



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-Revised
June 5, 2013 @ 2:00 P.M.
BOARD OF SUPERVISORS CHAMBERS
COUNTY ADMINISTRATIVE BUILDING
2800 West Burrel Avenue
Visalia CA 93291

COMMISSIONERS:
Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen

ALTERNATES:
Mike Ennis
Dennis Mederos
Janet Hinesly

EXECUTIVE OFFICER:
Ben Giuliani

I. Call to Order

II. Approval of Minutes from May 1, 2013 (Pages 1-2)

III. Public Comment Period

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

IV. Consent Calendar

1. Earlimart PUD Detachment 2013-1 (Pages 3-10)
[No Public Hearing].....Recommended Action: Approval

The proposed project is a detachment from the Earlimart Public Utility District. The detachment covers the same area of a prior annexation. The detachment is adjacent to the northern portion of the development boundary of the existing unincorporated community of Earlimart. The proposal is considered exempt from CEQA review under the California Environmental Quality Act (CEQA) Section 15061(b)(3) .

V. New Action Items

1. Lindmore Irrigation District Reorganization 2011-1 (Pages 11-28)
[Public Hearing].....Recommended Action: Approval

The proposed project is a reorganization consisting of an annexation of one area and detachment of four areas in the Lindmore Irrigation District. The Parcels are located north and south of the City of Lindsay and to the west and south of the existing unincorporated community of Strathmore. A negative declaration was prepared and approved by the Lindmore Irrigation District for use in this proposal.

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.

2. Adoption of the City of Tulare Municipal Service Review (Pages 29-42)
[No Public Hearing].....Recommended Action: Approval

The Commission will consider the adoption of the City of Tulare Municipal Service Review update. The MSR and its determinations were posted for public review on May 15, 2013. Enclosed is the Executive Summary of the MSR, which includes all of the MSR determinations. The complete MSR is posted on the Commission's website at: <http://www.co.tulare.ca.us/lafco/default.asp>. This item is exempt from the California Environmental Quality Act: Section 15061(b)(3) and 15303.

3. 2013/14 Final Budget and Work Program (Pages 43-68)
[Public Hearing].....Recommended Action: Approval

Pursuant to GC 56381, the Commission must adopt a final budget and work program, for the following fiscal year, by June 15. At the April 3rd meeting, the Commission decided to apply \$50,000 to offset the contribution from the County's eight cities and Tulare County. All expenditures and revenues are itemized on a single spreadsheet and the work program provides further detail on how these expenditures and revenues will be allotted during the fiscal year.

4. Cancellation of July 2013 Meeting (Pages 69-70)
[No Public Hearing].....Recommended Action: Approval

The July LAFCO meeting has been canceled 4 of the last 5 years because the meeting date falls on or near the July 4th holiday and due to a lack of time-sensitive issues to be addressed by the Commission. If the Commission elects to cancel the July 10, 2013 meeting, the next regularly scheduled meeting would be August 7, 2013.

5. Nomination for 2014 CALAFCO Board of Directors (Pages 71-80)
[No Public Hearing].....Recommended Action: Nominate Member

The CALAFCO Recruitment Committee is now seeking nominations for CALAFCO Board of Directors election scheduled for August 29, 2013. The election will be conducted during the regional caucus at the 2013 CALAFCO Conference. Candidates must be formally nominated by their respective commission. The deadline to submit nominations is July 29, 2013. However, nominations will also be permitted from the floor.

6. Designation of Voting Delegate and Alternate for the CALAFCO Business Meeting (Pages 81-82)
[No Public Hearing].....Recommended Action: Designate Delegate and Alternate

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

7. LAFCO Executive Officer Compensation (Pages 83-84)
[No Public Hearing]..... Recommended Action: Approval

An Ad-Hoc Committee composed of Commissioners Ishida and Worthley is recommending a salary adjustment for the Executive Officer with an effective date to be determined by the Commission. Please see the enclosed resolution.

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.

VI. Executive Officer's Report

1. American Farmland Trust (Pages 85-94)

Staff has prepared a report regarding what Tulare County is doing in relation to the performance measures contained in the American Farmland Trust's report (Saving Farmland, Growing Cities).

2. Legislative Update (Pages 95-102)

Attached are the various state bills that are being tracked by CALAFCO. Changes in bill status since the last Commission meeting will be discussed.

3. Special District Representation on LAFCO (No Page)

Due to an increase in special district projects and potential future major projects such as district formations, reorganizations and activation of powers, the Commission may want to consider polling special districts to gauge their interest in having representation on the Commission. Pursuant to Government Code, a majority of independent special districts must submit resolutions requesting representation to join the Commission.

4. Upcoming Projects (No Page)

The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO cases and projects.

VII. Correspondence

There are no items.

VIII. Other Business

1. Commissioner Report

At this time, any Commissioner may inform the Commission, Staff, or the public of pertinent LAFCO issues not appearing on the agenda.

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

IX. Closed Sessions

1. Personnel (Gov. Code Section 54957)

It is the Intention of the Board to Meet in Closed Session to: Consider Public Employee Performance Evaluation for the Position of: LAFCO Executive Officer

X. Setting Time and Place of Next Meeting

1. July 10, 2013 (August 7, 2013 if July is canceled) @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building.

XI. 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.

Item No.

Agenda Summary

- II. *Please see enclosed May 1, 2013 meeting minutes.*
- IV.1 *Please see enclosed memo for Earlimart PUD*
- V.1 *Please see enclosed staff report for Lindmore Irrigation District*
- V.2 *Please see enclosed memo and Statement of Determinations for Adoption of the City of Tulare Municipal Service Review*
- V.3 *Please see enclosed memo and 2013/14 Final Budget and Work Program*
- V.4 *Please see enclosed resolution for Cancellation of July 2013 Meeting*
- V.5 *Please see enclosed information and resolution for Nomination for 2014 CALAFCO Board of Directors*
- V.6 *Please see enclosed resolution for Designation of Voting Delegate and Alternate for the CALAFCO Business Meeting*
- V.7 *Please see enclosed resolution for LAFCO Executive Officer Compensation*
- VI.1 *Please see enclosed Memo regarding the performance measures in the American Farmland Trust's report, "Saving Farmland, Growing Cities"*
- VI.2 *Please see enclosed bill summary*
- VI.3 *There are no enclosures for this item*
- VI.4 *There are no enclosures for this item*
- IX.1 *There are no enclosures for this item*

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.

TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
Minutes of the Meeting
May 1, 2013

Members Present: Julie Allen, Steve Worthley, Cameron Hamilton, Allen Ishida

Members Absent: Rudy Mendoza

Alternates Present: Dennis Medieros

Alternates Absent: Janet Hinesly

Staff Present: Ben Giuliani, Cynthia Echavarria

Counsel Present: None

I. Call to Order

Chair Hamilton called the Tulare County Local Agency Formation Commission meeting to order at 1:00 p.m. on May 1, 2013

II. Approval of the April 3, 2013 Minutes:

Upon motion by Commissioner Worthley and seconded by Commissioner Allen, the Commission unanimously approved the April 3, 2013 minutes.

III. Public Comment Period

There were no public comments.

IV. Consent Calendar Items

There were no Consent Calendar items.

V. New Action Items

1. Earlimart PUD Request for Fee Reduction

Executive Director Giuliani stated that the proposed detachment is a unique situation in which a reduction of fees can be justified. Staff is recommending approval of the reduction in fee request for reimbursement of actual costs.

Upon motion by Commissioner Allen, and seconded by Commissioner Ishida, the Commission unanimously approved the Earlimart PUD request for fee reduction.

VI. Executive Officer's Report

1. American Farmland Trust

LAFCO staff analyst Cynthia Echavarria stated that there are six objectives that address key farmland conservation challenges:

- a. avoid development of high quality farmland
- b. minimize farmland loss with more efficient development
- c. ensure stability at the urban edge
- d. minimize rural residential development
- e. mitigate the loss of farmland with conservation easements
- f. encourage a favorable agricultural business climate

LAFCO staff will continue to evaluate and pursue the six objectives that address key farmland conservation in Tulare County

2. Legislative Update

LAFCO staff continues to watch the current legislative bills for their outcome and what effect it will have on Tulare County.

3. Upcoming Projects

The following projects will be discussed at the next LAFCO meeting:

1. Final Budget
2. Earlimart Detachment
3. Lindmore Irrigation District
4. CALAFCO Board Nominations

VII. Correspondence

None

VIII. Other Business

1. Commissioner Report

None

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

None

IX. Closed Sessions

None

X. Setting Time and Place of Next Meeting

The next LAFCO meeting will be June 5, 2013 at 2:00 PM in the Board of Supervisors Chambers in the County Administration Building.

XI. Adjournment

The meeting adjourned at 3:00 P.M.



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:

*Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen*

ALTERNATES:

*Mike Ennis
Dennis Mederos
Janet Hinesly*

EXECUTIVE OFFICER:
Ben Giuliani

June 5, 2013

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

FROM: Cynthia Echavarria, LAFCO Staff Analyst

SUBJECT: Detachment to the boundaries of the Earlimart Public Utility District

Background

The Commission approved Earlimart PUD Annexation 2006-01 (LAFCO Case 1414) on September 5, 2007. The annexation was recorded on August 7, 2008. The annexation consisted of 35 acres of agricultural land that was planned to be a low density residential development. A filing with the Board of Equalization (BOE) was never completed so the District is not receiving property tax from the subject area (map attached). Also, the land was never developed and remains in agricultural production. The District is requesting a detachment of the subject area.

Discussion

The annexation was never filed with the BOE so a BOE filing is not needed for the proposed detachment and review of the proposed detachment is not needed by the County Auditor. The property owner has signed a consent form to detach. Also, the proposal is exempt from CEQA. Therefore, the detachment qualifies for a waiver of the public hearing. Due to the unique circumstances of this dissolution proposal, the Commission approved a reduction of fee request on an actual cost basis rather than the regular flat fee at the May 1, 2013 meeting.

The proposal is a detachment for land that is in agricultural production and does not need urban services from the District. Any future proposed development that would cause the need for services from the District would result in a new annexation request subject to the standard processing fee to LAFCO.

Recommendation

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

1. Under the California Environmental Quality Act (CEQA) Section 15061(b)(3), the proposal is considered exempt from CEQA review.
2. Find that the territory proposed for detachment to the Earlimart Public Utility District is uninhabited and that all the property owners have consented to this detachment.
3. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code section 56663 and order the change of organization without an election.
4. Approve the detachment as proposed by the Earlimart Public Utility District, to be known as LAFCO Case Number 1497, Earlimart Public Utility District Detachment 2013-1.
5. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

Attachments:
Site Location Map

SEE FIGURE II
FOR DETAILS

DETACHMENT
2013-1
314-120-007

DISTRICT
BOUNDARY

AVE. 56

WASHINGTON AVE.

WASHINGTON AVE.

ROAD 128

66 NORTH

CHURCH STREET

AVE. 48

DISTRICT
BOUNDARY

Disclaimer:

"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

Being a portion of the South half of Section 28, T23S, R25E, MDB&M, in the County of Tulare, State of California

**DETACHMENT 2013-1
EARLIMART PUBLIC UTILITY DISTRICT**

SCALE: 1" = 1,500'



COUNTY OF TULARE, STATE OF CALIFORNIA

RESOLUTION NO.13-007

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

2. The Commission hereby finds that the proposed Detachment will not have a significant impact on the environment, and under the California Environmental Quality Act (CEQA) Section 15061(b)(3), the proposal is considered exempt from CEQA review.

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:

XXXXX-XXXXXX

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. This proposal is for the detachment of approximately 35.65 acres from the Earlimart Public Utility District.
- b. All of the affected property owners have consented to the detachment.
- c. The detachment is administrative and no change in services will result from this detachment.
- d. The proposed detachment represents a logical and reasonable contraction of the district.

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

- a. The proposed detachment reflects the plans of the adjacent governmental agencies.
- b. The proposed boundaries are definite and certain and conform to lines of assessment.
- c. The proposed detachment is compatible with the County's General Plan.
- d. The proposed detachment represents a logical and reasonable adjustment to the Earlimart Public Utility District boundaries.
- e. Waive the protest hearing for this proposal in accordance with subsection (c) of Government Code section 56663 and order the change of organization without an election.
- f. This proposal is in compliance with the policies and priorities of the Cortese-Knox-Hertzberg Act, GC §56377.

7. The Commission hereby waives the protest hearing and orders the detachment without an election in accordance with Section 56663 (c) of the Government Code.

8. The proposed detachment of the territory described in Exhibit "A" attached hereto, is hereby approved.

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

LAFCO Case No. 1497, Earlimart Detachment 2013-1.

10. The Executive Officer is hereby authorized and directed to sign the Notice of Exemption 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 x, seconded by Commissioner x, at a regular meeting held on this 5nd day of June 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

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

June 5, 2013

**LAFCO Case 1496
LINDMORE IRRIGATION DISTRICT, REORGANIZATION 2011-1**

PROPOSAL: Reorganization of the Boundaries of the Lindmore Irrigation District (LID). Annex one area from the District, a total of one parcel to be annexed and a total of sixty-five individual parcels to be detached.

PROPONENT: Lindmore Irrigation District

SIZE: Area 1-1.36 acres; area 2-19.98 acres; area 3-10.07 acres; area 4-101.86 acres; area 5 -9.68 acres.

LOCATION: The Parcels are located north and south of the City of Lindsay and to the west and south of the existing unincorporated community of Strathmore. **(Figure 1)**

APNs: **(Figure 2)**

NOTICE: Notice for this public hearing was provided in accordance with Government Code Section 56427.

ANALYSIS

1. Conformity with Plans:

A. Site Information (Figure 3)

	County	City
Zoning Designation	Area 1 – NA Area 2 – A-1 & R-A-43 Area 3 – AE-10 Area 4 – PD-M-1, PD-C-3, AE-20, R-1, C-2-SR,C-3,R-3,R-3-SR,C-3-SR,R-A-43 Area 5 – R-1	All areas will remain the same
General Plan Designation	Area 1 – UDB & UIA Area 2 – UAB Area 3 – Rural Valley Lands Area 4 – UDB & UIA Area 5 – UDB & UIA	All areas will remain the same

Uses	Area 1 – District office Area 2 – Educational Area 3 – Educational Area 4 – Commercial, Residential, Educational Area 5 –Residential	All areas will remain the same
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Surrounding land uses is agricultural, residential and commercial.

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

Williamson Act and Agricultural Preserves:

Areas 1, 2, 3, and 5 are not under a Williamson Act contract.

Area 4 has parcels that are under Williamson Act contract.

Preserve numbers: 04435 and 04436

Contract number: 0001196 for both

This is an administrative action and will not result in a change of services.

3. Population:

The population of the subject area is estimated to be 214. The County Elections Division has indicated that there are more than 12 registered voters within the subject areas. Therefore, pursuant to Section 56046, the annexation area is inhabited.

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

It is not likely that significant residential, commercial, industrial or other urban growth in the subject territory and adjacent areas will occur in the next ten years.

Need:

Municipal services and controls will not change as a result of this annexation and detachment. This will be only an administrative change since the District already doesn't provide irrigation services to the detachment areas.

5. Boundaries and Lines of Assessment:

The proposed annexation and detachment areas are consistent with lines of assessment. However, the Lindmore Irrigation District does not receive ad valorem property taxes so a filing with the State Board of Equalization is not required.

6. Environmental Impacts:

The potential environmental effects of the proposed detachment have been reviewed and considered in the Lindmore Irrigation District Reorganization 2011-1 Initial Study Environmental Checklist and no significant adverse environmental impacts have been identified. As such, a negative declaration was prepared and approved by the Lindmore Irrigation District for use in this proposal.

7. Landowner and Annexing Agency Consent:

Pursuant to GC Section 56663: consent to this annexation has not been received from all property owners. However, notice was mailed to all landowners and registered voters within the annexation and detachment sites pursuant to GC 56663 (d) (1). Thus unless written protest is submitted by a landowner or registered voter within the site prior to the closing of this public hearing the Commission may waive protest proceedings.

8. Discussion:

Detachment from the Lindmore Irrigation District:

Along with annexation, the District is also proposing to detach four separate areas from its boundaries. This is an administrative action and will not authorize, require, or cause any construction, grading, or other physical alterations to the environment.

RECOMMENDED ACTIONS

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

1. Certify that the Commission has reviewed and considered the Negative Declaration approved by the Lindmore Irrigation district for this project and find that the project will not have a significant effect on the environment.
2. Find that the proposed reorganization to the Lindmore Irrigation District complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1.5, find that:
 - a. The proposed annexation represents a logical and reasonable expansion of the district.
 - b. The proposed annexation reflects the plans of the adjacent governmental agencies.
 - c. The proposed annexation does not represent an attempt to annex only revenue-producing property.
 - d. The proposed boundaries are definite and certain and conform to lines of assessment.
4. Find that the territory proposed for reorganization to the Lindmore Irrigation District is inhabited. Notice was mailed to all landowners and registered voters within the reorganization site pursuant to GC 56663 (d) (1). To date, no written comments or protests to this reorganization proposal have been received from area landowners or surrounding registered voters.
5. Approve the reorganization as proposed by the Lindmore Irrigation District, to be known as LAFCO Case Number 1496, Lindmore Irrigation District, Annexation 2013-1.
7. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

Figures & Exhibits

- | | |
|----------|-------------------|
| Figure 1 | Site Location Map |
| Figure 2 | APNs |
| Figure 3 | Land Use Map |

FIGURE 1

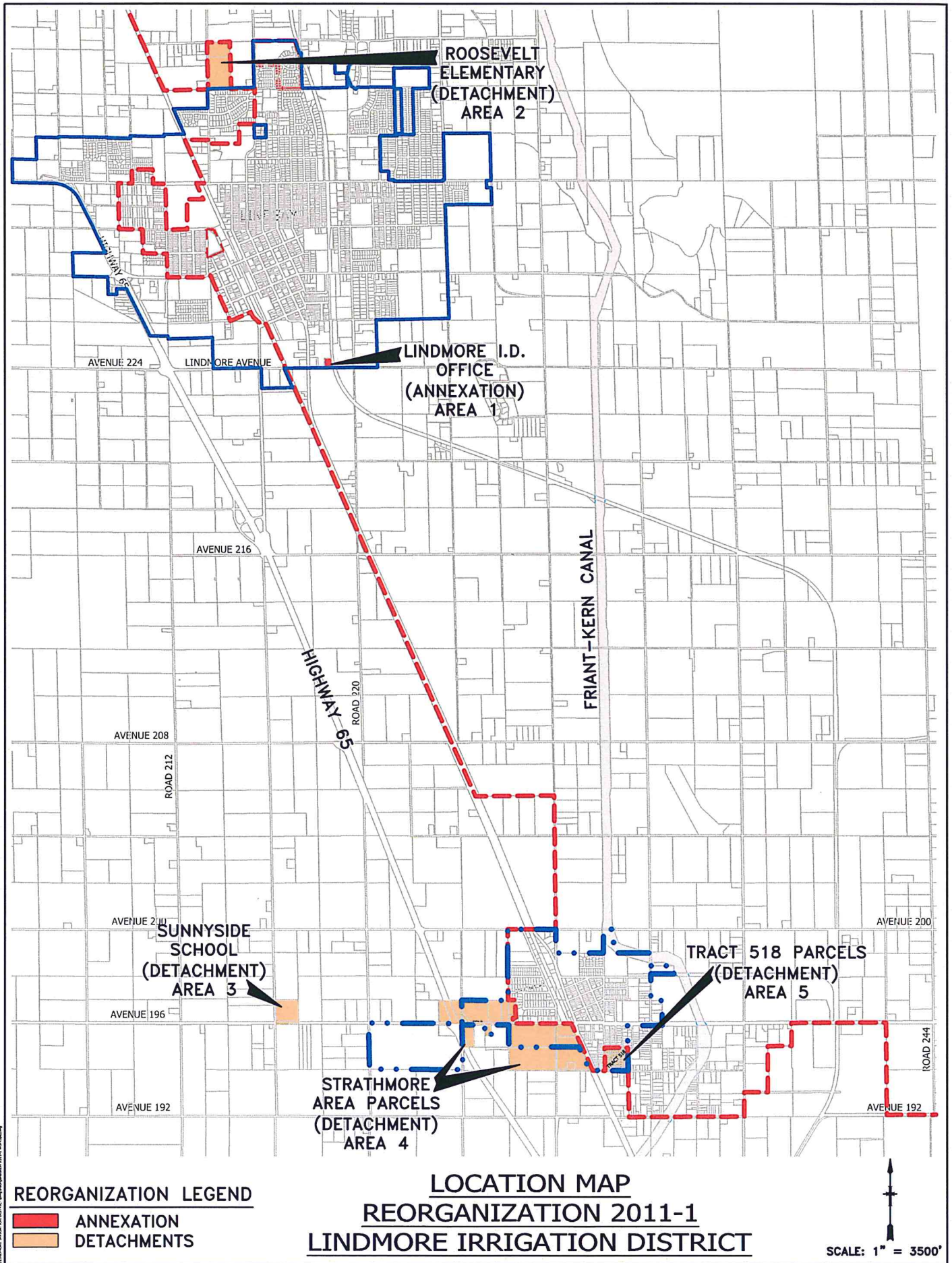


EXHIBIT "A"
AREA 1 - ANNEXATION
LEGAL DESCRIPTION
REORGANIZATION 2011-1
LINDMORE IRRIGATION DISTRICT

A parcel of land in the City of Lindsay, County of Tulare, State of California, situated in the Southeast quarter of Section 7, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the Official plat thereof, described as follows:

Commencing at the Southeast corner of said Section 7;

Thence (1) South 88° 53' 08" West, 568.98 feet along the South line of said Section 7 to a point on said South line of Section 7, said point also being the **True Point of Beginning**;

Thence (2) continuing South 88° 53' 08" West along said South line, 259.82 feet;

Thence (3) North, 270.00 feet;

Thence (4) East, 203.69 feet, to a line concentric with and distant Westerly 25.0 feet measured radially from the centerline of that certain track designated in the records of the Atchison, Topeka and Santa Fe Railway Company as the Porterville subdivision main track at Lindsay, California;

Thence (5) Southeasterly along said concentric line being along the arc of a curve from which a radial bears North 86° 01' 30" East concave Northeasterly and having a radius of 2,317.01 feet through a central angle of 12° 32' 52" a distance of 276.18 feet to the South line of Section 7 and the **Point of Beginning**.

APN 205-200-031 – 1.36 total acres

"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

EXHIBIT "B"
AREA 2 – DETACHMENT
LEGAL DESCRIPTION
REORGANIZATION 2011-1
LINDMORE IRRIGATION DISTRICT

That portion of the West half of the Southeast quarter of the Northwest Quarter of Section 6, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the Official Plat thereof, more particularly described as follows:

Commencing at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 6, marked by an Iron pipe tagged R.C.E. 16904 shown on that certain Parcel Map 2518, recorded In Book 26 of Parcel Maps at Page 19, Tulare County Records;

Thence (1) along the North line of the Southeast quarter of the Northwest quarter of said Section 6, South 89°52'51" West, 659.75 feet to an iron pipe tagged R.C.E. 16904 shown on said Parcel Map, said point being on the existing Lindmore Irrigation District (District) boundary and being the Northeast corner of the West half of the Southeast quarter of the Northwest quarter of said Section and the **True Point of Beginning**;

Thence (2) South 01°00'41" West along the West line of the East half of the Southeast quarter of the Northwest quarter and said existing District boundary, 1,319.82 feet, to the South line of said Southeast quarter of the Northwest quarter;

Thence (3) departing said existing District boundary South 89°59'17" West, along the South line of said Southeast quarter of the Northwest quarter, 659.99 feet, to the West line of said Southeast quarter of the Northwest quarter and rejoining said existing District boundary;

Thence (4) North 01°01'21" East, along the West line of the Southeast quarter of the Northwest quarter of said Section 6 and said existing District boundary, 1,318.59 feet, to the North line of said Southeast quarter of the Northwest quarter;

Thence (5) North 89°52'51" East, along the North line of the Southeast quarter of the Northwest quarter and said existing District boundary, 659.75 feet to the **Point of Beginning**.

APN's: 201-010-009 and 201-010-011 - 1.36 total acres

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EXHIBIT "B"
AREA 3 – DETACHMENT
LEGAL DESCRIPTION
REORGANIZATION 2011-1
LINDMORE IRRIGATION DISTRICT

A parcel of land in the County of Tulare, State of California, situated in the Southwest quarter of the Northeast quarter of Section 31, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the Official plat thereof, described as follows:

Beginning at center of said Section 31;

Thence (1) North 01°12'48" West along the west line of said Southwest quarter of the Northeast quarter of Section 31, 667.6 feet, more or less;

Thence (2) North 89°37'34" West, along the Westerly prolongation of the North line and the North line of the Southwest quarter of Lot 26 of Lindsay Orchard and Vineyard Company's Colony Tract, as per record of survey recorded in Book 9, page 96 of Surveys, in the office of the county recorder of said county, 671.42 feet, more or less, to the Northeast corner of said Lot 26;

Thence (3) South 01°15'15" East, along the East line of said Lot 26 and the Southerly prolongation of said East line, 668.58 feet, more or less, to the South line of said Southwest quarter of the Northeast quarter of Section 31;

Thence (4) South 89°42'45" West, along the South line of said Southwest quarter of the Northeast quarter of Section 31, 671.88 feet, more or less, to the **Point of Beginning**.

APN 214-110-013 - 10.07 total acres

"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

EXHIBIT "B"
AREA 4 - DETACHMENT
LEGAL DESCRIPTION
REORGANIZATION 2011-1
LINDMORE IRRIGATION DISTRICT

All that certain real property, situate in a portion of the Northwest quarter of the Northwest quarter of the Southeast quarter of Section 32, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plats thereof, more particularly described as follows:

Beginning at Southwest corner of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 32 lying 479.32 feet South of the center of said Section 32;

Thence, (1) North, 639.61 feet, along the West line of said Northwest quarter of said Northwest quarter of said Southeast quarter of said Section 32 to the center of said Section 32;

Thence, (2) West, 663.57 feet, more or less, along the South line of the Northwest quarter of said Section 32;

Thence, (3) North, 659.1 feet, more or less;

Thence, (4) East 664.16 feet, more or less, to the East line of said Northwest quarter;

Thence, (5) East 1,326.1 feet to a point in the East line of the Southwest quarter of the Northeast quarter of said Section 32, said point lying 658.1 feet North of the South line of said Southwest quarter;

Thence, (6) North along said East line, 1.9 feet to a point lying 660.0 feet North of said South line of said Southwest quarter and being on the existing Lindmore Irrigation District Boundary;

Thence (7) East, 198.0 feet, along the North line of Parcel No. 1 of Parcel Map No. 2967, as per map recorded in Book 30, Page 68, Tulare County Records and said existing Lindmore Irrigation District Boundary to the Northeast corner of said Parcel No. 1;

Thence (8) South 1° 02' 00" East, 495.00 feet, along the East line and to the Southeast corner of said Parcel No. 1, also being the Northeast corner of Parcel No. 2 of said Parcel Map No. 2967;

Thence (9) continuing South 1° 02' 00" East, 63.7 feet, along the East line of said Parcel No. 2;

Thence (10) West, 72.00 feet, along the South line of the North portion of said Parcel No. 2;

Thence (11) South 1° 02' 00" East, 125.00 feet, along the East line of the Southern portion of said Parcel No. 2 and the Southerly prolongation of said East line to the North line of the Southeast quarter of said Section 32;

Thence (12) East, 1,198.5 feet, to the East quarter corner of said Section 32;

Thence (13) continuing East, 350.56 feet along the North line of the Southwest quarter of Section 33, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California to the Westerly right-of-way line of the Southern Pacific Railroad;

Thence (14) South 23°31'00" East, 723.99 feet, along said Westerly right-of-way line, to a point on the South line of the Northwest quarter of said Southwest quarter;

Thence (15) West, departing the said existing Lindmore Irrigation District boundary, West, 2,259 feet, more or less, along the South line of the South half of the Northwest quarter of the Southwest quarter of said Section 33 and the South line of the South half of the Northeast quarter of the Southeast quarter of said Section 32 to the Southwest corner of the Northeast quarter of the Southeast quarter of said Section 32;

Thence (16) North, 1,320 feet, more or less, along the West line of the Northeast quarter of the Southeast quarter of said Section 32 to the Northwest corner of said Northeast quarter of the Southeast quarter of Section 32;

Thence (17) West, 499.01 feet along the North line of said Southeast quarter;

Thence (18) South 00°30'00" East, 340.00 feet;

Thence (19) South 90°00'00" West, 185.00 feet;

Thence (20) North 00°30'00" West, 340.00 feet to said North line of said Southeast quarter;

Thence (21) West, 350 feet, more or less;

Thence (22) South 00°00'00" West, 659.45 feet, more or less;

Thence (23) West, 277.36 feet, more or less, to the **Point of Beginning**.

APN's:

215-120-017
215-120-018
215-260-008
215-260-009
215-260-012
215-260-013
215-300-005
215-300-018
215-300-020
215-300-024
215-330-047
215-330-053
215-330-054
215-330-056
215-330-057

101.86 Total Acres

"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

EXHIBIT "B"
AREA 5 - DETACHMENT
LEGAL DESCRIPTION
REORGANIZATION 2011-1
LINDMORE IRRIGATION DISTRICT

A portion of the South half of the Northeast quarter of the Southwest quarter of Section 33, Township 20 South, Range 27 East, Mount Diablo Base and Meridian in the County of Tulare, State of California per Map of Strathmore Colony, Volume 9, Pages 35 and 36 of Maps, Tulare County Records, more particularly described as follows:

Commencing at the Center of said Section 33;

Thence (1) West along the North line of said Southwest quarter of Section 33, 658.61 feet, more or less;

Thence (2) South, 659.69 feet, more or less, to the **True Point of Beginning** and the existing boundary line of Lindmore Irrigation District (District);

Thence (3) South 0°00'53" East, 659.69 feet, along the existing Lindmore Irrigation District boundary;

Thence (4) departing said existing District boundary, North 89°01'30" West, 658.95 feet;

Thence (5) North and rejoining said existing District boundary 659.61 feet;

Thence (6) South 89°01'53" East, 658.78 feet to the **True Point of Beginning**.

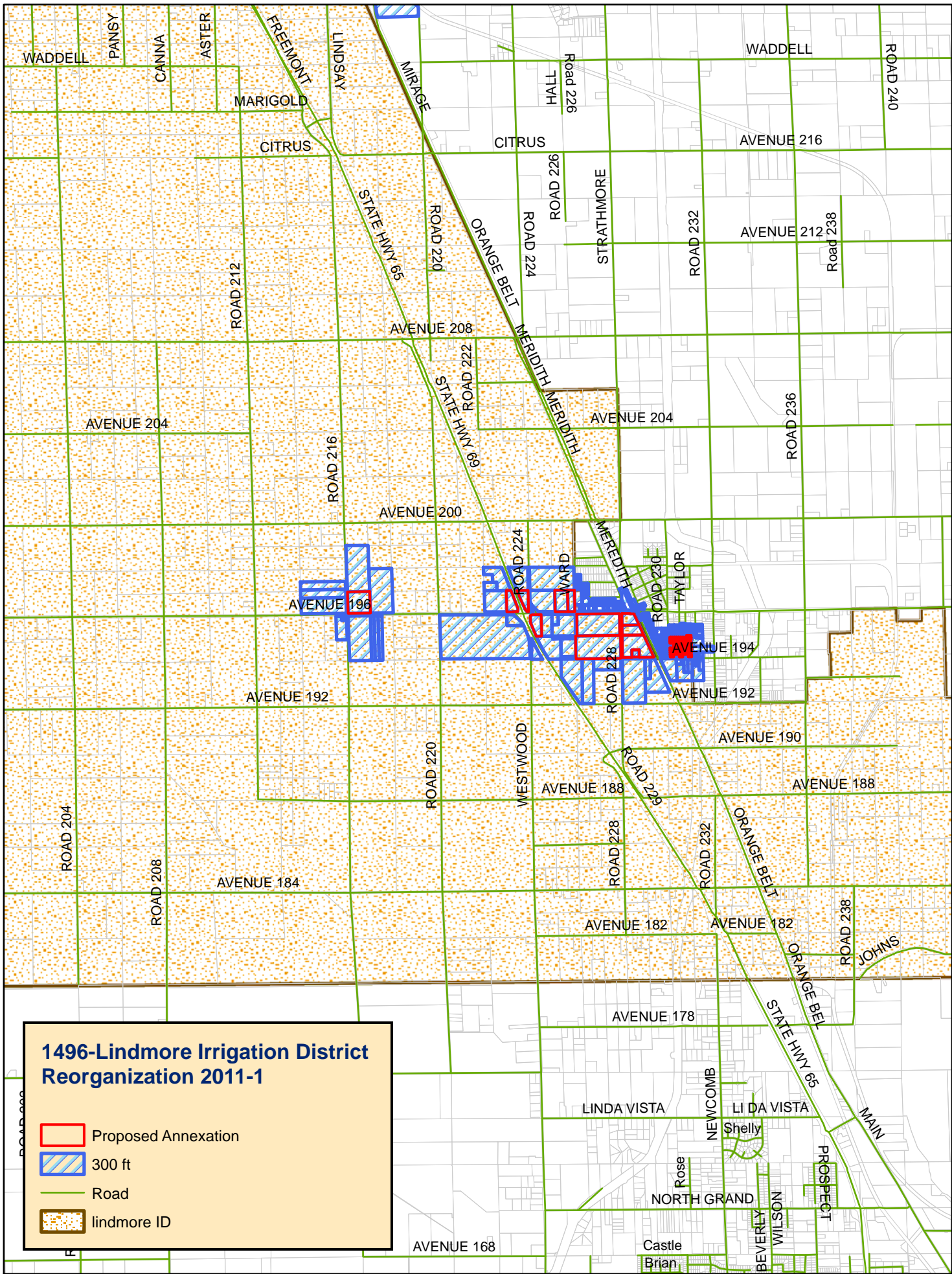
9.68 total acres

APN's (See attached list)

"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

EXHIBIT "B"
AREA 5-DETACHMENT
APN LIST
REORGANIZATION 2011-1
LINDMORE IRRIGATION DISTRICT

215-150-028	215-150-052
215-150-029	215-150-053
215-150-030	215-150-054
215-150-031	215-150-055
215-150-032	215-150-056
215-150-033	215-150-057
215-150-034	215-150-058
215-150-035	215-150-059
215-150-036	215-150-060
215-150-037	215-150-061
215-150-038	215-150-062
215-150-039	215-150-063
215-150-040	215-150-064
215-150-041	215-150-065
215-150-042	215-150-066
215-150-043	215-150-067
215-150-044	215-150-068
215-150-045	215-150-069
215-150-046	215-150-070
215-150-047	215-150-071
215-150-048	215-150-072
215-150-050	215-150-073
215-150-051	215-150-074



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

In the Matter of the Proposed Reorganization)
Consisting of Annexation and Detachment)
from the Lindmore Irrigation District, LAFCO) **RESOLUTION NO.13-008**
Case No. 1496, Lindmore Reorganization 2013-01)

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 and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on June 5th this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

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

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

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

2. The Commission hereby finds that the proposed Reorganization will not have a significant impact on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Negative Declaration approved by the Lindmore Irrigation District for the proposed reorganization in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said reorganization, and that said Negative Declaration and all information relied thereon is incorporated by reference herein

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:

XXXXX-XXXXXX

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. This proposal is for the annexation of one area of approximately 1.36 acres into Lindmore ID and detachment of four areas of approximately 141.59 acres out of Lindmore Irrigation District.
- b. Notice was mailed to all landowners and registered voter within the annexation site pursuant to GC 56663 (d) (1). To date, no written comments or protests to this reorganization proposal have been received from area landowners or surrounding registered voters.

- c. The reorganization is administrative and no change in services will result from this reorganization.
- d. The proposed annexation represents a logical and reasonable expansion of the district.

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 reflects the plans of the adjacent governmental agencies.
- b. The proposed annexation does not represent an attempt to annex only revenue-producing property.
- c. The proposed boundaries are definite and certain and conform to lines of assessment.
- d. The proposed reorganization is compatible with the County's General Plan.
- e. The proposed reorganization represents a logical and reasonable adjustment to the Lindmore Irrigation District boundaries.
- e. This is an inhabited reorganization and to date, no written comments or protests to this reorganization proposal have been received from area landowners or surrounding registered voters.
- g. This proposal is in compliance with the policies and priorities of the Cortese-Knox-Hertzberg Act, GC §56377.

7. The Commission hereby waives the protest hearing and orders the annexation without an election in accordance with Section 56663 (c) of the Government Code.

8. The proposed reorganization of the territory described in Exhibit "A" attached hereto, is hereby approved.

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

LAFCO Case No. 1496, Lindmore Reorganization 2013-1.

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 x, seconded by Commissioner x, at a regular meeting held on this 5th day of June 2013 by the following vote:

AYES:

NOES:

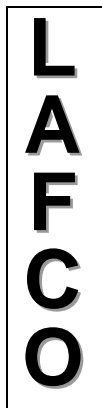
ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:

*Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen*

ALTERNATES:

*Dennis Mederos
Janet Hinsely
Mike Ennis*

EXECUTIVE OFFICER:

Ben Giuliani

June 5, 2013

TO: LAFCO Commissioners, Alternates, Counsel
FROM: Cynthia Echavarria, Staff Analyst
SUBJECT: City of Tulare Municipal Service Review Update

Background

The first Municipal Service Review (MSR) for the City of Tulare was adopted as part of the Group 1 MSRs by the Commission at the March 2006 meeting. The existing Sphere of Influence (SOI) for Tulare was last comprehensively reviewed by the Commission in 1974 followed by several SOI amendments. The SOI was also comprehensively reviewed in 2001. However, the resulting SOI was rescinded after a successful challenge on the City's environmental document that was used for that SOI update. Before the Commission can approve a major amendment or a comprehensive update of the SOI, the updated MSR determinations need to be adopted.

Discussion

Since the Tulare MSR was first developed in March of 2006, Government Code was modified that combined twelve topic areas into six. Recently, a seventh was added into law relating to disadvantaged unincorporated communities. The Commission is required to prepare a written statement of determinations for the following:

- Growth and population projections for the affected area.
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- Present and planned capacity of public facilities, adequacy of public services and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- Financial ability for agencies to provide services.
- Status of, and opportunities for, shared facilities.
- Accountability for community service needs, including governmental structure and operational efficiencies.

- Any other matter related to effective or efficient service delivery, as required by commission policy.

Note: In the updated MSR, information regarding the location and characteristics of disadvantaged unincorporated communities and services relating to those communities were combined under the last topic area.

Technical data was updated based on newer supporting documents such as the City of Tulare's 2008 General Plan Update (2008), City of Tulare Climate Action Plan: Public Review Draft (2011), Transit-Oriented Development (TOD) (2011), Fire Protection and Emergency Services Master (2008), City of Tulare's website (2012 and 2013), City of Tulare Urban Water Management Plan (2010), Water Rate Analysis - Report (2012), City of Tulare fiscal year Budget 2010-2011 and 2012-2013, 2010 Census and correspondence with city staff.

Tulare County LAFCO will not be initiating the City's SOI update at this time. The City of Tulare's SOI update should wait until after the completion of their General Plan update. In 2008 the City updated its General Plan but the supporting environmental document was successfully challenged in court. Currently, the City is underway with revising its General Plan.

Attached is the Executive Summary with determinations for the updated Tulare MSR. The full version of the Draft MSR was distributed for the Commission on May 15, 2013. The full version Draft was also posted for public review on LAFCO's website: <http://www.co.tulare.ca.us/lafco/default.asp>.

Tulare County LAFCO has not received comments to date but has via email received notice that the County of Tulare will be submitting comments prior to June 5, 2013 Tulare County LAFCO meeting.

Recommendation

Adopt the Municipal Service Review and statement of determinations for the City of Tulare.

Attachments:

Updated Tulare MSR Written Determinations

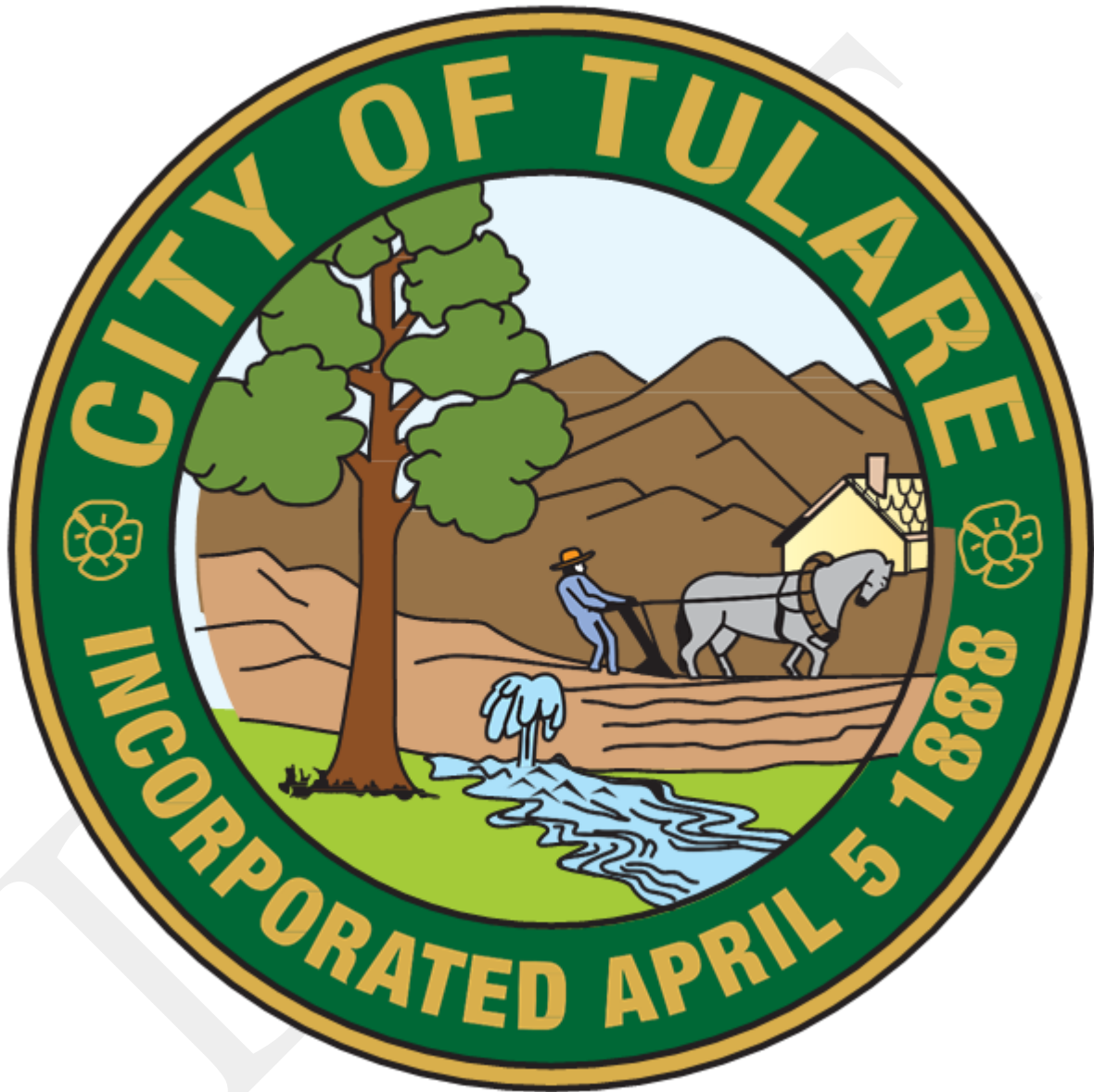
Tulare MSR Update (Disk)

Resolution of Adoption

City of Tulare

Written Determinations

Administrative Review Draft Municipal Service Review



**Prepared By
Tulare County
Local Agency Formation Commission
June 2013**

Written Determinations

CHAPTER 1

Population Trends & Projections

1. Based upon population estimates available from the California Department of Finance, the City had a population of approximately 61,199 as of January 2013.
2. Based on US Census data, Tulare experienced an average annual growth rate of 2.93% between 1990 and 2010. The economic downturn and housing market collapse has slowed growth in the City to an annual rate of 1.96% between 2007 and 2012 (based on DOF population estimates).
3. The historical growth rate of 2.93% between 1990 and 2010, the projected growth rate of 2.65% that is currently being used in the City's Draft General Plan Update and the projected growth rate of 2.72% based on DOF County population projections and the City's increasing share of County population all fall within the 2.5% to 3% growth rate range used in the 2007 MSR for the City of Tulare.
4. The City of Tulare's Draft General Plan Update currently assumes a population of 100,000 in 2030 which represents a 2.65% annual growth rate. A 2.65% growth rate appears to be a reasonable estimate in context with DOF population projections and the historical growth for the City.
5. Since the City of Tulare General Plan Update has not yet been adopted and is still subject to change, the population projections and other growth planning assumptions used in the development of the City's UDB should be reviewed again by the Commission during the next comprehensive SOI update for the City.

Growth Planning

6. The City uses multiple tools to plan for future growth, including but not limited to, General Plan Elements, Specific Plans, and Master Plans.
7. The City is currently in the process of reticulating the General Plan due to successful litigation filed Against the City in 2008. In response to the lawsuit the City is revisiting its UDB boundary.
8. The General Plan Housing Element identifies potential constraints that could limit residential growth within the City, including staff resources to meet such substantial, high demand projected for issuing residential building permits. Planning and building department staff would have to be substantially augmented to meet the projected demands.
9. The City has an Urban Development Line (UDB), adopted as a part of the General Plan Land Use Element, which has been established to accommodate growth through 2015. The comprehensive update of the General Plan Land Use Element, which will evaluate and modify, as necessary, to accommodate 20 years of growth, the City's UDB. As the City's UDB expands, it will also be necessary to expand the SOI as the UDB approaches the limits of the SOI Boundary.

10. Tulare has adopted the South Tulare Master Plan to expand the industrial base of the City. Ultimate development of the recommended land use concept would require expansion of the existing UDB, the existing SOI, and the existing City Limits.

Annexations/County Islands

11. Since 2006, Tulare has successfully annexed over 1,200 acres of land into the City.
12. The 2006 MSR for the City of Tulare included a determination that the City should pursue annexing the existing County Islands. Incorporation of "County Islands" could help eliminate public confusion, and increase service efficiencies within these areas. The City of Tulare met its goal of annexing all the "County Islands" within its boundaries and currently there are no "County Islands" in the City of Tulare.

CHAPTER 2

Water

1. The current Master Plan has a planning area coterminous with the City's Urban Reserve Line, which lies within the City's UDB and SOI. When the City updates the Master Plan, it is recommended that the planning boundary be extended, at a minimum, to encompass the City's SOI, to ensure that adequate water supply can be provided to accommodate future growth consistent with General Plan Build-out.
2. Tulare's water supply source consists of a 30 domestic wells that are scattered throughout the City, extracting water from the City's underground aquifer. Newer wells drilled by the City over the past thirty-five years are gravel packed and have been drilled to approximately 700 feet. The older wells, and wells purchased by the City are generally around 350 feet deep. The City has one elevated water storage tank with a capacity of 150,000 gallons, and several hydro-pneumatic pressure tanks that are used for storage.
3. The City has an enterprise fund set up for the operation and maintenance of its water system, and a seven year capital improvement program (CIP) for water, to implement capital water system improvements.
4. In 2012, the City produced 6,001 million gallons or 18,418 acre-feet (AF), which is equivalent to 16.4 million gallons per day (mgd) of water servicing a population of approximately 60,627. The average single-family residential customer has a monthly usage of 16 thousand gallons (Tgal). The City estimates that the current system operates at approximately 90%-95% of its capacity during summer (maximum demand) months.
5. The City's water supplies are periodically chlorinated to provide a disinfectant residual that is required by federal and state regulations and helps maintain a safe drinking water supply throughout the distribution system. This treatment process has proven sufficient to meet federal and state primary and secondary drinking water regulations. Hence, the quality of groundwater is not considered an impediment to water supply reliability at this time.
6. The City is engaged in an agreement with the Tulare Irrigation District (TID), in which the

City compensates the District since the City's system benefits from the recharge of the aquifer as a result of the District's operations. The agreement was renewed in 2005 and extends through year 2035.

7. In fiscal year 2005-2006 Per direction from the Board of Public Utilities, conversion of all connections to metered connections began. Since 2005, the City has installed water meters throughout the city and anticipates it will be fully metered by 2015. The City recently implemented a program to improve existing water meters, install additional water meters, and establish automated meter readings systems were established for previously unmetered accounts. The intent of the improvements was to improve the accuracy of the water meters and enhance the City's ability to effectively complete water billing each billing cycle. The City recently installation over 16,000 1-inch water meters to services that were not previously metered.
8. The City completed its 2005 UWMP in 2007 and in 2011 completed the 2010 UWMP.
9. The City has a sound management structure in place that will continue to provide efficient water service to existing and future residents of Tulare. The City has recently adopted a five year series of rate increases to fund operations and unforeseen major repairs and/or improvements to the water system.
10. When evaluating any proposed SOI updates, LAFCO should consider which agency can most efficiently provide water service to the subject area and ensure that adequate planning has taken place for the provision of public services.

Wastewater Collection, Treatment and Disposal

11. The City of Tulare Sewer System Master Plan was last updated in July 2009 by Carollo Engineering. When the City updates the Sewer System Master Plan, it is recommended that the planning Boundary be extended to encompass the City's SOI in order to ensure that adequate sanitary sewer infrastructure can be provide to accommodate future growth consistent with General Plan Build-out.
12. The City has an enterprise fund set up for the operation and maintenance of its sewer/wastewater systems, and a seven year CIP for sewer/wastewater, to implement capital sewer/wastewater system improvements.
13. The City of Tulare wastewater collection system consists of a series of pipes and lift stations that transport raw sewage to the City's wastewater treatment facility (WWTF) located southwest Tulare. The City's WWTF includes two separate wastewater treatment trains (WWTTs), one for domestic wastes, and the other for primarily industrial wastes, described as follows.
14. The City owns and operates a wastewater treatment facility (WWTF) located at the intersection of Paige Ave. and West St. in southwest Tulare. The WWTF is operated under the provisions of *Waste Discharge Requirements (WDR) Order No. R5-2002-0186*, issued by the California Regional Water Quality Control Board Central Valley Region. A new WDR was issued for public review and comment in January 2013 with adoption scheduled in April 2013. The City's WWTF has two separate wastewater treatment trains (WWTT), a domestic WWTT, and an industrial WWTT.

15. Based upon information contained in the *Wastewater User Charge Survey Report FY 2007-2008* (Cal EPA – State Water Resources Control Board, May 2008), the average dry weather flow at the WWTF (combined flow for both treatment trains) is approximately 11.3 MGD. Recorded flows indicate that the WWTF is currently operating near its permitted capacity for the domestic WWTT. However, ongoing efforts to improve the plant's capacity and efficiency are expected to increase available capacity to serve future growth. It is likely that additional capacity improvements will need to occur to meet the 20-year growth needs of the City.
16. The expanded domestic WWTT is a 6.0 MGD capacity activated sludge plant that includes headworks with mechanical screens and an aerated grit chamber, primary and secondary sedimentation, biofiltration, activated sludge units, sludge thickening and digestion, and sludge drying. The secondary treatment plant's goal is to remove organic and solid materials and the nitrogen in the wastewater that can pollute the environment. The facility was built in 1920. Several major improvements have been made in the past 30 years to help handle these needs. The recent expansion in 2006 added an anoxic basin to help in the removal of nitrogen to meet the City's total nitrogen requirements, and the headworks were replaced in 2012.
17. The City's budget reflects continued efforts to anticipate and avoid any problems with the sewer/wastewater utilities, with many capital improvements included. Several million dollars in projects are proposed, and bonding and rate increases will continue to be needed.
18. Based upon a review of the City's budget for sewer/wastewater, it appears that the service is being managed in a cost effective and efficient manner. The City's effort to keep sanitary sewer rates in check is evident by the City's issuance of sewer bonds to construct capital improvements to the WWTF. The City is meeting the long term debt obligations of bond issuances.
19. As indicated in the original Municipal Service Review, there is no evidence suggesting that the City cannot continue to provide efficient water service to existing residents of Tulare. In addition, with continued ground water conservation efforts and infrastructure improvements it is likely that it could provide efficient water service to future residents.

Drainage Infrastructure

20. The Storm Water Management Plan outlines and directs the City's storm water related priorities and activates for the years 2009 through 2013. It provides a comprehensive five year plan to enhance and protect storm water quality in the City.
21. The City has a Storm Drainage Division that is funded through general fund appropriations, and, where appropriate, gasoline tax expenditures where storm drainage installations are in connection with major street projects.
22. Under an agreement with the TID, the City pumps storm water into the TID canal system. The majority of the storm water in the City is collected and flows to central points where it is pumped into the TID canal system under provisions of an agreement renewed in 2005. Disposal of storm water is also handled by means of storm drainage detention basins and storm drainage retention basins.

23. For fiscal year 2011-2012, \$249,600 was budgeted for the operation of the Storm Drainage Division.
24. The City assesses development impact fees for storm drain consistent with City Resolution Number 03-4988. The City storm drain impact fees are \$1,438 per single family dwelling.
25. The City has a seven year CIP for storm drainage, to implement capital storm drainage system improvements.
26. The City will need to continually expand and improve its storm drain system to keep pace with development demands. As the City's storm drain system continues to expand, the City will likely need to add additional staff.
27. The City would be the most logical agency to provide storm drain infrastructure for development within the City's SOI. Past improvements to the City's storm drain system have significantly reduced flooding problems in the area.

Streets and Roads

28. The City plans for roadway transportation improvements through the implementation of General Plan Circulation Element Goals and Policies and Specific Planning.
29. The streets, roads, and circulation patterns in the City of Tulare was studied as a part of the General Plan Circulation Element, which was adopted by the City Council in 2008 but due to successful litigation the General Plan is being re-released. This information base provides an excellent foundation for evaluating the transportation issues in the City.
30. For the fiscal year 2011-12 budget cycle \$2,365,370 was allocated to the Streets Division from the general fund. Estimated expenditures totaling \$2,365,370 includes salaries and employee benefits totaling \$652,240, maintenance and operation totaling \$1,434,130 capital improvements/outlay totaling \$176,000, debt service totaling \$50,000, a \$53,000 operating transfer to the fleet maintenance internal service fund. Capital improvements/outlay funded through general fund appropriations (\$100,000) includes allocations for defective concrete program, miscellaneous right of way, miscellaneous street light, alley repairs/maintenance. , LED "Don't Walk", traffic loops, Narrowband Radios-10%, Battery back-up system, Street light ballards. Debt service includes principal and interest payments for oversize liability.
31. The City continues to make steady progress towards upgrading and expanding its roadway infrastructure. The City continues to work towards improving the infrastructure that serves its citizens and has a detailed plan for constructing the needed improvements. The City's approach and plan for completing capital improvements is excellent, and in line with the needs of the community.

Fire and Police Protection Services

32. The Tulare Fire Department currently has 16 fire fighters, 3 fire stations, 5 fire engines, and one aerial ladder truck. Standards included in the Tulare Fire Department's Master Plan call for 0.86 fire fighters per 1,000 residents, 0.08 fire stations per 1,000 residents, 0.086 fire engines per 1,000 residents, and 0.086 aerial ladders per 1,000 residents.

33. Based on the standards as listed in the Master Plan and the City's current population, the Fire Department should have 48 fire fighters, 4 fire stations, 5 fire engines, and 5 aerial ladders. The result is the Tulare Fire Department has a deficit of 32 fire fighters, 1 fire station, and 4 aerial ladders when compared to the City standard.¹
34. The City continues to upgrade fire facilities and increase fire staff as needed to serve the residents of Tulare through capital improvement funds and general fund allocations.
35. The City adopted a Fire Department Master Plan in 2009. The Master plan addresses how the department should meet community needs and identifies specific goals and objectives to assure that Tulare citizens are adequately protected in the future.
36. The Tulare Police Department operates out of one main station located at 260 South "M" Street and three community policing sub-stations. The Tulare Police Department currently has 75 sworn officers, 9 non-sworn officers, 84 vehicles, and a 16,700-SF police station.
37. Current department standards call for two sworn officers per 1,000 residents, 0.56 non-sworn officers per 1,000 residents, 2 vehicles per 1,000 residents, and 177 SF of facility space per employee. Based on these requirements and the City's current population, the Police Department should have 112 sworn officers, 31 non-sworn officers, 112 vehicles, and 25,345 SF main police station space. The result is the Tulare Police Department having a deficit of 37 sworn officers, 22 non-sworn officers, 28 vehicles, and 8,645 SF in police station space when compared against the City standard.
38. The Tulare Police Department continues to actively support proven crime prevention programs and to explore new and innovative methods to reduce crime in the City. Neighborhood watch crime prevention programs are proven and effective means to substantially reduce not only the incidence of residential burglaries in a specified geographic area, but the incidence of other crimes.
39. The City of Tulare had 405 violent crimes accounting for about 18 percent of the County's total; 1,533 property for crimes about 17 percent of the County's total; and 1,733 larceny-theft crimes for about 19 percent of the County total.
40. The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including but not limited to water, sewer, transportation, fire stations, police stations, libraries, administrative, and parks), and community facilities, and utility infrastructure, as well as attract targeted businesses and a stable labor force.

Solid Waste

41. Solid waste collection service is provided by the City while disposal services are provided through Tulare County via area landfills. The City's solid waste collection operations are also integrated with the City's street sweeping activities.

¹ City of Tulare: 2008 Fire Protection and Emergency Services Master Plan

42. The City's solid waste division continues to be very active in providing quality services. A tenth residential route was added in fiscal year 2010-11 due to new housing growth since the last route that was added in 2002.
43. In 1989, the State of California passed the Integrated Waste Management Act. Assembly Bill 939 (AB 939) required all cities and counties implement programs to reduce landfill tonnage by 25% by the end of 1995, and 50% by the end of 2000. The eight Tulare County City's (Porterville, Visalia, Tulare, Lindsay, Dinuba, Farmersville, Exeter, and Woodlake) are involved in a Joint Power Authority (JPA) and are currently at 67% diversion
44. For fiscal year 2011-12, anticipated revenues of \$7,400,790 are projected to cover estimated expenditures totaling \$6,844,870. It appears that the solid waste/street sweeping division is operated in an effective and efficient manner, and meets the needs of current residents, with the ability to serve additional customers.
45. As employee (salaries/benefits), fuel costs, and landfill fees continue to rise, to keep pace with increasing demands and to keep the solid waste/street sweeping fund from incurring losses, refuse collection rate increased to \$20.90 in 2009, \$23.00 in 2010 and \$25.30 in 2011.
46. The City's street sweeping/solid waste division should be able to continue to provide solid waste collection/street sweeping services to existing and future residents, including SOI areas.

CHAPTER 3

Annual Budget

1. The City of Tulare has sound financing/funding practices in place in order to fund City provided services. The financing functions guide the City on how revenue can be best spent by considering the impact on the community, public perception/acceptance, difficulty of implementing, and impact on employees.
2. For FY 2011/2012 the Adopted Budget was \$184,467,020 a decrease of \$19,325,370 as compared to the FY 2010/2011.
3. Property tax revenue is projected to remain flat at 0% growth to last year's revised revenue estimates.
4. Sales tax revenue estimates are projected at an additional 3% growth as compared to last year's revised revenue estimates.
5. City Council approved the use of around 3,496,200 in reserve to balance the 2011/12 budget.
6. Employee vacancies remain unfilled unless critical to the operation of the City of Tulare.
7. There is a need to upgrade the domestic wastewater treatment plant in Tulare to meet the new state requirements. The 2011/12 budget includes 6,200,000 for the completion of the domestic treatment plant upgrade to meet the state requirements.

8. The Government of Finance Officers Association recommends a reserve balance of no less than 5-15% of operating revenues in the general fund, or between one and two months of regular general fund expenditures.
9. The City assesses development impact fees to mitigate impacts on infrastructure resulting from new development projects. The City uses these fees to construct capital infrastructure improvements.
10. The City has had to reevaluate the method of approaching the budget the last few years. There has been a structural deficit in place for several years as expenses grew at a faster rate than revenues while management awaited economic recovery.

Local Funding

11. The capital improvement program is funded through development impact fees, and as appropriate, transfers from other City funds.

Outside Funding

12. The City also actively seeks outside funding through state and federal grant and loan programs. The City's grant writing efforts resulted in grants for the construction of parks, medians, asphalt rubber chip seals for city streets, police and fire protection, special projects and other benefits to the City.

Bond Ratings

13. In the past few years, the City has been selling bonds to finance expensive capital improvements to its WWTF and to refinance higher interest, existing borrowings.

State Fiscal Impacts

14. The City identifies the biggest threat to City services over the past twenty years as the California State government. The constitutional protection passed in November 2004 reduces the unfortunate threat to the financial future of the City.
15. The City will need to continue to seek ways to offset revenue losses resulting from the state fiscal conditions. Additional revenue streams could be generated by continuing to aggressively seek state and federal grant funding, local tax initiatives, working with the private sector to fund certain activities, and promoting economic development that will generate tax revenue.

CHAPTER 4

Current Shared Facilities

1. The City has worked with TCAG and Tulare County RMA on regional planning issues including transportation, solid waste, and coordinating applications to request State and/or Federal funding for joint projects.
2. The City has mutual aid agreements with surrounding jurisdictions to provide and/or receive emergency and fire support services.
3. The City actively works with the TID and the Kaweah Delta Water Conservation District on groundwater recharge, and water resource management issues.

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

In the Matter of the Adoption of the)
Municipal Service Review Update)
For the City of Tulare)

RESOLUTION NO. 13-009

WHEREAS, the Commission is authorized by Government Code Section 56430 to conduct a service review of the municipal services provided in the county or other appropriate area designated by the Commission and prepare a written statement of its determinations; and

WHEREAS, Government Code Section 56425(g) requires the commission to review and update all spheres of influence (SOI), as necessary, every five years; and

WHEREAS, a service review must be completed before the Commission can consider an update to a SOI for a city or a district which provides municipal services as defined by Commission policy; and

WHEREAS, on March 1, 2006, the Commission adopted the first Municipal Service Review (MSR) and statement of determinations for the City of Tulare (Resolution 06-010); and

WHEREAS, on June 5, 2013 this Commission heard, received, and considered testimony, comment, recommendations and reports from all persons present and desiring to be heard in this matter; and

WHEREAS, the Tulare MSR and its determinations have been updated to allow for the Commission's consideration of a comprehensive update to the City's SOI.

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

1. The information, material and facts set forth in the report of the Executive Officer and updated MSR Report for the City of Tulare including any corrections have been received and considered.

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

XXXX-XXXXX

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

4. The Commission hereby finds the updated Tulare MSR:

(a) Includes a subregion of the county appropriate for an analysis of the services to be reviewed;

(b) Contains a written statement of the Commissions' determination of the subjects required to be analyzed in an MSR, and

(c) Reviews all of the agencies that provide the service or services within the designated geographic area as set forth in LAFCO policy C-5.

5. The Municipal Service Review Report, including statement of determinations, for the City of Tulare is hereby adopted.

The foregoing resolution was adopted upon motion of Commissioner XXX and seconded by Commissioner XXX, at a regular meeting held on this 5th day of June 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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

COMMISSIONERS:

*Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen*

ALTERNATES:

*Mike Ennis
Dennis Mederos
Janet Hinesly*

EXECUTIVE OFFICER:
Ben Giuliani

June 5, 2013

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

FROM: Cynthia Echavarria, LAFCO Staff Analyst

SUBJECT: FY 2013/14 Preliminary Budget and Work Program

Enclosed for your review are the Fiscal Year 2013/14 Preliminary Budget and Work Program.
LAFCO is required to adopt its preliminary budget by May and its final budget by June of each year.

BUDGET 794

REVENUES

5900 Income from Other Agencies - \$219,858 is the amount estimated for FY 2013/2014 as income from eight cities and the County as required by Government Code Section 56381. At the April 2013 LAFCO meeting, the Commission voted to apply a \$50,000 contribution to help offset the contribution amount from the cities and the County.

6120 Planning and Engineering Services – As of this date, staff has processed one case (annexations, detachments, sphere of influence amendments and extension of services agreements) and anticipates no new cases to be submitted by the end of this fiscal year (June 15). The total estimated revenue is \$10,428. For fiscal year 2013/2014 staff has estimated processing 5 standard fee cases and 4 half-fee cases (island annexations) for a total estimated revenue of \$22,568.

EXPENDITURES- Services and Supplies

1018 Director's Fees - \$1,000 is budgeted for reimbursing the public member and alternate public member for expenses incurred as a result of attending monthly LAFCO meetings. For FY 2012/13 \$222 in expense claims have been submitted.

Estimated expenditure for current FY - \$1,000

2120 Memberships – The 2013/14 CALAFCO membership fee for suburban counties is estimated to be \$3000. In 2013, a membership fee increase of 2.2 percent will be applied.

Estimated expenditure for current FY - \$2,932

- Any other matter related to effective or efficient service delivery, as required by commission policy.

Note: In the updated MSR, information regarding the location and characteristics of disadvantaged unincorporated communities and services relating to those communities were combined under the last topic area.

Technical data was updated based on newer supporting documents such as the City of Tulare's 2008 General Plan Update (2008), City of Tulare Climate Action Plan: Public Review Draft (2011), Transit-Oriented Development (TOD) (2011), Fire Protection and Emergency Services Master (2008), City of Tulare's website (2012 and 2013), City of Tulare Urban Water Management Plan (2010), Water Rate Analysis - Report (2012), City of Tulare fiscal year Budget 2010-2011 and 2012-2013, 2010 Census and correspondence with city staff.

Tulare County LAFCO will not be initiating the City's SOI update at this time. The City of Tulare's SOI update should wait until after the completion of their General Plan update. In 2008 the City updated its General Plan but the supporting environmental document was successfully challenged in court. Currently, the City is underway with revising its General Plan.

Attached is the Executive Summary with determinations for the updated Tulare MSR. The full version of the Draft MSR was distributed for the Commission on May 15, 2013. The full version Draft was also posted for public review on LAFCO's website: <http://www.co.tulare.ca.us/lafco/default.asp>.

Tulare County LAFCO has not received comments to date but has via email received notice that the County of Tulare will be submitting comments prior to June 5, 2013 Tulare County LAFCO meeting.

Recommendation

Adopt the Municipal Service Review and statement of determinations for the City of Tulare.

Attachments:

Updated Tulare MSR Written Determinations
Tulare MSR Update (Disk)
Resolution of Adoption

2140 Office Expenses - \$3000 were allocated for office supplies and other office equipment expenses. This line item includes microfiche scanning.

Estimated expenditure for current FY - \$3,520

2150 Professional Services –Funds used to contract with outside vendors, such as the Auditors office or consultants. Thus, \$400 for the Auditor's Office has been budgeted. The need for consultant services is likely to remain low in FY 13/14 as the reduced projected workload is expected to continue. Contingencies can be used if a need arises for consultant services in excess of \$5000.

Estimated expenditure for current FY - \$400

2170 Publications and Notices - Staff estimates spending \$2000 of the budgeted amount for FY 2013/14. The caseload is expected to increase slightly in FY 2013/14; the estimated expenditure will be set closer to what LAFCO has actually spent in each of the last 2 years.

Estimated expenditure for current FY - \$2400

2210 Staff and Commission Member Training – Training costs of \$3,500 are proposed for FY 2013/14 to cover registration expenses for attending the annual CALAFCO Conference, Executive Officers Workshop and Staff Conference, and other conferences and workshops. The estimated expenditures will include the possible attendance of 2 staff persons and 2 Commissioners for the LAFCO conference and 4 staff members for the LAFCO workshop and other conferences and workshops commissioners and/or staff may attend.

Estimated expenditure for current FY - \$3200

2220 Staff and Commission Transportation / Travel – Transportation/Travel costs of \$5750 are proposed for FY 2013/14 to accommodate travel by staff and Commission members to and from the various LAFCO related conferences and workshops. The funds in this budget line are used for lodging, meal, and mileage costs incurred by attending the various events. The item also takes into account Commissioner Allen's travel expenses associated with her membership on the CALAFCO Board of Directors. To date approximately \$2,780 has been spent on transportation and travel.

Estimated expenditure for current FY - \$5750

Expenditures – Other Charges

3309 Worker's Compensation – A total of \$945 has been budgeted for FY 2013/14 to cover expenses for general liability insurance.

Estimated expenditure for current FY - \$945

3312 Property – \$79 is proposed for FY 2013/14.

Estimated expenditure for current FY - \$79

3313 Liability Insurance – A total of \$874 has been budgeted for FY 2013/14 to cover expenses for general liability insurance.

Estimated expenditure for current FY - \$874

3315 Telecomm – A total of \$465 has been budgeted for FY 2013/14 to cover expenses for telephone service.

Estimated expenditure for current FY - \$465

3318 Distributed Administration – This line reflects the distributed administrative costs for RMA labor and materials. No expenditures proposed for FY 2013/14 since RMA will no longer be providing these services.

Estimated expenditure for current FY - \$0

3324 Maintenance – A total of \$0 is budgeted for 2012/13 for LAFCO's prorated share of costs related to maintenance activities at the building. A one-time expense of \$81 dollars was billed for FY 12/13.

Estimated expenditure for current FY - \$81

3326 Utilities - \$0 is budgeted for utility expenses for FY 2012/13. Utilities are now included in 3530. A one-time expense of \$15 was billed for FY12/15.

Estimated expenditure for current FY - \$15

3327 Custodial- \$587 is budgeted for custodial services during FY 2013/14.

Estimated expenditure for current FY - \$587

3328 Grounds- \$0 is budgeted for FY 2013/14. Grounds are now included in 3530.

Estimated expenditure for current FY - \$0

3341 RMA Printing Services – \$500 is budgeted for FY 2013/14. This covers costs associated with duplication of LAFCO documents such as the special district inventory, policy and procedure manual, and assistance with public hearing notice mail outs.

Estimated expenditure for current FY - \$2,000

3342 RMA Mail Services - \$500 is budgeted for FY 2013/14. This covers costs for processing mail for LAFCO public hearing notices and other correspondence.

Estimated expenditure for current FY - \$500

Expenditures – Agency Charges

3329 LAFCO Legal Counsel- AB 2838 establishes LAFCO as an independent agency which means it will be charged an hourly rate for the services of County Counsel to act as LAFCO legal counsel. \$7,000 is proposed for FY 2013/14. In Fiscal Year 2012/13 County Counsel charges have been billed to 3330 Services from Other Departments in error.

Estimated expenditure for current FY - \$0

3330 Services from Other Departments- This charge includes services provided by other County departments such as the County Auditor, Surveyor, Elections, etc. The charges predominately stem from review of LAFCO proposals by County departments. \$4,500 has been allotted for FY 2013/14. Legal Counsel charges have been billed to 3330 Services from Other Departments in error and are included in the estimated expenditures for the current FY.

Estimated expenditure for current FY - \$9310

3331 COWCAP Charges - The amount budgeted for FY 2013/14 7,528

Estimated expenditure for current FY- \$7,528

3644 G.I.S.-Arcview Services - The budgeted amount for 2013/14 is \$4,500. This expenditure includes license of GIS software.

Estimated expenditure for current FY - \$4,500

8125 O/T Insys - The budgeted amount for 2012/13 is \$0.

Estimated expenditure for current FY - \$0

3795 Intra Agency Services Received- This item reflects Staff salaries, insurance, rent and utilities. Staffing services are provided by the Tulare County Association of Governments. \$165,000 in salaries is estimated for FY 2013/14. This includes a half-time Executive Officer, an extra help position for the retired E.O., a 25% clerk, and a 75% Staff Analyst. The estimated cost of insurance, rent, and utilities is \$12,544. Total amount budgeted for 2013/14 is 178,504.

Estimated expenditure for current FY – \$138,115

CONTINGENCY/CARRYOVER

8508 Contingency - A contingency of 10% of the expenses is proposed for 2013/14 in order to provide a “cushion” to offset any unforeseen expenditures or failure to receive anticipated fee revenue. It is not anticipated that contingency funds will be used in the current fiscal year. The contingency for FY 2012/13 is \$20,223. The contingency for FY 2013/14 is \$19,984.

Budget Surplus – Carryover – The budget surplus is accounted for in the LAFCO's 794 cash account. The revenue and expenses lines in the actual spreadsheet will only show transactions for the current FY which means that we still do not have the most up to date surplus numbers. For FY 2013/14, \$50,000 will be used to offset the cities and County contribution. Staff estimates that LAFCO will have a surplus of approximately \$90,000. This surplus was generated through Planning and Engineering Services and charges to funding agencies from previous years.

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

	Object No.	Adopted Budget FY 12/13	Final Budget FY 12/13	As of 5/28/13	Projected Actual FY 12/13	Proposed Budget FY 13/14
EXPENDITURES						
Services and Supplies						
Board Director's Fees	1018	1,000	1,000	222	222	1,000
Memberships	2120	3,100	3,100	2,932	2,932	3,000
Office Expenses	2140	3,520	3,520	634	3,520	3,000
Professional and Specialized	2150	348	348	0	400	400
Publication - Public Hearing Notices	2170	4,000	4,000	132	2,400	2,000
Training	2210	3,500	3,500	1,970	3,200	3,500
Transportation and Travel	2220	5,750	5,750	2,780	5,750	5,750
Total Services and Supplies		\$21,218	\$21,218	\$8,669	\$18,424	\$18,650
Other Charges						
I/F Workers Compensation	3309	945	945	907	945	945
I/F Expenses - Property	3312	0	0	79	79	79
I/F Expenses - General Liability Insurance	3313	856	856	874	874	874
I/F Telecomm	3315	465	465	169	465	465
Distributed Administrative	3318	0	0	0	0	0
I/F DP Proc	3320	0	0	0	0	0
I/F ADP Payroll	3323	0	0	0	0	0
I/F Maintenance	3324	0	0	0	81	0
I/F Utilities	3326	0	0	0	15	0
I/F Custodial Services	3327	522	522	0	587	587
I/F Grounds	3328	0	0	0	0	0
I/F Motor Pl	3335	0	0	0	0	0
I/F RMA - Printing	3341	2,000	2,000	0	500	500
I/F RMA - Mail	3342	800	800	0	500	500
Total Other Charges		\$5,588	\$5,588	\$2,029	\$4,046	\$3,950
Agency Charges						
County Counsel Charges	3329	7,000	7,000	0	0	7,000
Services from Other Dpts.	3330	2,310	2,310	5,908	9,310	2,310
COWCAP Charges	3331	4,687	4,687	7,528	7,528	7,528
GIS Services	3344	4,500	4,500	4,100	4,500	4,500
O/T Invsys	8125	0	0	0	0	0
Intra - Agency Service Received*	3530	183,728	183,728	61	138,115	178,504
Total Agency Charges		\$202,225	\$202,225	\$17,597	\$159,453	\$199,842
Contingencies	8508	\$22,903	\$22,903	\$0	\$0	\$19,984
TOTAL EXPENDITURES		\$251,934	\$251,934	28,296	\$181,923	\$242,426
Other - Government Agency Contributions	5900	180,257	180,257	180,457	180,457	169,858
Planning and Engineering Services	6120	21,677	21,677	0	10,428	22,568
Prior Year Revenue Accruals Adjustment	9999					
TOTAL REVENUES		\$201,934	\$201,934	\$180,457	\$190,885	\$192,426
NET COST		\$50,000	\$50,000	-\$152,161	-\$8,962	\$50,000
Intra - Agency Services*						
Staff Time	165,000					
Insurance	960					
Rent	11,446					
Utilities	1,098					
Intra - Agency Services	178,504					

Insurance, rent and utility costs are LAFCO's portion of building costs based on 1.51 FTEs (full time equivalent positions)

AGENCY CONTRIBUTIONS
CARRYOVER SCENARIOS

	POPULATION (Census 1/1/2013)	PERCENT OF POPULATION	13/14 CONTRIBUTION	PROPOSED 12/13 CONTRIBUTION	DIFFERENCE
CITY OF DINUBA	23,082	5.07%	\$8,606	\$8,855	-\$249
CITY OF EXETER	10,487	2.30%	\$3,910	\$4,193	-\$284
CITY OF FAMERSVILLE	10,886	2.39%	\$4,059	\$4,355	-\$297
CITY OF LINDSAY	12,376	2.72%	\$4,614	\$4,849	-\$235
CITY OF PORTERVILLE	55,490	12.18%	\$20,688	\$22,124	-\$1,436
CITY OF TULARE	61,199	13.43%	\$22,816	\$24,175	-\$1,358
CITY OF VISALIA	128,443	28.19%	\$47,887	\$50,736	-\$2,850
CITY OF WOODLAKE	7,665	1.68%	\$2,858	\$2,957	-\$100
COUNTY OF TULARE	145,971	32.04%	\$54,421	\$58,012	-\$3,591

TOTAL	455,599	100.00%	\$169,858	\$180,257	-\$10,399
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(794) LINE 5900 \$169,858

AGENCY CONTRIBUTIONS
CARRYOVER SCENARIOS

Contribution History

		FY				FY	FY	FY	FY		FY	FY	
	FY 2001/02	2002/03	FY 2003/04	FY 2004/05	FY 2005/06	2006/07	2007/08	2008/09	2009/10	FY 2010/11	2011/12	2012/13	FY 2013/14
CITY OF DINUBA	\$9,838	\$6,716	\$4,325	\$3,455	\$0	\$6,584	\$8,929	\$6,904	\$6,068	\$5,235	\$4,764	\$8,855	\$8,606
CITY OF EXETER	\$5,404	\$3,627	\$2,336	\$1,873	\$0	\$3,534	\$4,850	\$3,704	\$2,788	\$2,629	\$2,295	\$4,193	\$3,910
CITY OF FAMERSVILLE	\$4,827	\$3,467	\$2,229	\$1,802	\$0	\$3,494	\$4,751	\$3,613	\$2,747	\$2,655	\$2,351	\$4,355	\$4,059
CITY OF LINDSAY	\$5,681	\$4,064	\$2,566	\$2,052	\$0	\$3,764	\$5,101	\$3,857	\$3,071	\$2,880	\$2,613	\$4,849	\$4,614
CITY OF PORTERVILLE	\$23,626	\$15,675	\$10,133	\$8,177	\$0	\$15,181	\$20,624	\$17,765	\$15,790	\$12,833	\$12,028	\$22,124	\$20,688
CITY OF TULARE	\$26,235	\$17,408	\$11,192	\$9,020	\$0	\$16,881	\$23,478	\$19,308	\$17,610	\$14,423	\$13,164	\$24,175	\$22,816
CITY OF VISALIA	\$60,715	\$36,375	\$23,674	\$19,274	\$0	\$36,694	\$50,702	\$40,643	\$37,780	\$30,487	\$27,635	\$50,736	\$47,887
CITY OF WOODLAKE	\$4,042	\$2,666	\$1,691	\$1,350	\$0	\$2,453	\$3,332	\$2,552	\$1,785	\$1,915	\$1,616	\$2,957	\$2,858
COUNTY OF TULARE	\$90,577	\$55,677	\$35,561	\$28,291	\$0	\$51,257	\$70,071	\$49,113	\$43,361	\$35,779	\$31,728	\$58,012	\$54,421
TOTAL	\$230,945	\$145,675	\$93,707	\$75,294	\$0	\$139,841	\$191,838	\$147,459	\$131,000	\$108,834	\$98,195	\$180,257	\$169,858.00
Surplus Applied	\$0	\$0	\$100,000	\$150,000	\$150,000	\$30,000	\$40,000	\$60,000	\$70,000	\$100,000	\$100,000	\$50,000	\$50,000

2013/2014 LAFCO WORK PROGRAM

Prepared by: Cynthia Echavarria
Tulare County LAFCO
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Visalia, CA 93277
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TABLE OF CONTENTS

INTRODUCTION	PAGE
Overview of LAFCO	1
Description of Region.....	1
Organization of LAFCO.....	2
LAFCO Abbreviations and Acronyms	2
 WORK ELEMENTS	
100.01 LAFCO Administration.....	3
100.02 Office Expenses / Fixed Assets.....	4
100.03 Training and Travel.....	5
101.02 Municipal Service Reviews.....	6
101.03 Cities & Special District Inventory Update	7
101.04 Sphere of Influence Updates	8
101.05 Island Annexation Program	9
101.06 Special Projects	10
102.01 LAFCO Case Processing	11
 LAFCO WORK PROGRAM SUMMARY	12

Introduction

Overview of LAFCO

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

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

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

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires each LAFCO to adopt an annual budget. The 2013-14 Work Program for the Tulare County LAFCO outlines the anticipated work to be accomplished by LAFCO during the fiscal year and is prepared to accompany the annual budget.

Description of Region

Tulare County, comprised of 12,595 km², is located in the southern portion of the San Joaquin Valley. The Valley is bounded on the west by the Coast Range and on the east by the Sierra Nevada Mountains. The Valley extends from Sacramento on the north, to the Tehachapi Mountains on the south. The San Joaquin Valley is the richest farmland in the world.

Tulare County has approximately one third of its land area in the Valley. The remaining portion is in the Sierra Nevada Mountains. This offers an abundance of scenic and recreational opportunities for residents and visitors. The land in the Valley produces a wide variety of agricultural products. Tulare County ranks first in the nation in total agricultural income.

The population of Tulare County is concentrated in the Valley area. There are eight incorporated cities, which account for 68% of the total county approximate population of 447,665 (DOF – 7/1/12). The eight cities are: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and

Woodlake. There are also numerous special districts in the county, including various Community Service Districts, Irrigation Districts, Hospital Districts, Cemetery Districts, Public Utility Districts, and Resource Conservation Districts.

Organization of LAFCO

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

LAFCO Commissioners

Juliet Allen	Public representative
Rudy Mendoza	City representative
Steve Worthley, Vice-Chair	County representative
Allen Ishida	County representative
Cameron Hamilton, Chair	City representative
Mike Ennis	Alternate, County representative
Janet Hinesly	Alternate, City representative
Dennis Mederos	Alternate, Public representative

LAFCO Executive Officer

Ben Giuliani

LAFCO Staff

Nina Dong, LAFCO Counsel
 Cynthia Echavarria, Staff Analyst
 Doreen Alvez, LAFCO Clerk
 Carrie Perez, LAFCO Clerk

LAFCO Abbreviations and Acronyms

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

LAFCO Work Program Elements

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.01 LAFCO Administration**

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

PREVIOUS WORK: This is an ongoing function of LAFCO.

PRODUCTS:

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

DISCUSSION:

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

Although the Executive Officer is a position shared with TCAG, the Executive Officer is available to perform work for the Commission at least 50% of his/her work time, and more if needed. As a result, 6 months of LAFCO E.O. time has been allocated in the LAFCO Work Program.

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

BUDGET:

Estimated staff costs:	\$54,970	(6.0 Staff Person Months)
Board Directors fees:	\$1,000	
Publications and Notices	\$2,000	
County Counsel:	\$7,000	
COWCAP Charged:	\$7,528	
Memberships:	\$3,000	
Rent	\$11,446	
Insurance	\$960	
Auditor:	\$400	
Service from Other Dept.	\$2,310	
Total:	\$90,614	
Revenue (source):	\$0	(Surplus Funds)
Revenue (source):	\$90,614	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.02 Office Expenses/Fixed Assets**

PURPOSE: To procure and manage the assets of LAFCO.

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

PRODUCTS:

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

DISCUSSION:

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

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

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

BUDGET:

Office Expense:	\$3,000	
Liability Insurance:	\$874	
Telecomm	\$465	
ADP Payroll/Personnel:	\$0	
Building Maintenance:	\$0	
Utilities:	\$1098	
Custodial Services:	\$587	
Grounds:	\$0	
Property:	\$79	
Duplicating/Printing Services:	\$500	
Mail and Courier:	\$500	
GIS/ArcView Services:	\$4,500	
Worker's Compensation	\$945	
Total:	\$12,548	
Revenue (source):		(Surplus Funds)
Revenue (source):	\$12,548	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 100 ADMINISTRATION

WORK ELEMENT: **100.03 Training and Travel**

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

PREVIOUS WORK: This is an ongoing work element.

PRODUCTS:

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

BUDGET:

Training (Commissioners & Staff):	\$3,500
Transportation/Travel (Commissioners & Staff)	\$5,750
Total:	\$9,250

Revenue (source):	\$9,250	(Surplus Funds)
Revenue (source):		(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.02 Municipal Service Reviews**

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

PRODUCTS:

1. Group 1 MSRs adopted March 2006
2. Group 2 MSRs adopted May 2006
3. Group 3 MSRs adopted March 2007
4. City of Dinuba MSR updated June 2012
5. City of Visalia MSR updated February 2013

DISCUSSION:

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

Through a contract with Omni-Means consultants, Tulare County's eight cities and 19 of the special districts were to be reviewed and MSR's presented to LAFCO in 3 groups. Group 1, consisting of Visalia, Farmersville, Tulare and surrounding districts were approved by the Commission in March 2006. Group 2, consisting of Dinuba, Woodlake and surrounding districts were approved by the Commission in May 2006. Group 3, consisting of Exeter, Lindsay and Porterville and surrounding districts were approved by the Commission in March 2007. The geographic scope of MSRs has been expanded to include developed communities within and adjacent to the subject agency's current SOL.

Due to the reduced level of casework LAFCO Staff will be able to complete the MSR updates without the use of a consultant. Thus, no funds will be allocated for consultant services for FY 13/14.

BUDGET:

Estimated staff costs:	\$45,808	(5.0 Staff Person Month)
Total:	\$45,808	
Revenue (source):		(Surplus Funds)
Revenue (source):	\$45,808	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

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

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

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

PRODUCTS: 1. Updated LAFCO Cities and Special District Inventory.

DISCUSSION: The Tulare County LAFCO Cities and Special District Inventory is a listing of the various agencies in Tulare County and provides information about each agency, including: date formed, address, phone number, contact person, functions performed, and method of financing. The Inventory also includes a brief description of each type of agency and a map depicting the agency's sphere of influence. For Community Service Districts and County Service Areas the inventory will also describe the latent powers each district was authorized to perform, but had not performed as of January 1, 2006 and January 1, 2009 (respectively). The full-published revision has been completed. However, this Work Program allocation is intended for the continual updating of contact and map information in the Inventory with a major update anticipated in FY 10/11. Some updates were made during FY 12/13.

BUDGET:

Estimated staff costs:	\$9,162	(1.0 Staff Person Months)
Total:	\$9,162	
Revenue (source):		(Surplus Funds)
Revenue (source):	\$9,162	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

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

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

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

PRODUCTS:

1. SOI Updates for the Cities of Visalia, Tulare, Porterville, Farmersville, Woodlake and Exeter are anticipated for FY 2013/2014
2. SOI Reviews (and updates as needed) for Tulare County principal districts

DISCUSSION:

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

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

By an informal understanding with the cities, this work element has been put on hold pending completion of ongoing negotiations between the cities and the County. However, some cities will be proposing projects during FY 2013/14 that require expansion of their SOI; thus, this element will be resumed in FY 2013/14. The MSR schedule in Work Element 101.02 will guide the update of agencies' spheres of influence.

BUDGET:

Estimated staff costs:	\$20,156	(2.2 Staff Person Months)
Total:	\$20,156	

Revenue (source):		(Surplus Funds)
Revenue (source):	\$18,656	(County & Cities Contribution)
Revenue (source):	\$1,500	(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.05 Island Annexation Program**

PURPOSE: To assist municipalities undertaking island annexations pursuant to GC §56375.3.

PREVIOUS WORK: 1. Assisted Cities of Porterville, Visalia and Tulare

PRODUCTS: 1. Continue to support city staff in their island annexation programs.

DISCUSSION: Amendments to CKH in 2000 provide a window for municipalities to annex county islands within their boundaries using streamlined procedures. Eligible islands must have been created prior to January 1, 2000. Up to the program expiration date of January 1, 2014, protest hearings and election procedures may be waived by LAFCo, providing that the annexing city adopt a resolution supporting the annexation, and providing the annexation application meets the criteria spelled out in GC §56375.3. To date, the Cities of Visalia, Porterville and Tulare have annexed a total of 42 islands containing 10,883 residents, 3,525 housing units and 1,683 acres of land.

BUDGET:

Estimated staff costs:	\$7,164	(0.78 Staff Person Month)
Total:	\$7,164	
Revenue (source):		(Surplus Funds)
Revenue (source):		(County & Cities Contribution)
Revenue (source):	\$7,164	(Planning & Engineering Fees)

SUBCATEGORY: 101 SPECIAL PLANNING PROJECTS

WORK ELEMENT: **101.06 Special Projects**

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

PREVIOUS WORK: Special District Financial Analysis

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

DISCUSSION:

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

The work element accounts for staff and consultant resources required to respond to the need for such special studies as may be authorized by LAFCO during the fiscal year.

BUDGET:

Estimated staff costs:	\$13,834	(1.5 Staff Person Month)
Total:	\$13,834	
Revenue (source):		(Surplus Funds)
Revenue (source):	\$13,834	(County & Cities Contribution)
Revenue (source):		(Planning & Engineering Fees)

SUBCATEGORY: 102 CASE PROCESSING

WORK ELEMENT: **102.01 LAFCO Case Processing**

PURPOSE: To process applications submitted by LAFCO.

PREVIOUS WORK: In FY 2012/13 (as of April 4), staff has processed 1 case (the Alpaugh CSD formation and Tulare County WWD #1 dissolution) and anticipates no new cases to be processed before the end of this fiscal year. The total estimated revenue is \$3,476..

PRODUCTS: This is an ongoing work element. Staff will continue to process case applications as they are submitted. For fiscal year 2013/14 staff has estimated processing 5 standard fee cases and 4 half-fee cases (island annexations) for a total estimated revenue of \$22,568.

BUDGET:

Estimated staff costs:	\$13,904	(1.51 Staff Person Months)
Total:	\$13,904	

Revenue (source):		(Surplus Funds)
Revenue (source):		(County & Cities Contribution)
Revenue (source):	\$13,904	(Planning & Engineering Fees)

LAFCO Work Program Summary

Activity Description	Work Element Number	Revenue Source and Amount					Expenditures
		Reserve Funds	Income from Other Agencies	Planning & Engineering Services	Fees Paid by County for Incorporation		
LAFCO Administration	100.01	5,000	\$85,615				\$90,614
Office Expenses / Fixed Assets	100.02		\$12,548				\$12,548
Training and Travel	100.03		\$9,250				\$9,250
Municipal Service Reviews	101.02	\$26,344	\$19,464				\$45,808
Cities & Special District Inventory Update	101.03		\$9,162				\$9,162
Sphere of Influence Updates	101.04	\$18,656		\$1,500			\$20,156
Island Annexation Program	101.05			\$7,164			\$7,164
Special Projects	101.06		\$13,834				\$13,834
LAFCO Case Processing	102.01			\$13,904			\$13,904
Subtotals	NA	\$50,000	\$149,873	\$22,568			\$222,440
Contingency	N/A		\$19,984				
TOTALS		\$50,000	\$169,857	\$22,568			\$242,424

Total Staff Person Months = 18.01

(Executive Director – 6.0; Staff Analyst – 9; Clerk - 3; Extra Help .012)

TULARE CO. LAFCO- 7-YEAR STRATEGIC WORK PROGRAM

<i>FY</i>	<i>MSR</i>	<i>SOI UPDATE</i>	<i>SPECIAL PROJECTS</i>	<i>Pending Proposals, Possible Future Projects, Annual Work Elements</i>
2013/14	Tulare, Porterville, Woodlake, Farmersville, Exeter	Tulare, Visalia, Porterville, Woodlake, Farmersville, Exeter		<i>Possible Future Projects</i> <ul style="list-style-type: none"> • Levee Districts • Traver, Seville CSD formations • Formation of Yokohl CSD & CWD • Incorporations: Goshen, Earlimart, Allensworth • Ag Mitigation Policy • Implementation of MSR's
2014/15	Lindsay, Group 1 and 2 Districts	Lindsay, Group 1 & 2 Districts		
2015/16	Group 3 Districts	Group 3 Districts		
2016/17	Tulare, Visalia, Dinuba			<i>Annual Work Elements</i> <ul style="list-style-type: none"> • Case Processing • Island Annexations • SOI Amendments • City-Special Districts Inventory • SOI Policy Update
2018/19	Porterville, Woodlake, Lindsay, Farmersville, Exeter	Tulare, Visalia, Dinuba		
2019/2020	Group 4 Districts	Porterville, Woodlake, Lindsay, Farmersville, Exeter		
2020/2021	Group 1 Districts	Tulare, Visalia, Dinuba, Porterville, Woodlake, Lindsay, Farmersville, Exeter		

In The Matter of the 2013/14)
Final Budget for the Tulare County)
Local Agency Formation Commission)

WHEREAS, Section 56381 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that on or before the 15th day of June, the Local Agency Formation Commission must prepare and transmit to the Board of Supervisors; to each city; and to the clerk and chair of the city selection committee, if any, its final budget for the following fiscal year; and

WHEREAS, this Local Agency Formation Commission on June 5, 2013, considered the fiscal year 2013/14 final budget and work program as recommended by the Executive Officer.

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

1. The final budget for fiscal year 2013/14, attached hereto as Exhibit "A", is hereby adopted.

2. The work program for fiscal year 2013/14, attached hereto as Exhibit "B", is hereby adopted.

3. The Executive Officer is hereby authorized and directed to forward said final budget to the County Auditor; to the Board of Supervisors; to each city; and to the clerk and chair of the city selection committee, if any, in accordance with the requirements of Section 56381 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

The foregoing resolution was adopted upon motion of Commissioner _____, and seconded by Commissioner _____ at a regular meeting held on this 5th day of June 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce

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

In the Matter of Cancelling the)
July 10th Commission Meeting)

RESOLUTION NO. 13-013

Upon motion of Commissioner X, seconded by Commissioner X, the regular July 10th, 2013 Commission meeting is hereby cancelled, at a regular meeting held on this 5th day of June, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

bg

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30 April 2013

CALAFCO



**2013
Board of Directors**

Chair

THEODORE NOVELLI
Amador LAFCo

Vice Chair

MARY JANE GRIEGO
Yuba LAFCo

Secretary

JOHN LEOPOLD
Santa Cruz LAFCo

Treasurer

STEPHEN TOMANELLI
Riverside LAFCo

JULIE ALLEN
Tulare LAFCo

MATTHEW BEEKMAN
Stanislaus LAFCo

ROBERT BERGMAN
Nevada LAFCo

LOUIS CUNNINGHAM
Ventura LAFCo

LARRY R. DUNCAN
Butte LAFCo

JERRY GLADBACH
Los Angeles LAFCo

JULIANA INMAN
Napa LAFCo

GAY JONES
Sacramento LAFCo

MICHAEL KELLEY
Imperial LAFCo

MICHAEL R. MCGILL
Contra Costa LAFCo

EUGENE MONTANEZ
Riverside LAFCo

JOSH SUSMAN
Nevada LAFCo

Staff

PAMELA MILLER
Executive Director

LOU ANN TEXEIRA
Executive Officer

CLARK ALSOP
Legal Counsel

MARJORIE BLOM
Deputy Executive Officer

STEPHEN LUCAS
Deputy Executive Officer

SAMUEL MARTINEZ
Deputy Executive Officer

JENI TICKLER
Executive Assistant

To: Local Agency Formation Commission
Members and Alternate Members

From: Jerry Gladbach, Chair
Board Recruitment Committee
CALAFCO Board of Directors

RE: Nominations for 2014 CALAFCO Board of Directors

Nominations are now open for the fall elections of the Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

The following offices on the CALAFCO Board of Directors are open for nominations.

<u>Northern Region</u>	<u>Central Region</u>	<u>Coastal Region</u>	<u>Southern Region</u>
County Member	City Member	City Member	County Member
District Member	Public Member	Public Member	District Member

The election will be conducted during regional caucuses at the CALAFCO annual conference prior to the Annual Membership Meeting on Thursday, August 29th, 2013 at the Resort at Squaw Creek in North Lake Tahoe, CA.

Please inform your Commission that the CALAFCO Recruitment Committee is accepting nominations for the above-cited offices until Monday, July 29th, 2013. Incumbents are eligible to run for another term. Nominations received by July 29th will be included in the Recruitment Committee's Report, copies of which will be available at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance.

Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form, or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee. ***The nomination forms and materials must be received by the CALAFCO Executive Director no later than Monday, July 29th, 2013.***

Please forward nominations to:

CALAFCO Recruitment Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1215 K Street, Suite 1650
Sacramento, California 95814
FAX: 916-442-6535

Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to info@calafco.org. Alternatively, nomination forms and materials can be mailed or faxed to the above address.

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures. Members of the 2014 CALAFCO Recruitment Committee are:

Chair - Jerry Gladbach, Los Angeles LAFCo (Southern Region)
jgladbach@calafco.org 626-204-6500

Robert Bergman, Nevada LAFCo (Northern Region)
rbergman@calafco.org 530-265-7180

Gay Jones, Sacramento LAFCo (Central Region)
gjones@calafco.org 916-874-6458

Mike McGill, Contra Costa LAFCo (Coastal Region)
mmcgill@calafco.org 925-335-1094

Elliot Mulberg, Associate Member and former CALAFCO Board Member
Mulberg@gmail.com 916-217-8393

Former CALAFCO Board Member and Associate Member Elliot Mulberg has agreed to once again assist CALAFCO with the election process. We appreciate and value his expertise. Questions about the election process can be directed to him at elliott@mulberg.com or 916-217-8393.

Please consider joining us!

Enclosures

Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF A RECRUITMENT COMMITTEE

- a. Following the Annual Membership Meeting the Board shall appoint a Committee of four members of the Board. The Recruitment Committee shall consist of one member from each region whose term is not ending.
- b. The Board shall appoint one of the members of the Recruitment Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Recruitment Committee in cooperation with the CALAFCO Executive Director.
- c. Each region shall designate a regional representative to serve as staff liaison to the Recruitment Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFcos across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

2. ANNOUNCEMENT TO ALL MEMBER LAFcos

- a. No later than three months prior to the Annual Membership Meeting, the Recruitment Committee Chair shall send an announcement to each LAFco for distribution to each commissioner and alternate. The announcement shall include the following:
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFcos listed by region.
 - iii. The dates by which all nominations must be received by the Recruitment Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFco marked "Received too late for Nominations Committee action."
 - iv. The names of the Recruitment Committee members with the Committee Chair's LAFco address and phone number, and the names and contact information for each of the regional representatives.
 - v. The address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Recruitment Committee Chair shall send an announcement to the Executive Director for distribution to each member LAFco and for publication in the newsletter and on the website. The announcement shall include the following:

Key Timeframes for Nominations Process

Days*	
90	Nomination announcement
30	Nomination deadline
14	Committee report released

*Days prior to annual membership meeting

- i. A statement clearly indicating which offices are subject to the election.
 - ii. The specific date by which all nominations must be received by the Recruitment Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Recruitment Committee action."
 - iii. The names of the Recruitment Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.
 - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

3. THE RECRUITMENT COMMITTEE

- a. The Recruitment Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Recruitment Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nominations the Recruitment Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Recruitment committee shall tally ballots at each caucus and provide the Recruitment Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Recruitment Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Member by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Annual Conference Planning Committee to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Recruitment Committee shall serve as the Presiding Officer for the purpose of the caucus election.
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Recruitment Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCOs requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCOs voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCOs voting under this provision may only vote for the candidates nominated by the Recruitment Committee.

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING

- a. The Recruitment Committee Chairman, another member of the Recruitment Committee, or the Chair's designee (hereafter called the Presiding Officer) shall:
 - i. Review the election procedure with the membership.
 - ii. Present the Recruitment Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 1. For city member.
 2. For county member.
 3. For public member.
 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 1. Name the nominees and offices for which they are nominated.
 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
 - ii. For categories where there are more candidates than vacancies, the Presiding Officer

shall:

1. Poll the LAFcos in good standing by written ballot.
2. Each LAFco in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
3. With assistance from CALAFco staff, tally the votes cast and announce the results.

iii. Election to the Board shall occur as follows:

1. The nominee receiving the majority of votes cast is elected.
2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election.
3. In case of tie votes:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.
 - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
 - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
 - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Recruitment Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFco may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFco

Board Members and candidates who lose elections in their home office shall notify the Executive

Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

These policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007, 8 February 2008, 13 February 2009, 12 February 2010, 18 February 2011, and 29 April 2011. They supersede all previous versions of the policies.

CALAFCO Regions



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

In the Matter of LAFCO's)

Nomination of Juliet Allen to the)

RESOLUTION NO. 13-011

CALAFCO Board of Directors)

WHEREAS, the California Association of LAFCOs (CALAFCO), through a majority vote of its member LAFCOs, amended its bylaws in order to enable the selection of its Board of Directors on a regional basis; and

WHEREAS, Commissioner Juliet Allen is currently serving as the CALAFCO Central Region Public Representative board member for the term ending August 29th, 2013; and

WHEREAS, CALAFCO's Recruiting Committee is seeking nominations for the office of Central Region Public Representative board member, among others; and

WHEREAS, Commissioner Allen expressed her interest in seeking reelection as the Central Region Public Representative for a two-year term beginning on August 29th, 2013.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED AS
FOLLOWS:**

Tulare County LAFCO hereby nominates Commissioner Juliet Allen to the office of CALAFCO Central Region Public Representative Board Member.

The forgoing resolution was adopted upon motion of Commissioner X, seconded by Commissioner X, at a regular meeting held on this 5th day of June 2013, by the following vote:

AYES:

NOES:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

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

In the Matter of Appointing a Voting)
Delegate and Alternate Voting Delegate)
To the 2013 CALAFCO Business Meeting)

RESOLUTION NO. 13-012

Upon motion of Commissioner X, seconded by Commissioner X, Commissioner X and Commissioner X are hereby appointed as the Voting Delegate and Alternate Voting Delegate, respectively, to the 2013 Annual CALAFCO Business meeting, at a regular meeting held on this 5th day of June 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

bg

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

In the Matter of LAFCO Ad-Hoc)

Personnel Recommendation)

RESOLUTION NO. 13-014

WHEREAS, Government Code Section 56375 (k) authorizes LAFCO to appoint and assign staff and contract for professional services to carry out and effect the functions of the Commission; and

WHEREAS, on March 3, 2010, this Commission approved the LAFCO/TCAG staff services agreement to be effective on July 1, 2010 (Resolution 10-012); and

WHEREAS, Benjamin Giuliani was selected by this Commission to be the Executive Officer on June 9, 2010 to be effective on July 1, 2010 (Resolution 10-013); and

WHEREAS, a review of the performance of the Executive Officer is to be conducted at least once every fiscal year by the Commission; and

WHEREAS, an Ad-Hoc committee composed of Commissioners Ishida and Worthley recommends compensation changes for the LAFCO Executive Officer of 5%, from \$88,000 annually to \$92,400 annually (Band Width: \$71,240 - \$106,860) with an effective date to be determined by the commission.

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

1. The Executive Officer salary compensation is increased, as recommended by the Ad-Hoc committee, by 5% from \$88,000 to \$92,400 (Band Width: \$71,240 - \$106,860).

2. The effective date of the compensation change is <date>.

The foregoing resolution was adopted upon motion of Commissioner xx, and seconded Commissioner xx, at a regular meeting held on this 5th day of June, 2013, by the following vote:

AYES:

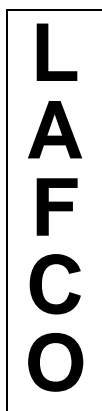
NOES:

ABSTAIN:

PRESENT:

ABSENT:

Benjamin 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:

*Cameron Hamilton, Chair
Steve Worthley, V-Chair
Rudy Mendoza
Allen Ishida
Juliet Allen*

ALTERNATES:

*Mike Ennis
Dennis Mederos
Janet Hinesly*

EXECUTIVE OFFICER:

Ben Giuliani

June 5, 2013

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

FROM: Cynthia Echavarria, LAFCO Staff Analyst

SUBJECT: Response to the American Farmland Trust (AFT) entitled "*Saving Farmland, Growing Cities*"

This report is written in response to an article published by the American Farmland Trust (AFT) entitled "*Saving Farmland, Growing Cities*" January 2013. The AFT report indicates that the San Joaquin Valley's best farmland is progressively being consumed by urbanization. It identifies a need for local governments to track conversion of agricultural land, and reviews suggested strategies for conserving farmland in the San Joaquin Valley. It identifies 6 objectives to address the conversion of farmland and offers specific performance measures to minimize or prevent loss of farmland and promote sustainability. The six objectives that address key farmland conservation challenges are: (1) Avoid development of high quality farmland (2) Minimize farmland loss with more efficient development (3) Ensure stability at the urban edge (4) Minimize rural residential development (5) Mitigate the loss of farmland with conservation easements (6) Encourage a favorable agricultural business climate.

Staff will attempt to provide an overview of the policies and procedures used by the County to prevent the conversion of prime farm land to other non-agricultural uses, look at the effectiveness of the policies and procedures in preserving agricultural land and maximizing production.

Attached is a list of Tulare County Policies and Procedures that are identified in the 2030 Tulare County General Plan Update. The table pinpoints how the County works to meet the six objectives identified in the AFT report. The table is not an all-inclusive list and specific policies and procedures may overlap objectives. Also included is comparison of the Regional Blue Print's principles, concepts and goals to the County's General Plan's policies. Staff will return at a later date with a report on how effective these policies have been in conserving agricultural land and assisting in the efficiency of agricultural production.

The Farmland Mapping and Monitoring Program (FMMP) produces maps and a biannual statistical report used to monitor the amount of land converted from agricultural to non-agricultural use. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

The conversion of important farmlands is the result of a number of activities. Included in this report is a table that identifies these types of activities and provides acreage amounts of farmland converted by two-year period. Attached is the Farmland Mapping and Monitoring Program biannual report 2008 to 2010. As shown in the report from 2008 to 2010 only 725 acres of important farmlands was converted into urban uses during the most recently reported period. Since 1998, the conversion of important farmlands to urban uses has fluctuated from 7% to 14% of all important farmland conversions to other uses (historical figures will be reported back to the Commission at the next meeting). These changes to urban lands have typically occurred around established cities, communities, and hamlets.

The majority of important farmland conversions includes the reclassification of classified lands (for example: the conversion of irrigated farming to non-irrigated farming or grazing, prolonged fallow land, expansion of existing livestock facilities, or developing new livestock facilities). Other contributors that have resulted in the increase or decrease in farmland acreages consist of new soil mapping data available in 2000, improvements to digital imagery, new or expanded agricultural related uses (e.g., packing facilities, agricultural staging areas, etc.), expanded conservation areas, and new rural residential and commercial land uses. While the conversion of lands classified as "Grazing Lands", "Other Lands", and "Urban and Built-Up Lands" to the important farmland categories do occur, these conversions generally constitute a smaller percentage of the overall conversion of important farmlands.

TABLE A-44
TULARE COUNTY
2008-2010 Land Use Conversion

CALIFORNIA DEPARTMENT OF CONSERVATION
Division of Land Resource Protection

Farmland Mapping and Monitoring Program

PART I
County Summary and Change by Land Use Category

LAND USE CATEGORY	TOTAL ACREAGE INVENTORIED		2008-10 ACREAGE CHANGES			
	2008	2010	ACRES LOST (-)	ACRES GAINED (+)	TOTAL ACREAGE CHANGED	NET ACREAGE CHANGED
Prime Farmland	375,119	370,249	6,071	1,201	7,272	-4,870
Farmland of Statewide Importance	327,204	323,599	6,606	3,001	9,607	-3,605
Unique Farmland	11,919	11,593	545	219	764	-326
Farmland of Local Importance	150,193	154,550	4,280	8,637	12,917	4,357
IMPORTANT FARMLAND SUBTOTAL	864,435	859,991	17,502	13,058	30,560	-4,444
Grazing Land	439,851	440,042	246	437	683	191
AGRICULTURAL LAND SUBTOTAL	1,304,286	1,300,033	17,748	13,495	31,243	-4,253
Urban and Built-up Land	57,947	59,944	93	2,090	2,183	1,997
Other Land	218,980	221,236	1,144	3,400	4,544	2,256
Water Area	4,656	4,656	0	0	0	0
TOTAL AREA INVENTORIED	1,585,869	1,585,869	18,985	18,985	37,970	0

PART II
Land Committed to Nonagricultural Use

LAND USE CATEGORY	TOTAL ACREAGE 2010
Prime Farmland	159
Farmland of Statewide Importance	29
Unique Farmland	1
Farmland of Local Importance	304
IMPORTANT FARMLAND SUBTOTAL	493
Grazing Land	97
AGRICULTURAL LAND SUBTOTAL	590
Urban and Built-up Land	0
Other Land	157
Water Area	0
TOTAL ACREAGE REPORTED	747

PART III Land Use Conversion from 2008 to 2010

LAND USE CATEGORY	Prime Farmland	Farmland of Statewide Importance	Unique Farmland	Farmland of Local Importance	Subtotal Important Farmland	Grazing Land	Total Agricultural Land	Urban and Built-up Land	Other Land	Water Area	Total Converted To Another Use
Prime Farmland (1)(2)	to: --	4	19	3,146	3,169	4	3,173	1,450	1,448	0	6,071
Farmland of Statewide Importance (1)(2)	to: 4	--	14	5,217	5,235	0	5,235	196	1,175	0	6,606
Unique Farmland	to: 7	1	--	166	174	236	410	7	128	0	545
Farmland of Local Importance (3)	to: 836	2,479	46	--	3,361	129	3,490	325	465	0	4,280
IMPORTANT FARMLAND SUBTOTAL	847	2,484	79	8,529	11,939	369	12,308	1,978	3,216	0	17,502
Grazing Land	to: 0	0	90	29	119	--	119	2	125	0	246
AGRICULTURAL LAND SUBTOTAL	847	2,484	169	8,558	12,058	369	12,427	1,980	3,341	0	17,748
Urban and Built-up Land (4)	to: 12	7	0	15	34	0	34	--	59	0	93
Other Land	to: 342	510	50	64	966	68	1,034	110	--	0	1,144
Water Area	to: 0	0	0	0	0	0	0	0	0	--	0
TOTAL ACREAGE CONVERTED	to: 1,201	3,001	219	8,637	13,058	437	13,495	2,090	3,400	0	18,985

(1) Conversions to Farmland of Local Importance due to land left idle for three or more update cycles and the expansion of Confined Livestock facilities.

(2) Conversions to Other Land primarily due to the addition of wetlands near Angiola, low-density housing and land graded for development.

(3) Conversion to irrigated farmland categories largely due to the addition of irrigated crops and orchards, scattered throughout the county.

(4) Conversion from Urban and Built-up Land is primarily due to lack of sufficient infrastructure and the use of detailed digital imagery to delineate more distinct urban boundaries.

TULARE COUNTY

2008-2010 Rural Land Use Data

CALIFORNIA DEPARTMENT OF CONSERVATION

Division of Land Resource Protection

Farmland Mapping and Monitoring Program

PART I

Rural Land Use Summary

LAND USE CATEGORY	ACREAGE INVENTORIED		ACREAGE CHANGED	PERCENT CHANGE
	2008	2010		
Rural Residential Land	19,676	20,710	1,034	5.3%
Semi-agricultural and Rural Commercial	5,603	5,623	20	0.4%
Confined Animal Agriculture	23,217	23,965	748	3.2%
Vacant or Disturbed Land	9,538	10,496	958	10.0%
Nonagricultural and Natural Vegetation	184,163	184,407	244	0.1%
TOTAL AREA INVENTORIED (1)	242,197	245,201	3,004	1.2%

PART II

Conversions to Rural Land Uses, 2008 to 2010

LAND USE CATEGORY		Rural Residential Land	Semi-agricultural and Rural Commerical	Confined Animal Agriculture	Vacant or Disturbed Land	Nonagricultural and Natural Vegetation
Prime Farmland	to:	460	79	324	880	29
Farmland of Statewide Importance	to:	337	64	398	91	683
Unique Farmland	to:	61	2	0	41	24
IRRIGATED FARMLAND SUBTOTAL	to:	858	145	722	1,012	736
Farmland of Local Importance	to:	281	35	56	84	61
Grazing Land	to:	63	0	9	6	56
AGRICULTURAL LAND TOTAL	to:	1,202	180	787	1,102	853
Urban and Built-up Land	to:	0	21	0	35	3
Other Rural Land Uses (2)	to:	133	35	6	138	12
TOTAL LAND CONVERTED TO RURAL USES		1,335	236	793	1,275	868

PART III

Conversions From Rural Land Uses, 2008 to 2010

LAND USE CATEGORY		Urban and Built-up Land	Irrigated Farmland	Farmland of Local Importance and Grazing	Other Rural Land Uses (2)
Rural Residential Land	to:	14	204	54	29
Semi-agricultural and Rural Commercial	to:	16	47	30	123
Confined Animal Agriculture	to:	9	32	0	4
Vacant or Disturbed Land	to:	70	182	15	50
Nonagricultural and Natural Vegetation	to:	10	469	27	118
TOTAL LAND CONVERTED FROM RURAL USES		119	934	126	324

(1) Total Area Inventoried for Rural Land Use categories in Tulare County is equal to that of Other Land plus that of Confined Animal Agriculture. The confined animal agriculture facilities are a component of the county's Farmland of Local Importance definition.

(2) These statistics represent shifts from one Rural Land Use category to another.

**California Department of Conservation
FARMLAND MAPPING AND MONITORING PROGRAM**

2010 FIELD REPORT

COUNTY: Tulare

FIELD MAPPER(S): Amy Klug

IMAGE DATA USED:

Source	National Agriculture Imagery Program (NAIP)
Acquisition date	Summer 2009
Data description	1 meter resolution, true color mosaic
Coverage gaps	
Additional imagery used	Google Maps

WRITTEN, DIGITAL & ORAL INFORMATION SOURCES:

The following entities and individuals provided information used to conduct 2010 mapping.

Local Review Comments (submitted by cities, counties, & others on 2008 maps)
Bill Geyer, Consulting and Advocacy in California Government, geyerw@pacbell.net.
Personal Contacts
Websites Used for Reference
GIS Data Used for Reference

2008-2010 CHANGE SUMMARY:

Changes made during the map update are summarized by type and location. Particular attention is paid to large or unusual changes and their estimated acreages. Please note that land use type, size of land use unit, soil quality, and Farmland of Local Importance definition (if any) determines the final Important Farmland (IFL) category. [See definitions](#) at bottom of table.

Conversions to Urban Land	
Irrigated Farmland to Urban Land	35 changes
In the north west portion of the county (Dinuba and surrounding areas), approximately 350 acres converted to Urban due to the addition of new homes, the Ridge Creek Dinuba Golf Course, a water treatment plant expansion, and a school was expanded.	
Visalia, Tulare and surrounding areas had the most acres converted (~965 acres) in the county. Visalia added new homes, an Orchard Supply Hardware and Lowes shopping center, the Ashley Grove Housing Development, and the Visalia Riverway Sports Park (~450 acres total). Another large change occurred east of Tulare where new homes were	

added (≈110 acres). Other notable changes: Mission Oak High School (≈60 acres), Woodbridge Homes Development (≈70 acres), and the Impressions at Willow Creek development (≈30 acres).

In the vicinity of Porterville, approximately 135 acres of urban were delineated. New homes and a school were added. Also, the Strathmore High School had an approximately 20 acre expansion.

Lastly, near Earlimart and Pixley a school (≈15 acres), distribution center (≈10 acres) and evaporation ponds (≈20 acres) were noted.

Nonirrigated Land Uses and Other Land to Urban Land	18 changes
--	-------------------

In the Rural Land categories, a school was noted on Semi-agricultural and Commercial Land (≈10 acres), a distribution center was added on Vacant Land south of Ivanhoe (≈10 acres) as were parking lots south east of Goshen (≈10 acres).

The Porterville Development Center expanded ≈20 acres on non-irrigated grain (a Farmland of Local Importance category).

Conversion to Grazing Land (Farmland of Local Importance if on Prime or Statewide soils) included new commercial buildings added near Dinuba (≈10 acres), new homes in the vicinity of Woodlake (≈15 acres), new homes, a shopping center, the Annie Mitchell Elementary School, and a Honda dealership around the Ambler and Tulare areas (≈125 acres), new homes in north Lindsay, and scattered around Porterville, new homes and retail were added (≈55 acres).

Conversions from Irrigated Farmland aside from urbanization
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Irrigated Farmland to Nonirrigated Land Uses	227 changes
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Conversions to nonirrigated grains (Farmland of Local Importance) occurred near Dinuba (≈20 acres), Lindcove (≈75 acres), Visalia (≈30 acres), Woodville (≈10 acres), Terra Bella (≈150 acres) and Allensworth (≈315 acres).

Confined Livestock and Grazing Land (on Prime or Statewide Soils) appear as Farmland of Local Importance on Tulare County's IFL 2010 Map. Fallow farmland on Prime or Statewide Soils for three or more update cycles led to conversions to Farmland of Local Importance which were scattered throughout the county (≈7,640 acres total). There were several changes which were over 100 acres. With the exception of one, all of the changes over 100 acres occurred close to Alpaugh (≈2,235 acres); The single change was located up near Woodlake (≈115 acres). Confined Livestock expansions occurred near the west central portion of the county in the vicinity of Tulare, Woodville, Angiola, Waukena, and Pixley (≈600 acres total).

Irrigated Farmland to Other Land	109 changes
<p>Conversion to Rural Land Categories:</p> <p><u>Natural Vegetation:</u> A large ≈630 acre change, near Angiola, was due to farmland that was fallow and had the appearance of wetlands for three updates. Another conversion to wetlands occurred south of Alpaugh (≈50 acres).</p> <p><u>Vacant Land:</u> 4 small changes occurred in the south west corner of the county, the first near Angiola (≈20 acre agricultural pond), the second north of Pixley near Quail (≈10 acres of fallow land that is graded for development), the third south of Earlimart (≈20 acre conversion due to an agricultural pond), and the fourth slightly south east of Waukena (≈30 acre water control structure). In the vicinity of Visalia and Tulare, most of the conversions were due to fallow farmland for three or more update cycles which were also graded for development (≈780 acres). There were also changes near Porterville (4 changes, ≈75 acres total) and Lindsay (1 change, ≈30 acres) where land had been fallow and graded for development.</p> <p><u>Semi-agricultural Commercial:</u> Most of these changes were less than 10 acres and scattered throughout the western side of the county and due to the addition of farmsteads (≈120 acres total).</p> <p><u>Rural Residential:</u> Rural residential housing was added near Farmersville, Ivanhoe, and Lindcove (≈190 acres), Visalia and Tulare (≈100 acres), Dinuba (≈95 acres), Porterville (≈75 acres), Magnolia and Globe (≈180 acres), and Earlimart (≈10 acres).</p>	
Conversions to Irrigated Farmland	
Nonirrigated Land Uses and Other Land to Irrigated Farmland	91 changes
<p>Conversion from Rural Land Categories (Other Land):</p> <p><u>Natural Vegetation:</u> Irrigated crops including vines and orchards were added near Allensworth (≈260 acres), Porterville (≈90 acres), Lindsay (≈15 acres), Farmersville (≈10 acres), and Waukena (≈75 acres).</p> <p><u>Vacant Land:</u> There were new crops added near Ivanhoe (≈30 acres), Porterville (≈25 acres), and Earlimart (≈90 acres).</p> <p><u>Semi-agricultural and Commercial:</u> There were 2 small changes approximately 10 acres in size which occurred in the vicinity of Strathmore and Dinuba.</p> <p><u>Rural Residential:</u> Most of these changes were due to orchards that were noted on ranchettes and were located close to Farmersville and Lindsay (≈40 acres), Dinuba (≈30 acres), and Terra Bella (≈10 acres).</p> <p>Conversion to row crops (≈1,110 acres) accounted for the majority of acres converting out of Farmland of Local Importance and into Irrigated Farmland categories; followed by orchards (≈705 acres), vines (≈180 acres), and lastly irrigated pasture (≈165 acres). The conversions were pretty evenly scattered throughout the west side of the survey area. Approximate locations for changes were determined to have occurred in the vicinity of Dinuba, Monson and Wimp (≈220 acres), Ivanhoe, Woodlake and Lindcove (≈155 acres), Farmersville, Lindsay and Portersville (≈535 acres), Terra Bella, Ducor, and Richgrove</p>	

(≈364 acres), and lastly Allensworth, Earlimart, and Pixley (≈915 acres).

Lastly, there were conversions from nonirrigated grain, which appears as Farmland of Local Importance on the Tulare County IFL Map, to Irrigated Farmland. These changes occurred near Monson (≈18 acres), Tonyville (≈25 acres), Zante (≈25 acres), and Terra Bella (≈1,035 acres, majority vines)

Unusual Changes

(Types of change not already described or special circumstances during the 2010 update.)

Nonirrigated Land uses to Other Land: There were 37 conversions to Other Land. The Majority of these changes were due to low-density housing (ranchettes). These changes occurred near Visalia and Lindcove (≈90 acres), Dinuba (≈45 acres), Porterville, Plano and Terra Bella (≈230 acres) and Alpaugh and Pixley (≈20 acres).

Changes between Irrigated Farmland Categories: There were 3 small conversions between irrigated farmland categories. These changes were due to the identification of new nonirrigated orchards and potted plant nurseries. Potted plant nurseries and nonirrigated orchards are considered Unique Farmland regardless of the underlying soil. These changes may result in conversions between Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.

Conversions from Urban Land: There were 6 conversions from Urban Land. Urban Land was converted to irrigated farmland and Other Land due to improved digital imagery that allowed for the delineation of more distinct urban boundaries.

Areas of Concern for Future Updates

(Locations or map categories noted as needing careful checking during 2012 update, and reasons.)

Definitions:

Irrigated Farmland includes most irrigated crops grown in California. When combined with soil data, these farmed areas become the Important Farmland (IFL) categories of Prime Farmland, Farmland of Statewide Importance & Unique Farmland. Because of the nature of the IFL definitions, some irrigated uses, such as irrigated pastures or nurseries, may not be eligible for all three IFL categories.

Nonirrigated land uses include grazing areas, land used for dryland crop farming, and formerly irrigated land that has been left idle for three or more update cycles. These uses are frequently incorporated into county Farmland of Local Importance definitions.

Other Land includes a variety of miscellaneous uses, such as low density rural residential development, mining areas, vacant areas and nonagricultural vegetation. Confined animal agriculture facilities are mapped as Other Land unless incorporated into a county Farmland of Local Importance definition.

Urban Land includes residential, industrial, recreational, infrastructure and institutional uses.

For more on map categories, including Farmland of Local Importance definitions, visit the [FMMP web site](#).

LABOR ESTIMATE:

Time estimates for conducting the 2010 update.

Image interpretation, start date	August 11, 2010
Image interpretation, number of days	27 days
Ground truth dates	November 29-December 3, 2010
Number of days for post-ground truth clean up	4 days

Further information on the Farmland Mapping and Monitoring Program can be found at:

<http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>

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CALAFCO Daily Legislative Report as of Tuesday, May 28, 2013

1

[AB 453](#) ([Mullin D](#)) **Sustainable communities.**

Current Text: Introduced: 2/19/2013 [pdf](#) [html](#)

Introduced: 2/19/2013

Status: 5/24/2013-From committee: Do pass. (Ayes 16. Noes 0.) (May 24). Read second time. Ordered to third reading.

Calendar: 5/28/2013 #193 ASSEMBLY ASSEMBLY THIRD READING FILE

Summary: The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

Position: Sponsor

Subject: Sustainable Community Plans

CALAFCO Comments: This would allow LAFcos to apply directly for grants that support the preparation of sustainable community strategies and other planning efforts.

[AB 678](#) ([Gordon D](#)) **Health care districts: community health needs assessment.**

Current Text: Amended: 4/15/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/15/2013

Status: 5/23/2013-In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

Position: Support

Subject: LAFco Administration, Service Reviews/Spheres

CALAFCO Comments: This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFcos to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

[AB 743](#) ([Logue R](#)) **The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.**

Current Text: Amended: 4/3/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/3/2013

Status: 5/9/2013-Referred to Com. on GOV. & F. 6/5/2013 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes a local agency formation commission to approve, after notice and hearing, a petition for a change of organization or reorganization of a city, if the petition was initiated on or after January 1, 2010, and before January 1, 2014, and waive protest proceedings entirely if certain requirements are met. This provision applies only to territory that does not exceed 150 acres. This Bill would delete the January 1, 2014, date and make conforming changes. This bill contains other related provisions and other existing laws.

Position: Support

Subject: Annexation Proceedings, CKH General Procedures

CALAFCO Comments: As amended, this bill removes the sunset date provision to waive protest proceedings for certain island annexations. The size of the island areas for the purposes of annexation under this provision has been amended back to 150 acres.

Unincorporated islands are more costly and inefficient for counties to administer as opposed to the local municipality. A sunset date was initially established on this ability to encourage the use of the provision and was extended to allow cities and LAFCOs additional time to implement island annexation programs. The unforeseen economic downturn over the past five years has significantly hampered the initial progress, and with the sunset ready to expire at the beginning of next year, cities and LAFCOs have yet to complete the work that the law intended them to do. Over the twelve year period since the law was established, hundreds of islands have been annexed, yet hundreds more remain.

Additionally, the bill was amended to reset the effective island creation date from January 1, 2000 to January 1, 2014 thus allowing smaller islands of less than 150 acres created after 2000 to be annexed under these provisions. Many of these current islands remained as remnants of larger substantially surrounded island areas that had irregular boundaries or were affected by the annexation of territory for newer development.

[AB 1427](#) (Committee on Local Government) Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Current Text: Amended: 4/30/2013 [pdf](#) [html](#)

Introduced: 4/1/2013

Last Amended: 4/30/2013

Status: 5/16/2013-In Senate. Read first time. To Com. on RLS. for assignment.

Summary: For purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, existing law defines an independent district or independent special district to include any special district having a legislative body all of whose members are elected by registered voters and landowners within the district, or whose members are appointed to fixed terms. This bill would specify that the definition excludes any independent special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. This bill contains other related provisions and other existing laws.

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: Cortese-Knox-Hertzberg Omnibus bill.

[SB 56](#) (Roth D) Local government finance: vehicle license fee adjustments.

Current Text: Amended: 4/23/2013 [pdf](#) [html](#)

Introduced: 1/7/2013

Last Amended: 4/23/2013

Status: 5/1/2013-Set, second hearing. Hearing canceled at the request of author.

Summary: Would, for the 2013-14 fiscal year, provide for a new vehicle license fee adjustment amount, as specified. This bill would also, for the 2013-14 fiscal year and for each fiscal year thereafter, provide for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates revenues through ERAF (backfilled by the state general Fund) for cities incorporating after 2005 and annexations of inhabited territories.

[AB 21](#) ([Alejo D](#)) Safe Drinking Water Small Community Emergency Grant Fund.

Current Text: Amended: 2/14/2013 [pdf](#) [html](#)

Introduced: 12/3/2012

Last Amended: 2/14/2013

Status: 5/28/2013-Action From THIRD READING: Read third time. Passed Assembly to SENATE.

Calendar: 5/28/2013 #161 ASSEMBLY ASSEMBLY THIRD READING FILE

Summary: Would authorize the Department of Public Health to assess a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and deposit that money into the Safe Drinking Water Small Community Emergency Grant Fund, which the bill would create in the State Treasury. The bill would authorize the department to expend the money for grants for specified water projects that serve disadvantaged and severely disadvantaged communities, thereby making an appropriation.

Position: Watch

Subject: Disadvantaged Communities

[AB 37](#) ([Perea D](#)) Environmental quality: California Environmental Quality Act: record of proceedings.

Current Text: Amended: 3/18/2013 [pdf](#) [html](#)

Introduced: 12/3/2012

Last Amended: 3/18/2013

Status: 5/28/2013-Action From THIRD READING: Read third time. Passed Assembly to SENATE.

Calendar: 5/28/2013 #163 ASSEMBLY ASSEMBLY THIRD READING FILE

Summary: Would require, until January 1, 2017, for specified projects or upon the request of a project applicant and the consent of the lead agency, that the lead agency among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects. Because the bill would require, for specified projects, a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

[AB 115](#) ([Perea D](#)) Safe Drinking Water State Revolving Fund.

Current Text: Introduced: 1/14/2013 [pdf](#) [html](#)

Introduced: 1/14/2013

Status: 5/2/2013-Referred to Com. on E.Q.

Summary: Would authorize the State Department of Public Health to fund projects, by grant, loan, or a combination of the two, where multiple water systems apply for funding as a single applicant for the purpose of consolidating water systems or extending services to households relying on private wells, as specified. The bill would authorize funding of a project to benefit a disadvantaged community that is not the applying agency. By authorizing the use of a continuously appropriated fund for new purposes, this bill would make an appropriation. This bill contains other existing laws.

Position: Watch

Subject: Water

[AB 543](#) ([Campos D](#)) California Environmental Quality Act: translation.

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 5/24/2013

Status: 5/28/2013-Action From SECOND READING: Read second time. To THIRD READING.

Calendar: 5/28/2013 #49 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: Requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 5% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

[AB 1235](#) ([Gordon D](#)) Local agencies: financial management training.

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/24/2013

Status: 5/28/2013-Action From SECOND READING: Read second time. To THIRD READING.

Calendar: 5/28/2013 #96 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: Would require that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, all local agency officials, except a member whose term of office ends before January 1, 2015, in local agency service as of January 1, 2014, or thereafter receive training in financial management, as specified. This bill would provide that if any entity develops criteria for the financial management training, then the Treasurer's office and the Controller's office shall be consulted regarding any proposed course content. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, the member shall receive one-4 hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCo Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties.

[AB 1248](#) ([Cooley D](#)) Controller: internal control guidelines applicable to local agencies.

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/24/2013

Status: 5/28/2013-Action From SECOND READING: Read second time.To THIRD READING.

Calendar: 5/28/2013 #98 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: Would require the Controller, on or before January 1, 2015, to develop internal control guidelines applicable to a local agency, as defined, to prevent and detect financial errors and fraud, based on specified standards and with input from any local agency and organizations representing the interests of local agencies. This bill would require the Controller to, by the same date, post the completed internal control guidelines on the Controller's Internet Web site and update them, as he or she deems necessary , as specified .

Position: None at this time

Subject: LAFCo Administration

[SB 181](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/6/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Status: 5/9/2013-Referred to Com. on L. GOV.

Calendar: 6/12/2013 1:30 p.m. - State Capitol, Room 444 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary: This bill would enact the First Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position: Support

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

[SB 182](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/6/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Status: 5/9/2013-Referred to Com. on L. GOV.

Calendar: 6/12/2013 1:30 p.m. - State Capitol, Room 444 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary: This bill would enact the Second Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position: Support

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

[SB 183](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/6/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Status: 5/9/2013-Referred to Com. on L. GOV.

Calendar: 6/12/2013 1:30 p.m. - State Capitol, Room 444 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary: This bill would enact the Third Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Support

CALAFCO Comments: One of three acts which validate the boundaries of all local agencies.

[SB 617](#) (Evans D) California Environmental Quality Act.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 4/1/2013

Status: 5/28/2013-Action From SECOND READING: Read second time and amended.To THIRD READING.

Calendar: 5/28/2013 #53 SENATE SENATE BILLS-SECOND READING FILE

Summary: Would require specified notices to be filed with both the Office of Planning and Research and the county clerk and be posted by county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: This bill makes a number of substantive changes including:(1)expanding the definition of “environment” relating to an EIR such that the health and safety of people affected by the physical conditions at the location of a project must also be considered;(2)enhances the definition of “significant effect on the environment” by including exposure of people, either directly or indirectly, to substantial existing or reasonably foreseeable natural hazard or adverse condition of the environment;(3)requires concurrent online filing of notices in a database maintained by the Office of Planning and Research (OPR), and with the office of the County Clerk in which the project is located. Further, any time periods or limitation periods will begin at the time of the later filing of the two offices.(4)Adds to the EIR a requirement to address any significant effects that may result from locating development near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.

3

AB 380 (Dickinson D) California Environmental Quality Act: notice requirements

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/14/2013

Last Amended: 5/24/2013

Status: 5/28/2013-Action From SECOND READING: Read second time.To THIRD READING.

Calendar: 5/28/2013 #32 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: Would require an environmental impact report (EIR) and a mitigated negative declaration on a project to be filed with both the Office of Planning and Research and the county clerk and be posted by the county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

AB 792 (Mullin D) Local government: open meetings.

Current Text: Amended: 5/6/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 5/6/2013

Status: 5/23/2013-Referred to Com. on GOV. & F.

Summary: The Ralph M. Brown Act requires that the agenda or notice of both regular and special meetings be freely accessible to members of the public, and be posted on the local agency's Internet Web site, if the local agency has one. This bill, if the local agency is unable to post the agenda or notice on its Internet Web site because of software, hardware, or network services impairment beyond the local agency's reasonable control, would specify that the local agency may conduct the meeting as long as the legislative body meets specified requirements, including, among other things, posting the agenda or notice immediately upon resolution of the technological problems, as specified. This bill contains other related provisions and other existing laws.

Position: None at this time

Subject: Public Records Act

CALAFCO Comments: Relates to public agencies who post their meeting information on their website pursuant to the Ralph M. Brown Act. In the instances where they are unable to post the agenda on the website in the prescribed timeframe due to technology difficulties, the agency is required to post the meeting agenda and information on the website as soon as the technological difficulties are resolved.

SB 184 (Committee on Governance and Finance) Local government: omnibus bill.

Current Text: Amended: 4/9/2013 [pdf](#) [html](#)

Introduced: 2/6/2013

Last Amended: 4/9/2013

Status: 5/16/2013-Referred to Com. on L. GOV.

Summary: Current law, the Public Cemetery District Law, defines the term "family member" for purposes of that law to include, among others, a person's spouse. This bill would additionally include within the definition of "family member" a person's domestic partner, and would define the term "domestic partner," as specified. This bill contains other related provisions and other current laws.

Position: None at this time

[SB 268](#) ([Gaines R](#)) Political Reform Act of 1974.

Current Text: Amended: 3/18/2013 [pdf](#) [html](#)

Introduced: 2/13/2013

Last Amended: 3/18/2013

Status: 4/25/2013-Set, first hearing. Hearing canceled at the request of author.

Summary: The Political Reform Act of 1974 requires candidates and committees to file specified campaign finance reports, including semiannual statements, preelection statements, supplemental preelection statements, and late contribution reports, that include prescribed campaign finance information. This bill would repeal the requirements to file these reports and would, instead, require that a candidate or committee who makes or receives a contribution of \$100 or more to report that contribution to specified filing officers within 24 hours of receiving the contribution. This bill contains other related provisions and other existing laws.

Position: Watch

[SB 359](#) ([Corbett D](#)) Environment: CEQA exemption: housing projects.

Current Text: Amended: 4/1/2013 [pdf](#) [html](#)

Introduced: 2/20/2013

Last Amended: 4/1/2013

Status: 5/16/2013-In Assembly. Read first time. Held at Desk.

Summary: CEQA also 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. This bill would instead exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: This bill would exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project.

[SB 436](#) ([Jackson D](#)) California Environmental Quality Act: notice.

Current Text: Amended: 4/3/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Last Amended: 4/3/2013

Status: 5/28/2013-Action From THIRD READING: Read third time.Passed Senate to ASSEMBLY.

Calendar: 5/28/2013 #98 SENATE SENATE BILLS-THIRD READING FILE

Summary: Would require a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: Requires lead agencies to conduct at least one public scoping meeting for proposed projects and increases notification requirements for lead agencies.

[SB 633](#) ([Pavley D](#)) CEQA.

Current Text: Amended: 5/6/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/6/2013

Status: 5/24/2013-Read second time. Ordered to third reading.

Calendar: 5/28/2013 #185 SENATE SENATE BILLS-THIRD READING FILE

Summary: The California Environmental Quality Act prohibits a lead agency or responsible agency from requiring a subsequent or supplemental environmental impact report (EIR) when an EIR has been prepared for a project pursuant to its provisions, unless one or more of specified events occurs, including, among other things, that new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. This bill would specify that the new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

[SB 731](#) ([Steinberg D](#)) Environment: California Environmental Quality Act and sustainable communities strategy.

Current Text: Amended: 5/24/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 5/24/2013

Status: 5/24/2013-Read second time and amended. Ordered to third reading.

Calendar: 5/28/2013 #234 SENATE SENATE BILLS-THIRD READING FILE

Summary: Would provide that aesthetic impacts of a residential, mixed-use residential, or employment center project, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and propose, and the Secretary of the Natural Resources Agency to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority areas. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

[SCA 11](#) ([Hancock D](#)) Local government: special taxes: voter approval.

Current Text: Amended: 5/21/2013 [pdf](#) [html](#)

Introduced: 1/25/2013

Last Amended: 5/21/2013

Status: 5/21/2013-Read second time and amended. Re-referred to Com. on E. & C.A.

Summary: Would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition , if the proposition proposing the tax contains specified requirements . The measure would also make conforming and technical, nonsubstantive changes.

Position: Watch

Total Measures: 24