

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

Monday – May 21, 2018 – 6:00 p.m.

**Calaveras County Board of Supervisors Chambers
County Administrative Center
San Andreas**

6:00 PM Regular LAFCo Meeting Items:

1. Call to Order/Pledge of Allegiance/Roll Call

Commissioners

Anita Paque, Vice Chair, Public Member
Linda Hermann, City Member
Amanda Folendorf, City Member
Gary Tofanelli, County Member
Michael Oliveira, Chair, County Member
Tony Tyrrell, Special District Member
John Lavaroni, Special District Member

Roark Weber, Public Member Alt.
Dennis Mills, County Member Alt.
Joseph Oliveira, City Member Alt.
Jon Dashner, Special Dist. Member Alt.

Staff:

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. Election of Chair and Vice-Chair per Section 4.6 of LAFCo's Bylaws:

- a. Election of Chair (public member)*
- b. Election of Vice-Chair (Special District)*

3. Approval of Agenda (Deletions/Additions)

3. Consider minutes of March 19, 2018

- a. Approve March 19, 2018 LAFCo Minutes*

4. Consent Agenda:

- a. *Review and Authorize Claims for March and April 2018*

5. Public Hearing - Final Fiscal Year 2018-2019 LAFCo Budget

- a. *Receive Executive Officer's report and open public hearing regarding the final 2018-2019 fiscal year budget and consider resolution 2018-0004 adopting a final budget for 2018-2019*

OTHER ITEMS:

6. Letters of Support for AB 3254 and AB 2258

- a. AB 3254 Calafco Omnibus Bill
- b. AB 2258 Special Funding for LAFCos

7. Review of CALAFCO Staff Workshop – April 11th 2018 – April 13th 2018

8. Executive Officer's report

Current and Anticipated Projects

700 form were due April 2nd

Water and Wastewater Service Reviews and Sphere of Influence

Community Services District Service Reviews and Sphere of Influence- July Meeting

RCD MSR and SOI

9. Commissioners Reports

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters

10. Public Comment

This is the time set aside for citizens to address the Commission on any item of interest to the public that is within the subject matter jurisdiction of the Commission. For items that were on the agenda, public comment was heard when the item is discussed. If your comments concern an item that is noted as a public hearing, please address the Commission after the public hearing is opened for public testimony. The Chair reserves the right to limit each speaker to three (3) minutes. Please understand that by law, the Commission cannot make decisions on matters not on the agenda.

11. Adjourn to Regular meeting of July 16th 2018 6:00 PM in San Andreas

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.

Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to a specified time. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

Materials related to an item on this agenda will be available on the Calaveras LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting.

Accessibility

The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Calaveras LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660. A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff at (209) 754-6511

LAFCO Webpage: www.calaveraslafco.org

Email LAFCO at: johnbenoit@surewest.net

Calaveras Local Agency Formation Commission

Regular Meeting Minutes – Monday, March 19, 2018

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair M. Oliveira at 6:04 p.m., on Monday, March 19, 2018, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

Michael Oliveira, Chair, County Member
 Anita Paque, Vice Chair, Public Member
 Amanda Folendorf, City Member
 Gary Tofanelli, County Member
 Tony Tyrrell, Special Dist. Member
 John Lavaroni, Special Dist. Member
 John Dashner, Special Dist. Mem. Alt.
 Joseph Oliveira, City Member Alt.

Commissioners Absent

Linda Hermann, City Member
 Dennis Mills, County Member Alt.
 Roark Weber, Public Member Alt.

Staff Present

John Benoit, Executive Officer
 Nancy Mees, LAFCO Clerk

Others Present

2. **Approval of Agenda:**

MOTION by Commissioner Tyrrell to approve the Agenda as presented, second by Commissioner Tofanelli. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

3. **Consider Minutes from the January 10, 2018, LAFCo meeting:**

MOTION by Commissioner Tofanelli to approve the Minutes as presented, second by Commissioner Tyrrell. Motion passed 5 yes, 0 no, 0 absent, 2 abstention.

4. **Consent Agenda:**

a. Review and Authorize Claims for January and February 2018.

MOTION by Commissioner Folendorf to approve the Consent Agenda and Claims for January and February 2018 as presented, second by Commissioner Lavaroni. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

5. **Public Hearing – Proposed Fiscal Year 2018-2019 LAFCo Budget:**

Commissioner Oliveira opened the public hearing.

Executive Officer Benoit explained that the budget is basically the same as last year with only a few changes. He was able to reduce stipends by 50% since there will only be six meetings this fiscal year instead of twelve. Insurance is going up about 6% and CALAFCO membership has gone up \$26.

Mr. Benoit said it is best to have approximately \$100,000 in reserves and Calaveras LAFCo is close to that figure now, and should meet that figure after the carryover at the end of this fiscal year. Over all, these few changes have enabled the county, city, and district cost shares to decrease somewhat from this year, and also allowed the proposed budget as a whole to remain basically in status quo with the present budget. In fact, the budget has remained fairly steady for the past 15 years, which Mr. Benoit says is fine.

Commissioner Tofanelli asked where the CALAFCO conference was going to be this year, and Mr. Benoit replied that it will be in Yosemite and that the chair will be Commissioner Paque.

There being no public comment, Commissioner Oliveira closed the public hearing.

MOTION by Commissioner Tyrrell to approve Resolution 2018-0003 adopting the 2018-2019 proposed budget as presented, second by Commissioner Folendorf. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

6. “The State of the Art on Agricultural Preservation:”: CALAFCO White Paper February 2018:

Executive Officer Benoit stated that one of the charges LAFCo has been given is to preserve agricultural land. His frustration has been, that in talking to city and county officials, they seem noncommittal on this issue. Whenever he responds to proposed General Plans, Mr. Benoit always points out that there should be policies included regarding ag planning and methods of mitigation. He added that this White Paper has suggestions and tools that could be used in General Plans, although not all of them would apply in Calaveras County. He believes that sometimes using the Cortese-Knox regulations rather than using CEQA is a better way to enforce agricultural preservation.

7. Executive Officer’s Report:

Current and Anticipated Projects:

Executive Officer Benoit reported that he has received a few inquiries about annexations to Union PUD and Murphys Sanitation District.

Commissioner Tofanelli asked if Mr. Benoit had heard anything about CSA 1 becoming a CSD. Mr. Benoit responded that he had, although there had been some confusion as to whether it was CSA 1 or CSA 4. If it were CSA 1, that might be feasible since it is a large district. Mr. Tofanelli added that there is now some hesitation, however, because even

though the change would give the district control over their money, it would require them to use prevailing wages. Mr. Benoit said it would also require them to do their own annual audit.

700 Forms due April 2nd:

Mr. Benoit reported that there were still a couple Commissioners who had not turned in their Form 700s.

Water and Wastewater Service Reviews and Spheres of Influence; Community Services District Service Reviews and Spheres of Influence:

Executive Officer Benoit stated that he is working on several CSDs and SOIs and will be putting them on the agenda soon.

P3 Water Summit in San Diego:

Mr. Benoit announced that he will be speaking at the Summit about some water district consolidations he did in Lake County after several districts were compromised in the fires last summer. These consolidations may be used as a model in other counties.

8. Commissioners Reports:

Commissioner Tyrrell asked if the May meeting date could be changed to Monday, May 28, as he would be out of town. That date, however, is Memorial Day, so the Commissioners decided to leave the meeting as scheduled and advised Commissioner Tyrrell to have his alternate attend the meeting in his place.

9. Public Comment:

There was no public comment.

10. Adjournment:

Meeting was adjourned at 6:44 p.m. The next regular meeting will be Monday, May 21, 2018, at 6:00 p.m., in San Andreas.

Minutes submitted by Nancy Mees.

DATED: _____

APPROVED: _____

Michael Oliveira, Chair, or Anita Paque, Vice
Chair, Calaveras Local Agency Formation

#4

CALAVERAS LAFCO
LAFCO CLAIM AUTHORIZATION FORM

for

March and April 2018

Authorize payment of the following claims:

| <u>Date of Claim</u> | <u>Description</u> | <u>Amount</u> |
|-------------------------------|--------------------------------------|---------------|
| FY 2017-2018 Expenses: | | |
| April 1, 2018 | Staff SVCS for March 2018 | \$ 3,841.68 |
| Mar 19, 2018 | Comm Payroll Mar 19, 2018 | \$ 450.00 |
| May 1, 2018 | Staff Svcs April 2018 | \$ 3,758.88 |
| Apr 25, 2018 | Valley Springs News Fin 18-19 Budget | \$ 13.97 |
| TOTAL March and April 2018 | | \$ 8,064.53 |

DATED: May 21, 2018

APPROVED: May 21, 2018

Michael Oliveira, Chair or Anita Paque, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

| Item | Comm Stipends | Insurance | Communications | Memberships | GenOfficeExp | Postage | copies | FIRE&EMSSOI | W & WWSOI | Ex. OFF. SVCS | City Fin Chrg |
|--|---------------|---------------|----------------|---------------|--------------|------------|-------------|---------------|----------------|----------------|---------------|
| Account Number | 62001 | 62050 | 62051 | 62052 | 62053 | 62054 | 62055 | 62057 | 62058 | 62059 | 62060 |
| Total Budgeted | \$ 6,600.00 | \$ 1,623.60 | \$ 800.00 | \$ 899.00 | \$ 350.00 | \$ 500.00 | \$ 1,500.00 | \$ 25,000.00 | \$ 20,000.00 | \$ 42,500.00 | \$ 3,600.00 |
| Calafco dues 17-18 | | \$ (1,713.00) | | \$ (899.00) | | | | | | | |
| SDRMA Insurance 17-18 | | | | | | | | | | | |
| Comm Payroll 7.17.2017 | | | | | | | | | | | |
| Calafco Conf. registrations | \$ (400.00) | | | | | | | | | | |
| Staff SVCS July 2017 | | \$ (41.62) | | | \$ (43.35) | \$ (15.68) | \$ (136.90) | \$ (2,000.00) | \$ (2,575.00) | | |
| Staff SVCS August 2017 | | \$ (60.27) | | | | \$ (9.66) | \$ (91.30) | \$ (3,075.00) | \$ (3,600.00) | | |
| Staff SVCS Sept. 2017 | | \$ (41.61) | | | | | \$ (10.00) | \$ (2,500.00) | \$ (1,437.50) | | |
| Staff SVCS Oct 2017 | | \$ (41.65) | | | | | | \$ (2,325.00) | | | |
| Comm Stipend Sept 14, 2017 | \$ (350.00) | | | | | | | | | | |
| Reimb fm CALAFCo for Tyrrell Conf | | | | | | | | | | | |
| Comm Stipend for November 20th, 17 | \$ 400.00 | | | | | | | | \$ (1,000.00) | \$ (2,112.50) | |
| Staff SVCS November 2017 | | \$ (41.68) | | | | \$ (10.43) | \$ (50.10) | | | | |
| Calafco Reimb DCS Inv 2017-Con108 | | | \$ (43.63) | | | | \$ (10.00) | | | \$ (3,150.00) | |
| Valley Springs News -SCCSD Legal | | | | | | | | | | | |
| BOS Gary Totanelli Conf. Costs | | | | | | | | | | | |
| Amanda Folendorf conf reimbursement | | | | | | | | | | | |
| Comm Payroll 1.10.18 | \$ (400.00) | | | | | | | | | | |
| Staff SVCS January 2018 | | \$ (43.14) | | | \$ (20.00) | \$ (8.40) | \$ (29.20) | \$ (4,500.00) | \$ (3,645.00) | | |
| Staff SVCS February 2018 | | \$ (42.83) | | | | | | \$ (1,912.50) | | | |
| CSDA dues 17-18 | | | | \$ (500.00) | | | | | | | |
| Valley Springs News Pro18-19 Bud Legal | | | | | | | | | | | |
| Comm Payroll 3.19.2018 | \$ (450.00) | | | | | | | | | | |
| Staff SVCS March 2018 | | \$ (42.88) | | | | | \$ (10.00) | | | \$ (3,712.50) | |
| Staff SVCS April 2018 | | \$ (47.63) | | | | \$ (4.00) | \$ (5.00) | | | \$ (3,618.75) | |
| Notice Final 18-19 BudgetVS news #2448 | | | | | | | | | | | |
| TOTAL EXPENDED | \$ (1,200.00) | \$ (1,713.00) | \$ (446.94) | \$ (1,389.00) | \$ (63.35) | \$ (48.17) | \$ (342.80) | \$ 25,000.00 | \$ (15,400.00) | \$ (25,753.75) | \$ 3,600.00 |
| TOTAL REMAINING | \$ 5,400.00 | \$ (89.40) | \$ 353.06 | \$ (500.00) | \$ 286.65 | \$ 451.83 | \$ 1,157.50 | \$ 25,000.00 | \$ 4,600.00 | \$ 16,736.25 | \$ 3,600.00 |

[illegible]

#5

CALAVERAS LAFCO
EXECUTIVE OFFICER'S REPORT

May 21, 2018

TO: Local Agency Formation Commission
FROM: John Benoit, Executive Officer
RE: Final Budget for FY 2018-2019

A "recommended" budget was presented at the March 19, 2018 meeting along with a justification report, which was adopted. Please refer to the Budget Justification Report from the March LAFCo meeting and the proposed budget report for the March 2018 meeting for detail on each of the items below.

SUMMARY OF EXPENSES:

Commission Clerk This item is budgeted in the Professional Services Category again this year.

Insurance The Commission recommended \$1,721.00 for liability Insurance, which includes a membership to the California Special Districts Association. This will cover the cost of this item for the year.

Commission Stipend The Commission recommended a stipend of \$3,300.00. This is adequate to cover Commissioner Stipends for the year, assuming full attendance at six meetings. This item has been reduced next year since the Commission now only has 6 regular meetings.

Memberships The Commission recommended in its proposed budget \$925.00 For Calafco dues. This item has increased this year.

Communications Communications is budgeted at \$800.00 this year.

Office Supplies This is a combined budget (copies (\$1,500.00), general (\$350.00), postage (\$500.00).

Professional Services: Professional Services are divided into two categories: Executive Officer and Staff (\$42,500.00) Notwithstanding a very complex reorganization or incorporation project for Calaveras LAFCO, this amount should cover LAFCO administration and non complex project processing.

Service Reviews and Sphere of Influence updates This item is budgeted at \$25,000 to continue Service Reviews and \$20,000 is to be budgeted to initiate and continue work on Spheres of Influence. This is a statutory mandatory activity in this case and LAFCO must update and maintain its Service Reviews.

City of Angels Finance Charges \$3,600 is to be budgeted for this activity in accordance with LAFCO's agreement with the City of Angels.

File Scanning and Retention \$6,000 is proposed for file scanning and retention of files for FY 2017-2018.

Legal Notices/Publications The Commission recommended in its proposed budget \$1,000.00 for legal notices.

Training The Commission recommended in its proposed budget \$4,000 for this item. This includes conference registrations for items such as CALAFCO Annual Conference (Near Yosemite , October 3-5, 2018) and Annual Staff Workshop in Spring 2019.

Personal Mileage Reimbursement This category is for reimbursement for mileage incurred in the course of business (\$1,500.00).

Travel Expense Travel Expense includes meals and lodging and other travel expenses in the amount of \$2,000.00.

Legal Counsel LAFCO has been relatively successful in not requiring extensive legal advice in the past several years. LAFCO had a lawsuit in the late 1990's, which has resulted in a substantial costs for LAFCO for legal services. LAFCO has a proposed budget of \$2,500 for this item. It is anticipated additional legal costs will be paid by project proponents, as necessary. If it is a LAFCo initiated action, the districts, the City and the County will ultimately be required to pay the costs.

Special District (Agency) Training This year, the Commission allocated \$5,000 for agency training. Next year no funds are allocated.

Contingency/Reserve The contingency/reserve funds are proposed to total \$86,719.60 this year and will be reimbursed in future years depending upon activity and need. Any unanticipated carryover will be placed back into the reserve that was to be maintained at \$100,000.00 according to Commission Policy. Any carryover funds exceeding \$127,000 will be placed back into the Reserve Fund.

The amount to be apportioned between the City, Districts and the County is proposed to be \$74,515.60 next year.

Recommendation:

- a. Review, discuss, amend, and consider the Final Budget. A budget justification report for FY was prepared by staff for the adopted proposed budget on March 19, 2018.
- b. Adopt LAFCO Resolution 2018-0004 approving the final LAFCo budget.

Resolution 2018-0004

of the

Calaveras Local Agency Formation Commission

Resolution of the Calaveras Local Agency Formation Commission Adopting a Final Budget for 2018-2019

WHEREAS, Calaveras LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1st and a final budget by June 15th; and,

WHEREAS, the Commission has prepared a proposed budget for public review which was adopted on March 19, 2018; and,

WHEREAS, the Executive Officer has prepared a final budget including estimated budgeted carryovers; and

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the final budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2018-2019 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW THEREFORE, the Calaveras Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. Notwithstanding item 3 below, that Calaveras LAFCO hereby adopts the attached final 2018-2019 budget service and supplies appropriation of \$117,196.00.
2. That Calaveras LAFCO hereby establishes a contingency fund of \$11,719.00 for FY 2018-2019.
3. LAFCO hereby allocates \$75,000.00 for its general reserve fund plus any unrestricted carryover funds from the previous fiscal year.
4. Directs the Executive Officer to transmit the final budget to the County Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.
5. The Commission desires to retain any and all carryover funds to fund future Municipal

Service Reviews, special projects, legal expenses, its reserve fund and Spheres of Influence projects as provided for in G.C. Code Section 56381.

6. Request the Auditor collect the funds as required in Section 56381 of the government code and apportion \$74,515.60 between the City, the Special Districts and the County for the operational costs of LAFCO. In the event of non-payment of LAFCO funds by any entity subject to the LAFCO's apportionment, the Commission hereby requests and authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account.

PASSED AND ADOPTED by the Calaveras Local Agency Formation Commission at a regular meeting of said Commission held on May 21st, 2018 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 21st day of May 2018.

Michael Oliveira, Chair, or Anita Paque, Vice-Chair, Calaveras LAFCO

Attest:

John Benoit, Executive Officer
Calaveras LAFCO

EXPENDITURES**SERVICES AND SUPPLIES**

| | 2015-2016 Final Budget | 2016-2017 FINAL Budget | 2017-2018 FINAL Budget | 2018-2019 Proposed Budget | 2018-2019 FINAL Budget |
|--|---------------------------|---------------------------|---------------------------|------------------------------|---------------------------|
| 62001 Extra Hire - Commissioners Stipend | \$6,600.00 | \$6,600.00 | \$6,600.00 | \$3,300.00 | \$3,300.00 |
| 62050 Insurance | \$1,662.60 | \$1,623.60 | \$1,623.60 | \$1,721.00 | \$1,721.00 |
| 62051 Communications | \$800.00 | \$800.00 | \$800.00 | \$800.00 | \$800.00 |
| 62052 Memberships - Calafco | \$785.00 | \$840.00 | \$899.00 | \$925.00 | \$925.00 |
| 62053 Office Expense - General | \$350.00 | \$350.00 | \$350.00 | \$350.00 | \$350.00 |
| 62054 Office Expense - Postage | \$500.00 | \$500.00 | \$500.00 | \$500.00 | \$500.00 |
| 62055 Office Expense - Copies | \$2,000.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 |
| 62056 Water-Wastewater MSR-SOI | \$25,000.00 | \$20,000.00 | \$25,000.00 | \$25,000.00 | \$25,000.00 |
| 62057 Prof Services-(CSD-water-wastewater SOI) | \$20,000.00 | \$19,000.00 | \$20,000.00 | \$20,000.00 | \$20,000.00 |
| 62058 File Scanning and Retention | \$0.00 | \$6,000.00 | \$6,000.00 | \$6,000.00 | \$6,000.00 |
| 62059 Professional Services-Exec. Officer/Clerk | \$42,500.00 | \$42,500.00 | \$42,500.00 | \$42,500.00 | \$42,500.00 |
| 62060 City Finance Charges (formerly A-87) | \$3,600.00 | \$3,600.00 | \$3,600.00 | \$3,600.00 | \$3,600.00 |
| 62061 Legal Notices | \$500.00 | \$1,000.00 | \$1,000.00 | \$1,000.00 | \$1,000.00 |
| 62062 Training | \$4,000.00 | \$4,000.00 | \$4,000.00 | \$4,000.00 | \$4,000.00 |
| 489.6 Personal Mileage Reimb | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 |
| 62064 Travel Expense | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| 62065 Legal Counsel Services and misc Legal Expenses | \$2,500.00 | \$2,500.00 | \$2,500.00 | \$2,500.00 | \$2,500.00 |
| 62067 Special Dist. Training | \$5,000.00 | \$5,000.00 | \$0.00 | \$0.00 | \$0.00 |
| TOTAL SERVICES AND SUPPLIES | \$119,297.60 | \$119,313.60 | \$120,372.60 | \$117,196.00 | \$117,196.00 |
| 62066 Contingency Fund | \$11,929.76 | \$11,931.36 | \$12,037.26 | \$11,719.60 | \$11,719.60 |
| General Reserve Fund | \$70,000.00 | \$70,000.00 | \$75,000.00 | \$75,000.00 | \$75,000.00 |
| Services, Contingency and Reserve Total | \$201,227.36 | \$201,244.96 | \$207,409.86 | \$203,915.60 | \$203,915.60 |
| Carryover from prior year | \$120,909.00 | \$121,000.00 | \$127,000.00 | \$127,000.00 | \$127,000.00 |
| Anticipated Project Revenue | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| Anticipated Interest | \$400.00 | \$400.00 | \$400.00 | \$400.00 | \$400.00 |
| Contributions from Governments | \$77,918.36 | \$77,844.96 | \$78,009.86 | \$74,515.60 | \$74,515.60 |
| AMOUNT TO BE APPORTIONED | \$77,918.36 | \$77,844.96 | \$78,009.86 | \$74,515.60 | \$74,515.60 |

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

March 30, 2018

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

RE: **SUPPORT of AB 3254: Local Government Committee Omnibus Bill**

Dear Chair Aguiar-Curry:

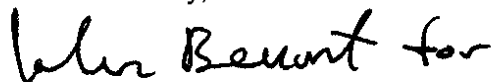
The Calaveras Local Agency Formation Commission (LAFCo) is pleased to support the Assembly Local Government Committee Bill **AB 3254** which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCos. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 3254** currently makes minor technical corrections to language used in the Act.

Calaveras LAFCo is grateful to your Committee and staff, and the members of the California Association of Local Agency Formation Commissions (CALAFCO) Legislative Committee, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and your support of the mission of LAFCos. Please feel free to contact me should you have any questions about our support of **AB 3254**.

Yours sincerely,



Michael Oliveira,
Chair, Calaveras LAFCo

cc: Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO

c/o John Benoit, Executive Officer P.O.Box 2694 Granite Bay, California 95746- ph.
(209) 754-6511 email: johnbenoit@surewest.net

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

March 30, 2018

The Honorable Anna Caballero
California State Assembly
State Capital Room 5158
Sacramento, CA 95814

Subject: *Support of AB 2258* (as amended March 15, 2018)

Dear Assemblymember Caballero:

The Calaveras Local Agency Formation Commission (LAFCo) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support for ***Assembly Bill 2258***. Sponsored by CALAFCO, the bill establishes a funding program to provide grants to LAFCos for conducting in-depth studies and analyses of local government agencies and services for the purposes of creating improved efficiencies in the delivery of local government services and completing the dissolution of inactive special districts. The grant program would be administered by the Strategic Growth Council and sunset on December 31, 2023.

The Legislature established LAFCos in 1963 to encourage the orderly formation of local government agencies. Since that time, the regulatory role and responsibilities of LAFCos has substantially increased without additional funding. Operating in all 58 California counties, LAFCos are responsible for meeting important statutory directives to maintain orderly boundaries and seek greater efficiencies in delivering local services, and yet these directives often times cannot be met under current funding mechanisms. As a result, much needed LAFCo activities are sometimes delayed or rejected.

In August 2017, the Little Hoover Commission published a report on special districts and their oversight by LAFCos, which contained several recommendations directly related to LAFCo. One recommendation was for the Legislature to provide one-time grant funding to pay for specified LAFCo activities, particularly to incentivize LAFCos or smaller special districts to develop and implement dissolution or consolidation plans with timelines for expected outcomes.

In recent years Calaveras LAFCo has reviewed several independent special districts and found many are not able to maintain traditional service levels for several reasons. LAFCo does not have the funding to initiate consolidations or other types of changes of organization nor the ability to provide technical assistance.

By establishing this one-time grant funding, ***AB 2258*** provides an additional tool for LAFCos to conduct detailed studies and implement greater efficiencies in delivering local

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services based on local circumstances and conditions. For these reasons, Calaveras LAFCo is pleased to support **AB 2258**.

Thank you for authoring this important piece of legislation. Please feel free to contact me should you have any questions about Calaveras LAFCo's position.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Oliveira", followed by a stylized flourish.

Michael Oliveira
Chair, Calaveras LAFCo

Cc: Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO

CALAFCO STAFF WORKSHOP - April 2018

1. **Unincorporated North Richmond Annexation: A Case Study on Intergovernmental Collaboration**

Unincorporated North Richmond Background

Interest in Annexation

Fiscal Analysis & Service Plan Overview

Estimates the net fiscal impact on the City of Richmond

- Describes services to be provided by the City of Richmond to the annexed area
- Estimate costs associated with increased service demands
- Estimate revenues (utilizing different scenarios)
- Provides information and not a recommendation

Resident Impact and Input

Financial Impact to Residents, Businesses, Homeowners and Landlords:

| City of Richmond | Contra Costa County |
|--|--|
| 1. Property Tax Override | Property Tax |
| Override – \$0 | |
| | \$140 per \$100,000 assessed valuation |
| Utility User Tax | Utility User Tax - \$0 |
| <ul style="list-style-type: none"> • Telecommunications – 9.5% • Prepaid Wireless – 9.0% • Video (cable TV) – 5.0% • Electricity – 10% Gas – 10% | |
| 3. RSS (35 gallon can/3 months) • \$103.05 | RSS (35 gallon can/3 months) \$94.68 |
| Sales tax – 9.25% | Sales Tax – 8.25% |
| Business License | Business License |
| \$234 (Base Fee) | \$100 (Base Fee) |
| \$40.10 – 46.80 (Per Employee) | \$10 (Per Employee) |

Rent Control and Just Cause

For Eviction Program - \$98/unit

Rent Control and Just Case for
Eviction Program• N/A

7. Rental Inspection Program
Registration/Processing Fee - \$79

Rental Inspection Program
N/A

Initial Inspection Fee (per unit) \$157

Re-inspection Fee (per unit) - \$65

8. Impact, Development, Building and Traffic Fees – Vary Same

Note: All fee information is for FY 2017-18. Some fees increase annually

Community Engagement Campaign

- An engagement and education tool - not advocacy
- Development and disseminate of education materials
 - Information describing annexation and explaining the process
 - Answers to frequently asked questions
 - An outline of benefits and costs associated with the annexation • A description of the protest process
 - An explanation regarding how to stay involved in the process
- Multi-lingual meetings and materials
- Community meetings hosted in different locations (with food & childcare)
- Provide updates on the annexation process
- Request that LAFCO mail letters to inform residents of upcoming hearings in addition to placing an advertisement in the newspaper

2. BOARD OF EQUALIZATION UPDATE

The Property Tax unit was a part of the Board of Equalization (BOE) until 2017 and then transferred to the California Department of Tax and Fee Administration (CDFTA). In April 2018 the Property Tax Unit was transferred back to the BOE when realized the Property Tax unit was about Property Taxes only.

This presentation reviewed the interface between LAFCo and the BOE and the requirements. There is debate now regarding BOE mapping standards and those of LAFCo. It appears the BOE is backing off on various map and geographic description requirements. However, not until new rules are written.

After a change of organization BOE staff reviews, archives and processes submittals by LAFCo.

3. CEQA EXEMPTIONS

This session discussed the use and misuse of various CEQA exemptions and looked at a Case regarding “unusual circumstances” .

The Supreme Court held that:

- (1) For an CEQA exemption to not apply, either the project does not meet the exemption criteria or there are "unusual circumstances" related to the project that create an exception to the CEQA exemption. (2) The "Unusual Circumstances" exception is not satisfied by a mere reasonable possibility that an activity will have a significant effect on the environment, disapproving earlier cases to the contrary;
- (2) An agency's decision whether "unusual circumstances" exist is reviewed under the deferential "substantial evidence" standard;
- (3) If a determination is made that there are unusual circumstances, the "fair argument" standard applies to lead agency's determination of whether project may have significant effect on environment due to unusual circumstances;

Key is that exemption applies absent "unusual circumstances"

P3 Water Summit.

I attended the P3 Water Summit in April. P3 stands for Public-Private Partnerships. This Conference was focused upon providing new tools and ways to address water system challenges. Attendees included government and water system personnel, system managers and industrial leaders (both domestic and international). I was invited as a speaker to discuss LAFCo's and a large project in Lake County whereby 9 water systems are being combined into one.

A P3 brings capacity to accelerate project delivery, transfer operational and performance risk, bring innovation and manage costs, which seems to be a natural fit to address many of the challenges facing the water sector. P3's may be at the local to the international level. In the current regulatory and anti-tax environment partnerships (P3's) are becoming more attractive for funding water systems and improvements. The issue was brought to the forefront in Flint Mich. Many of the water issues facing water systems in California exist throughout the USA. Texas and Wisconsin, for example, have bad compliance records. P3's have different project delivery approaches, different models (mandatory consolidations vs. voluntary consolidations), varied financial strategies (private and public), project delivery approaches, governance (JPA's, private, districts), and risk allocations (i.e. asking the private sector to take additional risk with the hope of a future return), for example. P3's are not only for water systems, but for desalinization (in San Diego County), Flood Control (in Holland) wastewater systems (The City and County of Honolulu partnered with Veolia North America).