for this incredible opportunity. I am grateful to Bill Connelly and would like to thank him for his leadership in 2023. I wish you all a productive and prosperous year ahead.

Sincerely,

Margie Mohler, Chair

Watch for our New Look

www.calafco.org

BOARD BRIEF

Retirements and other circumstances saw five members cycle off the Board after the October elections. Our profoundest thanks go to Southern region reps Jo MacKenzie (San Diego) and Mike Kelley (Imperial), Coastal Region rep Shane Stark (Santa Barbara), Northern region rep Debra Lake (Humboldt), and Central Region rep Daniel Parra (Fresno) for the time and expertise that they devoted to CALAFCO—some of them for many years. We are confident that we will see many of you in future endeavors.

In their place, we were also honored to install the five new members. Southern Region: Kimberly Cox (San Bernardino) and Yxstian Gutierrez (Riverside); Coastal Region: Kenneth Leary (Napa); Northern Region: Gordon Mangel (Nevada); and Central Region: Tamara Wallace (El Dorado). We look forward to the many contributions that we know our new Board members will make to CALAFCO. Welcome aboard, everyone!

While the end and beginning of a year are typically full of holiday happenings, the CALAFCO Board was still hard at work. Actions taken during the December and January meetings included approval of the following items:

- CALAFCO 2024 Legislative Policies and Priorities. (Those were unchanged from 2023.)
- 2024 Board meeting schedule (see the Schedule of Events on page 9 for more information.)
- FY 2024-2025 Member dues (approved with a 3.1% CPI

(Continued on page 4)

BOARD MEMBERS

Margie Mohler, Chair
Acquanetta Warren, Vice Chair
Gay Jones, Treasurer
Black Inscore, Secretary
Bill Connelly
Kimberly Cox
Rodrigo Espinosa
Yxstian Gutierrez
Kenneth Leary
Gordon Mangel
Michael McGill
Derek McGregor
Anita Paque
Wendy Root Askew
Josh Susman
Tamara Wallace

CALAFCO Staff

René LaRoche, Exec. Director
Clark Alsop, Legal Counsel
Stephen Lucas, Exec. Officer
José Henriquez, Dep. Exec. Ofc.
Dawn Longoria, Dep. Exec. Ofc.
Gary Thompson, Dep. Exec. Ofc.
Jeni Tickler, Administrator



FROM THE EXECUTIVE DIRECTOR

Happy 2024!

It absolutely boggles my mind to be saying that because it seems like we just launched into 2023. Where *did* the year go?

As we bid farewell to 2023 and welcome the new year, I am filled with gratitude for the incredible community that is CALAFCO. Your enthusiasm, volunteerism, commitment, and support have made the past year truly remarkable.

We've developed a new brand and have some exciting plans in the pipeline – from our engaging events and enriching workshops, to a new website and staff photo contest – and all are designed to make the CALAFCO experience even more fantastic for our members. Stay tuned for updates and get ready to make this year the best one yet!

Of course, it wouldn't be a new year without a toast! So, here's to new beginnings, shared laughter (and lots of it), and the continued growth of our wonderful association. My wish for each of you is that the year ahead is filled with



accomplishments, health, happiness, and countless reasons to celebrate.

May we all embark on 2024 with boundless energy, fresh perspectives, and a shared spirit of collaboration, and may this year bring you nothing but joy, success, and memorable moments!

Here's to making the new year all that we want it to be!

Happy New Year!!

René LaRoche, Executive Director



BOARD COMMITTEE ASSIGNMENTS

The following Board member committee assignments were made on January 5, 2024:

AWARDS COMMITTEE:

Rodrigo Espinosa (Central), Blake Inscore (Northern), Kenneth Leary (Coastal), and Derek McGregor (Southern)

CONFERENCE COMMITTEE:

Kenneth Leary (Coastal), Gordon Mangel (Northern), Anita Paque (Central), and Acquanetta Warren (Southern)

ELECTIONS COMMITTEE:

Bill Connelly (Northern), Kimberly Cox (Southern), Kenneth Leary (Coastal), and Anita Paque (Central)

LEGISLATIVE COMMITTEE:

Bill Connelly (Northern), Yxstian Gutierrez (Southern), Gay Jones (Central), Mike McGill (Coastal), Derek McGregor (Southern), Margie Mohler, Anita Paque, Wendy Root Askew (Coastal), Josh Susman (Northern), and Tamara Wallace (Central)

AD HOC MODERNIZATION COMMITTEE:

Gordon Mangel (Northern), Margie Mohler (Coastal), Tamara Wallace (Central), Acquanetta Warren (Southern)

BOARD BRIEF, Continued from page 2

adjustment.)

- Amended CALAFCO Policy 4.5, pertaining to the Legislative Committee (Now defines a quorum as 7 of the Board and Staff voting members, requires the committee to disband within 15 minutes of the start time when no quorum exists, and has been reformatted for easier reading.)
- A new CALAFCO brand.
- Authorization to move association funds into higher yielding accounts.
- Appointment of members to committees.

Additional information for any Board item can be found in the agenda packets posted on the website, or by contacting the Executive Director.

NEW BRAND UNVEILED

NEW LOOK

It's here! It's here! After a process that started with our Strategic Planning in February, 2023, we are thrilled to share our revitalized CALAFCO brand! As our first ever professionally designed logo, this brand represents a significant milestone in our journey towards modernization and innovation under Phase I of our Strategic Plan.

Our new brand provides us with a **Refreshed Visual Identity** in a simple, modern design to better represent our professionalism, as well as **Enhanced Messaging** that builds on CALAFCO's new Mission Statement. We've also added a new tag line to better communicate the supportive position that CALAFCO plays for its members.

While operational enhancements have been happening, and continue to happen, behind the scenes, the new logo is our first public-facing change. As such, it also symbolizes our transition into a streamlined, more efficient, and modernized association.

The rebranding will soon be accompanied by a new website, which is currently under development. The new website is expected to complement our new brand with a similar modern aesthetic, while also providing us with the technological platform to take event



registrations, and administer dues and payments.

As the hub for all CALAFCO information and resources, we look forward to enhanced website features that will serve up information with an intuitive and friendly user experience. Watch for that unveiling soon!

Of course, work of this magnitude does not occur in a vacuum. Thank you to the Board of Directors for their effort to develop the 2023-2026 Strategic Plan which outlined rebranding as an action item, as well as for the input they provided to develop the logo Design Brief that guided our consultant, Tara Bravo Mulally with CV Strategies.

Also, our sincere thanks to the EOs who took the polls which provided us with needed feedback.

Finally, special thanks to our Ad Hoc Rebranding Committee members who guided the development of this new brand through multiple meetings, discussions, and polls. Those members were Mike Kelley (Southern), Steve Lucas (Northern), Margie Mohler (Coastal), and Anita Paque (Central).



YEAR 1 END

2023 marked the end of the first-year of this two year legislative cycle. During the year, a total of 3,030 bills were introduced – 1,974 in the Assembly and 1,056 in the Senate. Of those, CALAFCO reviewed nearly all at least once, tracked 21 bills, and took formal positions on 7 bills.

Support positions were taken by CALAFCO on AB 1753 (Assembly Local Government Committee) which was CALAFCO's Omnibus bill, SB 360 (Blakespear) regarding the California Coastal Commission membership, and SB 878, 879, and 880, the Senate Governance and Finance Committee annual validations.

Positions in Opposition were taken on AB 399 (Boerner) County Water Authority Act, AB 530 (Boerner) the first iteration of the County Water Authority Act bill that missed deadlines, and AB 918 (Garcia) the Imperial County Healthcare District.

The call for legislative proposals went out in July and culminated in the receipt of five new Omnibus proposals. To be Omnibus material, the proposal must seek to institute minor or technical changes that are not of concern to other stakeholders.

The collection of Omnibus proposals was

submitted to the Assembly Local Government Committee Consultant for the 2024 session. However, after review and stakeholder outreach, the Committee Consultant approved only one proposal to move forward.

Consequently, CALAFCO starts 2024 with 10 active bills in tracking (all currently marked as watch, neutral or no position), and an Omnibus bill. Thank you to Joe Serrano (Santa Cruz) for spearheading the Omnibus effort.

NEW LAWS

AB 1753 (ALGC) CALAFCO's Omnibus bill adds two new provisions. The first addition is to Government Code Section 56658(d) where a cross reference to existing Revenue and Taxation Code Section 99 was added. The second change is to GC Sec. 56882, changes "mail" to "transmit" and adds subsection (b), which requires a confirmation of receipt for resolutions transmitted by email or electronic means.

SB 360 (Blakespear) California Coastal Commission - Allows members of JPAs, LAFCOs, and the San Diego Association of

(Continued on page 7)



HAPPY TRAILS, JURG!!



The End of the year brought with it the retirement of long-time Imperial EO, Jurg Heuberger - a life change to which Jurg was looking forward! Displaying their characteristic solidarity, Southern Region EOs and staffers traveled to El Centro on December 13th where they wined and dined Jurg, and then hailed him the next day at his last LAFCO meeting. Respect takes many forms, and this display was certainly one of the sweetest! **Congratulations to Jurg on this new journey!**

Associate Member SPOTLIGHT

NEW GOLD ASSOCIATE!

Thank you to Planwest Partners for upgrading to a **Gold Membership!**

Planwest Partners provides contract LAFCO staffing services to multiple LAFCOs - and Collette is a regular presenter at workshops and conferences! Many thanks!

Also, **WELCOME** to our new Associate member, **David Scheurich!** David is Staff Chief of Cooperative Fire Protection for CAL FIRE. His primary activities include review and assistance in coordination of Cooperative Fire Protection agreements.



TRACKS AROUND THE STATE

Only one month into the year and we have two new EOs!

Congratulations to Paula Graf, who traded in the "Assistant" mantle to become the new Imperial LAFCO EO on January 1st.

And in Shasta, Krystle Heaney replaces George Williamson who happily stepped aside as EO. **Congratulations, Krystle!**

NEW LAWS

(Continued from page 6)

Governments to serve on the Coastal Commission.

AB 557 (Hart) Brown Act teleconferencing - Revises the rules for teleconferencing during a proclaimed emergency by removing the sunset date, removing references to social distancing, and extending the time between legislative findings of a continued emergency from the previous 30-day period to 45 days. Does not affect regular teleconferencing rules.



2023 CONFERENCE – MONTEREY



“The best conference, yet!”

We heard that refrain repeatedly from attendees during the October, 2023, Annual Conference. But, it's hard NOT to get it right when you've got the location, weather, and volunteers that we had to help put it all together! Thank you to the 40 or so volunteers who had our backs to make everything happen from planning to execution! It definitely takes a village to provide for 270 attendees (nearly 23% higher than our previous high) but you all nailed it!

And, a special thank you to Director Wendy Root Askew, EO Kate McKenna, and the fabulous crew from Monterey LAFCO for providing SOOOO much assistance! You guys rock!

Award Winners

Of course, the much anticipated highlight of the event was the Achievement Awards that were presented at the Association Dinner on Thursday night. Congratulations to all of our winners!

OUTSTANDING VOLUNTEER: *Anita Paque (Calaveras)*

OUTSTANDING ASSOCIATE MEMBER: *Colantuono, Highsmith & Whatley*

OUTSTANDING COMMISSIONER: *Richard Bettencourt (San Benito)*

OUTSTANDING LAFCO PROFESSIONAL: (two-way tie)

Andrea Ozdy (Ventura), and José Henriquez (Sacramento)

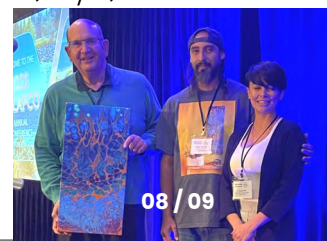
MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARDS,

- **AGRICULTURE CATEGORY:** *Napa LAFCO*

- **INNOVATION CATEGORY:** *Tom Cooley (Plumas)*

LIFETIME ACHIEVEMENT AWARD: *Dawn Mittleman Longoria (Napa)*

And, a special congratulations to *Commissioner Fred Sheriff* from *Tulare LAFCO* who won the evening's door prize - a spectacular painting donated by Anwar Fonseca. Congrats, Fred!



SCHEDULE OF UPCOMING EVENTS

Tenaya Lodge, Fish Camp, CA
2024 Annual Conference Site

JANUARY	5	CALAFCO Board of Directors Meeting (Virtual)*
	12	CALAFCO Legislative Committee (Virtual)†
FEBRUARY	16	CALAFCO Legislative Committee (Virtual)†
MARCH	5	CALAFCO U -
	22	CALAFCO Legislative Committee (Virtual)†
APRIL	12	CALAFCO Board of Directors Meeting (Virtual)*
	24-26	CALAFCO Staff Workshop (Pleasanton)
MAY	10	CALAFCO Legislative Committee (Virtual)†
JUNE	14	CALAFCO Legislative Committee (Virtual)†
JULY	12	CALAFCO Legislative Committee (Virtual)†
	19	CALAFCO Board of Directors Meeting (Virtual)*
AUGUST	23	CALAFCO Legislative Committee (Virtual), if needed†
SEPTEMBER		Let's get ready for the Conference!
OCTOBER	16-18	CALAFCO Annual Conference (Yosemite)
	17	CALAFCO Annual Business Meeting (Yosemite)
	18	CALAFCO Board of Directors Meeting (Yosemite)
NOVEMBER	1	CALAFCO Legislative Committee (Virtual)†
DECEMBER	6	CALAFCO Legislative Committee (Virtual), if needed†

* 10:00 AM Start time
† 9:00 AM Start time