



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

## MEETING

### AGENDA

**Wednesday, May 17, 2023**

**2:30 pm**

#### **Board of Supervisors' Chambers**

Hall of Justice and Records

400 County Center

Redwood City, CA 94063

This meeting of San Mateo Local Agency Formation Commission (LAFCo) will be in person at the above mentioned address. Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at 400 County Center Redwood City, CA 94063. For information regarding how to participate in the meeting, either in person or remotely, please refer to instructions at the end of the agenda.

#### **Hybrid Public Participation**

The May 17, 2023 LAFCo meeting may be accessed through Zoom online at <https://smcgov.zoom.us/j/93703834059>. The webinar ID is: 937 0383 4059. The meeting may also be accessed by telephone by dialing +1 669 900 6833 (local) and entering webinar ID then #. Members of the public may also attend this meeting physically in the Board of Supervisor's Chambers at 400 County Center, Redwood City, CA 94063.

\*Written public comments may be emailed to [amontescardenas@smcgov.org](mailto:amontescardenas@smcgov.org), and should include the specific agenda item on which you are commenting.

\* Spoken public comments will be accepted during the meeting in person or remotely through Zoom at the option of the speaker. Public comments via Zoom will be taken first, followed by speakers in person.

**\*Please see instructions for written and spoken public comments at the end of this agenda.**

#### **ADA Requests**

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Angela Montes, Commission Clerk, as early as possible but no later than 10:00am the day before the meeting at

(OVER)

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC • KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT • VACANT, SPECIAL DISTRICT • HARVEY RARBACK, CITY • TYGARJAS BIGSTYCK, CITY • WARREN SLOCUM, COUNTY • RAY MUELLER, COUNTY

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT • ANN SCHNEIDER, CITY • JAMES O'NEILL, PUBLIC • NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER • SOFIA RECALDE, MANAGEMENT ANALYST • TIM FOX, LEGAL COUNSEL • ANGELA MONTES, CLERK

[amontescardenas@smcgov.org](mailto:amontescardenas@smcgov.org). Notification in advance of the meeting will enable the Staff to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

\*All items on the consent agenda may be approved by one roll call vote unless a request is made at the beginning of the meeting that an item be withdrawn. Any item on the consent agenda may be transferred to the regular agenda.

1. Roll Call
2. Public Comment for Items Not on the Agenda
3. Consent Agenda\*
  - a. Approval of Action Minutes: March 15, 2023 pg. 5
  - b. Consideration of LAFCo File No. 23-03: Proposed Annexation of 2 Wyndham Drive, Portola Valley (APN 076-251-240) to West Bay Sanitary District pg. 12

#### Public Hearings

4. Consideration of Adoption of Final Work Program and Final LAFCo Budget for Fiscal Year 2023-2024 pg. 27
5. Adoption of Revised LAFCo Schedule of Processing Fees pg. 42
6. Consideration of a Resolution Authorizing an Agreement with the County of San Mateo for Staffing, Legal Counsel, Office Space and Supplies for Fiscal Year 2023-24 pg. 52

#### Regular Agenda

7. Broadmoor Police Protection District Update – Information Only pg. 62
8. LAFCo Initiated Dissolution Process – Information Only pg. 88
9. CALAFCO
  - a. CALAFCO Nominations for 2023-2024 Board Members pg. 94
  - b. 2023 CALAFCO Achievement Award Nominations pg. 108
10. Legislative and Policy Committee pg. 127
  - a. Letter of Support for AB 1753, Local Government: Reorganization Omnibus Bill
  - b. Legislative Report – Information Only
11. Commissioner/Staff Reports – Information Only
  - a. Staff update on East Palo Alto Sanitary District Subsidiary Proposal
12. Adjournment

#### **\*Instructions for Public Comment During Teleconference Meetings**

During LAFCo hybrid meeting, members of the public may address the Commission as follows:

**\*Written Comments:**

Written public comments may be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to [amontescardenas@smcgov.org](mailto:amontescardenas@smcgov.org).
2. Your email should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda or is on the consent agenda.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received by 5:00 p.m. on the day before the meeting, it will be provided to the Commission and made publicly available on the agenda website under the specific item to which your comment pertains. If emailed comments are received after 5:00p.m. on the day before the meeting, the Clerk will make every effort to either (i) provide such emailed comments to the Commission and make such emails publicly available on the agenda website prior to the meeting, or (ii) read such emails during the meeting. Whether such emailed comments are forwarded and posted, or are read during the meeting, they will still be included in the administrative record.

**\*Spoken Comments**

**In person Participation:**

1. If you wish to speak to the Commission, please fill out a speaker's slip located at the entrance. If you have anything that you wish distributed to the Commission and included in the official record, please hand it to the Clerk who will distribute the information to the Commission members and staff.

**Via Teleconference (Zoom):**

1. The Commission] meeting may be accessed through Zoom online at <https://smcgov.zoom.us/j/93703834059>. The webinar ID is: 937 0383 4059. The Commission meeting may also be accessed via telephone by dialing +1 669 900 6833 (local). Enter the webinar ID, then press #. Members of the public can also attend this meeting physically in the Board of Supervisor's Chambers at 400 County Center, Redwood City, CA 94063.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the Commission Chair or Clerk calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.

**\*Additional Information:**

For any questions or concerns regarding Zoom, including troubleshooting, privacy, or security settings, please contact Zoom directly.

Public records that relate to any item on the open session agenda for a regular Commission meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Commission.

**NOTICE:** State law requires that a participant in a LAFCo proceeding who has a financial interest in the decision and who has made a campaign contribution of more than \$250 to any Commissioner in the past year must disclose the contribution. If you are affected, please notify commission staff before the hearing.

Agendas and meeting materials are available at [www.sanmateolafco.org](http://www.sanmateolafco.org)

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

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## Action Minutes San Mateo Local Agency Formation Commission Meeting March 15, 2023

Chair Draper called the Wednesday, January 18, 2023, meeting of the Local Agency Formation Commission (LAFCo) to order at 2:36 pm in the Board of Supervisors Chambers, 400 County Center, Redwood City, California. Members of the public were able to also participate in the meeting remotely via the Zoom.

### 1. Roll Call

Members Present: Commissioners Tygarjas Bigstycck, Kati Martin, Warren Slocum, Harvey Rarback (remote participation), Chris Mickelsen, Ann Draper

Members Absent: Commissioner Mueller

Alternate Members Present: Jim O'Neill, Ann Schneider (joined while meeting was in progress)

Staff Present: Rob Bartoli, Executive Officer  
Sofia Recalde, Management Analyst  
Timothy Fox, Legal Counsel  
Angela Montes Cardenas, Clerk

### 2. Oath of Office for New Commissioners Appointed

Mr. Fox swore in Commissioner Chris Mickelsen for his appointment to LAFCo.

### 3. Public Comment for Items Not on the Agenda

None

### 4. Consent Agenda

#### a. Approval of Action Minutes: March 15, 2023

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, SPECIAL DISTRICT, VICE CHAIR ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪

ANGELA MONTES, CLERK

LAFCo Regular Meeting  
Packet Page 5

Commission Action: Commissioner Slocum moved to approve the consent agenda, and Commissioner Martin seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Chair Draper. Abstention: Commissioner Mickelsen. Absent: Commissioner Mueller.)

## **5. Adoption of Special Study for the Broadmoor Police Protection District**

Executive Officer Bartoli presented the staff report dated March 8, 2023. He said the LAFCo special study focuses on the District's operations, finances and governance. Mr. Bartoli reviewed recommendations surrounding financial ability and accountability, structure and efficiencies. The report highlighted several concerns and challenges for the District including:

- BPPD has had significant budget deficits in five of the last six fiscal years for a total loss of \$1.4 million during that time.
- BPPD's net position has been negative every year since the end of FY 17.
- The District has adopted unbalanced budgets for four of the last seven years.
- The lack of long-term fiscal plans, budget deficits, and growing costs to BPPD may negatively impact service delivery to the residents of the District.
- Pension Liability of \$3.3 million.
- High cost of service compared to nearby agencies.

He also compared violent and property crime and clearance between Broadmoor and Daly City as well reviewed the service/governance options for BPPD's and the Commission's consideration. He noted all public outreach and public comments received.

Mr. Bartoli answered Commissioner Bigstycck questions on the District's CalPERS lawsuit, costs associated with ongoing litigation and the agency's pension liability. In response to Commissioner Bigstycck's questions about what triggers a dissolution, Mr. Bartoli briefly described what the next steps for dissolution would be.

Conversation ensued with Commissioner Martin regarding whether Daly City would be willing to be successor agency or provide police services via contract.

Commissioner Rarback stated his concerns regarding the District's fiscal outlook and that his preferred governance option would be annexation to Daly City.

Conversation ensued with Commissioner Slocum regarding BPPD's ability to increase the parcel tax, the Controller's role in the matter, and Commissioner Mueller's request at the January meeting for BPPD to provide a formal response to the recommendations outlined in the Special Study. BPPD did submit a written response to LAFCo staff that generally agreed to the recommendations but did not provide an individual response and implementation timeline for each recommendation.

Commissioner Mickelsen stated he is aligned with the thoughts of the other Commissioners. Conversation ensued regarding Educational Revenue Augmentation Fund (ERAF). He would support a more aggressive timeline for dissolution.

Chief Connolly spoke to the Commission via zoom. He discussed the CalPERS litigation with former employees, administrative and transparency compliance, and described a fiscal framework, developed in partnership with Supervisor Canepa's Office, to raise revenue. The fiscal framework would include an economic development plan for Broadmoor and the rest of north county.

Chair Draper opened public comment.

Christine Taliva'a-Aguerre, President of Broadmoor Property Owners Association, is working closely with Chief Connolly. She said that they do not want to lose their private police department. She noted that they do not want to be under Daly City nor annexed to Daly City. She expressed her love and commitment for the District. She asked the Commission to work in collaboration with them.

Chair Draper closed public comment.

Chair Draper stated that the Commission needs a more detailed response from the District and would like status updates at the next meeting, followed by updates at 6 months and 12 months.

Mr. Bartoli commented on the timeline for future updates to the Commission regarding BPPD.

Commission Martin and Rarback agreed that Broadmoor problems have been around for a long time and are irreparable.

Commissioner Slocum commented that Chief Connolly did not share specifics of how the District would address their financial challenges. He said the financial issues are his biggest

concerns. He would like more information on the Economic Development mentioned by Chief Connolly.

Commissioner Mickelsen commented that he does not believe the residents of Broadmoor are being served and that it would be irresponsible to not address these issues.

Commissioner Slocum stated that there should be an option to reorganize the District if the Commission is unsatisfied with BPPD's reports during the 12-month update period.

Mr. Bartoli suggested adding a general discussion about dissolution on the agenda for the next Commission meeting.

Commission Action: Commissioner Bigstyk moved to adopt the Special Study for the Broadmoor Police Protection District and to request that the District respond in writing with their agreement or disagreement of the key issues and recommendations identified in the Special Study for inclusion in the agenda packet for the May 17, 2023 Commission meeting and present updates regarding BPPD, the implementations of the recommendations and fiscal conditions within 90 days (July 19, 2023), 6 months (September 20, 2023), and 12 months (March 20, 2024) of adoption of the Special study and request that LAFCo staff return to May 17, 2023 Commission meeting with an informational item regarding LAFCo initiated dissolution of a special district. Commissioner Martin seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstyk, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.)

## **6. Consideration of Adoption of Proposed Work Program and Draft LAFCo Budget for Fiscal Year 2023-2024**

Management Analyst Recalde presented the staff report dated March 8, 2023. She began with an overview of the LAFCo budget process. She summarized estimated actuals for FY22-23, proposed FY23-24 budget and Workplan.

Commissioner Martin said that the Peninsula Health Care item on the Work Plan should be removed because it has been reviewed several times by the San Mateo County Grand Jury. Chair Draper asked the Budget Committee to review the items presented.

Conversation ensued with Mr. Bartoli and Commissioner Rarback regarding the Harbor District zero sphere of influence. Mr. Bartoli stated that an update would include a fiscal review and discussion of new services provided by the Harbor District.

Commissioner Slocum supported Chair Draper's comment. Conversation ensued regarding fire studies and Harbor District. Commissioner Slocum stated that the Department of



Emergency Management is doing a fire study and that staff should investigate whether there is overlap in scope.

Chair Draper opened public comment.

Alternate Commissioner Ann Schneider requested clarification on meaning of MSR/SOI update for City of Millbrae.

Chair Draper closed public comment.

Commission Action: Chair Draper moved to send the Work Program back to the Budget Committee for reconsideration of Healthcare Districts and Fire Study. Commissioner Slocum seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.) Commissioner Bigstycck moved approve the draft budget for FY23-24 and to direct the Executive Officer to schedule the Final 23-24 budget for a public hearing at the May 17 2023 Commission meeting. Commissioner Slocum seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.)

## **7. Consideration of Revised LAFCo Schedule of Processing Fees**

Management Analyst Recalde presented the staff report dated March 8, 2023. She provided the LAFCo processing fees update.

A discussion occurred regarding cost recovery as it relates to application fees and the processing of proposals.

Chair Draper opened and closed public comment, no comments were received.

Commission Action: Commissioner Slocum moved to direct the Executive Officer to schedule the updated LAFCo processing fee schedule for adoption at the May 17, 2023 Commission meeting. Commissioner Bigstycck seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.)

## **8. Consider Approval of the Draft Audit Prepared by O'Connor & Company of the San Mateo Local Agency Formation Commission's Financial Statements for the Fiscal Year Ending June 30, 2021**

Mr. Bartoli presented the LAFCo Audit for the Fiscal Year Ending June 30, 2021. The audit did not identified any deficiencies in internal controls nor any instances of non-compliance.

Chair Draper opened and closed public comment, no comments were received.

Commission Action: Commissioner Slocum moved to approve the draft audit prepared by O'Connor & Company of the San Mateo Local Agency Formation Commission's Financial Statements for the Fiscal Year ending June 30, 2021. Commissioner Rarback seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.)

### **9. Consideration Authorizing the Executive Officer to Execute an Engagement Letter with O'Connor & Company for auditing services for the Fiscal Year ending June 30, 2022**

Mr. Bartoli gave a verbal update to the Commission.

Chair Draper opened and closed public comment, no comments were received.

Commission Action: Commissioner Bigstycck moved to authorize the Executive Officer to execute the engagement letter with O'Connor & Company for auditing services for the Fiscal Year ending June 30, 2022. Commissioner Mickelsen seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.)

### **10. Consideration of Appointment of Vacant LAFCo Vice Chair**

Mr. Bartoli presented the item. In November 2022, the Commission selected a Chair and Vice Chair for 2023. With the recent passing for Commissioner Lohman, the LAFCo Vice Chair is now vacant. The Commission, if it so chooses, can select a new Vice Chair for the vacant position. If the Commission desires to follow the traditional rotation, then it would be appropriate to appoint a Special District member as Vice Chair.

Commission Action: Vice Chair moved to appoint Kati Martin as LAFCo Vice Chair. Commissioner Slocum seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Bigstycck, Martin, Rarback, Slocum, Mickelsen, Chair Draper. Absent: Commissioner Mueller.)

### **11. Legislative and Policy Committee**

#### **a. Legislative Report – Information Only**

Ms. Recalde gave a verbal update to the Commission and referred to legislative packet.

Conversation ensued regarding SB 411 and AB 537.

Chair Draper opened and closed public comment, no comments were received.

**12. Commissioner/Staff Reports – Information Only**

None

**13. Adjournment**

Chair Draper adjourned the meeting at 4:55 p.m. in memory of Commissioner Ric Lohman.

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**May 10, 2023**

**To:** LAFCo Commissioners

**From:** Rob Bartoli, Executive Officer  
Sofia Recalde, Management Analyst

**Subject:** LAFCo File No. 23-03: Proposed annexation of 2 Wyndham Drive, Portola Valley (APN 076-251-240) to West Bay Sanitary District

## Summary

This proposal, submitted by landowner petition, requests annexation of 2 Wyndham Drive, Portola Valley (APN 076-251-240) to West Bay Sanitary District and connection to the District's sewer main. The property owner is constructing an accessory building on the property. As part of that development, the property owner is required by County Environmental Health Services to demonstrate that if the existing septic system fails, the property will be able to connect to sewer service. The annexation to WBSD will provide compliance with this requirement. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. Commission approval is recommended.

## Departmental Reports

*County Assessor:* The total net assessed land valuation for the parcel shown in the records of the County Assessor is \$2,137,403. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

*County Clerk:* The territory has two registered voters. If the annexation is approved, the property will need to be assigned to a precinct that includes West Bay Sanitary District.

*County Public Works:* The map and legal description have not yet been submitted for review of the requirements set by the State Board of Equalization.

*Town of Portola Valley:* The Town's General Plan designation is low-medium intensity residential (less than 1 acre per dwelling unit). It will be necessary for any work to be reviewed by Town Planning and Public Works, and an encroachment permit is required.

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*County Environmental Health:* The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The applicant must pay an application fee to Environmental Health prior to connecting to West Bay Sanitary District and must obtain a permit for septic tank abandonment, which shall be inspected and approved by Environmental Health. Currently, there is one septic system in use at the property that will need to be abandoned under permit with Environmental Health, and all structures on the parcel with connected septic systems must be connected to the sanitary sewer.

*West Bay Sanitary District:* Fees for annexation, permits, annual service charges and reimbursement fees associated with this connection will be required. Construction of a new sanitary manhole and force main to connect to the existing gravity main in Portola Road is required. In addition, annexation to the On-site Wastewater Disposal Zone and installation of a grinder pump system or Septic Tank Effluent Pump (STEP) that connects to the gravity main at Portal Road will be required. All costs will be paid by the project proponent.

### **Executive Officer's Report**

This proposal has been submitted by landowner petition. The territory proposed for annexation is located at 2 Wyndham Drive, Portola Valley, on the corner of Portola Road and Wyndham Drive. If a future sewer connection to the property is made, the property would connect to the existing force main on Portola Road.

The annexation area is within the sphere of influence of West Bay Sanitary District adopted by the Commission in 1984 and is consistent with the District's plans for extending service. Approval of the annexation is recommended.

### **Annexation to the On-Site Wastewater Disposal Zone**

Sections 6960.3 and 6974 of the Health and Safety Code governing sanitary districts require LAFCo approval for formation of, or annexation to, an On-site Wastewater Disposal Zone (Zone) in counties in which LAFCo has added special district members to the Commission and adopted Rules and Regulations Affecting the Functions and Services of Independent Special Districts. West Bay Sanitary District operates a Zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. Annexation of these properties to the Zone is necessary for the District to maintain the pumping system that will be constructed as part of the sewer connection. Staff recommends approval of annexation to the Zone.

### **California Environmental Quality Act**

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) exempt under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities)

### **Waiver of Conducting Authority Proceedings**

Section 56662(a) of the Cortese-Knox-Hertzberg (CKH) Act specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100 percent landowner consent provided that no objection is submitted by subject property owners or voters. The purpose of the conducting authority proceedings is to measure

landowner or voter protest within the affected territory. The landowners have requested, and staff recommends waiver of conducting authority proceedings.

**Recommended Commission Action by Resolution**

By resolution, approve LAFCo File No. 23-03 - Proposed annexation of 2 Wyndham Drive, Portola Valley (APN 076-251-240) to West Bay Sanitary District, subsequent annexation to the On-site Wastewater Disposal Zone and Waiver of Conducting Authority Proceedings.

**Attachments**

- A. Annexation Application for 2 Wyndham Drive
  - B. Vicinity Map
  - C. Resolution
- cc: Sergio Ramirez, General Manager, West Bay Sanitary District  
Sara and Charles Atkins, Property Owners

PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petition(s) the Local Agency Formation Commission of San Mateo County for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

- 1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000)
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc. is/are:

- Annexation of 2 Wyndham Drive into West Bay Sanitary District

- 3. The boundaries of the territory(ies) included in the proposal are as described in Exhibit(s) attached hereto and by this reference incorporated herein.

- 4. The territory(ies) included in the proposal is/are:

inhabited (12 or more registered voters) Uninhabited

- 5. This proposal is/ is not consistent with the sphere of influence of the affected city and/or district(s).

- 6. The reason(s) for the proposed (annexation) detachment, reorganization, etc.) is/are:

House within 200 feet of sewer line & required to hook up if septic fails.

- 7. The proposed annexation is requested to be made subject to the following terms and conditions:

None

- 8. The persons signing this petition have signed as:

registered voters or Owners of land (check one) within the subject territory.

Petition Page 2 of 2

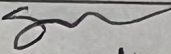
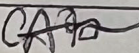
Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. Of the Government Code and herewith affix signatures as follows:

Chief Petitioners (not to exceed three):

3/7/23 SARA ATKINS 2 Wyndham Drive, Patola Valley CA 94028

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. Of the Government Code and herewith affix signatures as follows:

Chief Petitioners (not to exceed three):

Date:	Printed Name:	Signature/Residence Address:	APN*
3/15/23	SARA ATKINS	 2 Wyndham Dr	076-251-240
3/15/23	Charles Atkins	 2 Wyndham Dr	076-251-240

\*Assessor's Parcel Number of parcel(s) proposed for annexation.



APPLICATION FOR A CHANGE OF ORGANIZATION, REORGANIZATION, OR ~~LAFCO~~  
SERVICE AGREEMENT  
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization, reorganization, or outside service agreement.

Need to be Annexed into the West Bay Sanitary District currently on septic - 2 Wyndham Drive Partola Valley, CA 94028

2. An application for a change of organization or reorganization may be submitted by individuals in the form of a petition or by an affected public agency in the form of a certified resolution. This application is submitted by (check one):

- Landowners or registered voters, by petition
- An affected public agency, by resolution

(If this application is submitted by petition of landowners or registered voters in the affected territory, complete the petition form.)

3. What are the reasons for the proposal?

If our septic fails we will need to hook up to septic. The town will not allow septic to be repaired or modified due to proximity to sewer line.

4. Does this application have 100% consent of landowners in the affected area?

- Yes  No

5. Estimated acreage: 0.28

B. SERVICES

1. List the name or names of all existing cities and special districts whose service area or service responsibility would be altered by the proposed change of organization or reorganization.

~~None~~ West Bay Sanitary District

2. List all changes to the pattern of delivery of local services to the affected area. For each service affected by the proposed change(s) of organization, list the present source of service (state "none")

if service is not now provided), the proposed source of service and the source of funding for construction of necessary facilities (if any) and operation. Example is given on the first two lines of the space provided for your response.

SERVICE	PRESENT SOURCE	PROPOSED SOURCE	FUNDING SOURCE	
			CONSTRUCTION	OPERATING
Police <i>(example)</i>	Co. Sheriff	City Police	N/A	Taxes
Sewer <i>(example)</i>	None	City of ...	Proponent	Fees
Sewer	None-septic	WBSP	Proponent	Fees

**C. PROJECT PROPOSAL INFORMATION**

1. Please describe the general location of the territory which is the subject of this proposal. Refer to major highways, roads and topographical features.

on the corner of Portola Road and Wyndham Dr

2. Describe the present land use(s) in the subject territory.

residential

3. How are adjacent lands used?

North: residential

South: Presbyterian Church

East: Roman Catholic Church

West: Presbyterian Church

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed?

no

5. What is the general plan designation of the subject territory?

Scenic Corridor - low-medium

6. What is the existing zoning designation of the subject territory?

R-1/20M

7. What rezoning, environmental review or development approvals have already been obtained for development in the subject territory?

none

8. What additional approvals will be required to proceed?

none

9. Does any portion of the subject territory contain any of the following --agricultural preserves, sewer or other service moratorium or wetlands subject to the State Lands Commission jurisdiction?

no

10. If no specific development projects are associated with this proposal, will the proposal increase the potential for development of the property? If so, how?

no

\*\*\*\*\*

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: Sara Atkins

EMAIL: Mrs.Smatkins@gmail.com

ADDRESS: 2 Wundham Dr.

TELEPHONE: 530-902-16684

ATTN: Partola Valley, CA 94028

[Signature]



**EXHIBIT "A"**

Situated in the County of San Mateo, State of California, being a portion of the Rancho El Corte de Madera and being all of Lot 46 as shown on 19 Maps 28, Portola Redwoods, official records of San Mateo County, being more particularly described as follows:

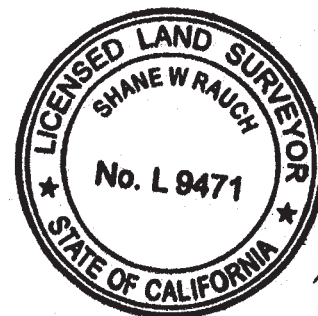
**BEGINNING** at the most southwesterly corner of aforementioned Lot 46, point also being in the northeasterly right of way of Portola Road;

1. Thence along the northeasterly right of way of Portola Road North 40°57'47" West, a distance of 56.09', to the beginning of a curve to the right;
2. Thence along said curve, having a radius of 25.00' feet through a central angle of 90°00'00", an arc length of 39.28 feet, to a point on the southeasterly right of way of Wyndham Drive;
3. Thence along the southeasterly right of way of Wyndham Drive, North 49°02'13" East, a distance of 90.15 feet, to the beginning of a curve to the right;
4. Thence continuing along the southeasterly right of way of Wyndham Drive along the said curve, having a radius of 194.59 feet, through a central angle of 01°25'41", an arc length of 4.85 feet, to a point on the southeasterly right of way, point also being a common corner with Lot 44, 19 Maps 28;
5. Thence leaving said right of way and running with Lot 44, South 40°57'47" East, a distance of 125.82 feet, to a point in the lands of Roman Catholic Archbishop of San Francisco;
6. Thence along the lands of Roman Catholic Archbishop of San Francisco, South 69°31'05" West, a distance of 128.08 feet, to the **Point of Beginning**.

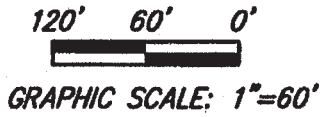
Containing an area of 12,283 sq. ft./0.28 acres more or less.

The herein described parcel is shown on attached map, exhibit B, of this legal description, and is made a part hereof.

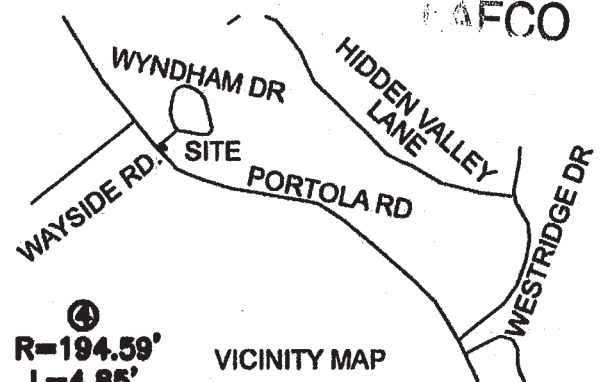
Shane W. Rauch  
License No. 9471



**END OF DESCRIPTION**



LAFCO



④  
R=194.59'  
L=4.85'  
D=01°25'41"

VICINITY MAP

②  
R=25.00'  
L=39.28  
D=90°00'00"

WYNDHAM DRIVE

N 48°02'13" E 90.15'

LOT 44

S 40°57'47" E  
125.82'

LOTS 45 & 46  
APN 076-251-240  
DOC. NO. 2017-095752

19 MAPS 28

PORTOLARD.

N 40°57'47" W  
56.09'

S 69°31'05" W 128.08'

ROMAN CATHOLIC ARCHBISHOP  
OF SAN FRANCISCO  
APN 076-251-250

POINT OF BEGINNING

PRESBYTERIAN OF SAN FRANCISCO  
RESOLUTION NO. 1180  
APN 076-270-040

WINDMILL SCHOOL, INC.  
RESOLUTION NO. 1209  
APN 076-261-010

EXHIBIT "B"

ANNEXATION OF PARCEL

INTO WEST BAY SANITARY DISTRICT  
2 WYNDHAM DRIVE, PORTOLA VALLEY, CALIFORNIA  
WITHIN THE RANCHO EL CORTE DE MADERA

CAPSTONE LAND SURVEYING

926A DIABLO AVENUE, #526, NOVATO CA., 94947  
PHONE: (415) 493-8713

SCALE: 1"=60' | DATE: FEBRUARY 14, 2023 | 2 OF 2

Addendum to Application titled LAFCo File No. --

Proposed Annexation/for (Address)

2 Wyndham Drive, Portola Valley 94028

APN's (List)

to \_\_\_\_\_

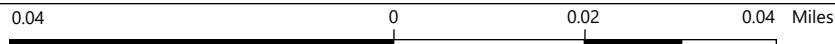
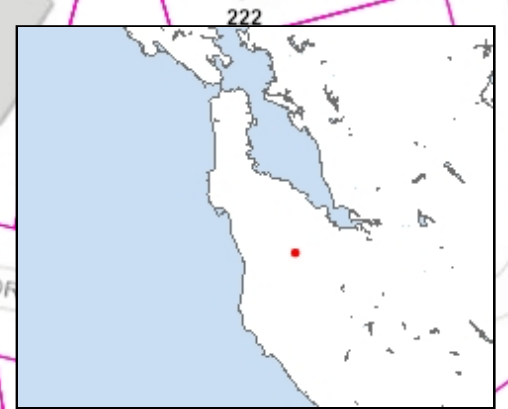
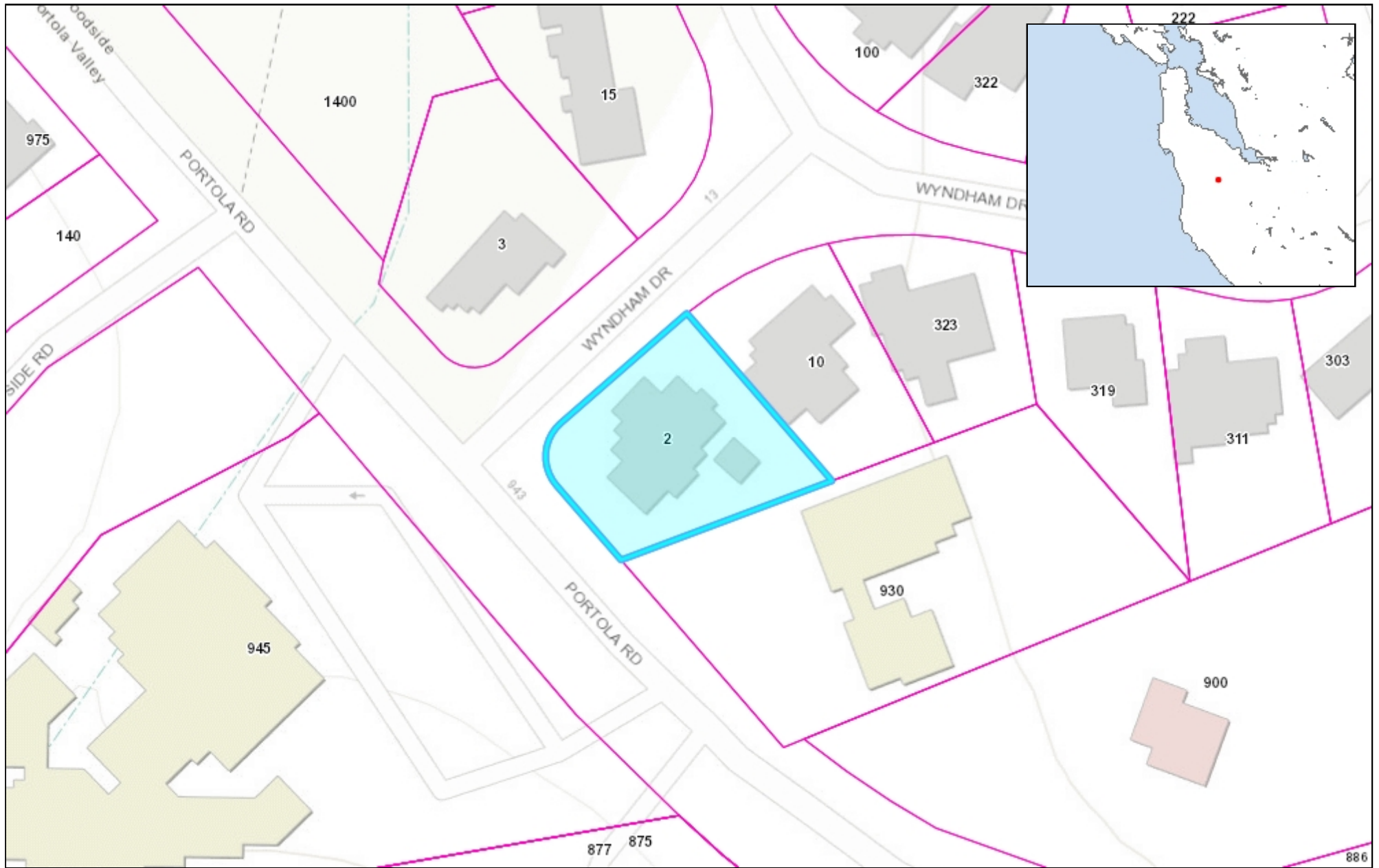
*As part of above noted application submitted by petition, the Chief Applicants, (Name of Applicants) as Applicants and subject landowner(s), real parties in interest, agree to defend, indemnify, hold harmless, and release the San Mateo LAFCO, its agents, Commissioners, Executive Officer, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this addendum to above noted application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications.*

\_\_\_\_\_  
Date 2/22/23

\_\_\_\_\_  
Date 2/22/23

\_\_\_\_\_  
Date \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

1:1,128

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

RESOLUTION NO. 1307

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, APPROVING LAFCO FILE 23-03 -  
ANNEXATION OF 2 WYNDHAM DR, PORTOLA VALLEY, (APN 076-251-240)  
TO THE WEST BAY SANITARY DISTRICT AND THE ON-SITE WASTEWATER DISPOSAL ZONE, AND  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS**

**RESOLVED**, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

**WHEREAS**, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

**WHEREAS**, the Executive Officer has reviewed the proposal and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

**WHEREAS**, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

**WHEREAS**, a public hearing by this Commission was held on the proposal and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

**WHEREAS**, the proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities); and

**NOW, THEREFORE**, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:



Section 1. This proposal is approved, subject to the following conditions: None.

Section 2. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory consists of 0.28 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of 2 Wyndham Drive, Portola Valley to the West Bay Sanitary District.

Section 4. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56662(a) and this annexation is hereby ordered.

Section 5. Subsequent annexation to the On-Site Wastewater Disposal Zone is hereby approved.

Regularly passed and adopted this \_\_\_\_ day of \_\_\_\_\_.

Ayes and in favor of said resolution:

Commissioners:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes and against said resolution:

Commissioner(s):

\_\_\_\_\_

Absent and/or Abstentions:

Commissioner(s):

\_\_\_\_\_

\_\_\_\_\_

Chair  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

\_\_\_\_\_

Rob Bartoli  
 Executive Officer  
 Local Agency Formation Commission

Date: \_\_\_\_\_

I certify that this is a true and correct copy of the resolution above set forth.

\_\_\_\_\_

Clerk to the Commission  
 Local Agency Formation Commission

Date: \_\_\_\_\_

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners

**From:** Rob Bartoli, Executive Officer  
Sofia Recalde Management Analyst

**Subject:** Adoption of the Final LAFCo Budget for FY 2023-24 & LAFCo Work Plan

## **Budget Review Schedule and Background**

Section 56381 of Cortese-Knox-Hertzberg Act (CKH or The Act), which covers adoption of the LAFCo budget requires Commission consideration of both a proposed and final budget at the following intervals:

1. By May 1, the Commission shall adopt a “proposed” net operating budget at a noticed public hearing.
2. By June 15, the Commission shall adopt a “final” net operating budget at a noticed public hearing following circulation of the recommended final budget to the County, all cities and all independent special districts.

The Act also provides that the proposed and final budgets shall be equal to the budget adopted for the previous fiscal year unless the Commission finds that reduced staffing or program costs will nevertheless allow the Commission to fulfill the purposes and programs of The Act. There is also a provision for carryover of unused funds to the subsequent year’s budget and requires that the LAFCo net operating budget be apportioned in thirds to the County, cities and independent special districts<sup>1</sup>. Also, because the Proposed Budget and Adopted Budget are adopted before the end of the fiscal year and include an estimate of fund balance carry over, once the current fiscal year closes and the actual fund balance carry over is determined, it is necessary for the Commission to determine how excess or reduced fund balance shall be

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<sup>1</sup> Apportionment of the one-third shares to individual cities and special districts is calculated by the County Controller based on proportionate share of revenues reported in the most recent edition of the State Controller’s reports on cities and special districts. For estimation purposes, agencies can use apportionment rates used by the Controller for the current Fiscal Year.

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY  
▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O’NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL  
▪ ANGELA MONTES, CLERK

applied to the LAFCo budget. In 2021 the Commission adopted a policy that any difference in fund balance shall be reconciled in the Commission’s reserve by the County Budget Office and that the Executive Officer will update the Commission on the actual year end fund balance after the fiscal year closes.

**Proposed 2023-24 Budget**

The attached draft budget includes actual expenditures for FY2021-22, adopted and estimated actual for FY2022-23 and the draft proposed FY2023-24 Budget of \$846,029, a \$500 increase, due to the addition of a wellness dividend in the Salaries & Benefits budget category, from the draft budget adopted by the Commission at the May 15 meeting. Key items addressed in more detail below include a 6% increase to salary and benefits due to staffing changes, \$100,000 for a consultant to conduct a complex Municipal Service Review, a \$2,100 increase for outside auditing services, modest decreases in services, supplies and County service costs. In FY22-23, \$75,000 was placed in a special reserve with the intent of utilizing the funds in FY23-24 for a consultant prepared Municipal Service Review. The appropriations budget increased by \$123,862 (due to costs associated with the above-mentioned consultant) and net operating budget increased by \$48,862 and resulted in a less than 1% increase to the 1/3 apportionment to funding agencies compared to the prior fiscal year.

	<b>Final FY 22-23 Budget</b>	<b>Draft Proposed FY 23-24 Budget</b>	<b>Final Proposed 23-24 Budget</b>	<b>Changes From Draft 23-24 to Final 23-24</b>
<b>Appropriations Budget</b>	\$662,167	\$785,529	\$786,029	\$500 (<1%)
<b>Net Operating Budget</b>	\$797,167	\$845,529	\$846,029	\$500 (<1%)
<b>One-third Apportionment</b>	\$182,942	\$199,207	\$184,374	\$14,833 (-7%)

**Estimated Actual 2022-23 Budget**

The FY2023-24 Adopted Budget includes appropriations for the Executive Officer, Management Analyst, and shared Administrative Secretary; Commission meetings; County Attorney’s Office; general operating expenditures including rent, supplies, etc.; travel and meetings.. In addition, the budget includes a one-time consultant expense of \$10,725 for the peer review of the City of East Palo Alto’s proposal to establish the East Palo Alto Sanitary District as a subsidiary of the city, which was paid through application fees from the City. Staff is conservatively estimating County Attorney’s Office actual charges based on the complexity of the several anticipated applications. Revenues include fund balance carry over, application fees and the intergovernmental revenue from the County, cities and special districts.

Based on estimated revenues and expenditures and unused reserves (\$45,000), the estimated fund balance carryover to be applied to the 2023-24 fiscal year is \$257,707.

## **Proposed 2023-24 Budget**

### **Salary and Benefits**

Salary and benefits of \$461,514 reflects the Executive Officer position and Management Analyst position, as well as the Commissioner stipend. On a limited basis, this account is charged for extra-help staff time to assist LAFCo staff with website updates. The shared administrative secretary position charges do not appear in payroll and instead appear in Account 5838.

### **Services and Supplies**

The Commission's contract with the County of San Mateo includes staffing, office space, and related services. With the exception of the Fiscal Office Specialist (Account 5814), the half-time LAFCo Clerk position (5838) and Controller Administrative Fees (Account 5872) which are estimated charges, expenditures reflect service charges provided by County departments.

As staff has transitioned back into a hybrid work model, the budget contains services and supplies to support in-office and remote work. The FY23-24 budget allocates \$1,200 for internet and communications, which includes a cell phone service plan for the Executive Officer to make and respond to phone calls when working remotely.

Charges from outside agencies include Memberships (Account 5331), which includes California Association of Local Agency Formation Commissions (CALAFCO) membership and California Special Districts Association (CSDA) membership and liability insurance (Account 6725) purchased from the California Special District Risk Management Authority (SDRMA). Membership with CALAFCO allows staff and the Commission access to LAFCo focused trainings, conferences, and legislative updates. Along with access to SDRMA, membership with CSDA keeps staff apprised of issues of interest to special districts and LAFCo. The fees for FY23-24 for CSDA and CALAFCO are estimates.

### **Meetings and Conferences**

CALAFCO, along with CSAC, League of Cities and CSDA, is planning to hold an in-person annual conference in Fall 2023 (Monterey, CA) and a staff workshop in Spring 2024 (location TBD). The Meetings and Conference appropriation is estimated at \$11,000 based on FY22 conference & meeting (Account 5721) estimates.

### **County Service Charges including Rent, Information Services, Controller**

Controller charges are estimates pending the actual costs associated with the Controller invoicing and collecting LAFCo apportionment. Rent (Account 6714) is estimated at \$14,000 for two workstations for LAFCo staff. The allocation for County Attorney (Account 6732) has been maintained at \$40,000 in anticipation of complex proposals this fiscal year that may require additional legal review and consultation. As LAFCo prepares to resume in-person or hybrid meetings at the Board of Supervisors Chambers, the proposed budget includes \$4,000 for the recording of LAFCo meetings (Account 5858).

### **A-87 Charges/County Cost Allocation**

A-87 is an Office of Management and Budget (OMB) circular or guideline that sets forth principles and standards for the determination of costs applicable to County programs funded by the Federal and State governments. Under the circular, the County has to observe uniformity

in its allocation of costs, that is, the County cannot be selective in the allocation process whereby externally (State and Federal) funded programs are not charged equitably. Also referred to as the Countywide Cost Allocation Plan, the County uses A-87 guidelines to obtain reimbursement from Federal, State, and non-General Fund programs for departments that do not charge directly for services rendered. For example, the Controller's Office does not charge departments for payroll services. However, the cost of providing payroll services to Non-General Fund Departments and programs receiving funds from the Federal and State governments for this specific purpose is recovered through County Cost Allocation. The A-87 formula for FY23-24 cost estimates have not been released, but we anticipate that costs will increase compared to FY22-23 and have allocated \$18,000 for FY23-24.

#### Reserve

Staff recommends making no additional appropriation to the reserve of \$60,000. This allows the Commission to use the fund balance to offset agency contributions.

#### Application of Fund Balance Carry Over

The Commission's practice regarding fund balance has been to appropriate all or a portion of it for consulting and/or special reserve and use a portion to offset the net operating budget thereby reducing the funding obligation of the County, cities and special districts to the extent possible. In preparing the annual budget, staff has been mindful of balancing the fiscal impact of the LAFCo budget to funding entities with the Commission's mandate to carry out processing of reorganization applications and preparation of MSRs and SOI studies.

This year's estimated fund balance carryover, which also includes the unspent reserve amount of \$60,000, is \$257,707 to offset agency costs. The proposed draft budget includes an apportionment of \$60,000 to maintain the FY22-23 reserve amount.

#### LAFCo Work Plan:

The following work plan includes a summary of recent activities and upcoming goals/objectives, such as preparing Municipal Service Reviews (MSRs)/Sphere of Influence (SOI) updates and special studies, updating the Commission's policies and procedures, and other projects and activities.

MSR/SOI Updates: LAFCo law provides that every five years the Commission shall, as necessary, review and update each SOI [Gov. Code §56425(g)]. The statute also provides that in order to prepare and update an SOI, the Commission shall conduct an MSR. San Mateo LAFCo has completed first round MSRs for all cities except Foster City, Burlingame, Hillsborough, Millbrae and San Bruno.

MSRs typically take staff 4-5 months to bring to a hearing. This includes research and data collection, drafting the report, review by the agency of the administrative draft, and conducting public workshops.

Peninsula Health Care District: LAFCo staff met with Elana Lieberman, a member of the League of Women Voters of North and Central San Mateo County, about the League's request to

conduct a MSR of the Peninsula Health Care District related to current and future programs and facilities, finances of the District, and the impact. Staff gave an overview of the purpose of an MSR and the range of topics that are covered in an MSR. At the March LAFCo meeting, the Commission directed staff to explore alternative ways to have the District respond to these issues. The LAFCo Executive Officer met with the new CEO of Peninsula Health Care District, Ana Pulido, to review the League’s concerns and request an update to the Commission at a future meeting date during the upcoming fiscal year. Ms. Pulido was amenable to the request, pending approval from the District Board.

Countywide Fire Study: Staff reviewed the RFP from the Department of Emergency Management (DEM) to prepare a Countywide All Hazards Evacuation Plan and has determined that the scope of DEM’s Plan does not encompass the goals of the proposed Countywide Fire Study. Whereas the DEM plan will analyze and update the County’s evacuation routes to improve their safety, capacity and viability, the objective of the LAFCo County Fire Study would be to evaluate the current and future provision of fire and emergency medical services in the County and recommend actions to promote efficient and coordinated delivery of services to County residents. Staff recommends that the proposal for this study be reviewed by the Commission as part of the 2024-25 Workplan.

	Progress	Comments
Prepare Municipal Service Reviews and Sphere of Influence Studies for the following anticipated agencies: <ul style="list-style-type: none"> <li>• Burlingame and Hillsborough (Summer 2023)</li> <li>• San Bruno and Millbrae (Fall 2023)</li> <li>• Foster City (Winter 2024)</li> <li>• Update to San Mateo County Harbor District (Summer 2024)</li> <li>• County-wide Fire Study. Concept to be reviewed by the Commission in FY 2024-25</li> </ul>	On-going	All studies will include administrative and public hearing drafts.
Process applications for boundary changes in a responsive, professional and efficient manner	On-going	Priority is given to applications for economic development, public health and safety, or other urgent needs. Potential proposals include: <ul style="list-style-type: none"> <li>• CSA-11 annexation</li> <li>• City of East Palo Alto proposal to establish East Palo Alto Sanitary District as a subsidiary district of the City</li> </ul>

		<ul style="list-style-type: none"> <li>• West Bay Sanitary District activation of recycled water powers</li> <li>• Belmont annexations in Harbor Industrial Area</li> <li>• San Mateo Resource Conservation District annexation</li> </ul>
Commission updates on Broadmoor Police Protection District	On-going	Updates are scheduled for following Commission meetings May 17, July 19, September 20, 2023, and March 20, 2024.
Update on Peninsula Health Care District	Fall-Winter 2023	
Complete annual audits (FY 21-22)	On-going	Audit for FY21 adopted at the March 15, 2023 LAFCo meeting.
Comment on potential LAFCo applications, relevant projects & development proposals, city General Plan updates and/or related environmental documents	On-going as needed	
Initiate informal meetings to discuss budget and policy issues with Cities, Special Districts, and County, as appropriate	On-going	
Review of contract with County	On-going	Proposal to update annual contract with County to better reflect services provided by County staff and departments to LAFCo.
Post public information on the LAFCo website and review website layout, graphics, and content for ease of public use	On-going	



Provide Commission with regular updates of laws, policies, and procedures	On-going	
Provide quarterly budget updates	On-going	Provide timely quarterly updates on budget to Commission after budget adoption.
Participate in regional activities for which LAFCo has indirect or direct responsibilities, such as Plan Bay Area and Regional Housing Needs Allocation	On-going	
Promote San Mateo LAFCo's interests in statewide issues through active participation in the California Association of Local Agency Formation Commissions (CALAFCO)	On-going	
Digital Archiving	On-going	Staff continues to digitize proposal files, meeting agendas, and meeting minutes. Staff coordinates with County staff regarding converting annexation records into digital format and potential cost estimate for that work.
Mapping program	On-going	Continue to coordinate with County staff to update maps of agencies and provide them on the LAFCo website.
Policies and Procedures Updates	On-going	
Update of Commissioner Handbook	On-going	

**Review by Budget Committee:**

On April 17, the LAFCo Budget Committee met to review the proposed final budget and workplan. The Commission recommended approval, but had the following comments:

- Addition of Broadmoor PD updates to the workplan. This has now been added.
- Additional detail about staff time to complete MSRs. This has now been added.
- Direction to staff to pursue alternates to an MSR for the Peninsula Health Care District. LAFCo staff is working with District staff regarding the potential of presentation by the District to the Commission later in the year.
- Direction to staff to review scope of the RFP put out by the Department of Emergency Management (DEM) and fire service review. Based on conversation with DEM staff, the

study is focused on evacuation and operations during a major natural disaster. A LAFCo study would focus on service delivery, agency boundaries, and governance options. In review of the current workplan, staff recommends that this potential study be reviewed by the Commission in FY24-25.

Consultants for MSRs and other projects. Staff has budgeted funds for a consultant lead MSR this fiscal year. These funds could be allocated to the San Mateo County Harbor District MSR or can be allocated to another MSR later in the year.

**Recommendation:**

By resolution, adopt the Final LAFCo FY 2023-24 budget of \$846,029 and the LAFCo Work Plan.

**Attachments**

- A. Budget Narrative for FY23-24
- B. Budget Spreadsheet for FY23-24, inclusive of Adopted Budget and estimated expenditures for FY22-23, and actual expenditures for FY21-22
- C. Resolution No. 1304

**LAFCO PROPOSED 2023-24 BUDGET NARRATIVE**

The following provides a narrative to the budget spreadsheet and reflects costs associated with LAFCo's contract with the County of San Mateo for staffing, office space, supplies and legal counsel.

**Salary & Benefits (4111 through 4161 and 4512)**

Salary and benefits of \$461,514 includes the County position of Principal Management Analyst that serves as Executive Officer by contract with the County, Management Analyst salary and benefits, administrative leave cash out, experience pay for positions per County HR, workers compensation charges, and Commissioner stipend of \$100 per bi-monthly meeting. Salary and benefits increase reflects the County's Salary Schedule. The shared Administrative Secretary position charges appear in Account 5838 and not in payroll. This is a \$500 increase to the 4000 series compared to the draft budget due to the addition of the \$500 Wellness Dividend.

**Services & Supplies****Internet/Communications (5132)**

Appropriation of \$1,200 for internet and communication tools and services to support LAFCo staff. This includes the ongoing cell service plan for the Executive Officer.

**Outside Printing (5191)**

Appropriation of \$1,000 for copying and printing by outside print shops for special community mailings or workshop distribution of MSRs that cannot be distributed electronically.

**General Office Supplies (5193)**

A flat appropriation of \$550 for incidental office supplies provided to LAFCo.

**Photocopy (5196)**

A flat appropriation of \$550 for incidental copies made from the Planning Department copier where the LAFCo office is located.

**Postage & Mailing (5197)**

Appropriation of \$1,000 for postage/ mailing service through the County mailroom.

**Computer Supplies (5211)**

Appropriation of \$500 for computer supplies including the use of internet hotspots to support teleworking for staff.

**Computer Equipment under \$5,000 (5212)**

Appropriation of \$0 for computer equipment.

**Software License (5215)**

Appropriation of \$700 for two Microsoft 365 and Adobe licenses.

**Records Storage (5218)**

Appropriation of \$700 for offsite records storage.

Memberships (5331)

Estimated dues of \$16,000 for CALAFCO and California Special Districts Association (CSDA). Membership with CALAFCO allows staff and the Commission access to LAFCo focused trainings, conferences, and legislative updates. Along with access to SDRMA, membership with CSDA keeps staff apprised of issues of interest to special districts and LAFCo.

Legal Advertising (5341)

Appropriation of \$2,000 for legal notices published in newspapers for LAFCo hearing items that require notice.

Mileage Allowance (5712)

Appropriation of \$250 for mileage reimbursement.

Meetings & Conferences (5721)

The Meetings and Conference appropriation is estimated at \$11,000 based on the FY22-23 costs associated with attending the in-person 2023 CALAFCO Conference in Monterey and Staff Workshop in 2024.

Training (5733)

Appropriation of \$250 for educational classes, workshops, or training related to LAFCo or CEQA.

Fiscal Office Specialist (5814)

Appropriation of \$1,676 for a County Fiscal Office Specialist to process LAFCo accounts receivable, accounts payable, and payroll. This is an estimated cost.

.5 FTE LAFCo Clerk (5838)

Appropriation of \$66,055 for part-time contracted Executive Secretary position. This amount includes salary, benefits, and administrative overhead charges from County Planning. This is an estimated cost.

Outside Auditing Services (5842)

Allocation of \$9,800 for the anticipated FY22 audit.

Graphics (5848)

Appropriation of \$1,500 for GIS and other mapping services for LAFCo studies and sphere updates.

Consulting (5856)

Appropriation of \$100,000 to contract for consultant lead Municipal Service Review. In FY22-23, \$75,000 was allocated to a special reserve for future consultant lead Municipal Service Reviews.

Video Recording of Commission Meetings (5858)

\$4,000 based on minimum of 4 hours at \$100 per hour. Six regular meetings of various duration and one potential additional meeting.

DPW/GIS Mapping (5861)

Appropriation of \$4,000 for special work completed by ISD/Public Works GIS mapping related to LAFCo applications or studies.

Fingerprinting new employee (5866)

Appropriation of \$0 for fingerprinting services.

Controller Admin (5872)

Estimated Cost of \$8,000 for administering the apportionment and collection of LAFCo budget to County, cities, and special districts.

Telephone (6712)

This Account has been zeroed out. Telephone charges have been moved to Account 6713.

Other Information Services Department (ISD) Services (6713)

An estimate of \$8,842 for telephone, computer support, connectivity, etc.

Rent (6714)

Rent is estimated at \$16,744.

Motor Pool (6717)

Appropriation of \$78 for use of the County's vehicle fleet.

General Liability (6725)

Estimated appropriation of \$9,500 for insurance through CSDA for the Commission and employee insurance with County of San Mateo.

Bond Insurance (6727)

Estimated appropriation of \$70 for bond insurance.

County Attorney's Office (6732)

Appropriation of \$40,000 for County Attorney charges. This appropriation is based on requirement for indemnification by applicants for all annexation/reorganization proposals.

Human Resources (6733)

Estimated appropriation of \$100 for online Learning Management Services.

Countywide Security (6738)

Estimated of \$150 for countywide security provided by the Sheriff's office.

All Other Charges - OFAS (Account 6739)

Appropriation of \$100 for the County accounting software (OFAS).

Card Key Services (Account 6751)

Appropriation of \$200 for card key services.

A-87 Charges/County Cost Allocation (6821)

A-87 is an Office of Management and Budget (OMB) circular or guideline that sets forth principles and standards for the determination of costs applicable to County programs funded by the Federal and State governments. Under the circular, the County has to observe uniformity in its allocation of costs, that is, the County cannot be selective in the allocation process whereby externally (State and Federal) funded programs are not charged equitably. Also referred to as the Countywide Cost Allocation Plan, the County uses A-87 guidelines to obtain reimbursement from Federal, State, and non-General Fund programs for departments that do not charge directly for services rendered. For example, the Controller's Office does not charge departments for payroll services. However, the cost of providing payroll services to Non-General Fund Departments and programs receiving funds from the Federal and State governments for this specific purpose is recovered through County Cost Allocation. The A-87 formula for 2023-24 has not been issued yet, and staff is estimating a charge of \$18,000.

LAFCo Loan Payment Refund (Account 6831)

Appropriation of \$0 for loan payment refund as this repayment was completed in FY21-22.

Reserve (8612)

Staff recommends appropriating \$60,000 of the fund balance to reserve, consistent with the current level of reserves. As this is an allocation from the fund balance, no additional agency apportionments are required. Commission authorization is required to spend reserve.

Application of Fund Balance Carry Over

The Commission's practice regarding fund balance has been to appropriate all or a portion of it for consulting and/or special reserve and use a portion to offset the net operating budget thereby reducing the funding obligation of the County, cities, and special districts to the extent possible. In preparing the annual budget, staff has been mindful of balancing the fiscal impact of the LAFCo budget to funding entities with the Commission's mandate to carry out processing of reorganization applications and preparation of MSRs and SOI studies.

This year's estimated fund balance carryover, inclusive of unspent reserves, is \$257,707 to offset agency costs.

LAFCo	Final FY 23-24 Budget	Final Actual FY 21-22	Adopted FY 22-23	Est. Actuals FY 22-23	Draft Proposed FY 23-24
	<b>Expenditures</b>				
4111	Salary & Benefits Executive Officer	264,488	247,480	247,480	261,732
4111	Salary & Benefits Management Analyst	133,500	183,460	146,768	188,199
4141	Admin. Leave Cash Out	10,131	0	1,767	5,790
4161	Commissioner Compensation	4,230	5,000	5,000	5,000
4628	Wellness Dividend	0	0	0	500
4512	Workers Compensation Experience	0	0	282	294
<b>4000</b>	<b>SALARIES &amp; BENEFITS SUBTOTAL</b>	<b>412,349</b>	<b>435,940</b>	<b>401,015</b>	<b>461,514</b>
5132	Internet/Communications	673	2,300	2,300	1,200
5191	Outside Printing (other special printing)	0	1,000	0	1,000
5193	General Office Supplies	500	500	1,000	550
5196	Photocopy - in-house copier	500	500	500	550
5197	Postage & Mailing Service	61	1,000	200	1,000
5211	Computer Supplies	100	500	200	500
5212	Computer Equipment under \$5,000	0	0	500	0
5215	Software License	591	800	800	700
5218	Corovan Records Storage	291	700	300	700
5331	Memberships (CALAFCO/CSDA)	13,872	16,000	12,921	16,000
5341	Legal Advertising	767	1,500	1,500	2,000
5712	Mileage Allowance	0	250	0	250
5721	Meetings & Conferences	1,560	11,000	8,000	11,000
5733	Training	0	250	250	250
5814	Fiscal Office Specialist	1,526	2,000	2,000	1,676
5838	.5 FTE LAFCo Clerk	56,225	68,534	60,000	66,055
5842	Outside Auditing Services	9,065	7,700	7,700	9,800
5848	Graphics	0	1,500	0	1,500
5856	Consulting	129,449	0	10,725	100,000
5858	Other Professional Contract Services (Recording of Meetings)	0	4,000	1,000	4,000
5861	DPW/GIS Mapping	0	6,500	5,000	4,000
5866	Fingerprinting new employee	0	100	0	0
5872	Controller Admin	2,177	7,200	7,200	8,000
<b>5000</b>	<b>SERVICES &amp; SUPPLIES SUBTOTAL</b>	<b>217,358</b>	<b>133,834</b>	<b>122,096</b>	<b>230,731</b>
6712	Telephone	354	350	250	0
6713	ISD (Automation Services)	8,478	12,500	9,000	8,842
6714	Rent	13,587	14,000	14,000	16,744
6717	Motor Pool	0	0	0	78
6725	Gen'l Liability	7,461	9,000	8,000	9,500
6727	Bond Insurance	64	100	65	70
6732	County Attorney's Office	23,942	40,000	20,000	40,000
6733	Human Resources	217	150	67	100
6738	Countywide Security	139	150	142	150
6739	All Other Charges (Accounting Software)	269	400	0	100
6751	Card key services	0	0	214	200
6821	A 87 Charges/County Cost Allocation	9,765	15,743	15,743	18,000
6831	LAFCo loan payment refund	12,416	0	0	0
<b>6000</b>	<b>OTHER CHARGES SUBTOTAL</b>	<b>76,692</b>	<b>92,393</b>	<b>67,481</b>	<b>93,784</b>
	<b>Subtotal Appropriations</b>	<b>706,399</b>	<b>662,167</b>	<b>590,593</b>	<b>786,029</b>
<b>8612</b>	<b>Reserve</b>	<b>0</b>	<b>60,000</b>	<b>0</b>	<b>60,000</b>
	Special Reserve	0	75,000	0	0
	<b>Total Appropriations Budget</b>	<b>706,399</b>	<b>797,167</b>	<b>590,593</b>	<b>846,029</b>
	<b>Revenues</b>				
3333	Fund Balance	401,925	218,142	218,142	257,707
2421	Application Fees	33,727	30,000	30,000	35,000
2600	Miscellaneous Revenue		0	1,333	0
1521	Interest	5,060	200	5,000	200
2658	CALAFCO Deputy EO Stipend	230	0	0	0
	<b>Intergov. Rev. (County/City/Dist)</b>	<b>632,543</b>	<b>548,825</b>	<b>548,825</b>	<b>553,122</b>
	<b>Total Revenues</b>	<b>1,073,485</b>	<b>797,167</b>	<b>803,300</b>	<b>846,029</b>
	<b>City/District/County 1/3 Apportionment</b>	<b>210,848</b>	<b>182,942</b>	<b>182,942</b>	<b>184,374</b>

RESOLUTION NO. 1304

**RESOLUTION OF THE  
SAN MATEO LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE FINAL  
2023-2024 FISCAL YEAR BUDGET**

**RESOLVED**, by the Local Agency Formation Commission of the County of San Mateo, State of California that:

**WHEREAS**, Section 56381 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides that the LAFCo Commission shall adopt a “Proposed” and “Final” budget; and

**WHEREAS**, Section 56381 provides that a Final budget be adopted by the Commission by June 15; and

**WHEREAS**, the Final Budget was circulated to the County, the cities and independent special districts for review and no comments were received; and

**WHEREAS**, the Commission has considered the Final Budget at a noticed public hearing and received public comment on May 17, 2023; and

**WHEREAS**, the Commission finds that the reduced program costs allow the Commission to fulfill the purpose and program of the Cortese-Knox-Hertzberg Reorganization Act of 2000;

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the San Mateo Local Agency Formation Commission hereby adopts the Final Revised Budget of \$846,029 as shown in Exhibit A and directs the Executive Officer to distribute it to the County, cities and independent special districts.



Regularly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_.

Ayes and in favor of said resolution:

Commissioners:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes and against said resolution:

Commissioner(s):

\_\_\_\_\_

Absent and/or Abstentions:

Commissioner(s):

\_\_\_\_\_

\_\_\_\_\_

Chair  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

\_\_\_\_\_

Rob Bartoli  
 Executive Officer  
 Local Agency Formation Commission

Date: \_\_\_\_\_

I certify that this is a true and correct copy of the resolution above set forth.

\_\_\_\_\_

Clerk to the Commission  
 Local Agency Formation Commission

Date: \_\_\_\_\_

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners

**From:** Rob Bartoli, Executive Officer  
Sofia Recalde Management Analyst

**Subject:** FY 2023-25 LAFCO Processing Fee Schedule

## Background

The Cortese-Knox-Hertzberg (CKH) Act governing LAFCo operations authorizes the Commission to establish a schedule of fees for processing applications and provides that the fees shall not exceed the estimated reasonable cost of providing the service. Processing fees must be adopted by resolution following a noticed public hearing as part of a regularly scheduled meeting. During the FY19-20 budget process, a recommendation was made and adopted by the Commission to review fees every two years. Fees were last revised in 2021 as part of the FY21-22 Budget process.

San Mateo LAFCo's fee schedule categories include acreage and type of reorganization proposal. Fees are based on level of complexity of applications, County salary and benefit increases, and other service cost increases such as rent and County Attorney's Office charges.

## Summary

The recommended revisions to the annexation/detachment fees account for increases in salary and benefits and the additional complexity and requirements related to processing applications. These fees were calculated based on an estimate of time to process the application by staff and the hourly rate for each portion of the application. On average, the fees for minor and major annexations are proposed to be increased by 7.5%.

Annexations and Outside Service Agreements that are less than 5 acres in size are the most common type of applications received by LAFCo. The highest proposed application fee for an application would be a major application fee of \$4,864. This application fee is on par with Alameda, Contra Costa, Marin, Napa, Orange, Santa Clara, and Sonoma LAFCos. Fees for other types of actions are proposed to remain at actual costs based on staff hourly rates. The proposed

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

LAFCo fee schedule has also been updated with a new table showing staff's fully burdened hourly rate (salary, benefits, and administrative costs).

The Commission has historically adopted fees with the goal of recovering a larger share of processing costs for individual proposals while not discouraging boundary change applications.

**Committee Review**

On February 13, 2023, the Budget Committee recommended approval of the revised fee schedule.

**Commission Review**

The Proposed Revised Schedule of Processing Fees was unanimously recommended for approval by the Commission at the March 15, 2023 meeting. Public notices were circulated in the San Mateo County Times and to affected agencies. No comments have been received as of the publication of this report.

**Recommendation:**

By resolution, adopt the proposed LAFCo Processing Fee Schedule for FY 2023-25. If adopted, the FY 2023-25 Fee Schedule would become effective 60 days after adoption by the Commission.

**Attachments**

- A. Proposed 2023 Processing Fee Schedule
- B. Adopted 2021 Processing Fee Schedule
- C. Resolution No. 1305

**SAN MATEO LAFCo FEE SCHEDULE**  
 Effective for Applications Accepted for Filing  
 On or After (60 days from adoption)

**PROCESSING FEES**

**(CA Government Code Sections 56383, 56654, and 56428)**

Annexation or Detachment (City, District, or County Service Area)	Minor Applications (100% consent of property owners and exempt from CEQA)	Major Applications (Less than 100% consent of property owners or is not exempt from CEQA)
<u>Acres</u>		
1 or less	<del>\$2,028</del> <u>\$1,872</u>	<del>\$2,982</del> <u>\$2,754</u>
1.1 - 4.9	<del>\$3,308</del> <u>\$3,114</u>	<del>\$4,864</del> <u>\$4,580</u>
5 - 9.9	<del>\$3,740</del> <u>\$3,489</u>	<del>\$5,499</del> <u>\$5,131</u>
10 – 19.9	<del>\$4,080</del> <u>\$3,766</u>	<del>\$6,000</del> <u>\$5,538</u>
20 – 29.9	<del>\$4,979</del> <u>\$4,646</u>	<del>\$7,323</del> <u>\$6,833</u>
30 – 49.9	<del>\$5,827</del> <u>\$5,415</u>	<del>\$8,568</del> <u>\$7,962</u>
50 +	<del>\$6,578</del> <u>\$6,108</u>	<del>\$9,674</del> <u>\$8,983</u>

**OTHER ACTIONS**

Outside Service Agreement	Same as acreage fees above
Consolidation/Merger/Dissolution/Subsidiary District (Excludes legal notice and election costs)	Actual Cost
District Formation	Actual Cost
Municipal Service Review (Not initiated by LAFCo)	Actual Cost
Application for Activation or Divestiture of Special District Powers	Actual Cost
Dissolution for Inactivity	\$650
Incorporation/Disincorporation	Actual Cost
State Controller's Review of Comprehensive Fiscal Analysis	Actual Cost
Reorganization (two or more changes of organization included in one proposal)	Sum of Fees for Individual Actions, less 20%
Noticed public hearing (if required)	Actual Preparation and Publication Cost
Sphere of Influence Revision/Municipal Service Review	Actual Cost
Reconsideration pursuant to Section 56857	Actual cost/Deposit of \$650
Request for time extension	\$300
Request to hold special meeting	Actual Cost
Outside/Special Legal Fee	Actual Cost
Petition Verification	Actual Cost

**LAFCO STAFF HOURLY RATES**

Fully burdened LAFCo staff hourly rates:

<b>Position</b>	<b>Hourly Rate</b>
Executive Officer	\$193
Management Analyst	\$137
LAFCo Clerk	\$96
Legal Counsel	\$232

**ENVIRONMENTAL REVIEW**  
**(P.R.C. Section 21089)**

CEQA Exemption	No Charge
Review of Lead Agency’s Negative Declaration or Environmental Impact or determination that preparation of Negative Declaration or Environmental Impact Report is required	\$325 plus Publication Cost
Preparation of a Negative Declaration or Environmental Impact Report	Actual Cost

**COUNTY AND STATE FEES**

The following fees are charged by State and County agencies and are listed below as public information to applicants. May be amended by State/County.

Department of Fish and Wildlife Fees (Fish and Game Code Sec. 711.4): (set by State/County)	
County Clerk - Document Handling Fee	\$50.00
Department of Fish and Wildlife CEQA Filing Fees	For specific information regarding filing fees for Negative Declarations or Environment Impact Reports, please refer to California Department of Fish and Wildlife <a href="https://www.wildlife.ca.gov/Conservation/CEQA">https://www.wildlife.ca.gov/Conservation/CEQA</a>
The above fees may be required where LAFCo is the lead agency for environmental review and will be collected by LAFCo for transmittal to the County Clerk.  Where LAFCo is responsible agency, copies of original Notice of Determination and receipt by Lead Agency is required.	
State Board of Equalization Fees (Government Code Section 54902.5)	
The conducting agency (city, county or district) may collect a State Board of Equalization filing fee for submittal to LAFCo with final proposal documents. The fee is based on acreage. Please refer to the State Board of Equalization ( <a href="http://www.boe.ca.gov/">http://www.boe.ca.gov/</a> ) fee schedule and consult LAFCo staff for details. Checks of this fee should be made to the State Board of Equalization Fees and submitted to San Mateo LAFCo for filing.	
County Department of Public Works Fees	Hourly rate of Public Works staff

**ADMINISTRATIVE FEES**

Photocopies	\$0.10 per page
Publications	Will be set for each publication
Conforming Copy	\$10.00 check payable to San Mateo County Recorder
Duplication of Meeting Record	Actual Cost

EXCEPTIONS: LAFCo processing fees may be waived by the Commission if financial hardship is demonstrated OR if the application is in response to a LAFCo condition or recommendation. State and County Clerk fees may not be waived.

*DRAFT revised 2/8/23*

**SAN MATEO LAFCo FEE SCHEDULE**  
Effective for Applications Accepted for Filing  
On or After July 20, 2021

**PROCESSING FEES**

**(CA Government Code Sections 56383, 56654, and 56428)**

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50 +	\$6,108	\$8,983

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Incorporation/Disincorporation	Actual Cost
State Controller's Review of Comprehensive Fiscal Analysis	Actual Cost
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Reconsideration pursuant to Section 56857	Actual cost/Deposit of \$650
Request for time extension	\$300
Request to hold special meeting	Actual Cost
Outside/Special Legal Fee	Actual Cost
Petition Verification	Actual Cost

**ENVIRONMENTAL REVIEW**  
**(P.R.C. Section 21089)**

CEQA Exemption	No Charge
Review of Lead Agency’s Negative Declaration or Environmental Impact or determination that preparation of Negative Declaration or Environmental Impact Report is required	\$325 plus Publication Cost
Preparation of a Negative Declaration or Environmental Impact Report	Actual Cost

**COUNTY AND STATE FEES**

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The above fees may be required where LAFCo is the lead agency for environmental review and will be collected by LAFCo for transmittal to the County Clerk.	
Where LAFCo is responsible agency, copies of original Notice of Determination and receipt by Lead Agency is required.	
State Board of Equalization Fees (Government Code Section 54902.5)	
The conducting agency (city, county or district) may collect a State Board of Equalization filing fee for submittal to LAFCo with final proposal documents. The fee is based on acreage. Please refer to the State Board of Equalization ( <a href="http://www.boe.ca.gov/">http://www.boe.ca.gov/</a> ) fee schedule and consult LAFCo staff for details. Checks of this fee should be made to the State Board of Equalization Fees and submitted to San Mateo LAFCo for filing.	
County Department of Public Works Fees	Hourly rate of Public Works staff

**ADMINISTRATIVE FEES**

Photocopies	\$0.10 per page
Publications	Will be set for each publication
Conforming Copy	\$10.00 check payable to San Mateo County Recorder
Duplication of Meeting Record	Actual Cost

EXCEPTIONS: LAFCo processing fees may be waived by the Commission if financial hardship is demonstrated OR if the application is in response to a LAFCo condition or recommendation. State and County Clerk fees may not be waived.



RESOLUTION NO. 1307

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF THE COUNTY OF SAN MATEO  
MAKING DETERMINATIONS, APPROVING LAFCO FILE 23-03 -  
ANNEXATION OF 2 WYNDHAM DR, PORTOLA VALLEY, (APN 076-251-240)  
TO THE WEST BAY SANITARY DISTRICT AND THE ON-SITE WASTEWATER DISPOSAL ZONE, AND  
WAIVING CONDUCTING AUTHORITY PROCEEDINGS**

**RESOLVED**, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

**WHEREAS**, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

**WHEREAS**, the Executive Officer has reviewed the proposal and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

**WHEREAS**, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

**WHEREAS**, a public hearing by this Commission was held on the proposal and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

**WHEREAS**, the proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities); and

**NOW, THEREFORE**, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. This proposal is approved, subject to the following conditions: None.

Section 2. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory consists of 0.28 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of 2 Wyndham Drive, Portola Valley to the West Bay Sanitary District.

Section 4. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56662(a) and this annexation is hereby ordered.

Section 5. Subsequent annexation to the On-Site Wastewater Disposal Zone is hereby approved.

Regularly passed and adopted this \_\_\_\_ day of \_\_\_\_\_.

Ayes and in favor of said resolution:

Commissioners:

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes and against said resolution:

Commissioner(s):

\_\_\_\_\_

Absent and/or Abstentions:

Commissioner(s):

\_\_\_\_\_

\_\_\_\_\_

Chair  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

\_\_\_\_\_

Rob Bartoli  
 Executive Officer  
 Local Agency Formation Commission

Date: \_\_\_\_\_

I certify that this is a true and correct copy of the resolution above set forth.

\_\_\_\_\_

Clerk to the Commission  
 Local Agency Formation Commission

Date: \_\_\_\_\_

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners

**From:** Rob Bartoli, Executive Officer  
Sofia Recalde, Management Analyst

**Subject:** Consideration of a Resolution Authorizing an Agreement with the County of San Mateo for Staffing, Legal Counsel, Office Space, and Supplies for Fiscal Year 23-24

## Summary

The Commission's adopted appropriations budget includes funds for a contract with San Mateo County for staffing, facilities, and legal counsel. The attached agreement sets forth the service provided by the County. Staff recommends that the Commission adopt a resolution authorizing the Chair to execute the attached agreement with San Mateo County for the Fiscal Year 2023-2024 in the amount of \$779,060.

## Background

Section 56380 of the Cortese-Knox-Hertzberg Act authorizes the Commission to appoint staff and provides that the Commission can contract for services with another public agency. Section 56384 sets forth that the Commission shall appoint an Executive Officer to conduct and perform the day-to-day business of the Commission. The budget adopted by the Commission includes an appropriation for continuation of this arrangement in FY 2023-24. The not-to-exceed contract amount of \$779,060 includes funds for staff services including the Executive Officer, Management Analyst, shared clerical position, rent, legal services, and supplies. Funds for outside auditing services and reserve funds are not included in the contract amount. As a not-to-exceed contract, savings in services result in fund balance carry-over at the end of the fiscal year.

Services to be provided are detailed in the attached agreement and include: preparing staff analyses, reports, findings, and other agenda materials relating to boundary proposals and any other matters within the Commission's authority; calling, noticing, and clerking LAFCo meetings; preparing, mailing, publishing, and maintaining records of LAFCo agendas, notices,

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

and other required documents; providing information and assistance to interested public agencies and individuals; providing fiscal support and preparing budgets; and informing the Commission of legislation of interest to or affecting LAFCo, and correspondence and matters of interest to the Commission.

**Recommended Commission Action, By Resolution**

It is respectfully recommended that the Commission, by resolution, authorize the Chair to execute the attached agreement with the County of San Mateo for staffing and support services in the amount of \$779,060 for FY 23-24.

**Attachments**

- A. Agreement for Support Services for FY 23-24
- B. Resolution No. 1306

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO  
AND THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION  
FOR SUPPORT SERVICES**

This Agreement is made on \_\_\_\_\_, 2023, by and between the County of San Mateo (“County”) located at 400 County Center, Redwood City, California, and the San Mateo County Local Agency Formation Commission (“LAFCo” or “the Commission”) located at 455 County Center, 2<sup>nd</sup> Floor, Redwood City, California.

**WITNESSETH**

**WHEREAS**, Government Code Section 56380 provides that the Commission shall make its own provision for necessary quarters, equipment, and supplies as well as personnel and the Commission may choose to contract with any public agency or private party for personnel and facilities; and

**WHEREAS**, Government Code section 56384 (a), of the Cortese-Knox-Hertzberg Reorganization Act of 2000, Government Code section 56000, et seq., (“the Act”) provides: “The Commission shall appoint an Executive Officer who shall conduct and perform the day-to-day business of the Commission. If the Executive Officer is subject to a conflict of interest on a matter before the Commission, the Commission shall appoint an alternate Executive Officer;” and

**WHEREAS**, Government Code section 56384 (a) of the Act further provides: “The Commission may recover its costs by charging fees pursuant to Section 56383;” and

**WHEREAS**, Government Code section 56384 (b) of the Act provides “The Commission shall appoint legal counsel to advise it. If the Commission’s counsel is subject to a conflict of interest on a matter before the Commission, the Commission shall appoint alternate legal counsel to advise it;” and

**WHEREAS**, Government Code section 56384 (b) of the Act further provides that “The Commission may recover its costs [for legal services] by charging fees pursuant to Section 56383,”

**NOW THEREFORE**, in order to implement the above-described provisions of the Act, the parties enter the following agreement:

## AGREEMENT

### 1. SERVICES TO BE PROVIDED BY COUNTY:

A. APPOINTMENT OF EXECUTIVE OFFICER. The County shall appoint and designate a County employee, whose appointment and designation shall be subject to approval by LAFCo, to perform LAFCo day-to-day activities. For purposes of LAFCo activities, said appointee shall have the title of LAFCo Executive Officer. The appointee shall, with assistance of the management analyst and Commission clerk, provide the following services, including but not limited to the following:

- 1) Preparing staff analyses, reports, proposed findings and other agenda materials for the LAFCo Commission relating to boundary proposals, contracts for provision of new and extended services outside city and district jurisdictional boundaries, sphere of influence amendments, periodic review of sphere of influence designations and any other matters that are within the Commission's authority under the Act.
- 2) Calling and noticing Commission meetings in accordance with the Act and LAFCo policies and procedures.
- 3) Preparing, mailing, filing, publishing and keeping records of agendas, notices and other required official documents on behalf of the LAFCo Commission.
- 4) Responding to inquiries and providing information and technical assistance to interested public agencies and individuals.
- 5) Providing supporting fiscal services such as the development of the annual LAFCo budget, management of LAFCo financial accounts including the processing of LAFCo fees and charges, the processing of payment of Commission charges and expenses, and the preparation of required fiscal reports.
- 6) Informing LAFCo Commissioners of new legislation, correspondence with the Commission, CALAFCO activities, current events and matters of interest related to LAFCo.

**B. PROVISION OF RELATED SERVICES.** In addition, County shall provide LAFCo with related support services and supplies, including the following:

1. A Management Analyst who shall conduct administrative, research, analytical tasks;
2. Fiscal Office Specialist who shall process LAFCo accounts receivable, accounts payable, and payroll for LAFCo staff and Commission in accordance with County policy and standards;
3. County budget office support for coordination and input of the budget as adopted by LAFCo Commission into County budget documents;
4. County Controller support for administering the apportionment and collection of LAFCo budget to county, cities, and special districts;
5. County Attorney services as listed in Section E;
6. Information Services Department services for computer support, connectivity, and telephone;
7. Workspaces for LAFCo staff;
8. A half-time administrative secretary who shall serve as the Clerk to the Commission;
9. County printer/copiers and mailing services;
10. Graphics and GIS/Mapping support;
11. Human resources for hiring, on-boarding of staff, and benefits administration;
12. Employee liability insurance;
13. Video recording of Commission meetings;
14. General office equipment and supplies;
15. Motor pool services.

The level or type of services and the cost of providing those services may vary from time to time upon agreement of LAFCo and the County Manager or the Manager's designee.

**C. APPOINTMENT OF ALTERNATE EXECUTIVE OFFICER IN CASE OF CONFLICT; PAYMENT OF COSTS BY APPLICANT.** If the Commission determines that a conflict of interest exists for its Executive Officer in a matter before the Commission, the Commission shall



appoint an Alternate Executive Officer for the purpose of that matter only. In such a conflict situation, the Commission may make final approval of a proposal contingent upon payment of any outstanding costs in excess of the deposit on hand with the County Auditor. The Commission may require an applicant to bear the costs of an Alternate Executive Officer. The Commission shall require an applicant who is to bear the costs of an Alternate Executive Officer to put on deposit with the County Auditor funds deemed by the Commission to be sufficient to cover associated costs in advance of the Commission's appointment of an Alternate Executive Officer. The County Auditor shall return to the applicant any unexpended portion of funds on deposit at the conclusion of the matter for which Alternate Executive Officer was appointed and upon confirmation from the Executive Officer that all billing matters have been resolved.

**D. LAFCo'S PAYMENT TO COUNTY FOR OFFICES, SERVICES, SUPPLIES, AND STAFF.** Except as specified in subsection F, below, in consideration of the County's provision of offices, services, supplies, and staff pursuant to subsection B, above, LAFCo shall pay to County at a rate equal to the County's actual cost of providing said offices, services, supplies and staff, which may vary from time to time upon agreement of LAFCo and the County Manager or the Manager's designee.

**E. APPOINTMENT OF LEGAL COUNSEL.** In addition to the other County services described herein, LAFCo hereby appoints the County Attorney's Office as its legal counsel. The County, through the office of the County Attorney, will provide all legal services required by LAFCo. These services shall include, but are not limited to:

- 1) Providing day-to-day legal advice to LAFCo and staff;
- 2) Reviewing and advising on contracts;
- 3) Attending LAFCo Commission meetings and other meetings as requested;
- 4) Defending and conducting litigation and administrative actions concerning LAFCo.

**F. RATE OF PAYMENT FOR LEGAL SERVICES.** In consideration of the County's provision of legal services, LAFCo shall pay to County a single rate of \$232 per hour. The County

Attorney's Office will submit invoices to LAFCo quarterly for legal services, which invoices shall be payable upon receipt.

**G. APPOINTMENT OF ALTERNATE LEGAL COUNSEL IN CASE OF CONFLICT; PAYMENT OF LEGAL FEES BY APPLICANT.** If the Commission determines that a conflict of interest exists for the County Attorney in a matter before the Commission, the Commission shall appoint alternate legal counsel for purposes of that matter only. The Commission may require an applicant to bear the costs of alternate legal counsel. The Commission shall require an applicant who is to bear the costs of alternate legal counsel to put on deposit with the County Auditor funds deemed by the Commission to be sufficient to cover associated costs in advance of the Commission's appointment of alternate legal counsel. In such a conflict situation, the Commission may make final approval of a proposal contingent upon payment of any outstanding costs in excess of the deposit on hand with the County Auditor. The County Auditor shall return to the applicant any unexpended portion of funds on deposit at the conclusion of the matter for which alternate legal counsel was appointed and upon confirmation from the Executive Officer that all billing matters have been resolved.

**H. LAFCO'S MAXIMUM FISCAL OBLIGATION.** In consideration of all services, and supplies described herein, LAFCo shall pay the County an amount not to exceed \$779,060. In the event LAFCo requires or requests additional services and supplies, the parties may negotiate and agree to an amendment to this agreement. The parties agree that the County need not provide any services or supplies for which it is not compensated unless required by state law.

**I. TERM.** The term of this agreement shall be from July 1, 2023 to June 30, 2024 unless terminated earlier pursuant to this agreement. Either party may terminate this agreement for any reason upon 30-day notice to the other party.

**J. MERGER CLAUSE.** This agreement constitutes the sole agreement of the parties hereto and correctly states the rights, duties, and obligations of each party. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in

this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**IT WITNESS WHEREOF**, the parties hereto, or their duly authorized representative, affix their hands.

San Mateo Local Agency Formation Commission

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chair of the Commission

County of San Mateo

Dated: \_\_\_\_\_

\_\_\_\_\_  
President, Board of Supervisors

RESOLUTION NO. 1306

**RESOLUTION OF THE  
SAN MATEO LOCAL AGENCY FORMATION COMMISSION  
AUTHORIZING A CONTRACT WITH THE COUNTY OF SAN MATEO  
TO FURNISH NECESSARY STAFFING, QUARTERS,  
SUPPLIES & LEGAL SERVICES FOR THE 2023-2024 FISCAL YEAR**

**RESOLVED**, by the Local Agency Formation Commission of the County of San Mateo (LAFCo), State of California, that:

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) provides that LAFCo shall appoint an Executive Officer to perform the day-to-day business of the Commission; and

**WHEREAS**, the Act provides that LAFCo shall appoint legal counsel, its own staff, including Executive Officer; and

**WHEREAS**, LAFCo may contract with another public agency for these services.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Commission hereby authorizes the Chair to execute a contract with the County of San Mateo for necessary staffing, quarters, supplies, and legal services, as shown in Exhibit A, in the amount of \$779,060 for Fiscal Year 2023-2024.

Regularly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_.

Ayes and in favor of said resolution:

Commissioners:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes and against said resolution:

Commissioner(s):

\_\_\_\_\_

Absent and/or Abstentions:

Commissioner(s):

\_\_\_\_\_

\_\_\_\_\_

Chair  
 Local Agency Formation Commission  
 County of San Mateo  
 State of California

ATTEST:

\_\_\_\_\_

Rob Bartoli  
 Executive Officer  
 Local Agency Formation Commission

Date: \_\_\_\_\_

I certify that this is a true and correct copy of the resolution above set forth.

\_\_\_\_\_

Clerk to the Commission  
 Local Agency Formation Commission

Date: \_\_\_\_\_

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners  
**From:** Rob Bartoli, Executive Officer  
 Sofia Recalde, Management Analyst  
**Subject:** Broadmoor Police Protection District Update

## Background

LAFCo Commissioners approved the Broadmoor Special Study at the March 15, 2023 meeting and directed staff to request that the District respond in writing with their agreement or disagreement of the key issues and recommendations identified in the Special Study for inclusion in the agenda packet at this meeting. In addition, the Commission directed staff to present updates on the Broadmoor Police Protection District, specifically regarding the implementation of the Study's recommendations and the district's fiscal conditions within 90 days, 6 months and 12 months of the adoption of the Special Study.

## Summary

The LAFCo Executive Officer sent a written request via email to Chief Connolly on March 16, 2023 and April 17, 2023 to review the Commission's request as described above and to provide a written response to LAFCo staff by May 1, 2023. The email also outlined the Commission's actions from the March 15 meeting, a template for the written responses from the District, a schedule of upcoming meetings to review the implementation of the recommendations and fiscal condition of BPPD (July 19, September 20, 2023, and March 20, 2024) and a notice that there will be an informational item regarding the dissolution process at the May 17, 2023 LAFCO meeting.

On March 10, 2023, LAFCo staff received a written response to the Special Study. The response includes the following:

- That the calls for service data for BPPD that was provided by the District to LAFCo is incorrect. The District asserts that there were 8,203 calls for service during Fiscal Year 2021, not the 750 calls stated in the Special Study under Table 2. The cost per call would

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

then be approximately \$328 instead of \$3,591. The District states the Special Study is fatally flawed due to this incorrect data and should not be relied upon for any purpose.

*LAFCo Response:* In October 2022, LAFCo submitted an administrative draft of the Special Study of the Broadmoor Police Protection District to former Chief Melville for a review of the accuracy of data included in the report, including calls for service. In a response from former Chief Melville received by LAFCo on November 8, 2022, there are no comments from the District regarding the inaccuracy of any data in the report.

During the public comment periods and at the three LAFCo hearings on the Special Study, no new data or comments regarding statistic in the report were submitted to LAFCo, with the exception of a correction to the population number for the service area of BPPD (which was made in the final report).

The calls for service was only one data point in the Special Study, which was focused on the fiscal ability, governance, and administration of the BPPD. LAFCo will review new data and could amend the report if needed. However, the new calls for service data that is referred to in the BPPD letter has not been submitted to LAFCo for review.

**Table 2. Comparison of Costs of Police Services**

Agency	Police Budget	Calls for Service	Cost per Call for Service
BPPD (FY21)	\$2,692,985	750 <sup>1</sup>	\$3,591
City of Daly City PD (FY22)	\$48,030,642	57,177	\$840
Town of Colma PD (FY22)	\$9,167,209	23,458	\$390
County Service Area 1 (Sheriff Service) (FY22)	\$866,555	2,110	\$411

- That Table 1 in the Special Study incorrectly lists the population of the District.

*LAFCo Response:* The Special Study presented to the Commission on March 15 included corrected population data.

- That the District is aware of budget shortfalls and has taken steps to reduced overall costs. One reason for these shortfalls was mismanagement and litigation costs.

<sup>1</sup> Estimate

*LAFCo Response:* BPPD has had significant budget deficits in five of the last six fiscal years for a cumulative total loss of \$1.4 million. BPPD's net position has been negative every year since the end of FY17. The BPPD Commission has adopted unbalanced budgets for FY17, FY18, FY19 and FY23. While these financial challenges by be partially related to mismanagement and litigation costs, there are other factors that the District should review such as increases in pension liability and the use of fund balance to address deficits.

- That long-term financial planning for the District “involves nothing more than budgeting” for operational and service costs. That a strategic plan would be a burden to the small District and a “waste of taxpayer dollars.” The District does intend to prepare quarterly updates regarding the District’s finances, however.

*LAFCo Response:* As recommend in the Special Study, the District should develop long-term fiscal documents that will assist the District in planning for expenditures, such as retirement costs. As the District has had several years of unbalanced budgets and budget deficits, a long-term financial plan seems warranted. The Board could engage in a strategic planning session that will help prioritize goals, review the District’s fiscal ability to meet these goals, and allow the public to be able to participate in the plan for the District.

- The District has implemented several changes in policy and procedure regarding the hiring of personnel.
- That the report unfairly compares the District to two neighboring cities and an unincorporated area for police service costs and levels of service.

*LAFCo Response:* LAFCo routinely compares similar service providers (water, sewer, police, fire, cities) to each other in MSRs and other studies. This allows the Commission and the public a point of reference when reviewing financial costs, service delivery, and other matters.

The comparison between the District, cities, and unincorporated area (which is served by a County Service Area) is viewed by LAFCo staff as an appropriate comparison. The comparison to the two cities was limited to the budgets of their respective police departments. For the County Service Area, the budget reviewed was limited to the contract with the Sheriff’s Office. In areas where there are noticeable differences in services or finances between BPPD and the other agencies, the Study could be used by the District to focus on ways to become more efficient or explore ways to share services with other agencies.

As of the publication of the May LAFCo meeting packet BPPD has not provide a comprehensive response to all of the key issues and recommendations and information about when these responsive actions will be implemented by the District.



In addition, LAFCo staff has been in communication with the County Controller's Office to understand the requirements for participation in the San Mateo County Pooled Investment Fund and the District's fund status. The Investment Policy for Calendar Year 2023 states that participants must acknowledge changes to the policy in writing and meet the minimum balance requirements (\$250,000). The Controller's Office confirmed that as of April 7, 2023 Broadmoor Police Protection District acknowledged the policy statement and has a balance of \$379,150. For any participant who is unable to maintain the required \$250,000 balance, the Controller's Office would request to close the account to be in compliance with the policy.

LAFCo staff continues to have communication with the County, the Sheriff's Office, and the City of Daly City on this topic.

**Attachments**

- A. Written response from Broadmoor Police Protection District dated May 9, 2023
- B. Letter and template sent from LAFCo to Broadmoor Police Protection District dated March 16, 2023



# BROADMOOR POLICE DEPARTMENT

388 Eighty Eighth Street  
Broadmoor, CA 94015-1717  
(650) 755-3838 • Fax (650) 755-9732



Michael P. Connolly  
Interim Chief of  
Police

May 9, 2023

Board of Police Commissioners  
Hon. James Kucharszky  
Hon. Ralph Hutchens  
Hon. Marie Brizuela

Robert Bartoli, Director  
San Mateo County LAFCo  
Redwood City, California 94063  
rbartoli@smcgov.org

Hon. Ann Draper, Chair  
c/o Angela M. Cardenas, Administrative Secretary  
San Mateo County LAFCo  
Redwood City, California 94063  
amontescardenas@smcgov.org

RE: Special Study of November 9, 2022

Dear Chair Draper and Director Bartoli:

The Broadmoor Police Protection District (“District”) by this correspondence shall address certain factual and other discrepancies set forth in LAFCO’s Draft Special Study (“Study”) dated November 9, 2022. This shall constitute the District’s supplemental response and position with respect to that Study.

## I. INTRODUCTION

On May 9, 2023, the Board of Police Commissioners (“Commission”) of the District met in open session to discuss the contents of this correspondence. This correspondence outlines the official position of the District by a vote of the Commission.

For convenience the District shall first address in serial order the eight points set forth on pages 2 and 3 of the letter appended to the Study and repeated in the Study itself. (See Part III below.)

## II. SUMMARY

The District very much appreciates the in-depth Study, with which the District agrees in part and disagrees in part as set forth below. Moreover, the District appreciates some, but not all, of the recommendations offered in that Study. However, many of the recommendations are neither realistic nor justifiable for a single-purpose (police only) district with a budget of less than Three Million Dollars.

The Study unfairly attempts to compare or juxtapose the District with two adjoining cities and the unincorporated area of the county as well, a comparison that is itself fatally flawed for that very reason – the comparison is neither a fair nor accurate one. To compare a single-purpose special district with a municipal corporation or a county will produce only a skewed and grossly inaccurate comparison.

This supplemental response to the Study is offered to correct many, but not all, of the erroneous data upon which the Study appears to rely. A great amount of additional time would be needed for a more comprehensive supplemental response.

Costly city-type master plans and strategic plans, such as recommended in the Study, have never been a part of the governance of the District since its formation in 1948. Likewise, it is doubtful that any small special district incur such expense. To burden the single purpose small District that employs nine officers and one administrative assistant with the substantial cost of preparing unnecessary master and strategic plans is wholly unnecessary and a waste of tax dollars with no substantial benefit in return. This position is consistent with other small special districts within the county.

As discussed below, the Study is fatally and deeply flawed in several respects, thus that Study cannot and should not be relied upon for any purpose.

Troubling is that LAFCo staff apparently did not verify any of the data previously supplied by a prior administration of the District. Much of that data was obtained from a singular internal source without resorting to the county for additional relevant data thereby resulting in the production of the fatally flawed Study.

Noticeably absent from the Study is any data that mentions and compares crime statistics between the District, Daly City, Colma and the unincorporated area of the County. To the extent a fair comparison could be made between all four jurisdictions, the data would show that the District enjoys the lowest overall crime rate in the area. Nevertheless, such comparisons would be very difficult because Colma has a very high population and crime by day with a very small population and very little crime by night in comparison to its daytime population.

Finally, the District posits that the fatally flawed Study should be disregarded, set aside, and not adopted, and any action taken in response to that Study should be vacated.

### III. DISCUSSION

#### A. Eight Points Raised

1. The District is keenly aware of budget shortfalls during certain prior years. The District has taken some steps to reduce overall costs. Among the reasons for these shortfalls were mismanagement and unprecedented litigation by former employees. Those cases are still pending but no new litigation has been initiated. Much of the cost of that litigation is being covered by insurance, but the District's share of such costs nevertheless remains high.

2. The District does indeed prepare financial documents and the District's contractual Financial Consultant does, to the extent possible and feasible, engage with staff in long-term financial planning and provides advice to the Commission as well.

3. Future fiscal reports will be agendized and such reports will be prepared on a quarterly basis.

4. The District is not a city and has absolutely no control of any asset or infrastructure beyond its fleet of motor vehicles and the police station. Streets, sewers, lighting, and all other governmental services and services and functions involving infrastructure are handled exclusively by the County of San Mateo, thus any Master Plan for the District should be under the jurisdiction of the County of San Mateo, not the District. Capital improvements, to the extent they might be necessary for the small police facility that is about twenty years old, would be limited to the single police station that is situated in a Planned Unit Development ("PUD") and is governed by a Declaration of Covenants, Conditions and Restrictions. Any upgrades, changes or modifications to the fairly new facility would require

approval of the Association that governs the PUD. No upgrades are planned. Likewise, repairs are governed in part by the Association as well.

5. Long-term financial planning for the District, unlike a city or county, involves nothing more than budgeting for general maintenance of the police station, repair and replacement of equipment within the station, utilities, legal counsel, office supplies, police equipment, insurance, motor vehicles and labor. Growing costs have not impacted delivery of police services.

6. As the Study correctly points out the main sources of revenue indeed include the District's share of property taxes and supplemental taxes approved by the voters and the excess ERAF funds, which have been regular and consistent. Additionally, the District receives revenue from fines and forfeitures through the Court, parking fines, as well as a share of forfeitures resulting from the sale of assets seized as the fruits of certain crimes. The District also receives incidental revenue from administrative fees that are charged for a variety of services the District provides. The fees for these services help defray costs.

7. The Study's initial and erroneous assertion that the District has a high officer-to-population ratio of 2.04 per 1,000 residents has apparently been updated. The actual ratio is 1.25 officers per 1,000 residents. The District has 9 full-time officers<sup>1</sup> and 7,200 residents, not 4,411 residents as shown in the Study. The District appreciates that the Study was updated and corrected in that regard. This ratio is consistent with the surrounding area.

8. A lawsuit alleging a Brown Act violation was brought by a former disgruntled Reserve Officer who neither resides in nor has any stake in the District. Notwithstanding that lawsuit the District has implemented a number of comprehensive changes regarding the hiring of personnel, including a permanent Police Chief / District Manager. The current Interim Chief of Police / District Manager will serve until either a successor is hired or a permanent Chief of Police / District Manager is selected and appointed after a thorough vetting process.

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<sup>1</sup> Since 1948 until 2021 the District boasted the best Reserve Officer Program in the county, perhaps in Northern California. Most Reserve Officers volunteer their time to either augment full-time officers or actually handle calls that would otherwise be handled by full-time officers, thus the ratio officer-per 1,000 residents would substantially increase without a concomitant cost increase, thereby providing the residents with high quality, high visibility police services at minimal cost. At the present time the Reserve Officer Program is not in operation due to the same previous mismanagement that caused host of issues, which included at least two, perhaps three, administrations that were philosophically opposed to the Program, preferring instead to increase the paid force. The current administration is in the process of actively exploring the recommissioning of the Reserve Officer Program and warmly embraces the retention of qualified reserve officers.

The District is very much aware that there were systemic problems of mismanagement that needed to be addressed; many, perhaps most, of those issues have been addressed. The process of making positive and cost-effective changes is an ongoing one.

**B. Table 1**

Table 1 of the Study is erroneous and grossly inaccurate.

The comparisons between the District, Daly City, Colma and the unincorporated area of the County are inaccurate because for the District the fiscal year 2021 is used while the fiscal year 2022 is used for Daly City, Colma and the unincorporated area of the County.

But perhaps more striking is that the Study, prior to its correction, erroneously shows the District has only 4,411 residents while indeed it actually has approximately 7,200 residents. This data error resulted in an erroneous ratio of officers per 1,000 residents. As noted above the Study reports a ratio of 2.04, when, in fact, the correct ratio is 1.25, which is .19 above Daly City's ratio of 1.06, and which provides the level of service consistent with the wishes of the residents of the District for increased police services<sup>2</sup>.

**C. Table 2**

Table 2 of the Study is erroneous and grossly inaccurate.

Table 2 purports to show the cost per call for police services service and attempts to draw a comparison between the costs of the District as compared to Daly City, Colma and the unincorporated area of the county.

The District's \$3,591.00 purported cost per call for service as set out in the Study is absurd. The correct approximate cost per call was \$328.29, not \$3,591.00.

As in Table 1 the Study in Table 2 uses the same data from 2021 for the District and 2022 for Daly City, Colma and the unincorporated area of the county the Study. This is not a fair comparison, particularly in light of the pandemic.

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<sup>2</sup> The very reason the District was formed in 1948 was because the residents of the District wanted enhanced police services there were not available through the cities of Colma, Daly City or the county. Since its formation the District has been providing those enhanced police services with the overwhelming support and insistence of the residents.

Table 2 also shows the District had 750 calls for police service during F/Y 2021. That is incorrect. The true number of calls for service for that period is 8,203, not 750, yielding the true cost per call to be approximately \$328.29, not \$3,591.00 as shown in the Study. The cost per call for the District is the lowest of the three comparisons and 61% below Daly City's cost of \$840.00 per call. In other words, the residents of the District receive high quality police services for a very reasonable cost that is clearly below the average cost for such service in the area.

The entirety of Table 2 on Page 6 of the Study is fatally flawed because it uses incorrect data.

#### **D. Gann Spending Limit**

It is questionable if the Gann Spending Limit is applicable to the District that has been in existence since 1948. During the fiscal year 1977/78 the District did not levy a property tax of 12 ½% or more per \$100 value of the property<sup>3</sup>. Moreover, the most recent iterations from the State suggest that the subventions apply only to cities. (See letters from the California Department of Finance dated December 7, 2022, and March 29, 2023, copies of which are attached, that discusses cities, not special districts.)

### **IV. THE RESIDENTS AND VOTERS OF THE DISTRICT OVERWHELMINGLY REQUEST THE QUALITY AND LEVEL OF POLICE SERVICES PROVIDED**

In 2000 Broadmoor Measure A was placed on the Ballot. That ballot measure set a permanent supplemental property tax with an annual increase not to exceed 5%. Measure A passed by a 90% favorable vote, well in excess of the 2/3 vote required. (See attached election results.) Once again, this demonstrates the level of service the residents demand. This favorable result is just one of many similar ballot measures passed since the implementation of Proposition 13 in 1978.

Year after year the voters and residents of the District continue to express their desire for very high quality and reasonably priced local policing. The District meets and often exceeds the needs of the community it was formed to serve.

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<sup>3</sup> See, California Constitution Article XIII B Section 9 Subd. c.

The District is keenly aware of the resident who lodged with LAFCo copies of correspondence expressing her extreme displeasure with the District. That resident has waged an ongoing war against the District because the District's officers will not take sides in her ongoing dispute with a neighbor. Moreover, the purported lawsuit she attached to the correspondence she sent to LAFCo was never filed. The District did everything possible to assuage her complaints but she would not accept that the District's officers must remain neutral and they cannot take enforcement action unless the facts and the law justify such action.

## V. CONCLUSION

For the reasons discussed above, the District respectfully requests that the Study dated November 9, 2022, be disregarded and not adopted in whole or in part, and any action taken in response to that Study should be set aside.

As noted above, this supplemental response is very limited in scope and is not intended to address all of the material flaws of the Study.

While it is unclear why LAFCo has chosen to single out the District that has been proudly and honorably serving the residents of Broadmoor Village since 1948 the District is nevertheless willing and committed to cooperate with LAFCo through this process. If a new Study is commissioned, the District looks forward to cooperating with its preparation.

The District thanks LAFCo and in particular its director, Mr. Robert Bartoli, for the opportunity to present this supplemental response.

The District looks forward to any guidance LAFCo might want to offer that would assist the District to improve efficiency and reduce overall costs.

Respectfully,

BROADMOOR POLICE PROTECTION  
DISTRICT



~~James Kucharszky~~, Chair  
Board of Police Commissioners

MARIE BRIZUELA

cc: Hon. David J. Canepa (Supervisor, District 5)



March 29, 2023

Carolyn Coleman, Executive Director, and CEO  
League of California Cities  
1400 K Street  
Sacramento, CA 95814

Dear Ms. Coleman,

**State Subventions for Fiscal Years 2022-23 and 2023-24**

In a previous communication from our office to yours, dated December 7, 2022, we provided specific information and direction to be utilized by cities to ensure their compliance with changes made to Government Code Section 7903 in the Budget Act of 2022. Changes to that statute require cities (commencing with the 2021-22 fiscal year) to include specified state subventions within their local appropriations limits. The information we provided in that previous communication identified the specific dollar amount for each city attributable to each new subvention that needed to be included in their limits for 2021-22. To the extent that any of these subventions would cause a city to exceed their local limit, our previous communication provided further direction on how to identify and report those excess values to our office by March 1, 2023.

The purpose of this communication is to inform cities that they are to utilize the same subvention information already provided in our December 7, 2022 correspondence for 2021-22, for use in both their 2022-23 and 2023-24 appropriation limit calculations and adjustments pursuant to Government Code Section 7903. To the extent that the subvention values cause a city to exceed their limit in either 2022-23 or 2023-24, those excess values should be reported to the Department of Finance by November 1, 2023 and November 1, 2024 respectively, and by that same date annually thereafter pursuant to Government Code Section 7903. Cities should report this information via email to the following staff: [Susan.Wekanda@dof.ca.gov](mailto:Susan.Wekanda@dof.ca.gov) and [Matthew.Westbrook@dof.ca.gov](mailto:Matthew.Westbrook@dof.ca.gov).

Moving forward, commencing with 2024-25, Finance will provide updated subvention information no later than February 1 of each year preceding the start of the subsequent fiscal year in which that information will be utilized for local appropriation limit calculations. In the case of 2024-25, that information will be provided no later than February 1, 2024.

Finance respectfully requests that you share this information with cities identified in the attachment to facilitate their compliance with the provisions of Government Code Section 7903.

If you have any questions or need additional information regarding this matter, please contact Susan Wekanda, Principal Program Budget Analyst, at (916) 445-5332.

A handwritten signature in black ink, appearing to read "Joe Stephenshaw", with a long horizontal flourish extending to the right.

JOE STEPHENSHAW  
Director

Attachment

cc: Melanie M. Perron, Deputy Executive Director, League of California Cities  
Nicolas Romo, League of California Cities

December 7, 2022

Carolyn Coleman, Executive Director, and CEO  
League of California Cities  
1400 K Street  
Sacramento, CA 95814

Dear Ms. Coleman,

### **State Subventions for Fiscal Year 2021-22**

Pursuant to subdivision (b) of Government Code section 7903, commencing with the 2021-22 fiscal year, city governments are required to include specified state subventions within their appropriations limits. Specifically, the attached spreadsheet identifies both the total dollar value of all these subventions (the "City Totals" tab) to be included within a city's appropriations limit for the 2021-22 fiscal year, as well as additional details regarding the dollar value attributable to each individual subvention (the "City Programs" tab). Column B of the "City Programs" tab provides specific statutory references to each subvention contained in subdivision (b) of Government Code section 7903.

The language contained in subdivision (b) of Government Code section 7903 requires each city to include the full value of these subventions within the city's appropriations limit for the 2021-22 fiscal year and each subsequent fiscal year. To the extent that any portion of the values identified for each city in the "City Totals" tab of the attached spreadsheet would cause a city to exceed its appropriations limit, subdivision (c) of Government Code section 7903 requires the city to identify the specific amount attributable to these subventions in excess of their limit and report that information to the Department of Finance. The excess amounts that cannot be included in the city's appropriations limit will instead be included within the state's appropriations limit pursuant to that subdivision.

The timing of this communication will not allow reporting of this information by the date specified in statute. As a result, the Department of Finance directs cities to report any amounts pursuant to subdivision (c) of Government Code section 7903 for the 2021-22 fiscal year to the department by March 1, 2023. Cities should report this information via email to the following staff: [Susan.Wekanda@dof.ca.gov](mailto:Susan.Wekanda@dof.ca.gov) and [Matthew.Westbrook@dof.ca.gov](mailto:Matthew.Westbrook@dof.ca.gov).

Finance respectfully request that you share this information with cities identified in the attachment to facilitate their compliance with the provisions of Government Code section 7903.

If you have any questions or need additional information regarding this matter, please contact Susan Wekanda, Principal Program Budget Analyst, at (916) 445-5332.



JOE STEPHENSHAW  
Director

Attachment

cc: Melanie M. Perron, Deputy Executive Director, League of California Cities  
Nicolas Romo, League of California Cities



# Warren Slocum

Chief Elections Officer & Assessor-County Clerk-Recorder

40 Tower Road  
San Mateo, CA 94402-4098  
phone 650.312.5222  
fax 650.312.5348

May 18, 2000

Chief Timothy J. Guiney  
Broadmoor Police Protection District  
P.O. Box 306  
Colma, CA 94014

Dear Chief Guiney,

Subject: Certificate of the Chief Elections Officer for  
the Broadmoor Police Protection District  
Special Mail Ballot Election held May 16, 2000

Attached hereto is the Chief Elections Officer's Certification in connection with  
the subject election held on May 16, 2000.

Sincerely,

William Jackson  
Manager, Registration-Elections Division

Enclosures

# **CERTIFICATE OF CHIEF ELECTIONS OFFICER**

In the Matter of the CANVASS OF THE VOTE CAST  
at the BROADMOOR POLICE PROTECTION DISTRICT  
SPECIAL MAIL BALLOT ELECTION held on May 16, 2000

**I, WARREN SLOCUM**, Chief Elections Officer of the County of San Mateo, State of California hereby certify;

**THAT** an election was held within the boundaries of the BROADMOOR POLICE PROTECTION DISTRICT on Tuesday, May 16, 2000, for the purpose of submitting MEASURE A to the qualified electors and; I caused to have processed and recorded the votes from the canvass of all ballots cast at said election within the boundaries of the BROADMOOR POLICE PROTECTION DISTRICT.

**I HEREBY FURTHER CERTIFY** that the record of votes cast at said election are set forth in Exhibit "A" attached hereto and incorporated herein by reference as though fully set forth at length.

**IN WITNESS WHEREOF**, I hereunto affix my hand and seal this 17th day of May, 2000, and file this date with the Governing Body of the BROADMOOR POLICE PROTECTION DISTRICT.



**WARREN SLOCUM**  
Chief Elections Officer &  
Assessor-County Clerk-Recorder

SAN MATEO COUNTY,  
CALIFORNIA

SPECIAL MAIL  
BALLOT ELECTION

STATEMENT OF VOTES CAST

**BROADMOOR POLICE PROTECTION DISTRICT  
MEASURE A**

<u>5 PRECINCTS</u>	<u>REGISTERED VOTERS</u>	<u>BALLOTS CAST</u>	<u>TURNOUT PERCENTAGE</u>	<u>YES</u>	<u>NO</u>
5101	638	324	50.78%	296	27
5102	635	374	58.90%	336	37
5103	577	334	57.89%	301	29
5104	199	46	23.12%	34	12
5701	*NEV				
<b>GRAND TOTAL</b>	2049	1078	52.61%	967	105

\*NEV: No Eligible Voters

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

March 16, 2023

Interim Chief of Police Michael P. Connolly  
Broadmoor Police Protection District  
388 88<sup>th</sup> Street  
Broadmoor, CA 94015-1717

*Sent Via Email*

**Subject: Request for Response to LAFCo Special Study on the Broadmoor Police Protection District**

Dear Interim Chief of Police Connolly,

On March 15, 2023 the San Mateo Local Agency Formation Commission (LAFCo) approved and adopted the Special Study on the Broadmoor Police Protection District (BPPD). As part of the adoption of the Study, the Commission directed LAFCo staff to request that BPPD respond in writing to the key issues and recommendations identified in the Special Study. Per the Commission, these responses should identify if BPPD agrees with each recommendation and if BPPD disagrees, provide a statement stating the reason for disagreement. The response should also include an explanation about how the recommendation would be implemented, along with the timing of implementation.

To help facilitate responses to the recommendations, LAFCo staff has included a table listing each recommendation from the Special Study along with areas to provide responses. In order for these to be included in the May 17, 2023 LAFCo meeting packet, LAFCo staff is requesting that BPPD provide written responses by **May 1, 2023**. Please send the written responses to my attention by mail or by email at [rbartoli@smcgov.org](mailto:rbartoli@smcgov.org)

In addition, the Commission directed LAFCo staff to present updates regarding BPPD, the implementation of the recommendations, and fiscal condition of BPPD within 90 days (July 19), 6 months (September 20, 2023), and 1 year (March 20, 2024) of adoption of the LAFCo Special Study. LAFCo will notify the District prior to each of these meetings. When the BPPD 2023-2024 budget, audit documents, or other financial documents become available, we would request that these documents be transmitted to LAFCo.

Lastly, the Commission also requested that staff prepare an information item regarding the dissolution process for a special district. LAFCo staff will present this item at the May 17, 2023

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ VACANT, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ KATI MARTIN, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK



LAFCo meeting. No action regarding dissolution will occur at the May meeting. Any action by the LAFCo Commission to initiate a dissolution would require a separate LAFCo action.

Sincerely,

*Rob Bartoli*

Rob Bartoli

San Mateo LAFCo Executive Officer

**Attachment**

Broadmoor Police Protection District Response to LAFCo Recommendations Table

### Broadmoor Police Protection District Response to LAFCo Recommendations

RECOMMENDATION	Does BPPD AGREE/NOT AGREE with recommendation (YES/NO)	PLANNED DATE FOR CHANGE OR IMPLEMENTATION	COMMENTS OR REASON FOR NON-AGREEMENT	DETAILS OF CHANGE OR IMPLEMENTATION
<b><i>Capacity and Adequacy of Public Facilities and Services</i></b>				
1) The District should explore cost sharing with adjacent cities or other alternatives to contract for or consolidate services to reduce costs.				
2) The District may consider developing and monitoring performance measures, which could include measurements of response times for calls and call volume to demonstrate the benefit of higher costs associated with higher levels of performance.				
<b><i>Financial Ability</i></b>				
1) Prepare a quarterly financial report which presents the District's financial condition in a user-friendly way so board members and staff can better understand financial data. At a minimum the financial data				

<p>should include a balance sheet, income statement and a budget-to-actual report to detect potential errors. The reports should reference final actual numbers from the previous fiscal year and should be compared to budgeted numbers. In years where there are deficits, the impact to the District’s fund balance should be discussed in the budget documents.</p>				
<p>2) Develop long-term fiscal documents that will assist the District in planning for expenditures, such as retirement costs. The Board could engage in a strategic planning session that will help prioritize goals and review the District’s fiscal ability to meet these goals.</p>				
<p>3) Budget documents should show the amount of funds that are allocated to the District fund balance/reserve.</p>				
<p>4) Independent audits should be presented to the Board for discussion at public meetings.</p>				

<p>The audit should include management letters and a review of any recommendations for the audit process and fiscal ability of the District. Audits should be conducted in a timely manner.</p>				
<p>5) Develop accounting, financial, governance and general administrative policies to help guide its decision making in a consistent manner. This should include policy regarding the development of a reserve fund as well as a policy about how reserve funds are utilized.</p>				
<p>6) Explore the development of a Master Plan, Strategic Plan or Capital Improvement Plan that plans for asset management and replacement, such as facility upgrade or repairs and replacement of equipment and vehicles to help plan for long-term capital costs.</p>				

<p>7) Consider allocating accounting and auditing services to two separate firms to enhance fiscal oversight and transparency.</p>				
<p>8) Adopt annual Gann Appropriation Limit resolutions.</p>				
<p>9) Explore ways to reduce reliance on Excess ERAF for routine District operations and maintenance and divert Excess ERAF to a reserve fund that the District can draw from for unexpected expenses.</p>				
<p>10) Post budget documents and audits on the District’s website.</p>				
<p><b><i>Accountability, Structure and Efficiencies</i></b></p>				
<p>1) LAFCo recommends the creation of staff reports for Board of Commissioners agenda items. The creation of staff reports for Board items can increase transparency and raise public awareness of the issues that are being reviewed and acted on by the Commissioners. The District could explore sharing</p>				

<p>services with cities or other special districts to assist in creating the staff reports and compiling an agenda packet.</p>				
<p>2) Video/audio of Board meetings should be posted on the District's website for public viewing.</p>				
<p>3) Provide Brown Act training for all Commissioners.</p>				
<p>4) Explore hiring additional staff or consultants to perform human resource functions and administrative tasks, including budget support. These functions could also be shared services with neighboring agencies.</p>				
<p>5) Post position salary and compensation data on the District's website.</p>				
<p>6) Post contracts and hiring policies on District's website.</p>				
<p>7) Develop accounting, financial, governance and general administrative policies to assist the Commission and District staff. This</p>				

should include the creation of policies regarding meeting agendas and noticing, Brown Act training, and audit and budget review.				
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**Completed by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners

**From:** Rob Bartoli, Executive Officer  
Sofia Recalde, Management Analyst

**Subject:** LAFCo Dissolution Process – Information Only

## Background

LAFCos have countywide jurisdiction over changes in organization and boundaries of cities and special districts including annexations, detachments, incorporations, formations and dissolutions. At the March 2023 LAFCo meeting, the Commission directed staff to provide an overview of the LAFCo dissolution process.

As defined by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), a "Dissolution" means the disincorporation, extinguishment, or termination of the existence of a special district and the cessation of all its corporate powers, except as the Commission may otherwise provide pursuant to specific terms and conditions or for the purpose of winding up the affairs of the district.

## LAFCo Dissolution Process

CKH establishes procedures for local government changes of organization, including dissolutions. A dissolution of an active special district may be initiated by either the subject district by resolution, an outside agency (such as a county, city, or school district) by resolution, registered voters or property owners by petition, or by LAFCo by resolution. LAFCo can initiate a dissolution by resolution of a district if the action is consistent with a recommendation or determination documented in municipal service review or sphere of influence update (Government Code Sections 56378, 56425, 56430).

LAFCo must hold a noticed public hearing on the dissolution proposal (56662(b)). The proposal must include a plan service (56653) that includes:

- A list and description of the services currently provided by the subject agency
- The level and range of those services

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**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK



- An indication of when those services can feasibly be extended to the affected area
- An indication of any improvements or upgrading of structures or other conditions that the successor agency would require
- Information on how those services will be financed

When reviewing the proposal, the Commission shall consider the following factors including, but not limited to:

- Population and density, land area and land use, assessed valuation, proximity to other populated areas, growth projections
- The need for organized community services, the current and projected cost and adequacy of services and controls, and probably effect of the proposed dissolution
- Impact of dissolution on adjacent areas
- The ability of successor agency to provide services to the affected area (56668)

For a LAFCo initiated dissolution, the Commission must make both of the following determinations:

- 1) Public service costs of a proposal that the Commission is authorizing are likely to be less than or substantially similar to the costs of alternative means of providing the service.
- 2) A change of organization or reorganization that is authorized by the commission promotes public access and accountability for community services needs and financial resources. (56881(b))

Within 35 days of approving by resolution a proposal to dissolve a district, LAFCo must schedule a protest hearing date. The protest hearing must occur at least 21 days and no more than 60 days from the date of hearing notice (57002(a)).

Valid, written protests must be received by LAFCo prior to the conclusion of the protest hearing (57051). The Commission shall adopt the proposal to dissolve the district without an election unless there is sufficient protest to order an election.

The threshold to submit the dissolution to a vote for a LAFCo initiated action (57094) is either a minimum of 10% of the registered voters within the district or a minimum of 10% of the number of landowners within the district who also own at least 10% of the assessed value of land within the district.

The threshold to submit the dissolution to a vote for an action not initiated by LAFCo (57092) is either a minimum of 25% of the registered voters within the district or a minimum of 25% of the number of landowners within the district who also own at least 25% of the assessed value of land within the district.

If the protest threshold is met, the Commission shall order an election. If the protest threshold is not met, the Commission shall issue a certificate of completion (57200).

57077.1(c) provides another process. The Section states that if the change of organization consists solely of the dissolution of a district that is consistent with a prior action of the commission pursuant to Section 56378 (studies), 56425 (MSR), or 56430 (SOI), and the proposal was initiated by an affected agency, the Commission, or petition, the dissolution can be approved after holding one public hearing. If there is majority protest then the proceeding is terminated. If there is no majority, then it is approved. There is no election related to this process.

If an election is held and the majority of voters vote against dissolution of the district, the dissolution proposal is terminated, and the Commission must issue a certificate of termination proceedings (57179) within 30 days. Conversely, if the majority of voters vote in favor of the dissolution of the district, dissolution proposal is successful, and the Commission must issue a certificate of completion confirming the order of the dissolution and (57176) within 30 days.

### **LAFCo Initiated Dissolution Using SB 938**

In July 2022, Governor Newsom signed SB 938, developed by the California Association Local Agency Formation Commission (CALAFCO) and the California Special District Association (CSDA), and supported by San Mateo LAFCo, into law (56375.1). The legislation creates a higher voter protest threshold for LAFCo-initiated dissolutions that meet specific criteria. In order to be eligible for the higher threshold, the Commission must adopt a study that includes a finding (based on a preponderance of the evidence) that at least one of the following conditions is met:

- One or more documented chronic service provision deficiencies that substantially deviate from industry standards or other government regulations, and its board or management is not actively engaged in efforts to remediate the documented service deficiencies.
- Expenditure of public funds in an unlawful or reckless manner inconsistent with the principal act or statute governing the district and no action has been made to prevent similar future spending.
- Will neglect and failure to adhere to the California Public Records Act and other public disclosure laws.
- Failure to meet the minimum number of times required in its principal act in the prior calendar year and no action has been made to ensure future meetings are conducted on a timely basis.
- Consistent failure to perform timely audits in the prior three years, or failure to meet the minimum financial requirements over the prior five years as an alternative to an audit.
- Recent audits show chronic issues with the district's fiscal controls and no action has been taken to remediate the issues.

In addition, the Commission, at a noticed public hearing, must adopt a resolution of intent to initiate dissolution based on one or more of the above. The resolution must provide a remediation period of at least 12 months during which time the district may take steps to remedy the specified deficiencies and provide a mid-point report on the remediation efforts at a Commission meeting.

At the end of the remediation period and based on the district's actions, the Commission may adopt a resolution to dissolve the district in accordance with the considerations noted above (or rescind the notice of intent to dissolve the district at a noticed public hearing).

The noticing requirement for the protest hearing is the same as described above, but the date of the hearing for LAFCo initiated dissolutions completed in accordance with 56375.1 shall be at least 60 days and no more than 90 days from the date the notice is given (57002(c)). The new protest threshold is a minimum of 25% of the registered voters within the district or a minimum of 25% of the number of landowners within the district who also own at least 25% of the assessed value of land within the district. The 25% threshold is the same threshold that would be required if the dissolution were initiated by another agency or by petition.

If the protest threshold is met, the Commission shall order an election. If the protest threshold is not met, the Commission shall issue a certificate of completion (57200).

If an election is held and the majority of voters vote against dissolution of the district, the dissolution proposal is terminated, and the Commission must issue a certificate of termination proceedings (57179) within 30 days. Conversely, if the majority of voters vote in favor of the dissolution of the district, dissolution proposal is successful, and the Commission must issue a certificate of completion confirming the order of the dissolution and (57176) within 30 days.

#### **Considerations of a LAFCo Initiated Dissolution**

The Commission should consider several factors when contemplating the initiation of a dissolution.

**Successor Agency & Plan for Service:** If LAFCo initiates a dissolution, staff will be tasked with outreaching to various agencies for future service providers.. If a district was to dissolve, and the service area of the district was located solely of unincorporated land, the county is the successor agency (57451).

In addition, LAFCo will need to work with the successor agency to develop a plan for services that addresses all the factors noted above. This could include the formation of a county service area or other type of district.

If the district or outside agency initiates dissolution, the district and/or outside agency will be responsible for both identifying the successor agency and creating a plan for service. In this scenario, LAFCo staff would play a support role in identifying the successor agency and developing a plan for service in line with CKH requirements.

The plan for service must address the district's liabilities, if any, and ensure that there is not a negative fiscal impact to the general public and that funds will be sufficient to provide service (57450-57463).

**Protest threshold:** If LAFCo initiates a dissolution, the protest threshold to submit the topic of dissolution to a vote is 10%.

If LAFCo initiates a dissolution using SB 938 or an outside agency initiates dissolution, the protest threshold increases to 25%.

If an affected agency initiates dissolution, the protest threshold increases to 25%.

If the subject district initiates dissolution and the action is consistent with prior action of the Commission, LAFCo may immediately approve and order the dissolution without an election or protest proceedings (57077.1(c)(1)) .

**Election costs:** If the appropriate threshold to force an election is met, the agency that initiates a dissolution is responsible for the cost of holding the election. The initiating agency will want to understand if there is sufficient community and stakeholder support for the dissolution to preclude an election.

**Dissolution timelines estimates:** A regular LAFCo-initiated dissolution proposal could take up to 12 months to complete. This timeline includes 6 months to develop a service plan and an additional 4-5 months to go through the LAFCo process. The dissolution process could be extended past 12 months if the protest hearing results in an election.

A LAFCo-initiated dissolution proposal using SB 938 could take up to 20 months to complete. This timeline includes 2 to 4 months needed for staff to produce an MSR and for the Commission to adopt the determinations and recommendations in the MSR in order to formerly initiate dissolution using SB 938. It also includes the minimum 12-month remediation period, during which time LAFCo staff could be working with affected agencies to identify a successor agency and develop a plan for service, and 4 months to go through the LAFCo process. The dissolution process could be extended past 20 months if the protest hearing results in an election.

Alternatively, LAFCo could continue working with the District and affected agencies to address the issues the District is facing and arrive at a solution that is supported by other agencies and potentially the District. The outcome may nevertheless result in dissolution and the transfer of District responsibilities to another agency. However, the benefit of this approach is that there would have been a multi-agency effort to work with the District, and the outcome may be viewed more favorably by residents.

### **Examples**

In the last 20 years, there have only been two district dissolutions processed by San Mateo LAFCo. Both of these, one to dissolve the Skyline County Water District in 2009 and the other to dissolve the Los Trancos County Water District in 2015, were initiated by each of the district's respective boards. In a review of actions from other LAFCos across the state, with the exception for the dissolutions of district pursuant to SB 488, which established a process for LAFCos to dissolve inactive special districts, LAFCo-initiated dissolutions are not common.

Contra Costa LAFCo is currently reviewing a potential LAFCO initiated dissolution of a County

Service Area. The County Service Area provides park and recreational functions but does not have a secure source of revenue to provide these services. However, Contra Costa LAFCo voted for a 12-month pause to reevaluate this option.

**Recommended Action**

Receive the report. If desired, the Commission can also direct staff to produce follow-up reports or additional studies related to the dissolution process to be reviewed at future LAFCo meetings.

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners  
**From:** Rob Bartoli, Executive Officer  
**Subject:** CALAFCO Nominations for 2023-2024 Board Members

CALAFCO has announced that nominations are now open for its 2023-2024 Board of Directors. The Recruitment Committee is accepting nominations for a City Member and a Public Member in the Coastal Region. The map of the regions is in the attached nomination packet. The election will be conducted during the CALAFCO Annual Conference on October 19, 2023.

Nominations are due by Monday, September 18, 2023 and require nomination by the Commission and submittal of the attached Candidate Resume Form.

## **Attachments**

- A. CALAFCO Nominations for 2023-2024 Board Members Packet

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

May 5, 2023

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Wendy Root Askew, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors



**RE: Nomination Period Now Open for 2023/2024 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	COASTAL REGION	NORTHERN REGION	SOUTHERN REGION
City Member	City Member	County Member	County Member
Public Member	Public Member	District Member	District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

**MONDAY, SEPTEMBER 18, 2023 at 5:00 PM**

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently held virtually and the rest being held at alternate sites around the state.

Board seats span a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. Elections are conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 19, 2023 at the Hyatt Regency Hotel in Monterey, California.

*Should your Commission nominate a candidate, please return a completed Nomination Form and Candidate's Résumé Form by the deadline.*



**Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than **Monday, September 18, 2023 at 5:00 p.m.****

Returning the completed nomination and resume forms prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received.

Electronic filing of nomination forms is **highly encouraged** to facilitate the recruitment process (please email to [info@calafco.org](mailto:info@calafco.org)). However, hard copy forms and materials may also be mailed to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1129 Firehouse Alley  
Sacramento, CA 9581

Nominations received by the September 18th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 5, 2023, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 18, 2023, with completed absentee ballots returned by 5:00 p.m. on Thursday, October 12, 2023.**

#### NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **May 5** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 18** – Completed Nomination packet due
- **September 18** – Request for an absentee/electronic ballot due
- **September 18** – Voting delegate name due to CALAFCO
- **October 5** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 5** – Distribution of requested absentee/electronic ballots.
- **October 12** – Absentee ballots due to CALAFCO
- **October 19** - Elections

If you have any questions about the election process, please contact CALAFCO Executive Director René LaRoche at rlaroche@calafco.org or by calling 916-442-6536.

Members of the 2023/2024 CALAFCO Election Committee are:

Wendy Root Askew, Chair  
district4@co.monterey.ca.us

Monterey LAFCo (Coastal Region)  
831-883-7570

Rodrigo Espinosa  
Rodrigo.Espinosa@countyofmerced.com

Merced LAFCo (Central Region)  
209-398-4340

Derek McGregor  
dmcgregor@dmceng.com

Orange Co. LAFCo (Southern Region)  
530-538-6834

Josh Susman  
jsusman@calafco.org

Nevada LAFCo (Northern Region)  
530-559-1725

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

*I sincerely hope that you will consider joining us!*

Enclosures



## **Board of Directors Nomination and Election Procedures and Forms**

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

The Board nomination and election procedures shall be:

### **1. APPOINTMENT OF AN ELECTION COMMITTEE:**

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

### **2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:**

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFCoS listed by region.
  - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."
  - iv. The names of the Election Committee members and the name of their LAFCo, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
  - v. The email address and physical address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
  - vii. The specific date by which all voting delegate names are due.
  - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

#### **Key Timeframes for Nominations Process**

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

\*Days prior to annual membership meeting

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

### 3. THE ELECTION COMMITTEE:

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

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

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCOs requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

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

- a. The Presiding Officer shall:
  - i. Review the election procedure with the membership of their region.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    - 1. For city member.
    - 2. For county member.
    - 3. For public member.
    - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a “Candidates Forum”. Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
    - 1. Name the nominees and offices for which they are nominated.
    - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
  - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
    - 1. Poll the LAFCos in good standing by written ballot.
    - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.

3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
  4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFcos in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
  2. The nominee receiving the majority of votes cast is elected.
  3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
  4. In case of tie votes:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

## 6. ADDITIONAL PROCEDURES

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

## 7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

## 8. FILLING BOARD VACANCIES

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

# CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Gary Thompson  
Riverside LAFCo  
gthompson@lafco.org

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Dawn Longoria  
Napa LAFCo  
dlongori@napa.lafco.ca.gov

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** José Henriquez  
Sacramento LAFCo  
henriquezj@saccounty.net

## CURRENT BOARD MEMBERS AND TERMS

<b>NAME</b>	<b>REGION</b>	<b>TYPE &amp; TERM</b>
Bill Connelly, <b>Chair</b>	Butte <i>Northern</i>	County (2023)
Rodrigo Espinosa	Merced <i>Central</i>	County (2024)
Blake Inscore	Del Norte <i>North</i>	City (2024)
Gay Jones	Sacramento <i>Central</i>	District (2024)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Michael McGill	Contra Costa <i>Coastal</i>	District (2024)
Derek McGregor	Orange <i>Southern</i>	Public (2024)
Margie Mohler, <b>Vice Chair</b>	Napa <i>Coastal</i>	City (2023)
Anita Paque	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Wendy Root Askew	Monterey <i>Coastal</i>	County (2024)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2024)
Acquanetta Warren, <b>Treasurer</b>	San Bernardino <i>Southern</i>	City (2024)



## Board of Directors

# 2023/2024 Nomination Form

(Must accompany the Candidate Résumé Form)

## Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_ LAFCo Chair

\_\_\_\_\_ Date

### NOTICE OF DEADLINE

Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to  
[info@calafco.org](mailto:info@calafco.org)

Or, mail to:

CALAFCO Election Committee  
CALAFCO  
1129 Firehouse Alley  
Sacramento, CA 95814



Date Received  
\_\_\_\_\_

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS



**Board of Directors**  
**2023/2024 Candidate Résumé Form**  
**(Complete both pages)**

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

Category (please check one):  City  County  Special District  Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to  
[info@calafco.org](mailto:info@calafco.org)

Or, mail to:

CALAFCO Election Committee  
CALAFCO  
1129 Firehouse Alley  
Sacramento, CA 95814



CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS

1129 Firehouse Alley  
Sacramento, CA 95814  
(916) 442-6536

## 2023 CALAFCO VOTING DELEGATE

*The Local Agency Formation Commission of the below named county, hereby names and appoints the following Commissioners to be its duly authorized voting delegate and alternate for purposes of the 2023 CALAFCO Board of Directors election to be held on Thursday, October 19, 2023, during the CALAFCO Regional Caucus and Annual Meeting in Monterey, California.*

County Name:

---

Delegate:

---

Alternate:

---

Appointment Authorized by:

---

Name of individual completing form on behalf of the LAFCo:

---

Will your delegate or alternate be attending the CALAFCO Annual Conference?

Yes:

No:

**PLEASE RETURN COMPLETED FORM BY 5:00 PM ON SEPTEMBER 18, 2023**

**TO:** René LaRoche via email to: [rlaroch@calafco.org](mailto:rlaroch@calafco.org)

**Late submissions will NOT be accepted.**

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners  
**From:** Rob Bartoli, Executive Officer  
**Subject:** 2023 CALAFCO Achievement Award Nominations

CALAFCO annually recognizes Commissions, individual Commissioners or staff, legislators, government agencies, and projects for exceptional outcomes or contributions to LAFCo's mission. Nominations may be made by an individual, a LAFCo, or another organization.

CALAFCO is requesting nominations and supporting materials no later than Friday, August 18, 2023, 5:00 pm. Nominations must be submitted on the attached form along with any supplemental materials to CALAFCO Executive Officer Steve Lucas, [slucas@buttecounty.net](mailto:slucas@buttecounty.net), or mailed to his attention to Butte LAFCo, 1453 Downer Street, Suite C, Oroville, CA 95965. The attached packet also includes a list of past recipients.

## Attachments

- A. 2023 CALAFCO Achievement Award Nominations Packet

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

**Date:** May 9, 2023

**To:** CALAFCO Members  
LAFCo Commissioners and Staff  
Other Interested Organizations

**From:** Anita Paque, Committee Chair  
CALAFCO Achievement Awards Committee  
CALAFCO Board of Directors



**Subject: 2023 CALAFCO Achievement Award Nominations Period Open**

**Deadline: 5:00 p.m., Friday, August 18, 2023**

On behalf of the Association, I am pleased to announce that the nomination period for the 2023 CALAFCO Achievement Awards is now open!

Each year, CALAFCO is honored to recognize outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at its Annual Conference Achievement Awards Ceremony. This year's ceremony will be held on October 19 at the Hyatt Regency Monterey, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who have gone **above and beyond** over the last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined.

Before submitting a nomination, *please carefully review the nomination instructions and the criteria for each award as incomplete nominations, and nominations that do not adhere to the submission guidelines, will not be considered by the Committee.*

#### ACHIEVEMENT AWARDS NOMINATION PROCEDURE:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations *will not be considered by the Committee.*
3. Nominations **must be submitted with a completed nomination form.** Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be **limited to no more than 250 words in length.** Nomination *Summaries* must be **limited to no more than 1,000 words or 2 pages in length maximum.** You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. **Limit supporting documentation to no more than 3 pages.** If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount **will not be considered by the Committee.**
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, August 18, 2023.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer  
[slucas@buttecounty.net](mailto:slucas@buttecounty.net)

*You may contact Steve Lucas, CALAFCO Executive Officer, at [slucas@buttecounty.net](mailto:slucas@buttecounty.net) or (530) 538-7784 with any questions.*

### Members of the 2023 CALAFCO Board of Directors Awards Committee

**Board Members:**

<i>Anita Paque</i> , Committee Chair (Calaveras LAFCo, Central Region)	<a href="mailto:apaque@calafco.org">apaque@calafco.org</a>
<i>Michael Kelley</i> (Imperial LAFCo, Southern Region)	<a href="mailto:mkelley@calafco.org">mkelley@calafco.org</a>
<i>Debra Lake</i> (Humboldt LAFCo, Northern Region)	<a href="mailto:dlake@calafco.org">dlake@calafco.org</a>
<i>Margie Mohler</i> (Napa LAFCo, Coastal Region)	<a href="mailto:mmohler@calafco.org">mmohler@calafco.org</a>
<i>Shane Stark</i> (Santa Barbara LAFCo, Coastal Region)	<a href="mailto:sstark@calafco.org">sstark@calafco.org</a>

**Regional Officer Members:**

<i>Steve Lucas</i> , CALAFCO Executive Officer (Northern Region)	<a href="mailto:slucas@buttecounty.net">slucas@buttecounty.net</a>
<i>José Henriquez</i> , CALAFCO Deputy Executive Officer (Central Region)	<a href="mailto:henriquezj@saccounty.net">henriquezj@saccounty.net</a>
<i>Dawn Longoria</i> , CALAFCO Deputy Executive Officer (Coastal Region)	<a href="mailto:dlongoria@napa.lafco.ca.gov">dlongoria@napa.lafco.ca.gov</a>
<i>Gary Thompson</i> , CALAFCO Deputy Executive Officer (Southern Region)	<a href="mailto:gthompson@lafco.org">gthompson@lafco.org</a>

**Attachments:**

- 2023 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients



## **CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA**

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are now open and being accepted until **5:00 p.m., Friday, August 18, 2023** in the following categories:

### **OUTSTANDING CALAFCO VOLUNTEER**

Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

### **OUTSTANDING CALAFCO ASSOCIATE MEMBER**

Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and

solutions that affect LAFCo statewide as an Associate Member.

8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

## **OUTSTANDING COMMISSIONER**

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

## **OUTSTANDING LAFCo PROFESSIONAL**

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.



4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

## **LIFETIME ACHIEVEMENT AWARD**

### Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

### Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

## **LEGISLATOR OF THE YEAR**

### Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

### Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

## **MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARD**

### Award Summary:

Awarded to an individual, group or agency for actions that rise above expected or common functions or

actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCos or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has two distinct categories, each focusing on a specific area:

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

Award categories:

• **Protection of agricultural and open space lands and prevention of sprawl**

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

• **Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services**

Includes the development and implementation of innovate support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.



## PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS

### 2022

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Outstanding Commissioner	<b>Don Saylor</b> , Yolo LAFCo
Outstanding LAFCo Professional	<b>Carolyn Emery</b> , Orange LAFCo
Mike Gotch Award - Innovation, Collaboration, And Outreach	Two-Way Tie: <b>Yolo LAFCo</b> , and <b>El Dorado LAFCo &amp; South Fork Consulting, LLC</b>

### 2020 – 2021 (2 year period due to the pandemic)

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Outstanding Associate Member	<b>Planwest Partners</b>
Outstanding Commissioner	<b>Olin Woods</b> , Yolo LAFCo
Outstanding LAFCo Professional	<b>Crystal Craig</b> , Riverside LAFCo
Mike Gotch Protection of Ag and Open Space Lands & Prevention of Urban Sprawl	<b>Napa LAFCo</b>
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Yolo LAFCo</b>
Lifetime Achievement Award	<b>Jerry Glabach</b> , Los Angeles LAFCo

### 2019

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Distinguished Service Award	<b>Charley Wilson</b> , Orange LAFCo
Most Effective Commission	<b>Contra Costa LAFCo</b>
Outstanding Commissioner	<b>Jim DeMartini</b> , Stanislaus LAFCo
Outstanding LAFCo Professional	<b>David Church</b> , San Luis Obispo LAFCo
Project of the Year	<b>Orange LAFCo</b> , for <i>San Juan Capistrano Utilities MSR</i>
Government Leadership Award	<b>CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo</b> , for <i>Sativa Water District</i>
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Butte LAFCo</b>
Legislator of the Year	<b>Assembly Member Mike Gipson</b>
Lifetime Achievement Award	<b>John Benoit</b> , various LAFCos, <b>Jurg Heuberger</b> , Imperial LAFCo

### 2018

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Distinguished Service Award	<b>John Withers</b> , Orange LAFCo
Most Effective Commission	<b>Santa Clara LAFCo</b>
Outstanding Commissioner	<b>Margie Mohler</b> , Napa LAFCo
Outstanding LAFCo Professional	<b>George Williamson</b> , Del Norte LAFCo
Outstanding LAFCo Clerk	<b>Elizabeth Valdez</b> , Riverside LAFCo
Outstanding CALAFCO Associate Member	<b>Best Best &amp; Krieger</b>
Project of the Year	<b>Lake LAFCo</b> , water services consolidation
Government Leadership Award	<b>City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board,</b>

<p>Mike Gotch Courage &amp; Innovation in Local Government Leadership Award</p> <p>Legislator of the Year</p> <p>Lifetime Achievement Award</p>	<p><b>Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center</b> for East Porterville water supply project</p> <p><b>Mike Ott</b>, San Diego LAFCo</p> <p><b>Assembly Member Anna Caballero</b></p> <p><b>Pat McCormick</b>, Santa Cruz LAFCo, <b>George Spiliotis</b>, Riverside LAFCo</p>
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**2017**

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<p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Outstanding CALAFCo Associate Member</p> <p>Project of the Year</p> <p>Government Leadership Award</p> <p>Lifetime Achievement Award</p>	<p><b>Los Angeles LAFCo</b></p> <p><b>Sblend Sblendorio</b>, Alameda LAFCo</p> <p><b>John Marchand</b>, Alameda LAFCo</p> <p><b>Paul Novak</b>, Los Angeles LAFCo</p> <p><b>Richelle Beltran</b>, Ventura LAFCo</p> <p><b>Policy Consulting Associates</b></p> <p><b>County Services MSR</b>, Butte LAFCo, and <b>Santa Rosa Annexation</b>, Sonoma LAFCo</p> <p><b>San Luis Obispo County Public Works Dept.</b></p> <p><b>Kathy Rollings McDonald</b> (San Bernardino)</p>
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**2016**

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<p>Distinguished Service Award</p> <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Project of the Year</p> <p>Government Leadership Award</p> <p>Lifetime Achievement Award</p>	<p><b>Peter Brundage</b>, Sacramento LAFCo</p> <p><b>San Luis Obispo LAFCo</b></p> <p><b>John Leopold</b>, Santa Cruz LAFCo</p> <p><b>Don Tatzin</b>, Contra Costa LAFCo</p> <p><b>Steve Lucas</b>, Butte LAFCo</p> <p><b>Cheryl Carter-Benjamin</b>, Orange LAFCo</p> <p><b>Countywide Water Study</b>, (Marin LAFCo)</p> <p><b>Southern Region of CALAFCo</b></p> <p><b>Bob Braitman</b> (retired Executive Officer)</p>
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**2015**

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<p>Mike Gotch Courage &amp; Innovation in Local Government Leadership Award</p> <p>Distinguished Service Award</p> <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Project of the Year</p>	<p><b>Yuba County Water Agency</b></p> <p><b>Mary Jane Griego</b>, Yuba LAFCo</p> <p><b>Butte LAFCo</b></p> <p><b>Marjorie Blom</b>, formerly of Stanislaus LAFCo</p> <p><b>Matthew Beekman</b>, formerly of Stanislaus LAFCo</p> <p><b>Sam Martinez</b>, San Bernardino LAFCo</p> <p><b>Terri Tuck</b>, Yolo LAFCo</p> <p><b>Formation of the Ventura County Waterworks District No. 38</b> (Ventura LAFCo) and <b>2015 San Diego County Health Care Services five-year sphere of influence and service review report</b> (San Diego LAFCo)</p>
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Government Leadership Award

**The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency**

CALAFCO Associate Member of the Year

**Michael Colantuono** of Colantuono, Highsmith & Whatley

Legislators of the Year Award

**Assembly member Chad Mayes**

Lifetime Achievement Award

**Jim Chapman** (Lassen LAFCo) and **Chris Tooker** (formerly of Sacramento LAFCo)

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## 2014

Mike Gotch Courage & Innovation in Local Government Leadership Award

**David Church**, San Luis Obispo LAFCo

Distinguished Service Award

**Kate McKenna**, Monterey LAFCo

Most Effective Commission

**Santa Clara LAFCo**

Outstanding CALAFCO Member

**Stephen Lucas**, Butte LAFCo

Outstanding Commissioner

**Paul Norsell**, Nevada LAFCo

Outstanding LAFCo Professional

**Kate McKenna**, Monterey LAFCo

Outstanding LAFCo Clerk

**Paige Hensley**, Yuba LAFCo

Project of the Year

**LAFCo Procedures Guide: 50<sup>th</sup> Year Special Edition**, San Diego LAFCo

Government Leadership Award

**Orange County Water District, City of Anaheim, Irvine Ranch Water District, and Yorba Linda Water District**

Legislators of the Year Award

**Assembly member Katcho Achadjian**

Lifetime Achievement Award

**Susan Wilson**, Orange LAFCo

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## 2013

Mike Gotch Courage & Innovation in Local Government Leadership Award

**Simón Salinas**, Commissioner, Monterey LAFCo

Distinguished Service Award

**Roseanne Chamberlain**, Amador LAFCo

Most Effective Commission

**Stanislaus LAFCo**

Outstanding CALAFCO Member

**Harry Ehrlich**, San Diego LAFCo

Outstanding Commissioner

**Jerry Gladbach**, Los Angeles LAFCo

Outstanding LAFCo Professional

**Lou Ann Texeira**, Contra Costa

LAFCo Outstanding LAFCo Clerk

**Kate Sibley**, Contra Costa LAFCo

Project of the Year

**Plan for Agricultural Preservation**, Stanislaus LAFCo

Government Leadership Award

**Orange County LAFCo Community Islands Taskforce**, Orange LAFCo

Legislators of the Year Award

**Senators Bill Emmerson and Richard Roth**

Lifetime Achievement Award

**H. Peter Faye**, Yolo LAFCo; **Henry Pellissier**, Los Angeles LAFCo; **Carl Leverenz**, Butte LAFCo; **Susan Vicklund-Wilson**, Santa Clara LAFCo.

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## 2012

Mike Gotch Courage & Innovation in Local Government Leadership Award

**Bill Chiat**, CALAFCO Executive Director

Distinguished Service Award

**Marty McClelland**, Commissioner, Humboldt LAFCo

Most Effective Commission

**Sonoma LAFCo**

Outstanding CALAFCO Member

**Stephen A. Souza**, Commissioner, Yolo LAFCo and

Outstanding Commissioner  
LAFCo Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year

**Sherwood Darington**, Monterey  
**Carole Cooper**, Sonoma LAFCo  
**Gwenna MacDonald**, Lassen LAFCo  
**Countywide Service Review & SOI Update**, Santa Clara LAFCo  
**North Orange County Coalition of Cities**, Orange LAFCo  
**P. Scott Browne**, Legal Counsel LAFCos

Government Leadership Award  
Lifetime Achievement Award

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## 2011

Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
LAFCo Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk

**Martin Tuttle**, Deputy Director for Planning, Caltrans  
**Mike McKeever**, Executive Director, SACOG  
**Carl Leverenz**, Commissioner and Chair, Butte  
**San Bernardino LAFCo**  
**Keene Simonds**, Executive Officer, Napa LAFCo  
**Louis R. Calcagno**, Monterey LAFCo  
**June Savala**, Deputy Executive Officer, Los Angeles LAFCo  
**Debbie Shubert**, Ventura LAFCo

Project of the Year

**Cortese-Knox-Hertzberg Definitions Revision**  
Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper,  
and George Spiliotis

Government Leadership Award

**Contra Costa Sanitary District**  
**Elsinore Water District and Elsinore Valley Municipal Water District**

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## 2010

Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award

**Helen Thompson**, Commissioner, Yolo LAFCo

Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional

**Kathleen Rollings-McDonald**, Executive Officer, San Bernardino LAFCo  
**Bob Braitman**, Executive Officer, Santa Barbara LAFCo  
**Tulare LAFCo**  
**Roger Anderson, Ph.D.**, CALAFCO Chair, Santa Cruz LAFCo  
**George Lange**, Ventura LAFCo  
**Harry Ehrlich**, Government Consultant, San Diego LAFCo

Outstanding LAFCo Clerk

**Candie Fleming**, Fresno LAFCo

Project of the Year

**Butte LAFCo**  
Sewer Commission - Oroville Region Municipal Service Review

Government Leadership Award

**Nipomo Community Services District** and the **County of San Luis Obispo**

Special Achievement

**Chris Tooker**, Sacramento LAFCo and CALAFCO Board of Directors

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## 2009

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

**Paul Hood**, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member

Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year  
Government Leadership Award

Legislator of the Year Award

**William Zumwalt**, Executive Officer, Kings LAFCo  
**Napa LAFCo**

**Susan Vicklund Wilson**, CALAFCO Vice Chair  
**Jerry Gladbach**, CALAFCO Treasurer  
**Larry M. Fortune**, Fresno LAFCo  
**Pat McCormick**, Santa Cruz LAFCo Executive Officer  
**Emmanuel Abello**, Santa Clara LAFCo

**Orange LAFCo** Boundary Report  
**Cities of Amador City, Jackson, Ione, Plymouth & Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD** – Countywide MSR Project  
**Assembly Member Jim Silva**

## **2008**

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Distinguished Service Award  
Most Effective Commission  
Outstanding Commissioner  
Outstanding LAFCo Professional

Outstanding LAFCo Clerk  
Project of the Year

Government Leadership Award  
Legislator of the Year Award

**Peter M. Detwiler**, Senate Local Government Committee  
Chief Consultant

**Yuba LAFCo**

**Dennis Hansberger**, San Bernardino LAFCo  
**Michael Ott**, San Diego LAFCo Executive Officer  
**Martha Poyatos**, San Mateo Executive Officer

**Wilda Turner**, Los Angeles LAFCo

**Kings LAFCo**

City and Community District MSR and SOI Update

**San Bernardino Board of Supervisors**  
**Assembly Member Anna M. Caballero**

## **2007**

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Outstanding CALAFCO Member  
Distinguished Service Award  
Counsel Most Effective Commission  
Outstanding Commissioner

Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year

Government Leadership Award  
Lifetime Achievement

**Kathy Long**, Board Chair, Ventura LAFCo

**William D. Smith**, San Diego Legal

**Santa Clara LAFCo**

**Gayle Uilkema**, Contra Costa LAFCo

**Joyce Crosthwaite**, Orange LAFCo Executive Officer

**Debby Chamberlin**, San Bernardino LAFCo

**San Bernardino LAFCo and City of Fontana**  
Islands Annexation Program

**City of Fontana** - Islands Annexation Program

**John T. "Jack" Knox**

## **2006**

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Outstanding CALAFCO Member  
Distinguished Service Award  
Most Effective Commission Award  
Outstanding Commissioner Award

Outstanding LAFCo Professional Award  
Outstanding LAFCo Clerk Award

**Everett Millais**, CALAFCO Executive Officer and Executive  
Officer of Ventura LAFCo

**Clark Alsop**, CALAFCO Legal Counsel

**Alameda LAFCo**

**Ted Grandsen**, Ventura LAFCo

**Chris Tooker**, Sacramento LAFCo

**Larry Calemine**, Los Angeles LAFCo Executive Officer

**Janice Bryson**, San Diego LAFCo

**Marilyn Flemer**, Sacramento LAFCo

Project of the Year Award	<b>Sacramento Municipal Utility District</b> Sphere of Influence Amendment and Annexation; <b>Sacramento LAFCo</b>
Outstanding Government Leadership Award	<b>Cities of Porterville, Tulare, and Visalia and Tulare LAFCo</b> Island Annexation Program
Legislator of the Year Award	<b>Senator Christine Kehoe</b>

**2005**

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Outstanding CALAFCo Member	<b>Peter Herzog</b> , CALAFCo Board, Orange LAFCo
Distinguished Service Award	<b>Elizabeth Castro Kemper</b> , Yolo LAFCo
Most Effective Commission Award	<b>Ventura LAFCo</b>
Outstanding Commissioner Award	<b>Art Aseltine</b> , Yuba LAFCo <b>Henri Pellissier</b> , Los Angeles LAFCo
Outstanding LAFCo Professional Award	<b>Bruce Baracco</b> , San Joaquin LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Diego LAFCo</b> MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	<b>Sacramento Area Council of Governments (SACOG)</b>

**2004**

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Outstanding CALAFCo Member	<b>Scott Harvey</b> , CALAFCo Executive Director
Distinguished Service Award	<b>Julie Howard</b> , Shasta LAFCo
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Commissioner Award	<b>Edith Johnsen</b> , Monterey LAFCo
Outstanding LAFCo Professional Award	<b>David Kindig</b> , Santa Cruz LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b> Nipomo CSD SOI Update, MSR, and EIR

**2003**

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Outstanding CALAFCo Member	<b>Michael P. Ryan</b> , CALAFCo Board Member
Distinguished Service Award	<b>Henri F. Pellissier</b> , Los Angeles LAFCo
Most Effective Commission Award	<b>San Luis Obispo LAFCo</b>
Outstanding Commissioner Award	<b>Bob Salazar</b> , El Dorado LAFCo
Outstanding LAFCo Professional Award	<b>Shirley Anderson</b> , San Diego LAFCo
Outstanding LAFCo Clerk Award	<b>Lori Fleck</b> , Siskiyou LAFCo
Project of the Year Award	<b>Napa LAFCo</b> Comprehensive Water Service Study
Special Achievement Award	<b>James M. Roddy</b>

**2002**

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Outstanding CALAFCo Member	<b>Ken Lee</b> , CALAFCo Legislative Committee Chair
Most Effective Commission Award	<b>San Diego LAFCo</b> Outstanding
Commissioner Award	<b>Ed Snively</b> , Imperial LAFCo
Outstanding LAFCo Professional Award	<b>Paul Hood</b> , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b>
Outstanding Government Leadership Award	<b>Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins</b>

**2001**

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Outstanding CALAFCo Member	<b>Shirley Anderson</b> , CALAFCo Executive Officer
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Distinguished Service Award	<b>David Martin</b> , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	<b>H. Peter Faye</b> , Yolo LAFCo
Outstanding LAFCo Professional Award	<b>Ingrid Hansen</b> , San Diego LAFCo
Project of the Year Award	<b>Santa Barbara LAFCo</b>
Outstanding Government Leadership Award	<b>Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council</b>
Legislator of the Year Award	<b>Senator Jack O'Connell</b>

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**2000**

Outstanding CALAFCO Member	<b>Ron Wootton</b> , CALAFCO Board Chair
Distinguished Service Award	<b>Ben Williams</b> , Commission on Local Governance for the 21st Century
Most Effective Commission Award	<b>Yolo LAFCo</b>
Outstanding Commissioner	<b>Rich Gordon</b> , San Mateo LAFCo
Outstanding LAFCo Professional Award	<b>Annamaria Perrella</b> , Contra Costa LAFCo
Outstanding LAFCo Clerk Award	<b>Susan Stahmann</b> , El Dorado LAFCo
Project of the Year Award	<b>San Diego LAFCo</b>
Legislator of the Year Award	<b>Robert Hertzberg</b> , Assembly Member

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**1999**

Distinguished Service Award	<b>Marilyn Ann Flemmer-Rodgers</b> , Sacramento LAFCo
Most Effective Commission Award	<b>Orange LAFCo</b>
Outstanding Executive Officer Award	<b>Don Graff</b> , Alameda LAFCo
Outstanding LAFCo Clerk Award	<b>Dory Adams</b> , Marin LAFCo
Most Creative Solution to a Multi-Jurisdictional Problem	<b>San Diego LAFCo</b>
Outstanding Government Leadership Award	<b>Assembly Member John Longville</b>
Legislator of the Year Award	<b>Assembly Member Robert Hertzberg</b>

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**1998**

Outstanding CALAFCO Member	<b>Dana Smith</b> , Orange LAFCo
Distinguished Service Award	<b>Marvin Panter</b> , Fresno LAFCo
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Executive Officer Award	<b>George Spiliotis</b> , Riverside LAFCo
Outstanding Staff Analysis	<b>Joe Convery</b> , San Diego LAFCo <b>Joyce Crosthwaite</b> , Orange LAFCo
Outstanding Government Leadership Award	<b>Santa Clara County Planning Department</b>

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**1997**

Most Effective Commission Award	<b>Orange LAFCo</b>
Outstanding Executive Officer Award	<b>George Finney</b> , Tulare LAFCo
Outstanding Staff Analysis	<b>Annamaria Perrella</b> , Contra Costa LAFCo
Outstanding Government Leadership Award	<b>South County Issues Discussion Group</b>
Most Creative Solution to a Multi-Jurisdictional Problem	<b>Alameda LAFCo and Contra Costa LAFCo</b>
Legislator of the Year Award	<b>Assembly Member Tom Torlakson</b>





# Nominations are now open for the 2023 **CALAFCO Achievement Awards**

Recognizing those who have gone above and beyond this last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act

## NOMINATION CATEGORIES:

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Lifetime Achievement Award
- Legislator Of The Year



## Mike Gotch Excellence In Public Service Award

### AWARD CATEGORIES:



Protection of agricultural and open space lands and prevention of sprawl



Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services

For nomination and selection criteria and the nomination form, please visit [bit.ly/23AAwards](https://bit.ly/23AAwards). For questions, please contact Steve Lucas at [slucas@buttecounty.net](mailto:slucas@buttecounty.net).

**Nomination deadline: Friday, August 18, 2023 · 5 p.m.**

For most categories, nominations may be made by any individual, LAFCo, CALAFCO Associate Member, or any other organization. The Lifetime Achievement Award may only be nominated by a member LAFCo or an Associate Member in good standing with the Association.

Winners will be announced at the CALAFCO Awards Banquet to be held during the Annual Conference on October 19, 2023, at the Hyatt Regency Hotel in Monterey, California.



# Achievement Award Nomination Form

**NOMINEE - Person or Agency Being Nominated**

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**NOMINATION CATEGORY** (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional

Mike Gotch Excellence in Public Service (choose one category below)

- Protection of agricultural and open space lands and prevention of sprawl*
- Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

- Legislator of the Year (must be approved by the full CALAFCO Board)
- Lifetime Achievement Award

**NOMINATION SUBMITTED BY:**

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_



**2023 Achievement Award Nominations  
Due by Friday, August 18, 2023 at 5:00 p.m.**

**EXECUTIVE SUMMARY**

In no more than 250 words, summarize why this recipient is the most deserving of this award.



**2023 Achievement Award Nominations  
Due by Friday, August 18, 2023 at 5:00 p.m.**

**NOMINATION SUMMARY**

Please indicate the reasons why this person or agency deserves to be recognized (this section must be no more than 1,000 words or 2 pages maximum).

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

**May 10, 2023**

**To:** LAFCo Commissioners

**From:** Rob Bartoli, Executive Officer  
Sofia Recalde Management Analyst

**Subject:** Legislative Report

## Summary

### *Legislative tracker*

CALAFCO is currently tracking 19 bills. Legislation that is of interest to San Mateo LAFCo includes the following:

- **AB 930** would authorize the legislative bodies of 2 or more local governments, defined to include a city, county, special district, or transit agency, to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district). The legislation states that a RISE district is focused on funding the planning, acquisition, and construction of housing, infill supportive infrastructure, or other related projects. A RISE district would be authorized to use various sources of revenue including property tax revenue local sales tax, and transient occupancy taxes. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government. AB 930 appears to be similar to SB 852 (2022) regarding the formation of climate resilience districts, also a funding district, outside of the LAFCo process.

AB 930 is focused on the generation of funding and the governance of the expenditure of those funds. CALAFCO's current position is neutral but if tracking the bill in the event that the scope of the bill is expanded. (*CALAFCO – Neutral*)

- **SB 360** The California Coastal Act of 1976 does not preclude or prevent any member or employee of the Commission who is also an employee of another public agency, a county supervisor, city councilperson, or a member of specified associations or organizations, and who has acted in that designated capacity voted or acted upon a particular matter, from voting or otherwise acting upon that matter as a member or employee of the Commission. SB 360 would apply the latter provision to members of a

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

JPA or members of LAFCo and add members or employees of JPAs and LAFCOs into the list of entities that can sit on the California Coastal Commission. *(CALAFCO – Support)*

- **AB 1753** is CALAFCO’s Omnibus bill that seeks to add two minor, non-substantive changes to the Cortese Knox Hertzberg Act (CKH). The first would allow the Executive Officer (EO) to submit a resolution adopted by the Commission either by mail (current practice) or by electronic means with confirmation of receipt by the intended recipient. The second change is to clarify that any agreements for the exchange of property tax revenues required in accordance with state law must be received by LAFCo prior to the EO deeming an application complete. *(CALAFCO – Support; San Mateo LAFCo - Support)*

On April 10, 2023, the Legislative & Policy Committee approved a Letter of support for AB 1753. Staff sent the letter of support to the Chair and members of the Assembly Local Government Committee, CALAFCO EO, Senator Josh Becker, Assemblymembers Phil Ting, Diane Papan and Marc Berman, and a consultant for the Assembly Republican Caucus.

- **AB 918** would rename the Pioneers Memorial Healthcare District as the Imperial Valley Healthcare District and would authorize the expansion to include all of Imperial County. This bill initially proposed requiring Imperial LAFCo to complete the entire expansion process with 150 days of filing the resolution of application, waiving protest proceedings and removing LAFCo’s ability to deny the application. The bill was recently amended in April to entirely remove LAFCo involvement. CALAFCO has sent two letters in opposition of AB 918. *(CALAFCO – Oppose)*

**Recommended Committee Action:**

Receive the report.

**Attachments**

- A. Signed Letter of Support for AB 1753
- B. Legislative Daily Report 5/8/2023



SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

April 10, 2023

The Honorable Cecilia Aguiar-Curry, Chair  
 Assembly Local Government Committee  
 1021 O Street, Ste 6350  
 Sacramento, CA 95814

**Re: Support of AB 1753, Local Government: Reorganization Omnibus Bill**

Dear Chair Aguiar-Curry:

San Mateo Local Agency Formation Commission (LAFCo) is pleased to support the Assembly Local Government Committee Bill AB 1753, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO). AB 1753 makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

AB 1753 makes minor technical changes to the Act that governs the work of LAFCos throughout California. The changes are needed to correct small inconsistencies and clarify language to make the Act as unambiguous as possible so that Commissions around the state can implement the Act consistently. San Mateo LAFCo is grateful to your Committee, staff and CALAFCO, all of whom worked diligently on this language to ensure that no substantive changes were made while also clarifying the language in the Act for all stakeholders.

This legislation helps ensure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCos.

San Mateo LAFCo appreciates your most positive consideration of AB 1753 when it comes before you for action.

Sincerely,

*Rob Bartoli*

Rob Bartoli  
 Executive Officer

cc: Ms. René LaRoche, Executive Director, CALAFCO  
 Senator Josh Becker, District 13  
 Assembly Member Phil Ting, District 19

**COMMISSIONERS:** ANN DRAPER, CHAIR, PUBLIC ▪ KATI MARTIN, VICE-CHAIR, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ RAY MUELLER, COUNTY ▪ VACANT, SPECIAL DISTRICT

**ALTERNATES:** CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

**STAFF:** ROB BARTOLI, EXECUTIVE OFFICER ▪ SOFIA RECALDE, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

Assembly Member Diane Papan, District 22  
Assembly Member Marc Berman, District 24  
Members, Assembly Local Government Committee  
Jimmy MacDonald, Consultant, Assembly Local Government Committee  
William Weber, Consultant, Assembly Republican Caucus

## CALAFCO Daily Legislative Report as of Monday, May 08, 2023

**[AB 828](#) (Connolly D) Sustainable groundwater management: managed wetlands.**

**Current Text:** Amended: 4/17/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amended:** 4/17/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/2/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

**Summary:**

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the term “managed wetland.”

**Position:** None at this time

**Subject:** Water

**CALAFCO Comments:** Adds definitions for Managed Wetlands, and Small community water system to Water Code Section 10721.

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

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

**Current Text:** Amended: 4/26/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amended:** 4/26/2023

**Status:** 4/27/2023-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

**Summary:**

Current law authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area, as defined, and authorizes an authority to, among other things, provide for low- and moderate-income housing and issue bonds, as provided. Current law authorizes a community revitalization and investment plan to provide for the division of taxes within the plan area. This bill would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified.

**Position:** Neutral

**Subject:** Special District Principle Acts

**CALAFCO Comments:** This bill has a similar overtone to SB 852 Dodd in 2022 regarding the formation of climate resilience districts outside of the LAFCo process.

As introduced, this bill (AB 930) is focused on the generation of funding and the governance of the expenditure of those funds. However, it should be carefully tracked in case that mission is expanded.

**AB 1460 (Bennett D) Local government.****Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)**Introduced:** 2/17/2023**Status:** 2/18/2023-From printer. May be heard in committee March 20.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a nonsubstantive change to the provision naming the act.

**Position:** Neutral**Subject:** CKH General Procedures, Other

**CALAFCO Comments:** As introduced, this bill makes only a minor nonsubstantive change to CKH in that it would merely add commas to Section 56000 so that it would read: "This division shall be known, and may be cited, as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000."

3/24/2023: No change since introduction.

**SB 768 (Caballero D) California Environmental Quality Act: vehicle miles traveled: statement of overriding consideration.****Current Text:** Amended: 3/22/2023 [html](#) [pdf](#)**Introduced:** 2/17/2023**Last Amended:** 3/22/2023**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA prohibits a public agency from approving or carrying out a project for which a certified EIR has identified one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency finds either (1) changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment, (2) those changes or alterations are within the jurisdiction of another public agency and have been, or can and should be, adopted by the other agency, or (3) specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR and the public agency finds that those specific considerations outweigh the significant effects on the environment, commonly known as a statement of overriding consideration. This bill would provide that a public agency, in approving or carrying out a housing development project, as defined, a commercial project, or an industrial project, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled or similar metrics if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project..

**Position:** Neutral**Subject:** CEQA

**CALAFCO Comments:** Introduced as a spotholder bill that noted an intent to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of the California Environmental Quality Act.

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

**SB 865 (Laird D) Municipal water districts; automatic exclusion of cities.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/1/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law authorizes a governing body of a municipal water district to adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, if the territory is annexed prior to the effective date of the formation of the municipal water district. Current law requires the Secretary of State to issue a certificate reciting the passage of the ordinance and the exclusion of the area from the municipal water district within 10 days of receiving a certified copy of the ordinance. This bill would extend the number of days the Secretary of State has to issue a certificate to 14 days.

**Position:** Neutral

**Subject:** Annexation Proceedings

**CALAFCO Comments:** Existing law authorizes a governing body of a municipal water district may adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, providing that the territory is annexed prior to the effective date of the formation of the municipal water district. If that happens, the Secretary of State must, within 10 days of receiving a certified copy, issue a certificate reciting the passage of the ordinance that excludes the area from the municipal water district. This bill would extend the Secretary of State's window to issue that certificate from 10 to 14 days.

**2**

**AB 68 (Ward D) Land use: streamlined housing approvals: density, subdivision, and utility approvals.**

**Current Text:** Amended: 4/12/2023 [html](#) [pdf](#)

**Introduced:** 12/8/2022

**Last Amended:** 4/12/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/16/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require a local government to approve a proposed housing development pursuant to a streamlined, ministerial approval process if the development meets certain objective planning standards, including, but not limited to, a requirement that the proposed parcel for the development be a climate-smart parcel, as described, or be included in the applicable region's sustainable communities strategy as a priority development area. The bill would set forth procedures for approving these developments and would set forth various limitations for these developments. The bill would authorize the Department of Housing and Community Development to review, adopt, amend, and repeal guidelines, rules, and regulations to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth by this process.

**Position:** Watch

**Subject:** Planning

**CALAFCO Comments:** This bill was introduced as a spot holder in December, 2022, then was gutted and amended on March 16, 2023.

It now seeks to set up ministerial approvals for developments and certain water and sewer service extensions for developments that meet certain parameters. Parameters include that the parcel must be in a high or moderate resource area as categorized by the opportunity maps maintained by the California Tax Credit Allocation Committee, be located within one-mile of transit but be in a very low vehicle travel area, and within one mile of assorted restaurants, bars, coffee shops, etc. Additionally, types of locations that do not qualify are also enumerated. Those include farmlands, wetlands, high fire hazard severity zones (as determined by Cal Fire), in proximity to a hazardous waste site, within a delineated earthquake fault zone, within a special flood hazard area or within a regulatory floodway, lands identified for conservation, protected habitat, and lands under a

conservation easement.

3/31/2023: Watch position taken by Leg Committee.

4/21/2023: CALAFCO received word from the Assembly Housing and Community Development Committee, that this bill will not be heard this year.

Under the procedure that would be established by this bill, a minimum of 30 days notice to LAFCo would be required for the public hearing should a county seek to amend its general plan to increase the planned density on climate resilient lands.

**AB 918 (Garcia D) Health care district: County of Imperial.**

**Current Text:** Amended: 5/1/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amended:** 5/1/2023

**Status:** 5/2/2023-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would rename the Pioneers Memorial Healthcare District as the Imperial Valley Healthcare District. The bill would authorize the expansion of the district to include all of the County of Imperial. The bill would require the district to submit a resolution of application to the Imperial County Local Agency Formation Commission to initiate proceedings to expand the district. The bill would require the commission to order the expansion of the district subject to a vote of the registered voters residing within the territory to be annexed at an election following the completion of those proceedings. The bill would require the Board of Supervisors of the County of Imperial, upon direction by the commission, to place approval of district expansion on the ballot at the next countywide election following the completion of commission proceedings, including a public hearing. The bill would provide for expansion of the district upon voter approval, if a funding source sufficient to support the operations of the expanded district is, if required, approved, as specified. The bill would require the district to pay for election costs, as specified. The bill, following expansion, would dissolve the Heffernan Memorial Healthcare District and would transfer the assets, rights, and responsibilities of that district to the Imperial Valley Healthcare District. The bill would require the board of directors of the Imperial Valley Healthcare District, following expansion, to adopt a resolution to increase the number of members of the district's board of directors from 5 to 7, and to appoint 2 members who are residents of the territory annexed by the district to fill the vacant positions, as specified. Following the expansion of the board of directors, the bill would require the board of directors to adopt a resolution to divide the Imperial Valley Healthcare District into voting districts for the purpose of electing members of the board of directors from and by the electors of those voting districts beginning with the next district election, as specified.

**Attachments:**

[CALAFCO Letter in Opposition to 4-17-2023 bill amendment](#)

[CALAFCO Oppose Letter](#)

**Position:** Oppose

**Subject:** Other

**CALAFCO Comments:** As introduced, this bill was merely a spotholder that stated an intent to create a countywide healthcare district in Imperial County.

March 23, 2023, the bill was amended with specifics. It now seeks to rename the Pioneer Memorial Healthcare District to the Imperial County Healthcare District (ICHD) and then sets up what, in essence, is a ministerial process for the countywide expansion of the ICHD. The expansion process is first initiated by the ICHD Resolution of Application, which is required to be filed with LAFCo no later than January 5, 2024. The LAFCo then has 150 days to complete the entire process, including the vote. Protest proceedings for that expansion would be waived under this bill. The bill also does not allow the LAFCo to deny the application. The bill also notes that future changes of organization or reorganization of the resulting districts would need to follow the normal provisions of CKH. A copy of CALAFCO's letter in opposition can be found in the attachments section.

4/17/2023: the bill was amended to entirely remove LAFCo involvement. CALAFCO's second letter of opposition that addresses this amended version can be found in the attachments section.

**SB 360 (Blakespear D) California Coastal Commission: member voting.**

**Current Text:** Amended: 4/18/2023 [html](#) [pdf](#)

**Introduced:** 2/8/2023

**Last Amended:** 4/18/2023**Status:** 4/18/2023-Read second time and amended. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/8/2023 #21 SENATE SENATE BILLS -THIRD READING FILE

**Summary:**

The California Coastal Act of 1976 establishes the California Coastal Commission and prescribes the membership and duties of the commission. The act provides that its provisions do not preclude or prevent any member or employee of the commission who is also an employee of another public agency, a county supervisor or city councilperson, or a member of specified associations or organizations, and who has in that designated capacity voted or acted upon a particular matter, from voting or otherwise acting upon that matter as a member or employee of the commission. This bill would apply the latter provision to members of a joint powers authority and members of the local agency formation commission.

**Attachments:**[SB 360 Fact Sheet](#)[SB 360 CALAFCO Letter of Support](#)**Position:** Support**Subject:** Other

**CALAFCO Comments:** PRC 30318 currently holds a provision that allows members or employees of certain entities to sit on the California Coastal Commission. This bill would add members or employees of JPAs and LAFcos into that list.

3/24/2023: No change since introduction.

3/31/2023: Position changed to support. The Fact Sheet and a copy of CALAFCO's Support letter can be found in the attachments.

3

**[AB 557](#) (Hart D) Open meetings: local agencies: teleconferences.****Current Text:** Introduced: 2/8/2023 [html](#) [pdf](#)**Introduced:** 2/8/2023**Status:** 5/1/2023-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/8/2023 #56 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, current law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the

meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** Similar in scope to SB 411, this bill is follow-on legislation to AB 361 (2022) and seeks to return some of the pandemic-era teleconferencing provisions to the Brown Act and would change the timeline for legislative bodies to reaffirm an emergency from the current 30 days to 45 days. This bill is sponsored by CSDA.

**AB 805 (Arambula D) Drinking water consolidation: sewer service.**

**Current Text:** Amended: 3/9/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amended:** 3/9/2023

**Status:** 4/19/2023-In committee: Set, first hearing. Referred to suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize the State Water Resources Control Board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities, including, but not limited to, consulting with the relevant regional water board and the receiving water system and conducting outreach to ratepayers and residents served by the receiving and subsumed water systems, as provided.

**Position:** Watch With Concerns

**Subject:** Water

**CALAFCO Comments:** This bill would authorize the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities. Under existing section (b)(3) LAFcos must be consulted and their input considered in regards to the provision of water service but sewer systems seem to be lacking.

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

**Current Text:** Amended: 3/16/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amended:** 3/16/2023

**Status:** 4/25/2023-In committee: Hearing postponed by committee.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill appears to be a spot holder in that it currently only makes minor grammatical changes. The lack of substance raises concern regarding future changes to this bill.



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

**AB 1379 (Papan D) Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 3/23/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amended:** 3/23/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/23/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** Originally introduced as a spotholder to address "Local agencies: financial affairs", this bill was gutted and amended on March 23, 2023, and now seeks amendment of the Brown Act's teleconferencing provisions. If successful, GC Section 54953 (b)(3) would be amended to remove the requirement to post agendas for teleconferenced meetings at all locations, and would instead limit the posting to a newly defined "singular designated physical meeting location", which is required to have either two-way audiovisual capabilities, or two-way telephone service for the public to remotely hear and address the body. Additionally, the body would have to hold at least two meetings in person each year.

**AB 1637 (Irwin D) Local government: internet websites and email addresses.**

**Current Text:** Amended: 4/27/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amended:** 4/27/2023

**Status:** 5/1/2023-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would, no later than January 1, 2026, require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a ".gov" or ".ca.gov" domain. This bill, no later than January 1, 2026, would

also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a ".gov" domain name or a ".ca.gov" domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

**Position:** Watch

**Subject:** LAFCo Administration

**AB 1753 (Committee on Local Government) Local government: reorganization.**

**Current Text:** Introduced: 3/2/2023 [html](#) [pdf](#)

**Introduced:** 3/2/2023

**Status:** 4/27/2023-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. The act requires a petitioner or legislative body desiring to initiate proceedings for a change of organization or reorganization to submit an application to the executive officer of the principal county. The act specifies when an application is complete and acceptable for filing, and requires the executive officer to immediately issue a certificate of filing when an application is accepted for filing, as specified. Upon the filing of an application or a resolution pursuant to the act, but prior to the issuance of a certificate of filing, current law requires the executive officer to give notice of the filing to the assessor and auditor of each county within which the territory subject to the jurisdiction change is located, as specified. Current law prohibits the executive officer from issuing a certificate pursuant to the provisions described above until resolutions are adopted by specified counties and cities in which they agree to accept the exchange of property tax revenues. Current law authorizes a county and any local agency within the county to develop and adopt a master property tax transfer agreement, as specified. This bill would, if applicable, prohibit the executive officer from accepting for filing an application for change or organization or reorganization and issuing a certificate of filing pursuant to the provisions described above, and would provide that an application is not deemed accepted for filing pursuant to the provisions described above, if an agreement for the exchange of property tax revenues has not been adopted pursuant to the provisions described above.

**Attachments:**

[AB 1753 CALAFCO Letter of Support, 03-28-23](#)

**Position:** Support

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is CALAFCO's Omnibus bill. It seeks to add two new provisions to CKH. The first, would add section (d)(1) to Government Code Section 56658 and would note that R&T Section 99(d)(b)(6) requires an property tax agreement for an application to be considered complete. The second adds language to GC Sec. 56882 allowing transmission of commission determination by email, providing that the executive officer confirms receipt through an electronic read receipt of other means.

CALAFCO's letter of support can be found in the attachments.

**SB 411 (Portantino D) Open meetings: teleconferences: neighborhood councils.**

**Current Text:** Amended: 4/24/2023 [html](#) [pdf](#)

**Introduced:** 2/9/2023

**Last Amended:** 4/24/2023

**Status:** 5/4/2023-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Calendar:**

5/8/2023 #88 SENATE SENATE BILLS -THIRD READING FILE

**Summary:**

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local

agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define "eligible legislative body" for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill would permanently add back provisions to Section 54953.4 of the Brown Act that had been temporarily enacted during the COVID-19 pandemic. The amendment would allow a legislative body to use teleconferencing provisions, and would define the proper procedure for conducting such a meeting, would require the legislative body to take no further action in the event of a broadcasting disruption within the local agency's control until the broadcast can be resumed, would require time public comment periods to remain open until the public comment time has elapsed, and would not only prevent requiring comments in advance but would also require that the public be afforded the chance to comment in real time.

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

**Current Text:** Amended: 4/24/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amended:** 4/24/2023

**Status:** 5/4/2023-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/8/2023 #89 SENATE SENATE BILLS -THIRD READING FILE

**Summary:**

Current law, under the Ralph M. Brown Act, requires that, during a teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This is a spotholder bill that states an intent to expand local government's access to hold public meetings through teleconferencing and remote access.

3/22/2023: was amended and fleshed out to add teleconferencing provisions to allow legislative LAFCo Regular Meeting

bodies of multijurisdictional agencies to meet remotely. Multijurisdictional agencies are defined as boards, commissions, or advisory bodies of a multijurisdictional, cross county agency, which is composed of appointed representatives from more than one county, city, city and county, special district, or a joint powers entity.

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

**SB 878 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 5/4/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the First Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[Annual Validations Joint Letter of Support](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the first of three annual validating acts. The joint letter of support is in the attachments section.

**SB 879 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 5/4/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Second Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[Annual Validations Joint Letter of Support](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts. The joint letter of support is in the attachments section.

**SB 880 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 5/4/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Third Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[Annual Validations Joint Letter of Support](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts. The joint letter of support is in the attachments section.

Total Measures: 19

Total Tracking Forms: 19

5/8/2023 8:27:13 AM