

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

MONDAY – May 15, 2017 – 6:00 p.m.
at the

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

Roark Weber, Public Member Alt.
Dennis Mills, County Member Alt.
Susan Rudolph, 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. Bylaw Section 4.6(a) calls for the election of the Chair and Vice-Chair at the May meeting.

- a) Elect a Chair from the County Category*
- b) Elect a Vice-Chair from the Public Member Category*

3. Approval of Agenda (Deletions/Additions)

4. Consider minutes of April 17, 2017

- a. Approve April 17, 2017 Minutes*

5. Consent Agenda:

- a. Review and Authorize Claims for April 2017*

PUBLIC HEARING:

6. Public Hearing regarding the Final 2017-2018 LAFCo Budget

- a. Review the Executive Officer's report, conduct public hearing and consider resolution 2017-0004 adopting a final budget for fiscal year 2017-2018*

7. WORKSHOP - Calaveras Water District Sphere of Influence

- a. Receive Executive Officer's report, review draft and provide comments from Commissioners and the Public (report handed out at the April 17, 2017 meeting and posted on the LAFCo website: www.calaveraslafco.org .*
- b. Set public hearing Date for June 19, 2017 or as soon thereafter as possible.*

8. Letter regarding AB 464, Gallagher sent per section 5.11 LAFCo Bylaws for the Assembly Local Government Committee.

- a. Review letter to Assemblymember Gallagher.*

9. Discussion regarding Calaveras County's Agenda/Minutes Program moving into the future (Benoit and Mees)

- a. Review the program and receive direction leading to possible participation.*

Executive Officer's report

10. 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

11. 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.

12. Adjourn to Regular meeting of June 19, 2017 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

4

Calaveras Local Agency Formation Commission

Regular Meeting Minutes – Monday, April 17, 2017

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Folendorf at 6:01 p.m., on Monday, April 17, 2017, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

Amanda Folendorf, Chair, City Member
Michael Oliveira, Vice Chair, County Mem.
Anita Paque, Public Member
John Lavaroni, Special District Member
Tony Tyrrell, Special District Member
Jon Dashner, Special District Member Alt.
Linda Hermann, City Member
Roark Weber, Public Member Alt.

Commissioners Absent

Gary Tofanelli, County Member
Dennis Mills, County Member Alt.
Susan Rudolph, City 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 Paque. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
3. **Consider Minutes from the March 20, 2017, LAFCo meeting: MOTION** by Commissioner Paque to approve the Minutes as presented, second by Commissioner Tyrrell. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
4. **Consent Agenda: Review and Authorize Claims for March 2017: MOTION** by Commissioner Hermann to approve Claims for March 2017 as presented, second by Commissioner Tyrrell. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

5. Public Hearing Regarding the Proposed 2017-2018 LAFCo Budget.

Executive Officer Benoit first introduced Timothy Lutz, the new CAO for Calaveras County, who was in the audience. He then reported that the budget is basically the same as in past years. Being mindful of the budget constraints of the city and county, he worked to keep the LAFCo budget within those parameters. Some items have gone up this year, however, such as CALAFCO dues and copying costs. Mr. Benoit would like to find ways to reduce copy costs this coming year by making more use of electronic agendas and packets.

Executive Officer Benoit also commented that the Service Reviews for water and wastewater are due again, so money has been put in this year's budget for those. In addition, there is money so that some of the CSD Spheres can be completed. He has also budgeted in some money for he and Clerk Mees to work on organizing, purging and scanning numerous boxes of documents that are in storage.

Executive Officer Benoit finished by stating that he has also included the cost of three people attending the next CALAFCO conference in San Diego in October. Beyond these items, the budget is the same as last year. Mr. Benoit is continuing to try to build up the reserve fund.

The net result is that there will be a very slight decrease in the cost shares this year. Commissioner Oliveira asked how the shares are broken down, and Mr. Benoit responded that the total is divided one-third each among the city, county and special districts. Commissioner Paque commented that there has been some talk of District MSRs being paid by the subject district, thereby removing that cost from LAFCo's budget. Executive Officer Benoit added that when an annexation occurs in an area outside the subject Sphere of Influence, the entity requesting the annexation must pay for the Sphere update.

Chair Folendorf opened the Public Hearing. There were no comments, and the Hearing was closed.

MOTION by Commissioner Tyrrell to approve the Proposed 2017-2018 Budget as presented, second by Commissioner Lavaroni. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

6. Executive Officer's Report.

a. *Legislation.*

Executive Officer Benoit commented that the Legislature is taking up the issues of health care, inactive districts, and consolidations. He mentioned that other counties have sent letters of support for AB464 (Gallagher) which deals with reorganizations. Commissioner Paque suggested that Calaveras send a letter to both Assemblyman Gallagher and to Assemblywoman Curry, Chair of the Committee on Local

Government. Executive Officer Benoit also mentioned that there was a bill (AB979) that streamlines special districts obtaining representation on local LAFCOs, but that since Calaveras already has Special District representation, it would not affect our LAFCo.

b. *CCWD SOI*.

Executive Office Benoit reported that this SOS is a little different in that it is really four spheres in one: water, sewer, agricultural water, and planning. He passed out a Draft SOI for the commissioners to review for the May 15 meeting.

Russ Thomas, an audience member who is on the CCWD Board, informed the commissioners that if they had any questions, they could contact him.

7. Commissioner Reports.

Commissioner Oliveira reported that he and Executive Officer Benoit had been discussing whether the LAFCo Commission Meeting time should be changed. After some discussion, the commissioners agreed to move the meetings to 5:30 p.m. to allow persons who work time to get to the meeting. They agreed that the third Monday of the month was still a good day. Executive Officer Benoit will prepare a Resolution for the change of time for the May 15 meeting. The May meeting will still start at 6:00 p.m.

8. Public Comment: No public comments.

9. Adjournment.

Meeting was adjourned at 6:31 p.m. The next regular meeting will be May 15, 2017, at 6:00 p.m., in San Andreas.

Minutes submitted by Nancy Mees.

DATED:

APPROVED:

Amanda Folendorf, Chair, or Michael Oliveira,
Vice Chair, Calaveras Local Agency Formation

CALAVERAS LAFCO

#5

LAFCO CLAIM AUTHORIZATION FORM

for

April 2017

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2016-2017 Expenses:		
May 1, 2016	Staff SVCS	\$ 4,467.14
April 15, 2017	Comm Payroll April 15, 2017	\$ 400.00
April 15, 2017	½ share Calafco Staff Workshop –Nancy Mees	\$ 702.52
April 13, 2017	City of Angels Camp 3 rd Qtr financials #210	\$ 900.00
TOTAL April 2017		\$ 6,469.66

DATED: May 15, 2017

APPROVED: May 15, 2017

Amanda Folendorf, Chair or, Michael Oliveira, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Item	Account Number	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	copies	Fire&EMS	W & WWSOI	Ex. OFF. Svcs	City Fin Charge
		62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060
Total Budgeted		\$ 6,600.00	\$ 1,623.60	\$ 800.00	\$ 840.00	\$ 350.00	\$ 500.00	\$ 1,500.00	\$ 20,000.00	\$ 19,000.00	\$ 42,500.00	\$ 3,600.00
Calafco dues 16-17			\$ (1,618.40)		\$ (840.00)							
SDRMA Insurance 14-15												
Calafco Conf. Regis Oct 25-28			\$			\$	(21.89)	(92.00)	\$		\$ (3,645.00)	
JB Invoice July 16 Svcs - Mapping, MSR												
Comm Stipends July 18, 2016		\$ (350.00)										
Comm Stipends Aug 15, 2016		\$ (350.00)										
JB Inv#69 Aug 16 staff Svcs			\$			\$	(28.78)	(67.62)		\$ (2,000.00)	\$ (2,245.00)	
JB Invoice 2016-0074 Sept Svcs			\$			\$ (19.50)	(21.69)	(93.13)		\$ (2,657.50)	\$ (2,000.00)	
JB Invoice 2016-0080 Oct 16			\$						\$ (3,975.00)	\$ (1,125.00)	\$ (1,950.00)	
Comm Stipend Sept 19,2016		\$ (300.00)										
CSDA training Inv 36437 11.22.16												
Comm Stipend Nov 21,2016		\$ (300.00)										
City Invoice 0196 10.20.16 1stQtr 16-17 billing												
Tyrrell Conf. Reimb SBA Oct 2016												\$ (900.00)
Folendorf Calafco Conf. Reimb SBA Oct 16												
Paque Conf. Reimb SBA Oct 16												
JB Invoice 0091 November Services			\$	(41.38)		(10.00)	(28.15)	(76.39)		\$ (900.00)	\$ (2,745.00)	
JB Invoice December Services			\$	(38.17)		(30.00)	(0.66)			\$ (987.50)	\$ (1,000.00)	
Comm Payroll Jan 23, 2017		\$ (350.00)										
JB Invoice January 2017 Staff Services			\$	(41.32)		(15.00)	(19.58)	(60.30)		\$ (1,500.00)	\$ (1,732.50)	
JB Invoice 17-27 Feb 2017 Staff Svcs			\$	(41.32)				(10.00)		\$ (612.50)	\$ (1,000.00)	
Calav Ent public notice 2.28.17 MTHCD												
Comm Stipend 3.20.17		\$ (400.00)										
Staff Svc March 2017			\$	(46.27)		(67.90)	(21.49)	(70.00)		\$ (2,000.00)	\$ (1,382.50)	
Calav Enterprise Prop 17-18 Budget												
Nancy Mees 1/2 share Calafco wkshp												
Staff Svcs April 2017			\$	(41.44)		(30.00)	(5.60)	(182.70)	(2,000.00)		\$ (2,132.50)	\$ (900.00)
Angels Camp 3rd Qtr Billing Financials												
Comm Stipend 4.15.17		\$ (400.00)										

TOTAL EXPENDED	\$ (2,450.00)	\$ (1,618.40)	\$ (411.59)	\$ (840.00)	\$ (172.40)	\$ (447.84)	\$ (652.14)	\$ (5,975.00)	\$ (11,782.50)	\$ (19,832.50)	\$ (1,800.00)
TOTAL REMAINING	\$ 4,150.00	\$ 5.20	\$ 388.41	\$ -	\$ 177.60	\$ 352.16	\$ 847.86	\$ 14,025.00	\$ 7,217.50	\$ 22,667.50	\$ 1,800.00

Reserve Fund		
City/CO/SD Contrib	Agency	\$76,692.31
Interest Revenue	Project Rev	\$121,000.00
15-17 Revenue	audited	-\$54,851.90
15-16 carryover		\$0.00
YTD Expens		\$142,840.41
Project Revenue		
Cash Balance		

#6

CALAVERAS LAFCO

EXECUTIVE OFFICER'S REPORT

May 15, 2017

TO: Local Agency Formation Commission

FROM: John Benoit, Executive Officer

RE: Final Budget for FY 2017-2018

A "recommended" budget was presented at the April 17, 2018 meeting along with a justification report, which was adopted. Please refer to the Budget Justification Report from the April LAFCo meeting and the proposed budget report for the April 2017 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 \$1,623.60 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 \$6,600.00. This is adequate to cover Commissioner Stipends for the year, assuming full attendance at meetings.

Memberships The Commission recommended in its proposed budget \$899 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 (In San Diego, October 24-27, 2017) and Annual Staff Workshop in Spring 2018.

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 \$87,037.26 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 into the Reserve Fund.

The amount to be apportioned between the City, Districts and the County is proposed to be \$78,009.86.

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 April 17, 2017.
- b. Adopt LAFCO Resolution 2017-0004 approving the final LAFCo budget.

Resolution 2017-0004

of the

Calaveras Local Agency Formation Commission

Resolution of the Calaveras Local Agency Formation Commission Adopting a Final Budget for 2017-2018

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 April 17, 2017; 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 2017-2018 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 2017-2018 budget service and supplies appropriation of \$120,372.60.
2. That Calaveras LAFCO hereby establishes a contingency fund of \$12,037.26 for FY 2017-2018.
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 \$78,009.86 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 15th, 2017 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 15th day of May 2017.

Amanda Folendorf, Chair, Calaveras LAFCO

Attest:

John Benoit, Executive Officer
Calaveras LAFCO

Calaveras LAFCo
FINAL Budget 2017-2018

	2014-2015 Final Budget	2015-2016 Final Budget	2016-2017 FINAL Budget	2017-2018 Proposed Budget	2017-2018 FINAL Budget
EXPENDITURES					
SERVICES AND SUPPLIES					
62001 Extra Hire - Commissioners Stipend	\$6,600.00	\$6,600.00	\$6,600.00	\$6,600.00	\$6,600.00
62050 Insurance	\$1,691.04	\$1,662.60	\$1,623.60	\$1,623.60	\$1,623.60
62051 Communications	\$800.00	\$800.00	\$800.00	\$800.00	\$800.00
62052 Memberships - Calafco	\$769.00	\$785.00	\$840.00	\$899.00	\$899.00
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	\$2,000.00	\$1,500.00	\$1,500.00	\$1,500.00
62056 Water-Wastewater MSR-SOI	\$25,000.00	\$25,000.00	\$20,000.00	\$25,000.00	\$25,000.00
62057 Prof Services-(CSD-water-wastewater SOI)	\$20,000.00	\$20,000.00	\$19,000.00	\$20,000.00	\$20,000.00
62058 File Scanning and Retention	\$0.00	\$0.00	\$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	\$500.00	\$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	\$5,000.00	\$0.00	\$0.00
TOTAL SERVICES AND SUPPLIES	\$112,710.04	\$119,297.60	\$119,313.60	\$120,372.60	\$120,372.60
62066 Contingency Fund	\$11,271.00	\$11,929.76	\$11,931.36	\$12,037.26	\$12,037.26
General Reserve Fund	\$70,000.00	\$70,000.00	\$70,000.00	\$75,000.00	\$75,000.00
Services, Contingency and Reserve Total	\$193,981.04	\$201,227.36	\$201,244.96	\$207,409.86	\$207,409.86
Carryover from prior year	\$120,909.00	\$120,909.00	\$121,000.00	\$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	\$70,672.04	\$77,918.36	\$77,844.96	\$78,009.86	\$78,009.86
AMOUNT TO BE APPORTIONED	\$70,672.04	\$77,918.36	\$77,844.96	\$78,009.86	\$78,009.86

#8

Calaveras Local Agency Formation Commission

April 28, 2017

Assemblymember James Gallagher
California State Assembly
State Capital Room 2158
Sacramento, CA 95814

Subject: Support of AB 464 as Amended

Dear Assemblymember Gallagher:

The Calaveras Local Agency Formation Commission (LAFCo) is pleased to support your bill **AB 464**, as amended on March 14, 2017. Sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), the bill makes necessary technical changes to existing LAFCo law to solidify the current practice of LAFCOs approving annexations of areas already being served by a local agency through an out of area service agreement (Government Code Section 56133).

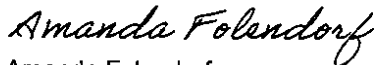
As a result of a court decision in 2014 in the case of *City of Patterson v. Turlock Irrigation District*, all future annexations of an area receiving services through an approved out of area service agreement will not be valid. What began as a local issue has now become a critical statewide concern. This bill seeks to remedy that problem by ensuring that within certain conditions, LAFCOs can continue to evaluate applications which include the annexation of territory where services are already being provided via an out of area service agreement. Further, it allows for common sense boundary alignments and more predictable growth planning.

By allowing the annexation of these areas, **AB 464** also ensures the people paying for and receiving the services, can participate in elections and potentially serve on the governing board of the service provider.

It is important to note that this bill does not change the current rights of a city or district to oppose an annexation, nor does it change any protest provisions in current law. It simply ensures the ability for LAFCOs to continue the practice of common sense boundary oversight for service providers. As there are many pending annexations throughout the state that are associated with previously approved out of area service extensions, this legislation is critical to the successful annexation of these areas

For these reasons, the Calaveras LAFCo is pleased to support **AB 464**. Thank you for carrying this important piece of legislation.

Sincerely yours,



Amanda Folendorf
Chair, Calaveras LAFCo

Cc: Members, Assembly Local Government Committee
Misa Lennox, 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, CA 95746
(530) 458-0593 ph. (916) 797-7631 fax.