



LAFCO MEETING AGENDA

Board Meeting Chambers, 70 West Hedding Street, First Floor

San Jose, CA 95110

December 7, 2016

1:15 PM

CHAIRPERSON: Mike Wasserman • VICE-CHAIRPERSON: Tara Martin-Milius

COMMISSIONERS: Sequoia Hall, Ash Kalra, Linda J. LeZotte, Susan Vicklund Wilson, Ken Yeager

ALTERNATES: Cindy Chavez, Yoriko Kishimoto, Raul Peralez, Rob Rennie, Terry Trumbull

NOTICE TO THE PUBLIC

1. Pursuant to Government Code §84308, no LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO. Prior to rendering a decision on a LAFCO proceeding, any LAFCO commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a commissioner receives a contribution which would otherwise require disqualification returns the contribution within 30 days of knowing about the contribution and the proceeding, the commissioner shall be permitted to participate in the proceeding. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO commissioner. For forms, visit the LAFCO website at www.santaclaralafco.org. No party, or his or her agent and no participant, or his or her agent, shall make a contribution of more than \$250 to any LAFCO commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO.
2. Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the FPPC: www.fppc.ca.gov. Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).
3. Pursuant to Government Code §56300(c), LAFCO adopted lobbying disclosure requirements which require that any person or entity lobbying the Commission or Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. In addition to submitting a declaration, any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. Additionally every applicant shall file a declaration under penalty of perjury listing all lobbyists that they have hired to influence the action taken by LAFCO on their application. For forms, visit the LAFCO website at www.santaclaralafco.org.
4. Any disclosable public records related to an open session item on the agenda and distributed to all or a majority of the Commissioners less than 72 hours prior to that meeting are available for public inspection at the LAFCO Office, 70 W. Hedding Street, 11th Floor, San Jose, California, during normal business hours. (Government Code §54957.5.)
5. In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408)299-6415.

70 West Hedding Street • 11th Floor, East Wing • San Jose, CA 95110 • (408) 299-5127 • www.santaclaralafco.org

COMMISSIONERS: Sequoia Hall, Ash Kalra, Linda J. LeZotte, Tara Martin-Milius, Mike Wasserman, Susan Vicklund Wilson, Ken Yeager

ALTERNATE COMMISSIONERS: Cindy Chavez, Yoriko Kishimoto, Raul Peralez, Rob Rennie, Terry Trumbull

EXECUTIVE OFFICER: Neelima Palacherla

1. ROLL CALL

2. PUBLIC COMMENTS

This portion of the meeting provides an opportunity for members of the public to address the Commission on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off-agenda items unless authorized by law. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

3. RESOLUTION OF COMMENDATION FOR COMMISSIONER ASH KALRA

4. RESOLUTION OF COMMENDATION FOR COMMISSIONER TARA MARTIN-MILIUS

5. APPROVE MINUTES OF AUGUST 3, 2016 LAFCO MEETING

6. APPROVE MINUTES OF OCTOBER 5, 2016 LAFCO MEETING

7. APPROVE MINUTES OF OCTOBER 17, 2016 SPECIAL LAFCO MEETING

CLOSED SESSION

The Commission will recess into Closed Session to discuss Item Nos. 8 and 9 and reconvene into Open Session to consider the remainder of the Agenda.

8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Conference with Legal Counsel - Initiation of litigation pursuant to Government Code 54956.9(d)(4) (1 case)

9. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 777 North First Street, Suites 400, 410, and 415, San Jose, CA 95112
Agency Negotiator: Neelima Palacherla
Negotiating Parties: Steve Botto
Under Negotiation: Price and terms of payment

10. REPORT FROM THE CLOSED SESSION

PUBLIC HEARING

11. Continued from October 5, 2016: MONTE SERENO URBAN SERVICE AREA (USA) AND SPHERE OF INFLUENCE (SOI) AMENDMENT 2016 (LUCKY ROAD)

Recommended Action

CEQA ACTION

1. Denial of the project does not require a CEQA action.

In order to approve the project, LAFCO as a Responsible Agency under CEQA, must take the following actions regarding the Mitigated Negative Declaration for this project:

- a. Find that the Initial Study and Mitigated Negative Declaration approved by the City of Monte Sereno on September 3, 2013 were completed in compliance with CEQA and are an adequate discussion of the environmental impacts of the project.
- b. Find that prior to making a decision on this project, LAFCO reviewed and considered the environmental effects of the project as outlined in the Initial Study and Mitigated Negative Declaration.

Project Action

2. Deny the proposed Monte Sereno Urban Service Area (USA) Amendment and Sphere of Influence (SOI) Amendment.

Request from the applicant to continue the public hearing to February 1, 2017.

ITEMS FOR ACTION / INFORMATION

12. LAFCO OFFICE SPACE: AUTHORIZATION TO LEASE PRIVATE OFFICE SPACE

Recommended Action:

1. Authorize the Executive Officer to execute a lease agreement for office space at 777 North First Street for a five-year lease term not to exceed a total cost of \$225,000 and subject to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda for information purposes.
2. Authorize the expenditure of an additional \$10,000, to fund information technology / telephone services for the new office space.

13. EXECUTIVE OFFICER'S REPORT

13.1 UPDATE ON THE SANTA CLARA VALLEY CLIMATE & AGRICULTURE PROTECTION PROGRAM

For Information Only.

13.2 BAY AREA GREENPRINT STRATEGIC ADVISORY MEETING

For Information Only.

13.3 MEETING WITH CALIFORNIA SUSTAINABLE GROWTH COUNCIL STAFF AND GOVERNOR'S OFFICE OF PLANNING & RESEARCH STAFF

For Information Only.

13.4 MEETING WITH REPRESENTATIVES OF THE SOUTH COUNTY CATHOLIC HIGH SCHOOL

For Information Only.

13.5 INTER-JURISDICTIONAL GIS WORKING GROUP MEETINGS

For Information Only.

14. LEGISLATIVE REPORT

For Information Only.

15. CALAFCO RELATED ACTIVITIES

15.1 REPORT ON THE 2016 CALAFCO ANNUAL CONFERENCE

For Information Only

15.2 CALAFCO WHITE PAPER ON AGRICULTURAL LAND PRESERVATION

For Information Only.

16. 2017 SCHEDULE OF LAFCO MEETINGS

Recommended Action: Adopt the schedule of LAFCO meetings and application filing deadlines for 2017.

17. APPOINTMENT OF 2017 LAFCO CHAIRPERSON AND VICE-CHAIRPERSON

Recommended Action: Appoint a commissioner to serve as the Chairperson for 2017 and appoint a commissioner to serve as the Vice-Chairperson for 2017.

18. PENDING APPLICATIONS / UPCOMING PROJECTS

- Jardin Drive Urban Service Area / Sphere of Influence Amendment, and Change of Organization

19. COMMISSIONER REPORTS

20. NEWSPAPER ARTICLES / NEWSLETTERS

- The Sphere, October 2016

21. WRITTEN CORRESPONDENCE

22. ADJOURN

Adjourn to the regular LAFCO meeting on February 1, 2017 at 1:15 PM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

**LAFCO MEETING MINUTES
WEDNESDAY, AUGUST 3, 2016**

CALL TO ORDER

The meeting was called to order at 1:00 p.m.

1. ROLL CALL

The following commissioners were present:

- **Chairperson Mike Wasserman**
- **Commissioner Sequoia Hall**
- **Commissioner Ash Kalra** (arrived at 1:01 p.m.)
- **Commissioner Linda J. LeZotte**
- **Commissioner Tara Martin-Milius**
- **Commissioner Susan Vicklund Wilson**
- **Commissioner Ken Yeager**
- **Alternate Commissioner Rob Rennie**
- **Alternate Commissioner Terry Trumbull** (left at 2:02 p.m.)

The following staff members were present:

- **LAFCO Executive Officer Neelima Palacherla**
- **LAFCO Assistant Executive Officer Dunia Noel**
- **LAFCO Counsel Malathy Subramanian**

2. PUBLIC COMMENTS

There were no public comments.

3. APPROVE MINUTES OF APRIL 6, 2016 LAFCO MEETING

The Commission approved the minutes of April 6, 2016 meeting.

Motion: Yeager

Second: Hall

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

4. APPROVE MINUTES OF JUNE 1, 2016 LAFCO MEETING

Ms. Palacherla proposed corrections to the minutes on the following pages: correct the name of "Julie Driscoll" to "Julie Borina Driscoll" and add a reference to Borina Enterprises, LLP on page 3; and, correct the spelling for Bishop Patrick McGrath on page 5.

The Commission approved the minutes of June 1, 2016 meeting, as corrected.

Motion: Hall

Second: Yeager

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

Upon the order of the Chairperson, there being no objection, the Commission adjourned to Closed Session at 1:05 p.m., and considered the following items:

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Conference with Legal Counsel - Initiation of litigation pursuant to Government Code 54956.9(d)(4) (1 case)

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 675 North First Street, Suite 645, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Michael Joseph

Under Negotiation: Price and terms of payment

7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 777 North First Street, Suite 400, 410, and 415, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Steve Botto

Under Negotiation: Price and terms of payment

8. PERFORMANCE EVALUATION

Public Employee Performance Evaluation (Government Code §54957)

Title: LAFCO Executive Officer

The Commission reconvened to an open meeting at 2:02 p.m., to consider the remainder of the agenda.

9. REPORT FROM THE CLOSED SESSION

Ms. Subramanian reported that on Item No. 5, the Commission voted 6-1 to initiate litigation, with Chairperson Wasserman opposed. She informed that the details of the litigation will be made public after it is filed.

10. LAFCO OFFICE SPACE: AUTHORIZATION TO LEASE PRIVATE OFFICE SPACE

Commissioner LeZotte moved for approval of a modified recommended action item "a," and of action items "b" and "c," as written. **Commissioner Hall** seconded.

The Commission:

- a. Authorized the Executive Officer to execute lease agreement for office space at either 675 North First Street or 777 North First Street for a total cost not to exceed \$213,000, after coordinating with the Ad Hoc Office Space Committee and subject

to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda.

- b. Authorized the expenditure of an amount not to exceed \$45,000, to fund moving costs; and the purchase of necessary furniture, and information technology/ telephone services for the new office space.
- c. Authorized the use of reserves to fund all of the expenses described above in (a.) and (b.), associated with leasing and furnishing private space for the LAFCO office.

Motion: LeZotte

Second: Hall

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

In response to an inquiry by **Commissioner Wilson, Chairperson Wasserman and Commissioner Hall** confirmed that the motion included action items “b” and “c,” as written.

11. EXECUTIVE OFFICER’S REPORT

11.1 UPDATE ON THE SANTA CLARA VALLEY CLIMATE & AGRICULTURE PROTECTION PROGRAM (CAPP)

In response to an inquiry by Commissioner LeZotte, Ms. Noel indicated that staff is not aware of the participation of the Santa Clara Valley Habitat Agency (SCVHA) in CAPP advisory committees, and noted that the intent was to use the Habitat Conservation Program (HCP) as a model for CAPP. Chairperson Wasserman noted the amount of work that has gone to HCP and expressed support for SCVHA participation.

11.2 COMMENT LETTER ON FINAL ENVIRONMENTAL IMPACT REPORT FOR CITY OF MORGAN HILL’S GENERAL PLAN UPDATE (MORGAN HILL 2035)

Doug Muirhead, a resident of Morgan Hill, observed the need for LAFCO to engage in public relations efforts in view of how South County jurisdictions receive LAFCO’s comments to their environmental documents. As an example, he referenced Don Weden’s presentation from a few years ago and suggested that LAFCO explain what the County would look like had LAFCO not existed. He explained that the public is only hearing from developers and South County officials who blame LAFCO for preventing them from creating jobs and housing. He informed that he attends LAFCO meetings to learn how to counter Morgan Hill’s City Council. He questioned the logic and analysis in Morgan Hill’s EIR. He reiterated his appreciation for LAFCO’s work and requested that LAFCO do more to educate and change public opinion in the South County.

11.3 LAFCO ORIENTATION SESSION FOR ALTERNATE COMMISSIONER PERALEZ

The Commission noted the report.

11.4 COMPLIANCE WITH ENTERPRISE SYSTEM CATALOG (SB 272)

The Commission noted the report.

11.5 UPDATE ON REQUEST FOR SEWER SERVICE TO 3262 WEST VIEW DRIVE

The Commission noted the report.

11.6 UPDATE ON REQUEST FOR SEWER SERVICE TO 23310 MORA GLEN DRIVE

The Commission noted the report.

**11.7 UPDATE ON REQUEST TO ANNEX 3343 ALPINE ROAD TO WEST BAY
SANITARY DISTRICT**

The Commission noted the report.

11.8 SANTA CLARA COUNTY SPECIAL DISTRICTS ASSOCIATION MEETING

The Commission noted the report.

Commissioner Hall requested staff to provide information to special districts about the cost of leased office space as change in costs are important to smaller special districts.

**11.9 SANTA CLARA COUNTY ASSOCIATION OF PLANNING OFFICIALS (SCCAPO)
MEETING**

The Commission noted the report.

12. CALAFCO RELATED ACTIVITIES

12.1 NOMINATIONS TO THE 2016/2017 CALAFCO BOARD OF DIRECTORS

The Commission took no action.

12.2 DESIGNATE VOTING DELEGATE AND ALTERNATE

After a brief discussion, Alternate Commissioner Rennie was designated as the voting delegate and Commissioner Wilson as the alternate.

The Commission appointed Alternate Commissioner Rob Rennie as the voting delegate and Commissioner Vicklund Wilson as the alternate voting delegate to the CALAFCO Board of Directors election.

Motion: Wilson

Second: LeZotte

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

13. PENDING APPLICATIONS / UPCOMING PROJECTS

Ms. Palacherla informed that the Monte Sereno Urban Service Area/Sphere of Influence Amendment 2016 will be heard at the October meeting. She also noted that various revisions to the Bylaws will be considered at that meeting, along with the FY 2015-16 Annual Report.

14. COMMISSIONER REPORTS

There was none.

15. NEWSPAPER ARTICLES / NEWSLETTERS

There was none.

16. WRITTEN CORRESPONDENCE

There was none.

17. ADJOURN

The Commission adjourned at 2:15 PM to the regular LAFCO meeting on October 5, 2016 at 1:00 PM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on _____.

Mike Wasserman, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk

**LAFCO MEETING MINUTES
WEDNESDAY, OCTOBER 5, 2016**

CALL TO ORDER

The meeting was called to order at 1:00 p.m.

1. ROLL CALL

The following commissioners were present:

- **Chairperson Mike Wasserman**
- **Commissioner Sequoia Hall**
- **Commissioner Ash Kalra**
- **Commissioner Linda J. LeZotte**
- **Commissioner Tara Martin-Milius**
- **Commissioner Susan Vicklund Wilson**

The following staff members were present:

- **LAFCO Executive Officer Neelima Palacherla**
- **LAFCO Assistant Executive Officer Dunia Noel**
- **LAFCO Counsel Malathy Subramanian**

2. PUBLIC COMMENTS

Doug Muirhead, a resident of Morgan Hill, stated that ground water recharge areas are unavailable in South County due to the proliferation of private wells. He urged LAFCO and the County to discuss policy in the future which would allow extension of water service or creation of micro water distributors to eliminate private wells, and allow creation of additional recharge areas.

The Chairperson, there being no objection, ordered that the agenda be taken out-of-order to allow speakers from the public to address the Commission before the Closed Session.

3. MINUTES OF AUGUST 3, 2016 LAFCO MEETING

The Commission took no action.

***10. OUT OF ORDER: TOLLING AGREEMENT BETWEEN LAFCO AND THE CITY OF MORGAN HILL**

Mr. Muirhead informed that while the Executive Officer has responded satisfactorily to his email prior to the meeting, he would like to request for the record that in the spirit of the Open Meeting Act, LAFCO keep the public informed about the status of the tolling agreement or commencement of litigation.

***8. OUT OF ORDER: MONTE SERENO URBAN SERVICE AREA (USA) AND SPHERE OF INFLUENCE (SOI) AMENDMENT 2016 (LUCKY ROAD)**

The Commission continued the public hearing to December 7, 2016 at the request of the applicant.

Motion: Wasserman

Second: Milius

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

Upon the order of the Chairperson, there being no objection, the Commission adjourned to Closed Session at 1:08 p.m., and considered the following items:

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Conference with Legal Counsel - Initiation of litigation pursuant to Government Code 54956.9(d)(4) (1 case)

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 675 North First Street, Suite 645, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Michael Joseph

Under Negotiation: Price and terms of payment

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 777 North First Street, Suite 400, 410, and 415, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Steve Botto

Under Negotiation: Price and terms of payment

The Commission reconvened to an open meeting at 1:25 p.m., to reconsider the remainder of the agenda.

7. REPORT FROM THE CLOSED SESSION

Mala Subramanian, LAFCO Counsel, indicated that there is no reportable action from the Closed Session.

***8. TAKEN OUT OF ORDER**

9. PROPOSED AMENDMENT TO LAFCO BY-LAWS

Dunia Noel, LAFCO Analyst, presented the staff report. A brief discussion ensued and it was agreed that the red-lined version should indicate that the meeting time is being changed from 1:00 p.m. to 1:15 p.m.

The Commission adopted the proposed revisions to the LAFCO Bylaws.

Motion: LeZotte

Second: Wilson

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

10. CONTINUED: TOLLING AGREEMENT BETWEEN LAFCO AND THE CITY OF MORGAN HILL

Ms. Subramanian presented the staff report.

Chairperson Wasserman noted the comment made by Mr. Muirhead prior to the Closed Session.

In response to an inquiry by **Commissioner LeZotte**, Ms. Subramanian indicated that no one has sued or threatened to sue Morgan Hill regarding the environmental documents of its 2035 General Plan.

11. LAFCO OFFICE SPACE: AUTHORIZATION TO LEASE PRIVATE OFFICE SPACE

Ms. Palacherla presented the staff report.

Commissioner LeZotte sought clarification on the recommended action and Ms. Palacherla advised that the lease agreement will be executed in coordination with the Ad Hoc Space Committee.

Motion: LeZotte

Second: Milius

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

The Commission authorized the Executive Officer to execute a lease agreement for office space at 675 North First Street for a five-year lease term not to exceed a total cost of \$213,000 and authorized an expenditure of up to \$64,000 to address Life Safety improvement issues and permit / plan check fees, after coordinating with the Ad Hoc Office Space Committee and subject to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda for informational purposes.

12. EXECUTIVE OFFICER'S REPORT

12.1 UPDATE ON THE SANTA CLARA VALLEY CLIMATE & AGRICULTURE PROTECTION PROGRAM (CAPP)

Ms. Noel presented the staff report. She indicated that the Commission was provided with copies of a letter from Mr. Muirhead, and she acknowledged Santa Clara County Planning Manager Rob Eastwood in the audience.

12.2 MEETING WITH TOWN OF LOS GATOS AND RESIDENT RE: POTENTIAL EFFORT TO ANNEX AN UNINCORPORATED ISLAND

The Commission noted the report.

12.3 MEETING WITH CITY OF LOS ALTOS STAFF RE: JARDIN DRIVE PROPERTY OWNERS' REQUEST FOR DETACHMENT FROM MOUNTAIN VIEW AND ANNEXATION TO LOS ALTOS

In response to an inquiry by **Commissioner Wilson**, Ms. Noel advised that there is an existing master tax agreement when boundary change occurs between cities.

The Commission noted the report.

12.4 MEETING WITH REPRESENTATIVES OF THE SAN MARTIN NEIGHBORHOOD ALLIANCE (SMNA)

The Commission noted the report.

12.5 SANTA CLARA COUNTY SPECIAL DISTRICTS ASSOCIATION (SDA) MEETING

In response to an inquiry by **Commissioner Hall**, Ms. Palacherla stated that she reported at the SDA meeting that LAFCO is looking for office space but did not indicate that there will be an increase in special district contributions as such information will only be known during the development of the budget for the next fiscal year. **Commissioner Hall** stated that special districts with small budgets should be made aware of cost increases in advance so they can prepare.

12.6 SANTA CLARA COUNTY ASSOCIATION OF PLANNING OFFICIALS (SCCAPO) MEETING

The Commission noted the report.

12.7 BAY AREA LAFCO CLERKS MEETING

The Commission noted the report.

12.8 INTER-JURISDICTIONAL GIS WORKING GROUP MEETING

The Commission noted the report.

Ms. Noel reported that, as an additional item to the report, the property of Steve Burch has been annexed to the Town of Los Altos Hills in September 2016. **Commissioner Milius** expressed appreciation to staff for facilitating the completion of the project.

13. ANNUAL REPORT

Ms. Palacherla reported that Fiscal Year 2016 was an exceptional year for LAFCO. She informed that the Annual Report highlight the vital role LAFCO plays in promoting sustainable growth in the county. She indicated that the Commission had to make difficult, politically challenging decisions, and take took unprecedented actions to uphold LAFCO's goals. Ms. Palacherla recognized the Commission's leadership and commitment.

Ms. Palacherla directed attention to the graphs illustrating how some cities have been able to accommodate large population increase without expanding their boundaries. She also informed that San Jose's General Plan does not anticipate expansion of its boundary to accommodate growth over the next 20 years.

Chairperson Wasserman complimented commissioners and staff for their efforts.

The Commission accepted the 2015-2016 Annual Report (July 1, 2015 to June 30, 2016).

Motion: LeZotte

Second: Hall

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

14. CALAFCO TESTIMONY AT LITTLE HOOVER COMMISSION (LHC) HEARING ON SPECIAL DISTRICTS

Ms. Palacherla presented the staff report.

Commissioner LeZotte inquired about the date of the next LHC hearing as the topic on climate change policy was of interest to the Santa Clara County Water District (SCVWD). Ms. Palacherla stated that she informed the SDA about the LHC hearing.

Commissioner Karla informed that he wrote an article in the San Jose Mercury News about the protection of the Coyote Valley. He noted that many people do not recognize land conservation's important role in addressing climate change.

In response to an inquiry by **Commission Wilson**, Ms. Palacherla noted that the Little Hoover Commission may come up with recommendations in the future but no information is available yet.

A brief discussion ensued about the contributions of the special districts in containing the Loma fire. **Commissioner Hall** informed that the Santa Clara Valley Open Space Authority (OSA) sacrificed some of its trails in order to create firebreaks. **Chairperson Wasserman** expressed appreciation to OSA and he reported that replacement vegetation in the firebreaks is planned to prevent erosion. He reported that he held community meetings in the South County, received updates and toured the headquarters of the interagency firefighting effort in Gilroy. **Commissioner LeZotte** informed that the SCVWD has opened its two reservoirs to fire helicopters, and that the District will acquire tanker trucks to provide drinking water to firefighters in future fire emergencies. **Chairperson Wasserman** described how the interagency Loma firefighting operation was organized quickly and efficiently, and expressed appreciation to the public safety sector for all their efforts.

13. PENDING APPLICATIONS / UPCOMING PROJECTS

There was none.

14. COMMISSIONER REPORTS

There was none.

15. NEWSPAPER ARTICLES / NEWSLETTERS

There was none.

16. WRITTEN CORRESPONDENCE

There was none.

17. ADJOURN

The Commission adjourned at 2:15 PM to the regular LAFCO meeting on December 7, 2016 at 1:15 PM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on _____.

Mike Wasserman, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk

**SPECIAL LAFCO MEETING MINUTES
MONDAY, OCTOBER 17, 2016**

CALL TO ORDER

The meeting was called to order at 1:06 p.m.

1. ROLL CALL

The following commissioners were present:

- **Chairperson Mike Wasserman**
- **Commissioner Linda J. LeZotte**
- **Commissioner Tara Martin-Milius**
- **Commissioner Susan Vicklund Wilson** (attended via teleconference)

The following staff members were present:

- **LAFCO Executive Officer Neelima Palacherla**
- **LAFCO Assistant Executive Officer Dunia Noel**
- **LAFCO Counsel Malathy Subramanian** (attended via teleconference)

2. PUBLIC COMMENTS

There were no public comments.

Upon the order of the Chairperson, there being no objection, the Commission adjourned to Closed Session at 1:08 p.m., and considered the following items:

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 675 North First Street, Suite 645, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Michael Joseph

Under Negotiation: Price and terms of payment

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 777 North First Street, Suite 400, 410, and 415, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Steve Botto

Under Negotiation: Price and terms of payment

The Commission reconvened to an open meeting at 1:24 p.m., to consider the remainder of the agenda.

5. **REPORT FROM THE CLOSED SESSION**

There was no report from the Closed Session.

6. **LAFCO OFFICE SPACE: AUTHORIZATION TO LEASE PRIVATE OFFICE SPACE**

Ms. Subramanian reminded the Commission that a roll call vote is required.

Commissioner Yeager moved for the approval and suggested that the improvements be limited to those that are necessary.

The Commission authorized the Executive Officer to execute a lease agreement, effective on November 1, 2016, for office space at 675 North First Street for a five-year lease term, not to exceed a total cost of \$213,000 and authorized an additional expenditure of up to \$40,000 to cover tenant improvements, subject to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda for informational purposes.

Motion: Yeager

Second: Milius

AYES: LeZotte, Milius, Wilson, Yeager

NOES: Wasserman

ABSTAIN: None

ABSENT: Hall, Kalra

MOTION PASSED

7. **ADJOURN**

The Commission adjourned at 1:28 PM to the regular LAFCO meeting on December 7, 2016 at 1:15 PM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on _____.

Mike Wasserman, Chairperson

Local Agency Formation Commission of Santa Clara County

By: _____

Emmanuel Abello, LAFCO Clerk

AGENDA ITEM # 11

**MONTE SERENO URBAN SERVICE AREA (USA) AND
SPHERE OF INFLUENCE (SOI) AMENDMENT 2016 (LUCKY ROAD)**

Continued from October 5, 2016

1. Request (dated November 30, 2016) from the applicant to continue the public hearing to February 1, 2016.
2. The staff report was provided in the October 5, 2016 Agenda Packet (Item No. 8), and is also available on the LAFCO website at:
<http://www.santaclaralafco.org/agenda-staff-reports>
3. Supplemental Information distributed to the Commission at the October 5, 2016 LAFCO Meeting.
4. Correspondence received since the October 5, 2016 LAFCO meeting.

AGENDA ITEM #11
Document #1

From: Nicholas Petredis <nicholas@petredis.com>
Sent: Wednesday, November 30, 2016 10:47 AM
To: Noel, Dunia
Subject: Monte Sereno Lucky Road Annexation

Hi Dunia,

I left you a voice mail message this morning but wanted to follow up with more information. Unfortunately we need to request a continuance of the hearing on the application to the February meeting date. The reason is I have conflict that prevents me from attending the hearing to represent my client, and my co-counsel is also unavailable (in a deposition).

Apologies for the request at this time but I reached out to you as soon as I had confirmation that I could not resolve the scheduling conflict. Please give me a call on my mobile – 650.533.5010 – when you are free to discuss. I hope this will not be issue.

Thanks,
Nick

Nicholas P. Petredis, Esq.

PETREDIS LAW OFFICES
50 W. San Fernando Street, Suite 1415
San Jose, California 95113
408.521.4532 (T) | 408.521.4533 (F) | 650.533.5010 (M)
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 *Don't print this e-mail unless you really need to.*

AGENDA ITEM #11
Document #3

From: Mackenzie Mossing <mackenziescvas@gmail.com>
Sent: Monday, October 03, 2016 1:24 PM
To: Wasserman, Mike; TaraMilius@gmail.com; District2@sanjoseca.gov;
Susan@swilsonlaw.com; district3@openspaceauthority.org; board@valleywater.org;
Yeager, Ken
Cc: Abello, Emmanuel
Subject: Please deny the proposed Monte Sereno Urban Service Area (USA) Amendment and
Sphere of Influence (SOI) Amendment
Attachments: 161003_LAFCo_Amendments.pdf

Dear Chairperson Wasserman and Santa Clara LAFCO commissioners,

Please review the attached letter regarding the Santa Clara Valley Audubon Society's comments on the Monte Sereno Urban Service Area.

Sincerely,
Mackenzie Mossing
Advocacy and Conservation Intern
Santa Clara Valley Audubon Society



October 3rd, 2016

Local Agency Formation Commission (LAFCO) of Santa Clara County

RE: Please deny the proposed Monte Sereno Urban Service Area (USA) Amendment and Sphere of Influence (SOI) Amendment

Dear Chairperson Wasserman and Santa Clara LAFCO commissioners,

Santa Clara Valley Audubon Society (SCVAS) is supporting staff recommendation to deny the proposed Monte Sereno Urban Service Area (USA) Amendment and Sphere of Influence (SOI) Amendment. Founded in 1926, SCVAS is one of the largest Audubon Society chapters in California. Our mission is to promote the enjoyment, understanding, and protection of birds by engaging people of all ages in birding, education, and conservation.

For decades, natural and agricultural landscapes in Santa Clara Valley have been consumed by urban sprawl. Habitat and water resources have been diverted to human use, resulting in adverse impacts to populations of many of our native species of birds and wildlife. SCVAS has advocated for frugal and compact use of land resources, and for conservation of open space and the natural environment. As stewards for avian species and their environmental resources, we are always concerned with any projects that may negatively affect birds, wildlife and habitat.

LAFCO is an independent agency with countywide jurisdiction, created by the State Legislature to encourage orderly boundaries, discourages urban sprawl, preserve agricultural lands and open space, and ensure efficient delivery of services. We believe that Santa Clara County can build sustainable communities and meet our population growth needs without encouraging sprawl. Instead, we must embrace nature and safeguard our natural resources to provide quality of life into the future as our climate changes and pressure on natural resources increases.

We support the staff's recommendation to deny the proposed Monte Sereno Urban Service Area (USA) Amendment and Sphere of Influence (SOI) Amendment.

Thank you,

Mackenzie Mossing
Advocacy and Conservation Intern

AGENDA ITEM #11
Document #4

From: coalumber@aol.com
Sent: Wednesday, October 05, 2016 6:40 PM
To: Abello, Emmanuel
Subject: Lucky road Vladimir

Hi Emmanuel,

I live at 16330 greenwood and fully support this project . Please approve it . Thanks jim z

Sent from my iPhone

LAFCO MEETING: December 7, 2016
TO: LAFCO
FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Analyst
SUBJECT: LAFCO OFFICE SPACE: AUTHORIZATION TO LEASE PRIVATE
OFFICE SPACE

STAFF RECOMMENDATION

1. Authorize the Executive Officer to execute a lease agreement for office space at 777 North First Street for a five-year lease term not to exceed a total cost of \$225,000 and subject to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda for information purposes.
2. Authorize the expenditure of an additional \$10,000, to fund information technology / telephone services for the new office space.

BACKGROUND

On October 17, 2016 at a Special Meeting, the Commission authorized the LAFCO Executive Officer to execute a lease agreement for office space at 675 North First Street for a five-year lease term not to exceed a total cost of \$213,000. The Commission had also authorized an additional expenditure of up to \$64,000 to cover the cost of office space reconfiguration, life safety improvements and associated permitting.

With the Commission's authorization and under these terms, staff began working with the agent to finalize the specific terms and conditions of the lease in order to execute a lease agreement. However, we were unable to reach an agreement on certain terms and conditions in the lease.

Following the failure of lease negotiations for 675 North First Street, staff contacted the agent for 777 North First Street about potentially leasing available office space in the building. Staff received a favorable response from the agent and is currently negotiating a lease for office space in the building.

Staff has also been working with the County and its vendors to develop a space plan for office space at 777 North First Street and to prepare a needs assessment and obtain cost

estimates to address phones and IT network. The Commission has previously authorized the expenditure of an amount not to exceed \$45,000, to fund moving costs, purchase of necessary furniture and information technology / telephone services for the new office space. Unlike 675 North First Street, 777 North First Street does not have an existing County tenant and therefore the cost and time required to address LAFCO's IT / network connections will be greater. Staff is proposing that the commission authorize expenditure of an additional \$10,000 for funding the IT/phone needs.

LAFCO MEETING: December 7, 2016
TO: LAFCO
FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Analyst
SUBJECT: EXECUTIVE OFFICER'S REPORT

13.1 UPDATE ON THE SANTA CLARA VALLEY CLIMATE & AGRICULTURE PROTECTION PROGRAM

For Information Only.

As reported previously, Executive Officer Palacherla was invited to participate on the Santa Clara Valley Climate and Agriculture Protection Program's (CAPP) Land Use Planning and Policy Advisory Group – one of three advisory groups established to provide guidance to the CAPP program.

EO Palacherla participated in the November 8, 2016 meeting of the Land Use Planning and Policy Advisory Group. Other attendees included current and former staff from various county planning departments, open space districts, and other local and state environmental and sustainability advocacy organizations. Participants shared their knowledge and experience in utilizing various successful agricultural preservation and conservation models, tools, and techniques. Participants also discussed the potential utility of certain tools and techniques in Santa Clara County specifically in light of the unique countywide growth management framework that is in place in the county.

On November 30th, staff met with Rob Eastwood (County Planning Manager) to receive an update on CAPP, specifically the effort to map agricultural lands and potential threats to these lands. It is expected that the County will be ready to share more detailed information on the mapping efforts with LAFCO and other stakeholders in January.

Staff will keep the Commission informed on the status of the CAPP as it proceeds. LAFCO has a major stake in ensuring a successful outcome for the CAPP given LAFCO's unique regulatory authority over future city boundaries and its core mandate to preserve farmland and curb urban sprawl.

13.2 BAY AREA GREENPRINT STRATEGIC ADVISORY MEETING

For Information Only.

EO Palacherla was invited to participate as a strategic advisor for the Bay Area Greenprint, which is a collaborative project of the Bay Area Open Space Council, The Nature Conservancy, Greenbelt Alliance, American Farmland Trust, and Green Info Network.

The Bay Area Greenprint seeks to develop a data driven toolkit that incorporates information about natural and agricultural values into land use and transportation planning so that a more complete evaluation of the associated public benefits and trade-offs can inform decisions about development and conservation. The toolkit will be composed of three products including a collection of credible GIS data, a methodology that assesses conservation values across multiple open space benefits and an interactive online mapping and reporting tool that identifies lands and resources in the Bay Area that are particularly important for natural resource conservation.

On November 14, 2016, EO Palacherla participated in the Bay Area Greenprint Strategic Advisory Meeting. The meeting was attended by staff from various Bay Area open space districts, conservation organizations, land trusts, local planning departments, and consultants. Attendees discussed the goals and target audience of the Bay Area Greenprint and provided feedback on GIS data sets, and conservation assessment methods.

It is expected that one or two additional meetings will be scheduled in the next 6 months, as the project proceeds.

13.3 MEETING WITH CALIFORNIA STRATEGIC GROWTH COUNCIL AND GOVERNOR'S OFFICE OF PLANNING & RESEARCH

For Information Only.

On November 16, 2016, LAFCO staff met with staff from the California Strategic Growth (SGC) Council and the Governor's Office of Planning and Research (OPR) to provide guidance on the development of a growth management resource document. In response to their request for insights into the Gilroy High Speed Rail station location, LAFCO staff provided a copy of LAFCO's comment letter to the California High Speed Rail Authority, dated March 17, 2011, outlining LAFCO's concerns with locating the station east of 101 within the agricultural preserve.

SGC and OPR staff informed us that there are increased efforts at the state level to encourage more sustainability planning to occur locally across various sectors, including housing, transportation, and resources conservation/protection. They also acknowledged the efforts that LAFCOs, particularly Santa Clara LAFCO, have made in curbing sprawl, promoting efficient delivery of services, and preserving agricultural lands and open space. Such efforts are very much in alignment with various State

objectives, including promoting sustainable growth and reducing greenhouse gas emissions.

13.4 MEETING WITH REPRESENTATIVES OF THE SOUTH COUNTY CATHOLIC HIGH SCHOOL

For Information Only.

On November 17, 2016, staff met with Andy Pashby (Representative of the South County Catholic High School), Gloria Ballard (Project Consultant, HMM Engineering), and Grant Gruber (Environmental Consultant, First Carbon Solutions). Mr. Pashby indicated that they want to continue to pursue the development of a private high school on the lands that the Catholic Diocese owns in the Southeast Quadrant and requested LAFCO staff's guidance on proposing an appropriate boundary for the urban service area (USA) amendment to include the lands within the City of Morgan Hill. LAFCO staff noted that the concerns that LAFCO raised previously regarding such an USA amendment still remain and recommended that they work closely with the City of Morgan Hill in order to address these concerns prior to spending time and considerable resources in preparing and submitting a new application to LAFCO. Staff also recommended that they consult with the City regarding preparation of CEQA documentation in light of the ongoing negotiations/discussions between LAFCO and the City.

As you know, the proposed private high school was part of the Morgan Hill 2015 USA Amendment application which was denied by LAFCO on March 11, 2016. Furthermore, on June 1, 2016, LAFCO denied the City's request for reconsideration of LAFCO's March 11, 2015 action relating specifically to the proposed private high school. Additionally, LAFCO waived over \$7,000 in LAFCO fees, in excess of the initial deposit amount of \$2,619, that were incurred by LAFCO in processing the request for reconsideration.

13.5 INTER-JURISDICTIONAL GIS WORKING GROUP MEETINGS

For Information Only.

Analyst Noel attended the October 12th and November 9th meetings of the Inter-Jurisdictional GIS Working Group that includes staff from various county departments that use and maintain GIS data, particularly LAFCO related data. At the meetings, participants shared updates on current GIS and boundary change activities within their department or agency. At the November 9th meeting, County Planning GIS staff also provided an overview of the County Planning Department's extensive GIS system, which is accessible to many other County Departments and used regularly by LAFCO staff. The County Planning Department also provided a demonstration of the GIS tools that are available on-line to the public via the Department's website. The next meeting is anticipated to be hosted by the County Assessor's Department.

LAFCO MEETING: December 7, 2016
TO: LAFCO
FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Analyst
SUBJECT: LEGISLATIVE REPORT

FOR INFORMATION ONLY.

2016 LEGISLATION OF RELEVANCE TO SANTA CLARA LAFCO

In April 2016, Santa Clara LAFCO adopted support positions on the two bills sponsored by the California Association of Local Agency Formation Commissions (CALAFCO) during the 2015-2016 legislative session – AB 2910 (Committee on Local Government) and SB 1266 (Maguire). Both of these bills were signed into law by the Governor on August 22nd.

AB 2910 is the annual LAFCO omnibus bill, which contains non-controversial, technical changes to the Cortese-Knox-Hertzberg Act. The bill amends Government Code Sections 56134, 56301, 56331, 56700.4, 56816, 56881, 57077.1 and 57130 to clarify several definitions, make changes to obsolete and incorrect code references, and make minor updates to several outdated sections.

SB 1266 creates a direct communication link between Joint Powers Authorities (JPA) and LAFCOs. Effective January 1, 2017, the bill would require JPAs formed for the purpose of providing municipal services and that include a local agency member, to file a copy of the joint powers agreement or an amendment to the agreement with LAFCO within 30 days after the effective date of the agreement or its amendment. The bill would also require JPAs that are formed prior to January 1, 2017, for the purpose of providing municipal services and that include a local agency member, to file a copy of the agreement and any amendments to the agreement no later than July 1, 2017. Further, this bill would prohibit an agency or an entity administering an agreement or amendment that has failed to make the required filings within the specified timeframes from issuing bonds or incurring any indebtedness until those filings have been made.

Other bills signed into law that are of relevance to Santa Clara LAFCO include SB 1262 and SB 1263 related to water supply planning and land use. SB 1262 requires a water supply assessment for new development to include additional information on groundwater resources if the development relies on groundwater and requires identification of water systems where the service area contains or is adjacent to the development site, if those systems may serve as a potential supplier to the project. SB 1263 requires the State Water Resources Control Board (SWRCB) to review permit applications for new water systems, authorizes SWRCB to deny a permit if it is found that the service area of the public water system can be served by an existing public water system, and prohibits a city or county from issuing a building permit for new residential development when the proposed water supply is bottled water, transported by a water hauler, or provided by a water-vending machine or a retail water facility.

2017 CALAFCO LEGISLATIVE COMMITTEE

The CALAFCO Legislative Committee held its first meeting for the 2017-2019 legislative session as a conference call on November 4th. Executive Officer Palacherla was reappointed to the CALAFCO Legislative Committee and participated in the meeting. The Committee discussed some of the issues and priorities for the upcoming year including LAFCO's relationship with / authority over JPAs, clean up of protest provisions in the CKH Act, the need for an annual CALAFCO sponsored omnibus bill, and potential policy refinements to SB 88 which authorizes the State Water Resources Control Board (rather than LAFCO) to consolidate failing local water systems.

The Committee's schedule of meetings is as follows:

- December 16, 2016, San Diego
- January 27, 2017 – Sacramento
- February 24, 2017 – Irvine
- March 24, 2017 – Sacramento
- May 12, 2017 – Sacramento
- June 23, 2017 – conference call
- August 11, 2017 – conference call

LAFCO MEETING: December 7, 2016
TO: LAFCO
FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Analyst
SUBJECT: CALAFCO RELATED ACTIVITIES

15.1 REPORT ON THE 2016 CALAFCO ANNUAL CONFERENCE

For Information Only

LAFCO staff and Commissioners Rennie and Vicklund Wilson attended this year's CALAFCO Annual Conference which was held in Santa Barbara from October 26th through October 28th. The annual conference's theme was *Orchards to Oceans – Balancing California's Diversity*, and provided an opportunity for LAFCOs across the state to share some of their best practices and learn new techniques and approaches from other LAFCOs. Executive Officer Palacherla, participated on the conference planning committee.

Commissioner Vicklund Wilson and EO Palacherla were panelists on a General Session entitled "Back to Our Roots: Curbing Sprawl and Preserving Open Space and Agricultural Lands to Ensure Orderly Growth and Development." Their presentation entitled "Santa Clara County: Turning the Tide on Sprawl & Protecting Farmland for Our Future" provided a brief overview of the unique urban growth management policies and tools that exist in Santa Clara County; how city urban service area (USA) boundaries are used in the county; key factors that Santa Clara LAFCO uses to carefully review USA amendment requests; how implementation of the policies has helped curb urban sprawl and allowed for the protection of agricultural and open space resources in the county; and presented a case study of LAFCO's consideration of the recent USA amendment application from Morgan Hill.

Legal Counsel Subramanian was a panelist on a breakout session entitled "CEQA – What is a Responsible Agency to Do?" which was moderated by Commissioner Vicklund Wilson. Ms. Subramanian provided an overview of the various options that LAFCOs, as responsible agencies under CEQA, can exercise when it comes to dealing with inadequate environmental documents prepared by lead agencies and provided real life examples of the various approaches that Santa Clara LAFCO and Merced LAFCO, both of whom she represents, have used to address certain situations. She also highlighted Santa Clara LAFCO's evolution in terms of its review of environmental

documents and preparation of comment letters to Lead Agencies concerning their environmental documents.

Alternate Commissioner Rennie attended the "LAFCO 101: Understanding & Applying the Basics", for new commissioners and staff; and served as a voting delegate for Santa Clara LAFCO.

The program for the first day of the conference included two general sessions entitled "The Big Picture: A Water Report from a State, Regional and Local Perspective" and "Back to Our Roots: Curbing Sprawl and Preserving Open Space and Agricultural Lands."

Thursday's program included regional caucus meetings and elections, commissioner and staff roundtable discussions organized by region, and breakout sessions on "Cutting Edge Trends and LAFCO: GIS, Public Policy, and Future Challenges"; "Is It Time to Revisit AB8? What It Takes to Realign Property Tax Revenues and Services"; "City Incorporations in California; Case Studies and Prospects for New Cities"; "Growth and Development By The Numbers: California's Demographic and Governance Changes Post-CKH"; "CEQA- What is a Responsible Agency to Do"; and "Disadvantaged Unincorporated Communities (DUCs) and SB 244: How Is It Working Out?" Friday's program included general sessions on "LAFCO and State Legislative Overrides – What's that All About Anyway?"; and "CALAFCO Legislative Update – 2016 Legislative Impacts on LAFCOs." CALAFCO has posted conference handouts on its website at www.calafco.org.

Lastly, please see the attached letter (**Attachment A**) from CALAFCO thanking the Commission for allowing some of its members and staff the opportunity to attend the 2016 Annual Conference.

The 2017 CALAFCO Annual Conference is scheduled for October 25-27, 2017 at the Bahia Mission Bay in Santa Diego.

15.2 CALAFCO WHITE PAPER ON AGRICULTURAL LAND PRESERVATION

For Information Only.

CALAFCO and American Farmland Trust (AFT) have recently teamed up to jointly collaborate and prepare a white paper on agricultural land preservation. Executive Officer Palacherla and LAFCO EOs from Yolo, Fresno, and Solano will be working with Serena Unger of the AFT in order to conduct the necessary research and prepare the report which is anticipated to be issued in June 2017.

ATTACHMENT

Attachment A: CALAFCO Correspondence dated November 1, 2016

**AGENDA ITEM # 15
Attachment A**

November 1, 2016

Santa Clara LAFCo
70 West Hedding Street, 11th Floor
San Jose, CA 95110

Dear Chair and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and/or staff the opportunity to attend the CALAFCO 2016 annual conference in Santa Barbara.

We know that budgets and resources remain tight and understand that prioritizing expenditures can be difficult. Ensuring you and your staff have access to ongoing professional development and specialized educational opportunities, allows all of you the opportunity to better serve your commission and fulfill the mission of LAFCo. The sharing of information and resources among the LAFCo commissioners and staff statewide serves to strengthen the LAFCo network and creates opportunities for rich and value-added learning that is applied within each LAFCo.

Thank you again for your participation in the CALAFCO 2016 annual conference, I hope you found it a valuable experience. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,



Pamela Miller
Executive Director



D R A F T**2017 SCHEDULE OF LAFCO MEETINGS AND
APPLICATION FILING DEADLINES**

LAFCO MEETING	DEADLINE TO FILE APPLICATION
Wednesday February 1, 2017 Board Meeting Chambers	December 8, 2016
Wednesday April 12, 2017, 10:00 a.m.* Board Meeting Chambers	February 2, 2017
Wednesday June 7, 2017 Board Meeting Chambers	April 6, 2017
Wednesday August 2, 2017 Board Meeting Chambers	June 8, 2017
Wednesday October 4, 2017 Board Meeting Chambers	August 3, 2017
Wednesday December 6, 2017 Board Meeting Chambers	October 5, 2017

TIME OF MEETINGS: 1:15 PM, **except on April 12, 2017*

LOCATION OF MEETINGS: Board Meeting Chambers
70 West Hedding Street
San Jose, CA 95110

APPLICATION MAILING
ADDRESS: LAFCO Office
70 West Hedding Street, 11th Floor
San Jose, CA 95110
(408) 993-4705

LAFCO MEETING: December 7, 2016
TO: LAFCO
FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Analyst
SUBJECT: APPOINTMENT OF 2017 LAFCO CHAIRPERSON AND VICE-CHAIRPERSON

RECOMMENDATION

Appoint a commissioner to serve as the Chairperson for 2017 and appoint a commissioner to serve as the Vice-Chairperson for 2017.

BACKGROUND

Appointment of the LAFCO Chairperson and Vice-Chairperson is typically made on a calendar year basis, usually at the December LAFCO Meeting. Pursuant to the LAFCO bylaws, the rotation schedule is as follows unless otherwise determined by the Commission:

- Cities member
- County member
- San Jose member
- Special Districts member
- County member
- Public member
- Special Districts member

In February 2015, deviating from the rotation schedule, LAFCO appointed the County member (Mike Wasserman) as Chair for 2015; and the Cities member (Cat Tucker) as Vice-Chair, because the Cities member was newly appointed to LAFCO.

In December 2015, to evenly distribute the Chair responsibilities amongst the members, LAFCO appointed Cat Tucker, the Cities member, as Chair for 2016; and Mike Wasserman, County member, as Vice-Chair for 2016.

On May 31, 2016, Chair Tucker's term on LAFCO ended, resulting in the need for LAFCO to appoint a commissioner to serve as Chair for the remaining part of 2016. In June 2016, LAFCO once again appointed Mike Wasserman, the County member, as

Chair for the remainder of 2016 and appointed Tara Martin-Milius, the newly appointed Cities member, as Vice-Chair for the remainder of 2016.

Over the last few years, LAFCO has experienced frequent changes in its membership resulting in the need for deviation from the adopted chair rotation schedule in order to allow new commissioners adequate time to gain knowledge and experience on LAFCO matters, before serving as LAFCO Chairperson.

LAFCO staff is seeking the Commission's direction concerning the appointments for 2017.

October 2016

**ANNUAL
CONFERENCE
EDITION**

2016 Report to the
Membership

Associate Members'
Corner

Message from the Chair:
Reflections of the Past;
Responsibilities for Today

The Challenges of
Reorganizations: Local
LAFCo Perspectives



CALAFCO 2016 Annual Report to the Membership

Dear CALAFCO Members:

The CALAFCO Board of Directors is proud to report the progress of our Association during the past year, which was a very full year. This year we successfully integrated many of the organizational changes the Board approved in July 2015. The year was also marked with a successful Annual Conference in Sacramento, Staff Workshop in Los Angeles, an increased presence across the state and as an advocate for LAFCo and LAFCo principles to statewide decision makers, and a mixed-bag of legislative efforts that included sponsoring two legislative bills (both signed into law), responding to a host of LAFCo-related bills, and testifying at a special hearing of the Little Hoover Commission (LHC).

The Association continues to be on sound financial ground. We are pleased to report that all 58 member LAFCOs have renewed their membership for the 2016-17 fiscal year, and today we have six (6) Gold Associate members and twenty-four (24) Silver Associate members. The FY 2016-17 adopted budget not only increases member service levels, it also retains a healthy reserve, and allows us the opportunity to reinvest into the membership in several ways.

Our achievements are the result of the dedicated efforts of many volunteer LAFCo staff from around the state who contribute their time and expertise. The Board is grateful to the Commissions who support their staff as they serve in the CALAFCO educational and legislative roles on behalf of all LAFCOs. We are also grateful to the Associate members and event Sponsors that help underwrite the educational mission of the Association and allow us to keep registration fees as low as possible.

Early in 2016 your Board of Directors conducted a full review of the Association's performance in meeting the 2015 objectives as outlined in the organization's 2015-2016 Strategic Plan. This was the first time such a review was conducted. We also took this time to review the objectives set for 2016 and revise them where appropriate. We reported our "dashboard report card" and the changes to the Strategic Plan to you, the membership, shortly thereafter. The objectives for 2016 remained aggressive and robust, and we are pleased to report the outcomes to date.

Continued on Page 6

The Sphere

CALAFCO Journal

October 2016

The Sphere is a publication of the California Association of Local Agency Formation Commissions.

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To submit articles, event announcements, comments or other materials noteworthy to LAFCo commissioners and staff, please contact the Editor at 916-442-6536 or info@calafco.org.

The contents of this newsletter do not necessarily represent the views of CALAFCO, its members, or their professional or official affiliations.

1215 K Street, Suite 1650
Sacramento, CA 95814
916-442-6536

www.calafco.org

A MESSAGE FROM THE CHAIR OF CALAFCO

Over the last two years that I have served as Chair of CALAFCO, I have been able to experience the strength of our individual LAFCos, help lead a valuable restructuring of our organization, and work directly with the Governor's office, state Legislators and most recently with the Little Hoover Commission (LHC). Through this all, I have gained some insight into what makes our work critical to the development of our state and the role that our local organizations play in helping shape the future of California.

CALAFCO was recently invited to testify before the LHC to talk about the role that special districts play in our state. The last time the LHC looked at LAFCos was 16 years ago, and some of their recommendations were included as part of the major overhaul, which became the Cortese-Knox-Hertzberg (CKH) Act of 2000, the operating legislation for LAFCos. They were revisiting some of the issues with special districts, and, with the LHC's important role in influencing LAFCo law, we took the opportunity to review with them some of the additions made to the law and their impacts.

Our written testimony was a valuable report on the history of LAFCos, some of the contributions we have made to state governance, and both the challenges and opportunities that exist for LAFCos. It included useful information about the budgets, staffing and makeup of the state's 58 LAFCos. I encourage you to read it at www.calafco.org because it is a wonderful overview of who we are and what we do.



John Leopold
Chair of the Board
CALAFCO

Before the LHC, Pamela Miller, our Executive Director, related an analogy about the Legislature's giving LAFCos a brand new Rambler in 1963 when the original law was written. Over the years they have added new passengers and even changed part of the course for LAFCos, but they have never given us a new car so we are still rolling down the road with a few dings, a bumper hanging off, and a car filled to the brim. We all tried to make the point that there is only so much a LAFCo can do when our funding is fairly static but our responsibilities continue to grow.

We focused on the development of Municipal Service Reviews (MSRs) since CKH. We pointed out how various LAFCos approached this new responsibility and their role, along with Spheres of Influence (SOIs), in long-term planning. LAFCos can make recommendations that are operational in nature, such as addressing governance, managerial or financial concerns. When using these tools, a LAFCo can recommend a consolidation and dissolution of a district, but it can't mandate a district to take action; further LAFCos lack the authority to ensure implementation. Districts are not required to adhere to LAFCo recommendations and, even when they agree, the voters may decide in the end that they don't want to make any changes.

LAFCoS are able to consider local circumstances and conditions, and, while special legislation addresses an immediate concern, it often results in collateral long-term impacts to resolving local issues.

Increasing demands from the Legislature for LAFCoS to address local agency deficiencies without the authority and resources to do so and the reluctance of local agencies to readily accept LAFCo assistance or intervention combine to create a lose-lose for all. Instead, we suggested remedies that would help legislators deal with underperforming districts while maintaining the important local control for decisions.

In our testimony we advocated for increased revenue options for LAFCoS. We suggested that the state grant LAFCo the statutory authority and financial resources to identify inactive districts and dissolve these districts after the appropriate study has been conducted or certain determinations have been made by the LAFCo. In order to assess the effectiveness of MSR, we recommended a statewide study and from that study, make legislative changes as appropriate. It has now been 16 years since LAFCoS were authorized to conduct regular SOI updates and MSR. Enough time has passed, and enough LAFCoS have completed several "rounds" of these studies for there to be the kind of data needed to study and evaluate the effectiveness of the requirement. Lastly, we urged the LHC to push for some of the findings they made 16 years ago that would help in the statewide discussion about the efficacy of district consolidations or reorganizations. The LHC study previously pointed to the need for a long-

term study of consolidations; the development of metrics to assess special districts that LAFCoS could use in their MSR and SOI; and the development of cadre of trainers of former LAFCo and special district executives to train and or assist and advise in certain situations.

Our shared challenges are best worked out in partnership. We emphasized our interest for CALAFCO to work with special districts and the Legislature as a partner to help provide efficient services in our state and prepare for challenges that were unseen when LAFCoS were created.

We have come a long way as LAFCoS since our birth in 1963. Our testimony before the LHC gave me an opportunity to reflect on the many changes that we have experienced and the challenges that lay ahead.

"Our shared challenges are best worked out in partnership."

Over the last two years as your chair, I have seen our organization grow in size, financial capacity, and effectiveness at the state level. CALAFCO will continue to evolve in the future to meet the needs of our 58 LAFCoS and serve the state.

It has been an honor to lead this incredible organization over the last two years. Thank you to all the wonderful Board members with whom I have had the pleasure to serve, our dedicated staff of Executive Officers who have ably supported our work, and our effective and talented Executive Director who has helped CALAFCO grow in ways that strengthen our organization internally and externally.

Thank you,

John Leopold





A Message from the CALAFCO Executive Director

Pamela Miller
Executive Director

The Road Ahead: Looking Back at the Steps Forward

Last year has been an interesting one for CALAFCO. The Association dealt with some expected changes and challenges and faced some unexpected ones too. We forged new partnerships with CV Strategies to create a new Conference Sponsorship model, began the work of transitioning our email and website hosting services to a new firm, Matson & Isom Technologies, and began work with the American Farmland Trust on a White Paper on Agricultural Preservation Policies.

We strengthened existing partnerships, continued to work with the State Water Resources Control Board (SWRCB) on water-related legislative matters and collaborated with CSDA on two projects: a Formation Guide for Special Districts and Countywide RDA Oversight Board Procedures (pertaining to special district seats).

We responded to a plethora of legislation that deeply impacted LAFCo, not the least of which was SB 1318 (Wolk). And, in an unexpected turn of events, CALAFCO was called to testify before the Little Hoover Commission (LHC) at its August hearing on special districts. The combination of experiences of working on SB 1318 and preparing the testimony for the LHC was both educational and eye-opening for me.

The study and report for the LHC on the evolution of LAFCos, especially focusing on the past 16 years, allowed me the chance to look in the rear view mirror; the focus on challenges for LAFCos today allowed me the chance to stand in the present moment; and the report's attention on future opportunities for LAFCos allowed me to look forward. This interesting perspective made clear for me several things.

First, LAFCos have come a long way over the past 53 years and especially over the past 16 years.

“Increasing demands from the Legislature for LAFCos to address local agency deficiencies without the authority and resources to do so, and the reluctance of local agencies to readily accept LAFCo assistance or intervention, combine to create a no-win for all.”



Think about it – LAFCo was originally created in 1963 to review and approve or disapprove proposals for incorporations and the creation of special districts. Compare that to today’s charge for LAFCo and there is a world of difference...as I suppose there should be over a 53-year timespan.

Think of how the world has changed in the past 53 years...it only makes sense that LAFCo would change with it.

Next, if you ever wonder what use the CALAFCO Biennial Survey data is...let me tell you – the 2015 survey data was certainly put to good use in the LHC testimony. This data provided support to several points made within the testimony: first is the different staffing models of LAFCos throughout the state; second, the range in LAFCo budgets; third, the level of independence and employment models used by LAFCos around the state; and finally, the ability or inability of

LAFCos to meet their statutory requirements based on their current budget levels.

Another thing that became clear to me is that the resources available to LAFCo have not kept pace with the evolution of the role and responsibilities of LAFCo through the years. Increasing demands from the Legislature for LAFCos to address local agency deficiencies without the authority and resources to do so, and the reluctance of local agencies to readily accept LAFCo assistance or intervention, combine to create a no-win for all. Ultimately, LAFCos must still rely on the participating local agencies as their primary source of operational revenue (other than fees for services). These are the same agencies that are also critically reviewed by LAFCo and that may not view a strong LAFCo as a helpful entity. This has become increasingly challenging as local agencies continue to grapple with their own fiscal shortages and desire to maintain local control in an era of increasing regional planning demands.

Other challenges facing LAFCoS today and in the future that crystalized for me include the matter of independence, which remains a struggle for many of our LAFCoS; political pressures for Commissioners; dealing with unique service entity structures such as Mutual Water Companies and JPAs; and the recent challenge of LAFCo authority by the Legislature pursuant to bills introduced in the 2015-16 legislative year.

Finally, in working on SB 1318, what became very clear to me and others is that there is a need for us to ensure that all of our LAFCoS are in compliance with the disadvantaged unincorporated communities (DUC) mapping required by SB 244 (Wolk, 2011).

From the realization of these challenges also came the clarity that there are many opportunities.

As part of our written and verbal testimony to the LHC, CALAFCO offered a number of opportunities to address many of these challenges. While some of these opportunities are not within our direct control, some are, while others can be influenced by us.

These opportunities include additional state-level funding for LAFCoS across the board – or at the very least to conduct more in-depth studies on service providers that need greater scrutiny. To that end CALAFCO offered a number of options for the LHC and state Legislature to consider. We suggested considering the appointment of Commission members to fixed terms as a potential opportunity to create a better balance of the democratic appointment process with the empowerment of the official to act more independently. We also suggested a statewide study on the effectiveness of MSRs and a review and revisions of certain outdated principal acts,

and we advocated strongly to keep LAFCo decisions local without interference from the state Legislature. CALAFCO also recommended that the state support a study of the long-term effects of consolidations and reorganizations. This recommendation stems from the ever-increasing pressure LAFCoS are feeling to initiate and/or approve such actions.

Further, as an outcome of all of the work done by CALAFCO this year on SB 1318, the CALAFCO Board approved staff's recommendation (supported by our Legislative Committee) to embark on a project of mapping DUCs in all 58 counties and including this mapping within a White Paper on DUCs to be produced within the next year. These maps will be provided to both OPR and the SWRCB. CALAFCO is committed to having these maps updated every five years. This does not mean LAFCoS cannot continue to produce their own mapping – as many of you are already mapping DUCs at a more detailed level than this project will do. However, this project will not only bring all LAFCoS into compliance with the mapping requirements but will also demonstrate that we are willing and able to respond to the critique of non-compliance. By approaching this mapping with a consistent and statewide effort, CALAFCO has the opportunity to provide a significant benefit to our member LAFCoS, which in turn benefits the communities they serve.

No one knows what the future holds for LAFCoS, but one thing is for certain: the road ahead is wide open with possibilities, challenges and opportunities. We just need to make sure we have our eyes open wide enough to see everything and be able make the distinctions necessary to take the correct turn.

Pamela Miller





Annual Membership Report

Continued from cover

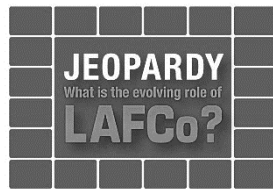
EDUCATIONAL SERVICES AND COMMUNICATION

CALAFCO educational and information sharing-services are the Board's top priority for member services. The Association focuses its resources in four areas: the Staff Workshop, Annual Conference, CALAFCO University courses, and electronic resources including the web site, quarterly reports and the member list-serves.

Staff Workshop and Annual Conference

We continued the tradition of quality education programming with the Staff Workshop held in Universal City in late March and the Annual Conference in Santa Barbara in October. The Workshop, hosted by Los Angeles (LA) LAFCo, brought together 111 LAFCo staff from around the state and six Associate members.

With the theme ***JEOPARDY: What is the Evolving Role of LAFCo?***, this year's program included a range of both technically-oriented and



professional development topics. We began with a special Mobile Workshop panel and tour learning about the NBC Universal Evolution Plan, Alt. No. 10: No Residential Alternative. The panel included those from local public and private entities who worked with LA LAFCo on the project, as well as LA LAFCo staff who offered their own perspective on the project. Also included was a very special backlot tour of NBC Universal Studios, which was followed by lunch. NBC Universal was a very gracious host, and CALAFCO very much appreciated its generous full sponsorship of this very special Mobile Workshop.

Workshop sessions included general sessions on water, legislative impacts of 2015, legislative updates, and a special session on Building Trust by the Franklin Covey Group. Breakout sessions were a mixed bag of technical topics such as

website development, database management, new LAFCo laws for clerks, protest provisions, Brown Act 101 and legislation 101. In addition to the Building Trust session, personal development topics included team building.

We were treated to a very special lunch program that involved a look back in time at some of our LAFCo members and after dinner entertainment in the form of a LAFCo Jeopardy game (which turned out to be highly competitive as well as a lot of fun). We would like to thank the Program Planning Committee members and ***Kris Berry*** (Placer LAFCo), ***Marjorie Blom*** (Assoc. member) and ***Pamela Miller*** (CALAFCO), all of whom co-chaired the Program Committee, our host, ***LA LAFCo***, led by ***Paul Novak*** and his entire team of staff, and all who worked to make this an outstanding Staff Workshop. We also acknowledge and thank the sponsors of this year's Staff Workshop.

The 2017 Staff Workshop is set for April 5-7, 2017 at the beautiful Doubletree by Hilton in downtown Fresno. Our host for this workshop will be ***Fresno LAFCo***.

Approximately 270 LAFCo commissioners, staff and guests are expected at the 2016 Annual Conference in Santa Barbara. Hosted by ***Santa Barbara LAFCo*** and held at the Fess Parker DoubleTree, just across from the breathtaking Pacific Ocean, the program centers on the theme ***"Orchards to Oceans: Balancing California's Diversity"*** and includes a range of content-rich sessions focused on how LAFCos can be even more effective at balancing our state's diverse needs. The Mobile Workshop is scheduled to take us on a local greenhouse tour where cutting-edge technology is used to grow plants, followed by a tour of Bradbury Dam at Lake Cachuma. Following the theme of water and land, opening general sessions include a water report from varying perspectives and a look at the preservation of open space and agricultural lands. Other sessions include a unique look at cutting-edge trends and LAFCo, disadvantaged





unincorporated communities, CEQA, LAFCo and demographics over time, AB 8, the status of city incorporations, and the Legislature's recent trend of overriding LAFCo authority. We will close with our powerful and informative legislative update that includes panelists from both the Senate Governance and Finance Committee and CALAFCO's Legislative Committee.

The LAFCo 101 session was once again open for attendance to those who are not attending the full conference at a deeply discounted rate. This allows agencies to send staff and elected officials to this very special 2-hour session on understanding and applying the basics of LAFCo. This year we are proud to announce a very special luncheon keynote speaker, *Mr. Jean-Michel Cousteau*.

We acknowledge and thank *Santa Barbara LAFCo* for hosting the Conference, their staff for all of their hard work: *Paul Hood, Michael Allen* and *Jacqueline Alexander*, the Conference Committee Chair *Sblend Sblendorio* (Alameda LAFCo), the Program Committee Chair *David Church* (San Luis Obispo LAFCo), and all who are working on the Program Committee to make this an outstanding Conference.

We wish to also thank all of our sponsors for this year's Annual Conference, without whom this special event would not be possible.

This is the last year a local LAFCo will host the Annual Conference. Next year's Conference will be hosted by CALAFCO and held at the beautiful Bahia Hotel in Mission Bay, San Diego, October 25 – 27.

CALAFCO University

Last year the Board approved a reduction in the number of annual offerings for CALAFCO U courses. Now, we offer two sessions annually, one in Sacramento and the other in the southern part of the state. Your feedback was to hold fewer courses with topics that were meaningful and timely, as LAFCos have limited training dollars and there were too many options from which to choose.



The final CALAFCO U for 2015 was held in Sacramento on November 9 and had 34 people in attendance. The topic was *Implementing SB 88 – Water System Consolidations: What Does It Mean For LAFCo?* Panelists included staff from the State Water Resources Control Board (SWRCB) and the Governor's Office of Planning and Research (OPR). After hearing about the functions of the SWRCB, an overview of SB 88 and how the SWRCB plans to implement the legislation, attendees had an opportunity, in small group discussions, to provide the panel feedback on potential issues, how we see LAFCo involved in the implementation, and what would be needed in order to make that work. This information was collated and presented to the SWRCB and OPR, and used by CALAFCO to inform clean-up legislation this past year.

Topics for the next two sessions have been identified as *Enhancing Partnerships and Relationships With Affected Agencies* and *Negotiations and Mediation: How LAFCos Have Dealt With Unique Situations*. Watch for confirmation of dates and locations as staff continues to work out details.

Accreditations

CALAFCO's educational activities continue to be accredited by the American Planning Association to provide AICP credits for certified planners. This benefit is provided at no cost to LAFCo staff and helps them maintain their certifications. In addition, both the Conference and Workshop have sessions for LAFCo counsel that have been accredited for MCLE credits by the California Bar.

Web Site

The CALAFCO web site is a vital resource for both LAFCos and the community with questions about local government in California. The site consistently attracts between 5,500 and 6,500 visits per week. The vast majority of the visits are for the reference and resource materials found on the site and referral information to member LAFCos.

This year we planned to migrate to our new website and email host in the spring. We



seamlessly transitioned our email services to the new host as planned. However, the website revision and migration have taken longer than expected. After receiving input from various LAFCo staff on the look and feel of the design and the features and functionalities desired, the site was designed. Migration of the existing data took longer than expected due to many broken links and content duplication behind the scenes. These things are a result of a lack of security updates and patches, not a result of the original design. Other primary delays were due to a very heavy legislative year and an unexpected call to testify before the LHC.

We are happy to report full migration will occur before the end of this year, and our new host will provide technical support and full security for our new site.

List-Serves

The list-serves maintained by the Association continue to be an important communication and information sharing tool among LAFCo staff. In total, we maintain eight list serves to help members share information, materials, and expertise. The List-Serves for executive officers, analysts, clerks and counsel discussions remain the most popular and serve to foster the sharing of information and resources. As mentioned above, all of the Association's email services have successfully been transferred to the new provider.

Quarterly Updates

After each Board meeting, the Association's executive director creates and distributes through the list serves a quarterly report on the activities of the Board and Association. Since The Sphere is now an annual newsletter, these quarterly reports have been enhanced to contain more information, a special feature highlighting Associate Members and local LAFCo updates. These bulletins provide informational updates in a timelier manner and at less cost to the Association. The feedback we've received as a result of these changes is positive, so this is a change the Association will keep in place.

White Papers

This year we focused our efforts on a White Paper pertaining to the Sustainable Management Groundwater Act (SGMA) and LAFCos. Last minute feedback from OPR and the SWRCB requires one final update to the paper before release, which is scheduled within the next month. CALAFCO wishes to thank *David Church* (SLO LAFCo), *John Marchand* and *Mona Palacios* (Alameda LAFCo), and *Best Best and Krieger* for their work on this paper.

Additionally, CALAFCO recently teamed up with the *American Farmland Trust* (AFT) on a joint collaboration White Paper on Agricultural Land Preservation. With work just getting underway on this paper and an estimated completion date of June 2017, we want to acknowledge the volunteers working on this paper: *Christine Crawford* (Yolo LAFCo), *David Fey* (Fresno LAFCo), *Elliot Mulberg* (Solano LAFCo), *Neelima Palacherla* (Santa Clara LAFCo) and *Serena Unger* of the AFT.

Finally, in July of this year your Board approved an earmark for part of the carry-over from the FY 2015-16 budget that is being moved into Contingency for a White Paper to be completed on disadvantaged unincorporated communities (DUCs) that would include mapping all DUCs throughout the state at the census block group level. This project is a result of the work done by CALAFCO this past year on SB 1318 (*Wolk*), during which we determined that not all LAFCos are in compliance with the mapping requirements of SB 244 (*Wolk, 2011*). This document allows CALAFCO to proactively be in control of the information being shared and most importantly brings all 58 LAFCo members into compliance with the requirements of SB 244. Once completed, the information will be shared with OPR, the SWRCB and the Legislature. CALAFCO is committed to updating the maps every five years.



LEGISLATIVE PROGRAM

This year CALAFCO sponsored two bills, responded to a host of bills that impacted LAFCoS, remained in discussions with OPR and the SWRCB on water-related matters, and testified before the LHC. Due to our efforts to help solve problems and resolve issues constructively, CALAFCO continues to be a sought-after resource to legislative committees, members and staff, and to state agencies.



The CALAFCO Legislative Committee (Committee) began work in November and met regularly throughout the year. Based on a very narrow scope of legislative priorities set by the Board last year, the focus this year was on a limited Omnibus bill, sponsoring legislation that strengthened the communication relationship between LAFCoS and JPAs, and we continued work on finding an author to carry the technical clean-up language needed for SB 88 (2015). The limited scope was due to the anticipation of a need to react to legislation introduced that would impact LAFCo, which turned out to be an insightful decision.

This year's Omnibus bill, **AB 2910**, which was signed by the Governor on August 22, contained eight different changes to Cortese-Knox-Hertzberg (CKH) such as clarifying several definitions, making changes to obsolete and incorrect code references, and making minor updates to several outdated sections. In particular there were minor clean-ups done to the work CALAFCO did last year in the disincorporation statutes and the removal of the requirement of a comprehensive fiscal analysis based on last year's changes to GC §56133 done through SB 239 (*Hertzberg*).

With thirteen proposals submitted by LAFCo staff and two additional items included from the Assembly Local Government Committee (ALGC), a large number of items had to be left

off the bill this year. These will likely be considered for next year's Omnibus bill.

We are grateful for the efforts of Committee member **Paul Novak** (LA LAFCo) and ALGC consultant **Misa Lennox** for their efforts on shepherding this bill, and to all of you who did the work of submitting proposals for insertion into the Omnibus.

The other CALAFCO sponsored bill is **SB 1266** (*McGuire*). This bill was also signed by the Governor on August 22. This bill requires certain JPAs that were formed for the purpose of providing municipal services to file a copy of their agreement, or any amendments to their agreement, with the local LAFCo, just as they do with the Secretary of State. The bill allows for the same punitive actions for the JPA that are under existing statutes should they not comply with this filing. JPAs have until July 1, 2017 to comply with the filings. This data will help inform every LAFCo as to exactly which JPAs exist and the exact services they were formed to provide. CALAFCO conducted extensive stakeholder outreach prior to the bill's introduction and continued these efforts in the bill's early stages. This concentrated effort afforded us no opposition to this piece of legislation (although several amendments were required to get to that point). We want to thank **Keene Simonds** (Marin LAFCo) for his work in leading the efforts with this bill.

The other big piece of legislation that required great resources from CALAFCO this year was **SB 1318** (*Wolk*), which was a follow up bill to SB 244. CALAFCO assumed an **Oppose** position but worked very hard with the author's office and sponsor on several rounds of amendments. We wish to thank **José Henríquez** (El Dorado LAFCo), **Steve Lucas** (Butte LAFCo), **Bill Nicholson** (Merced LAFCo), **Paul Novak** (LA LAFCo) and **Keene Simonds** (Marin LAFCo) for assisting the executive director with the efforts pertaining to this bill. CALAFCO attended hours of stakeholder meetings, and meetings with the sponsor and author's staff in an effort to reach common ground. Additionally, this team spent many hours crafting multiple re-writes of the bill. The bill, which focused on the provision of

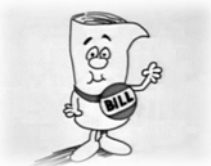


drinking water and wastewater to DUCs, initially severely restricted LAFCoS when considering certain annexations and created, for LAFCo, a host of unfunded mandates pertaining to DUCs. In that the bill was widely opposed by stakeholders, the author's office and sponsor considered a number of amendments. In the end, however, no agreement was reached among stakeholders, the sponsor and the author, and Senator Wolk dropped the bill. The bill also contained an amendment that addressed our need to amend GC §56653, but that was lost when the bill was dropped.

As mentioned previously in this report, even though the bill died, CALAFCO came away with a significant outcome in the form of a future action. As a direct result of our involvement and discussions on **SB 1318**, CALAFCO will undertake a White Paper and full mapping project of all DUCs within the state in 2017.

CALAFCO was also actively involved in stakeholder discussions regarding **SB 1262** (Pavley). A follow up to the groundwater legislation passed in recent years, this bill made substantive changes to the Water Code as it pertains to water supply planning. Several of our requested amendments were taken and ultimately the bill was signed into law by the Governor. CALAFCO maintained a **Watch with Concerns** position on this bill until the majority of our concerns were addressed, at which time we moved to a **Watch** position.

This year we saw a rash of bills introduced that either bypassed LAFCo completely or in some way diminished LAFCo authority. The ALGC saw enough of these bills (almost all of them introduced in the Assembly) such that, by mid-year, the Chair created a questionnaire asking authors their reasoning behind the action. CALAFCO worked on a number of these bills with the respective authors' offices. These and other bills on which we worked included:



- **SB 552** (Wolk) This bill served as the vehicle to pass the one technical amendment CALAFCO sought to SB 88 (2015). It contained several other technical amendments and gave the SWRCB the authority to appoint an Administrator for a water system (as opposed to mandating consolidation). The bill was signed by the Governor. CALAFCO did not take a formal position on this bill.
- **SB 817** (Roth) As he has done the past several years, Senator Roth again carried this bill which called for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. Although it passed the Legislature, the bill was again vetoed by the Governor. CALAFCO had a **Support** position on this bill.
- **AB 2414** (Garcia) As amended, this bill requires Riverside LAFCo to approve the expansion of the Desert Healthcare District providing a determination is made that the expansion is financially feasible. Although the author accepted several of CALAFCO's requested amendments, in the end it left no discretion to Riverside LAFCo. As a result, we maintained our **Oppose** position. The Governor signed the bill September 21.
- **AB 2470** (Gonzalez) As amended, this bill requires a water agency to provide water service upon request of an Indian tribe and under certain conditions, to the tribe at substantially the same terms as existing customers of the water district even though no annexation of the land to be serviced is required. The proposed process bypasses entirely the LAFCo process and requires the water agency to provide the service without discretion. The author introduced the bill to deal with a local issue, despite the fact the bill did not name the Indian tribe for which it was written. CALAFCO maintained a **Watch With Concerns** position on the bill. The author had the support of the entire San Diego legislative delegation as well as the local water providers. Ultimately the bill was signed by the Governor.



- **AB 2471** (Quirk) As amended, the bill divested Alameda LAFCo of its authority and discretion pertaining to the Eden Healthcare District. The bill required the Alameda LAFCo to review Eden Healthcare District's compliance with certain criteria set forth in the bill and if all of the prescribed criteria was met, required the LAFCo to order the dissolution of the district. After much work by Alameda LAFCo and CALAFCO and a formal request by the City of Hayward to the LAFCo to conduct a thorough district review, the author dropped the bill. CALAFCO maintained an *Oppose Unless Amended* position.

Thorough legislative updates are provided in each Quarterly Report. For a complete list of CALAFCO bills, please visit the CALAFCO website. Information is updated daily.

CALAFCO AS A RESOURCE

The Little Hoover Commission

The LHC contacted CALAFCO in early summer this year as it planned to hold an informational hearing on special districts. This hearing was a follow-up to the Commission's 2000 report on the effectiveness of special districts. CALAFCO was one of six primary witnesses to testify at the hearing on August 25. Preparation leading up to the hearing required CALAFCO to submit written testimony to the LHC in response to a specific series of questions posed. Our executive director, with the proofreading help of several local LAFCo and legal staff (and we thank *Harry Ehrlich*, San Diego LAFCo, *Steve Lucas*, Butte LAFCo, *John Leopold* and *Pat McCormick* of Santa Cruz LAFCo, and *Clark Alsop* and *Paula de Sousa Mills* of BB&K for their assistance) produced a 19-page written testimony in advance of the hearing. The report was also distributed to the CALAFCO membership and placed on the CALAFCO website.

In addition to CALAFCO's testimony, during the hearing the LHC heard from the CA Special Districts Association (CSDA), the CA Healthcare Districts Association, the North

Tahoe Fire Protection District, the Howard Jarvis Taxpayers Association, and Michael Coleman. The Commission heard from Pamela Miller, John Leopold and Steve Lucas on the primary points of our written testimony, which included: (1) how the evolution of the resources available to LAFCo has not kept pace with the evolution of the role and responsibilities of LAFCo through the years; (2) the role that Municipal Service Reviews (MSRs) actually play in the relationship between LAFCos and special districts; (3) LAFCo limitations as they pertain to actions and accountability of MSRs; and (4) the short and long term effects of the Legislature making state-level decisions on local LAFCo matters.

This was the perfect opportunity for CALAFCO to address the need for additional funding and resources, to urge the LHC to encourage the Legislature to keep local LAFCo decisions local, and to clarify the actual role of LAFCo in the relationship with special districts.

The LHC is holding a follow-up hearing in late October which will focus on special districts and climate change, at which CALAFCO was not required to testify. Additionally the Commission is holding a roundtable discussion for stakeholders on the issue of healthcare (hospital) districts operating with a hospital that does not provide direct healthcare services in November, at which CALAFCO will be present.

CALAFCO will distribute the Commission's final written report as soon as it becomes available.

Collaborative Projects with CSDA

This year CALAFCO teamed up with CSDA on two special projects. The first was a Special District Formation Guide, which is intended to assist anyone who is considering the formation of a special district. The Guide is not intended to sway readers either in favor of or against the formation of a district. The final Guide is set to be released late October. CALAFCO wishes to thank CSDA for its partnership in the creation of this Guide, and especially those who represented CALAFCO along with our executive director in



its preparation: **Jeff Brax** (Sonoma LAFCo), **SR Jones** (Nevada LAFCo) and **Elliot Mulberg** (Solano LAFCo). Each LAFCo will receive one complimentary copy of the Guide and it will be available for download or purchase.

The other project was the creation of a White Paper and an outreach campaign plan on the implementation of the statutory requirements of the Countywide RDA Oversight Board Special District appointments. Thirty-seven counties have multiple oversight boards that will require consolidation. Of those, eleven counties do not currently have an independent special district selection committee in place. If not addressed in time, the Governor will have the authority to make those appointments. This White Paper is intended to address how to best meet these requirements. CALAFCO thanks CSDA for its partnership in addressing this issue, and we would like to thank those who represented CALAFCO along with our executive director in its preparation: **Gary Bell** (Colantuono, Highsmith & Whatley), **José Henriquez** (El Dorado LAFCo) and **Keene Simonds** (Marin LAFCo).

OPR statewide workshops

In the latter months of 2015, OPR hosted statewide workshop on both rural community needs and the connection between water and land use. CALAFCO was one of a few (if not the only) statewide entity allowed to attend all of these invitation-only sessions. They were held in various locations around the state and brought together a select group of local people to discuss the issues of rural community needs and land use and water. The messages received at each were very different, as you can imagine. OPR is still deliberating on the data received and plans to publish a report sometime in 2017. CALAFCO thanks those who attended these workshops to ensure LAFCos' voice was heard: **George Spiliotis** (Riverside LAFCo), **Kris Berry** (Placer LAFCo), **Steve Lucas** (Butte LAFCo), **David Church** (SLO LAFCo), **Bill Nicholson** (Merced LAFCo), **George**



Williamson (Del Norte LAFCo) and **Kate McKenna** (Monterey LAFCo).

FINANCIAL POLICIES AND REPORTING

The Association continues to stand on a strong financial base. The Board maintains policies and current filings which are in compliance with all federal and state requirements for 501(c)(3) organizations. The CALAFCO Policy Manual, IRS Form 990 and other key Association documents are available on the CALAFCO web site. The Association also maintains its records with the national non-profit reporting organization, GuideStar (www.guidestar.com). In 2016 CALAFCO once again earned the *GuideStar Exchange Gold Seal* in recognition of its transparency and completeness in documentation.

All financial records are reviewed quarterly by an outside CPA with reports to the Treasurer and the Board. The Board also reviews the annual IRS Form 990 tax filing prepared by the CPA and staff.

2016-17 Budget

The Board continues to manage the financial resources of the Association closely. This year, after many years of either no dues increase or an increase only by the CPI, LAFCo dues were increased by seven (7) percent, which is a range of \$55 to \$530 per year. This increase was unanimously approved by the Board to cover the costs required to maintain sustainable organizational support for the Association. These changes were communicated to the membership during last year's Annual Business meeting (as well as in a letter distributed to the membership in advance of that meeting). Prior to this fiscal year, the last time the dues were increased beyond the CPI was 2008-09.

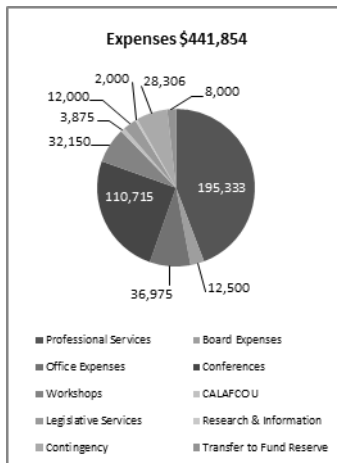
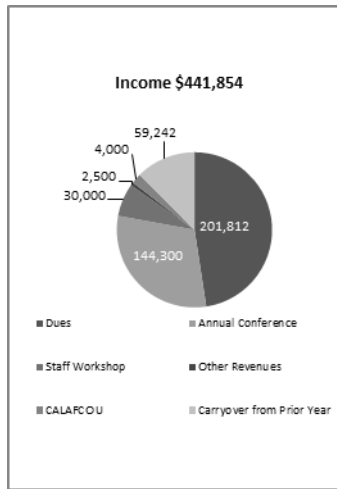
The adopted budget for 2016-17 provides for several changes from the 2015-16 budget. The close of the fiscal year showed a slightly greater year-end balance than anticipated in the adopted budget, allowing the Association to once again avoid the use of reserves. The budget adopted in



May 2016 was revised and adopted as such in July by the Board. The revised FY 2016-17 budget is \$441,854, which includes a carry-over net balance of \$59,242 and contingency fund of \$28,306. This is due in part to another profitable Annual Conference as well as diligent fiscal management on the part of staff. The Board approved several allowances for the use of Contingency funds during the last fiscal year which includes a website design, services to increase sponsorship revenue at Conferences, 2015 Conference support services, special LAFCO 101 sessions at the Capitol for legislative staff in the fall of 2015, and the purchase of updated visual equipment (LCD projectors) for use at Workshops and Conferences. The year-end balance in Contingency was \$11,274. For the current fiscal year, Contingency funds will be used to fund several additional projects that will create high value for the membership, including the White Paper and mapping of DUCs and the Ag Policies White Paper.

Restricted Fund Reserve

Since 2005 an important goal established by the Board has been to grow and maintain a fund reserve to support member services in uncertain economic times and to avoid the need to tap members for additional funds, as had been done in the past. With an initial goal of 35% of non-conference operating expenses, the reserve balance at the close of the 2015-16 fiscal year was \$150,754, about 72% of the annual operations budget outside of the Conference, Workshop and CALAFCO U. The reserve is not part of the annual budget and requires a vote of the Board to use its funds. The Association has not used the fund reserve since the early 2000s. CALAFCO maintains its funds with the Local Agency Investment Fund (LAIF). While the interest rate has remained low again this year, we have not



lost any of the principal in our savings or investments. The current Policy calls for having a minimum of 25% held in reserves. At the beginning of the current fiscal year, the Board approved the transfer of \$8,000 to Fund Reserves, making the current total held \$158,754.

All financial reports, including budgets and annual tax filings, are available to the membership on the CALAFCO website as well as on GuideStar's website.

ASSOCIATION MANAGEMENT

Board Member Activity

As a result of last year's regional Board elections, the Board welcomed four new members: **Bill Connelly** (Butte) representing the Northern region County seat; **John Marchand** (Alameda) representing the Coastal region City seat; **Anita Paque** (Calaveras) representing the Central region's Public seat; and **Sblend Sblendorio** (Alameda) representing the Coastal region's Public seat.

New Associate Members

We are proud to welcome several new Associate members to the Association this past year. We welcomed new Gold member **CV Strategies**, and Silver members **Braitman & Associates** and **Meijun, LLC**. We also welcomed back to the CALAFCO Associate member family **Rosenow Spevacek Group Inc. (RSG)**. Each of these new members was featured in one of our Quarterly Reports to the membership. We are proud to feature our Associate Members in these reports and look forward to continuing that practice in the future.

A Final Thank You

We wish to thank **Paul Novak** (LA LAFCo) who served the past two years as Deputy Executive Officer (DEO) representing the Southern region. We welcome **Carolyn Emery** (Orange LAFCo)

who will step in as the Southern region's DEO effective October 31, 2016.

Finally we want to recognize the leadership of our executive director *Pamela Miller* and executive officer *Steve Lucas* (Butte LAFCo). Added to that is our appreciation for all the contributions of executive assistant *Jeni Tickler* in the CALAFCo office, DEOs *David Church* (San Luis Obispo LAFCo) and *Kris Berry* (Placer LAFCo), Legal Counsel *Clark Alsop* (BB&K), and CPA *Jim Gladfelter* (Alta Mesa Group). These people, along with many other volunteers, Associate members, and members of the Board have all worked together this year to bring many achievements and a strong Association to you, our member LAFCos and Associate members.

Sincerely Yours,

The CALAFCo Board of Directors



Redefining the Meaning of Long-term

Written by Michael Ott, San Diego LAFCo Executive Officer

The San Diego LAFCo recently approved a complicated fire agency reorganization that took over 30-years to complete. Work on this reorganization redefined the meaning of "long-term." The reorganization consisted of the dissolution of a 6,163-acre volunteer fire organization, operating as County Service Area No. 107 (Elfin Forest / Harmony Grove); annexation of the dissolved CSA territory to the Rancho



Santa Fe Fire Protection District; annexation of another 341 acres to eliminate several large service islands; and the initiation of a second cross-conditional annexation totaling 3,163 acres. The cross-conditional aspect of this reorganization was a unique feature permitted by Government Code Section 56886(o) and involved the initiation of an annexation to an ambulance transport district run by the County of San Diego, called CSA No. 17 (San Dieguito Ambulance).

This multi-faceted reorganization involved prolonged discussions, substantial outreach, and adherence to basic LAFCo principles. Approval of the reorganization not only improved fire protection response times -- but will eventually upgrade emergency medical and ambulance transport services from basic life support to advanced life support levels. When fully implemented, the reorganization will bring safer conditions to over five thousand people and tens of thousands of commuters and visitors traveling on winding roads that traverse this fast growing semi-rural part of San Diego County.



The most unique element of the reorganization is the condition the San Diego LAFCo placed on the overall reorganization, requiring the initiation of a second proposal per Government Code Section 56886 (o). The use of this condition proved to be a valuable tool for phasing in the delivery of services over an extended period of time. In the case of the Elfin Forest / Harmony Grove reorganization, LAFCo staff needed to break down 30 years of political barriers that prevented community members and the County of San Diego from agreeing on adequate funding to support paramedic transport services. The use of this obscure LAFCo condition placed the funding issue in the proper forum and provided additional time for LAFCo staff to mediate stakeholder discussions.

While it would have been preferable for the ambulance transport issue to have been addressed together with the overall fire district reorganization, the timing was such that additional outreach was necessary with ambulance transport stakeholders. Rather than risking more

delays and the high probability of failure for both the fire district reorganization and emergency medical services annexation, the use of this LAFCo condition permitted one proposal to move forward, albeit contingent on the initiation of a second proposal. The second proposal was initiated within months of the first proposal. This approach is admittedly unorthodox and not applicable in all situations. It should be used sparingly -- but it can be an effective and innovative way to focus public attention on certain jurisdictional issues that would otherwise be overlooked. In the future, residents, commuters, and recreationalists that drive the winding roads in this unincorporated San Diego County community will probably not know the lengths and time in which the San Diego LAFCo was involved with improving public safety; however, it will be reassuring to know that the public will be safer and finally receive an adequate level of fire protection and emergency medical services.

Fire Everywhere

Written by Kathy Rollings McDonald, San Bernardino LAFCo Executive Officer

California continues its late summer/early fall designation as the tinderbox of the nation. But during 2015-16, San Bernardino LAFCo was consumed by fire, as in reorganizations prompted by financial crisis. Adequate fire protection and emergency medical response are key health and safety issues for any community. This was no more evident as the tragic events of December 2, 2015, in San Bernardino County played out on our television screens and cellphones, and the exemplary response by all emergency responders was on display. Fiscal stress, lack of economic investment and a population experiencing high unemployment, however, have placed a severe strain on many cities and special districts in San Bernardino County. Some can no longer afford to provide a sustainable revenue source to support adequate fire and emergency medical response services,

“While challenging, each issue was addressed through the perseverance and creative problem solving efforts of LAFCo and all affected agencies in an overall effort to provide critical services to residents both effectively and efficiently.”

which is threatening the health, safety and welfare of residents.

During 2016, San Bernardino LAFCo was presented with three extraordinarily complex fire reorganizations which proposed the transfer of responsibility for fire and emergency medical response services from two cities (San Bernardino and Needles) and one special district (Twentynine Palms Water District) to the San Bernardino County Fire Protection District (County Fire). By taking advantage of the economies of scale available through County Fire, including existing fire stations and personnel, and the transfer of an existing special tax to financially support the enhanced services, these communities now have adequate fire and emergency medical response services that are fiscally sustainable over the long-term.

Each reorganization involved an array of complex issues, including but not limited to, the transfer of facilities and personnel, retirement funding, agency debt obligations, workers' compensation, the transfer of property tax and an existing special tax, and the creative crafting of conditions of approval to ensure that the transition of services was successful. Each of the three reorganizations was unique, and the many technical, fiscal and procedural issues that surfaced throughout their review often stretched staff's abilities to develop solutions. However, with the support of the commission, legal counsel and affected agencies, staff was able to meet the challenges and bring forward all three proposals for commission review. All became effective July 1, 2016.

What follows is a summary of key issues which LAFCo addressed during the processing of the City of San Bernardino and Twentynine Palms Water District fire reorganizations.

City of San Bernardino Fire Reorganization

In June 2014, Citygate Associates, a fire services consultant, completed a study evaluating the City of San Bernardino Fire Department. The study described the City's fire department and community as under "severe stress" from a combination of factors, including:

(1) a lack of economic investment, (2) the City's bankruptcy, and (3) a population experiencing high unemployment (and a low median income), placing additional strain on City social, recreation and social services. Staff reductions in the City Fire Department, combined with an exceptionally high volume of emergency medical calls and structure fires, resulted in longer response times which threatened the health, safety and welfare of the City of San Bernardino residents.

On May 18, 2015, the City adopted a Plan of Recovery and Plan of Adjustment in support of the City's efforts to emerge from bankruptcy. The Plan described in detail the City's inability to pay for adequate levels of municipal services, including fire protection and emergency medical services. Thereafter, the City conducted a Request for Proposal (RFP) process to outsource its fire protection and emergency medical response service. This process was fraught with legal questions, for the Superior and Bankruptcy courts, which were submitted by the Fire Union representatives and others. Ultimately, it was identified that annexation into the San Bernardino County Fire Protection District was the best option for the City. On August 24, 2015, the City Council of the City of San Bernardino initiated the annexation of its corporate territory to County Fire.

This approach allowed the City to take advantage of substantial economies of scale available from the District, including existing fire stations and personnel located close to the City. This approach also allowed the City to include its territory into one of County Fire's established fire zones with an existing special tax that is spread to City property owners to address service delivery costs. This strategy allowed the City to reduce the level of revenue currently allocated to fire service delivery and enable scarce revenue to be redirected to address other critical service needs in the community. It was a philosophically simple approach – provide the most efficient and effective means to continue the service through annexation to County Fire.

Simple in approach, but as for many LAFCo proposals, the “devil is in the details,” and this proposal had some of the most unique details ever encountered by LAFCo, including:

- Significant unfunded retirement obligations;
- Ongoing litigation between the City and the fire union over outsourcing fire responsibilities;
- Complex transfer of facilities, employees and benefits; and
- Transfer of an existing special tax to fund fire and emergency medical response services without a vote of landowners – while legal, it raised the level of controversy in an already contentious process.

While challenging, each issue was addressed through the perseverance and creative problem solving efforts of LAFCo and all affected agencies in an overall effort to provide critical services to residents both effectively and efficiently.

Twentynine Palms Fire Department Fire Reorganization

In 1958, the Twentynine Palms County Water District began to provide fire protection services to the community of Twentynine Palms under the name Twentynine Palms Fire Department (TPFD), after the California Department of Forestry ceased providing local fire protection. Over time, the TPFD evolved into a two station, fully staffed Basic Life Support operation providing fire, rescue and EMS functions to the citizens of the City of Twentynine Palms and surrounding communities.

Through staff attrition and funding shortfalls, the foundation for the TPFD's fire and emergency services eroded over time. On June 1, 2013, the provision of fire protection and emergency medical services was reduced from two staffed fire stations to one staffed fire station due to the lack of a sustainable revenue source.

Staffing was reduced to five full time personnel augmented by a small “paid call” fire fighter and volunteer force to serve a population of 17,974 residents.



In June 2015, members from the Twentynine Palms City Council and the TPFD formed an ad hoc committee to discuss alternatives. Ultimately, the committee expressed support for a LAFCo application to annex the TPFD into

the San Bernardino County Fire District. Like the other fire reorganizations processed by San Bernardino LAFCo staff, the TPFD proposal was complex and required strategic and creative problem solving skills to keep the proposal moving forward.

One of the more complicated issues addressed by LAFCo on this proposal related to unfunded retirement obligations. At the outset of LAFCo's review, it was estimated that the unfunded retirement obligation for closure of the Safety portion of the TPFD's California Public Employee Retirement System (CALPERS) contract would be in the range of \$1,000,000, and LAFCo staff proposed the creation of a separate service zone to address that liability. Later, it was learned the amount was actually estimated at \$2.9 million, three times the original estimate, which set in motion fervent discussions on the best method to resolve this liability.

To resolve this situation, the Safety portion of the TPFD's PERS contract was placed in "inactive" status on the effective date of the reorganization, and the City agreed to assume the long-term obligation through a contractual relationship. This unprecedented mechanism to have an agency that is not directly affected by a jurisdictional change assuming an uncapped liability caused heartburn for LAFCo staff. This concern was tempered, however, by staff's primary concern – providing effective and sustainable emergency medical response and fire protection to the community and its residents.



The cumulative results of these efforts represent the best of what LAFCos can achieve – structurally reorganizing failing agencies that can no longer provide critical services into efficient and financially sustainable organizations to effectively serve the public long into the future and working collaboratively with the agencies involved to craft the solutions for that future. In addition, we don't expect 2016 to be the end of Fire Season in San Bernardino County.



CALAFCO Associate Member Corner

CALAFCO deeply appreciates our Associate Members and we thank you for your partnership and support.

This past year we welcomed several new Associate Members. All of these members' contact information is in the CALAFCO Directory as well as on the CALAFCO website.



New Gold Associate Member

CV Strategies

CV Strategies is a dedicated team helping companies with strategic planning, communications and training. To learn more about their team and the services they offer, visit them at www.cvstrategies.com or contact Erin Gilhuly at erin@cvstrat.com.



New Silver Associate Members

Braitman & Associates

Fresh into retirement, Bob Braitman is now a Silver Associate Member. **Braitman & Associates** services include preparing municipal service reviews and spheres of influence, the analysis of proposed boundary changes and the extension of public services proposals in support of the efforts of LAFCo staffs. You can contact Bob at bob@braitmanconsulting.com.

Meijun, LLC

Meijun, LLC provides custom programming services and business solutions related to IT. They create websites, software applications, mobile engagement platforms and provide general consulting for



process improvement and streamlining information technology in the workplace. To learn more about them, visit them at www.meijun.cc or contact Huy Ly at hly@meijun.cc.

Rosenow Spevacek Group, Inc.

We welcome back to the CALAFCO family ***Rosenow Spevacek Group, Inc., or RSG.***



RSG is a creatively charged counterpart to California public agencies. They work with the people responsible for vibrant places and propel them to their goals. Better Communities. Bolder futures. To learn more about them visit their website at www.webrsg.com or contact Cassandra Ravenna at cravenna@webrsg.com.

These summaries are written by the Associate Members themselves, not CALAFCO, and can be found in the Membership Directory Associate Members section.



2017 STAFF WORKSHOP

April 5 - 7, 2017

DoubleTree by Hilton

Fresno, CA

Hosted by Fresno LAFCo

2018 STAFF WORKSHOP

April 11 – 13, 2018

Four Points by Sheraton

San Rafael, CA

Hosted by Marin LAFCo

2017 ANNUAL CONFERENCE

October 25 – 27, 2017

Bahia Hotel, Mission Bay

San Diego, CA

Hosted by CALAFCO

2018 ANNUAL CONFERENCE

October 3 – 5, 2018

Tenaya Lodge

Yosemite, CA

Hosted by CALAFCO

Thank You to All of Our Associate Members

CALAFCO GOLD ASSOCIATE MEMBERS



CALAFCO SILVER ASSOCIATE MEMBERS

- Berkson Associates*
- Braitman & Associates*
- City of Fontana*
- City of Rancho Mirage*
- County Sanitation Districts of L. A. County*
- Cucamonga Valley Water District*
- Dudek*
- E. Mulberg & Associates*
- Fresno County Fire Protection District*
- Goleta West Sanitary District*
- Griffith & Matsuda, a Professional Law Corp.*
- GST Consulting*
- HdL Coren & Cone*
- LACO Associates*
- Lamphier-Gregory*
- Marjorie Olsson Blom Consulting*
- Meijun, LLC*
- Planwest Partners, Inc.*
- Policy Consulting Associates*
- Quad Knopf*
- Rancho Mission Viejo*
- P. Scott Browne*
- Rosenow Spevacek Group (RSG)*
- Ukiah Valley Sanitation District*

The Sphere

CALAFCO Journal

CALIFORNIA ASSOCIATION OF LOCAL AGENCY
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CALAFCO provides educational, information sharing and technical support for its members by serving as a resource for, and collaborating with, the public, the legislative and executive branches of state government, and other organizations for the purpose of discouraging urban sprawl, preserving open-space and prime agricultural lands, and encouraging orderly growth and development of local agencies.

Sharing Information and Resources

The Year In Pictures *Scenes from CALAFCO Activities*

CALAFCO Annual Conference 2015 *Sacramento, CA*



CALAFCO Annual Staff Workshop 2016 *Universal City, CA*

