



LOCAL AGENCY FORMATION COMMISSION

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

AGENDA

Wednesday, March 17, 2021

2:30 pm

By Video Conference Only

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Thus, Pursuant to, the Governor's executive order, local and statewide health orders and the CDC's social distancing guidelines which discourage large public gatherings, the Board chambers will not be open to the public for the March 17, 2021 Local Agency Formation Commission (LAFCo) meeting.

Public Participation

Members of the public may view a video broadcast of the meeting at

<https://smcgov.zoom.us/j/99238955556>. The meeting ID is: 992 3895 5556. It can also be accessed by telephone by dialing +1 669 900 6833 (local) and entering meeting ID then #.

*Written public comments may be emailed to amontescardenas@smcgov.org, and should include the specific agenda item on which you are commenting.

* Spoken public comments will also be accepted during the meeting through Zoom.

***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, by 10:00 a.m. on Tuesday, March 16, 2021 at amontescardenas@smcgov.org. Notification in advance of the meeting will enable the County 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agenda may be approved by one roll call vote unless a request is made at the beginning of the meeting that an item be withdrawn.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.

(OVER)

COMMISSIONERS: WARREN SLOCUM, CHAIR, COUNTY ▪ MIKE O'NEILL, VICE CHAIR, CITY ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

1. Roll Call
2. Consent Agenda*
 - a. Approval of Action Minutes: January 20, 2021
 - b. LAFCo File No. 21-01- Proposed annexation of 20 Sioux Way, Portola Valley (APN 077-310-020) to West Bay Sanitary District and subsequent annexation to the On-site Wastewater Disposal Zone
 - c. LAFCo File No. 21-02- Proposed annexation of 155 Grove Drive, Portola Valley (APN 079-011-080) to West Bay Sanitary District and subsequent annexation to the On-site Wastewater Disposal Zone
3. Presentation of Multijurisdictional Local Hazard Mitigation Plan Update by San Mateo County
4. Public Comment for Items Not on the Agenda
5. Consideration of Adoption of Proposed Work Program and LAFCo Budget for Fiscal Year 2021-22
6. Consideration of Revised LAFCo Schedule of Processing Fees
7. Budget and Policy Committee
 - a. Consideration of Draft LAFCo Budget Policy
8. Legislative and Policy Committee
 - a. Consideration of Updates to Procedures of Outside Service Agreement Policy for City Water Extensions
 - b. Legislative Report
9. CALAFCO – Information Only
 - a. CALAFCO 2020 Annual Report
 - b. CALAFCO Quarterly February 2021 Newsletter
10. Commissioner/Staff Reports
11. Adjournment

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

During teleconference LAFCo meetings, 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.
2. Your email should include the specific agenda item on which you are commenting or note that you 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 pm 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. The Clerk will make every effort to read emails received after that time but cannot guarantee such emails will be read during the meeting, although such emails will be still included in the administrative record.

***Spoken Comments**

Spoken public comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The Commission meeting may be accessed through Zoom online at <https://smcgov.zoom.us/j/99238955556>. The meeting ID is: 992 395 5556. The Commission meeting may also be accessed via telephone by dialing +1 669 900 6833 (Local). Enter the meeting ID: 992 3895 5556, then press #.
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 Commission Secretary calls for the item on which you wish to speak, click on "raise hand" (or *9 if dialing by phone). The Secretary will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.

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.sanmateolafo.org

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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Action Minutes San Mateo Local Agency Formation Commission Meeting January 20, 2021

Chair Slocum called the Wednesday, January 20, 2021 meeting of the Local Agency Formation Commission (LAFCo) to order at 2:30 pm via Zoom in accordance with Executive Order N-29-20 and N-33-20 due to COVID 19.

He noted that the Alternate City position was currently vacant and welcomed Commissioner Harvey Rarback as the newly appointed regular city member. He also thanked Commissioner Cosgrove for his chairmanship during LAFCo's transition to remote meetings.

1. Roll Call

Members Present: Commissioners Ann Draper, Ric Lohman, Kati Martin (Alternate) Harvey Rarback, Don Horsley, Vice Chair Mike O'Neill, Chair Warren Slocum.

Members Absent: Commissioner Joshua Cosgrove

Alternate Commissioners Jim O'Neill was also present in the audience.

Staff Present: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst
Timothy Fox, Legal Counsel
Angela Montes Cardenas, Commission Clerk
Janneth Lujan, Planning Commission Secretary

2. Consent Agenda

a. Approval of Action Minutes: November 18, 2020

b. LAFCo File No. 20-09 – Proposed annexation of 4 Navajo Place, Portola Valley (APN 077-300-130) to West Bay Sanitary District

Commission Action: Commissioner Horsley moved to approve the consent agenda and Commissioner O'Neill seconded the motion which passed unanimously by roll call vote.

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(Ayes: Commissioners Draper, Rarback, Horsley, Lohman, Martin, Vice Chair O'Neill, Chair Slocum. Abstentions: None; Noes: None)

3. Public Comment for Items Not on the Agenda

No written or oral comments from the public.

4. Applications Received and Not Certified as Complete and Ready for Hearing

a. LAFCo File No. 20-10 – Proposed annexation of APNs 046-032-030, 046-032-040, 046-032-080, 046-032-090, and associated right-of-way to the City of Belmont and detachment from the Belmont Highway Lighting District

Ms. Poyatos gave a brief update to the Commission. She said that Lafco is required to place applications that are not submitted by the city or district on the agenda, in case the city or district wants to submit a resolution opposing the annexation. She added that the City of Belmont has indicated support for the annexation.

5. Adoption of Sphere of Influence for the San Mateo Resource Conservation District (SMRCD)

Mr. Bartoli referred to the staff report dated January 13, 2021. He noted that at the previous LAFCo meeting, the Commission reviewed the preliminary sphere of influence (SOI). He summarized the existing boundaries of the SMRCD and the coterminous SOI which include territory in the western portion of the County from the San Francisco to the Santa Cruz county lines.

He explained that over time the District has transformed from soil conservation to a resource conservation district with a much broader mission than originally created under its enabling legislation. He noted that a number of excluded areas receive benefits from actions that are taken by the District, such as land improvements and water quality efforts, noting that the Municipal Service Review (MSR) identified these pockets in several maps.

Mr. Bartoli said that once amended, the SOI could be implemented by LAFCo processing an annexation application submitted by resolution of the SMRCD Board of Directors. He noted that annexation would result in a transfer of property tax to support District services and administration. He stated that annexations of inhabited areas would be subject to registered voter protest and possibly an election.

He said that the portions LAFCo is proposing to be included in the SOI are areas of the City of Pacifica, unincorporated Mid-coast (including El Granada, Miramar, Montara, Moss Beach

and Princeton), portions of the City of Half Moon Bay, and portions of the unincorporated South Coast (including Dearborn Park, La Honda, Loma Mar, Pescadero, Pescadero Creek County Park, Portola Redwoods State Park, and South Skyline). He said that SMRCD is collaborating on projects that are both within and outside of its boundaries and that these projects and actions are funded through grants and contracts and not directly through the use of property tax at this time. He noted that if property tax is augmented by future annexations the District has indicated these funds would be used for administrative activities that are typically not funded through grants.

Mr. Bartoli stated that inclusion of such areas would be consistent with boundaries of the watershed flowing to the Pacific Ocean. He also said that inclusion of these areas would better align the sphere of influence of the district with services that occur on an ongoing basis.

He said that SMRCD has requested that the sphere of influence of the District be expanded beyond what LAFCo staff has proposed. He explained that the District requested the area along Skyline Boulevard, which includes the San Francisco Public Utilities Commission watershed lands, the lands between Skyline Blvd. and Highway 280 which also encompasses the Town of Portola Valley. He said that the District has stated that this would more accurately represent the District service area and provisions of services and an appropriate scale enabling the district to pursue an extended stable funding base.

Mr. Bartoli noted that the San Francisco Public Utilities Commission (SFPUC) and MidPeninsula Open Space District lands are publicly owned and exempt from property tax and if annexed to the District they would not contribute additional property tax revenue. He said that it is also likely that any annexation of the lands along Skyline Blvd. and Highway 280 would be considered inhabited and would be subject to registered voter protest and possibly an election.

He continued that in review of the projects outside the Districts existing boundaries over the last 15 years, the majority were either on SFPUC lands or in areas of low property tax value. He said that a portion of these projects also included technical assistance to equestrian operations in the town of Woodside. He said that for these reasons, LAFCo staff is not recommending inclusion of these lands at this time.

Mr. Bartoli summarized the required SOI determinations including proposed land uses in the area, capacity of the District to provide service, and social and economic interests and noted that the vast majority of land in the District is rural, agricultural, or open space and population growth is limited. He stated that demands for the District's service to address

on-going need for watershed and soil conservation will continue and there are no Disadvantaged Unincorporated Communities within the District boundaries.

He concluded that staff recommends adoption of the recommended Sphere of Influence Determinations for the San Mateo Resource Conservation District, and the amended Sphere of Influence for San Mateo Resource Conservation District as proposed by LAFCo staff or as proposed by the District.

SMRCD General Manager, Kellyx Nelson, provided an overview of the District in the context of the proposed Sphere of Influence. She said that SMRCD is a “boots-on-the-ground” agency that uses a very diverse program set including, technical assistance, project implementation, trusted broker, outreach and education and financial assistance. Ms. Nelson said that the District’s unique role in conservation is that they are the only entity that was created in statute for the purpose of helping people help the land and best manage their natural resources. She continued that the District works as local hubs for conservation and as liaison across diverse agencies.

Ms. Nelson said that in the last fiscal year for every dollar of property tax the district leveraged \$149 in funding that went to services for its constituents. She noted that property tax dollars received do not go toward direct services, as those funds are used for administrative purposes. She added that the vast majority of District funding is state and federal funds and funding is also brought into the District through partnership with the USDA. She stated that the vast majority of funding coming to the District is used for direct services. She noted that the District lacks the fiscal stability and without a more stable funding base the District’s administrative base is constrained.

Ms. Nelson stated that updating the SOI is based on accurately representing where the District provides services and where those benefits accrue. She said another reason is the ability to bring grants, contracts and other resources to areas within the SOI. She added that it would also provide deeper bench to recruit board members and the stability resulting from enabling the District to pursue an expanded and stable funding base.

Ms. Nelson said the criteria for the areas that the District proposed for inclusion are based on need and opportunity as well as accuracy and appropriate scale. Referencing a map that shows the current versus proposed boundary, she noted that in the 1930s when conservation districts were seen largely as a farm services agency, residential areas were essentially excluded. She said this happened without an understanding of where we would be in the future in terms of watershed, water pollution, water resources, endangered species, fire and more. She said the District’s proposal included the largely forested areas

along Skyline that capture the headwaters which are a priority for endangered species.

Ms. Nelson shared a map illustrating work the District has completed on areas that are currently not included in District boundaries. She noted that the map does not depict areas that are anticipated or proposed for work. She shared several slides highlighting demonstrated need for district services. Including maps regarding wildfire risk, wildlife habitat, and watershed in the Bay Area.

She noted that Resource Conservation Districts are the entities created by the State of California to work across land ownership to accomplish conservation priorities and the District was formed in San Mateo County to offset the impacts of development.

SMRCD Director, TJ Glauthier, thanked LAFCo staff for their work on the District's Municipal Service Review (MSR) and for conducting the SOI. He said they appreciate the recommendation provided by staff to include the previously excluded areas on the coast side as it would be representative of the work they do today versus what the District did 60 years ago. He encouraged the Commission to consider the broader SOI determination that would include the properties between Skyline and 280.

Chairman Slocum opened and closed the public hearing. No comments were received.

Commissioner Draper said she learned a lot from the presentation and was in favor of adopting the SOI as proposed by the District, which includes additional territory along Skyline Blvd. She noted the importance of providing technical assistance to agencies and property owners and added that it is really important to include the whole of those areas in the opportunity to receive technical assistance.

Commissioner Horsley stated that while being on the Board of Supervisors he has worked with Ms. Nelson on a variety of projects in his Supervisorial district. He said the SMRCD is an underappreciated and under resourced agency that does phenomenally good work. He said he is supportive of the recommendations to expand the SOI as recommended by the District and eventually incorporate those areas into the District.

Commissioner Lohman agreed with the comments made by Commissioner Draper about integrating protection for everything as a coordinated effort versus having multiple agencies. He said that one major problem post-pandemic will be water conservation and protection of watersheds. He said that if the District would be of help for that he would be in favor of the expanded SOI.

Commissioner Martin agreed with Commissioners Lohman and Draper. She said as a resident of Half Moon Bay she is aware of extraordinary work the District has done.

Commissioner Rarback said that the District has done incredible work. He noted that the maps presented by Ms. Nelson show how the area between Skyline and 280 is really essential in regard to resources in our County. He said he is in favor of expanding the SOI as proposed by the District.

Vice Chair O'Neill said that he is in support of expanding the District. He asked for clarification on what the issue is with LAFCo not supporting the proposed District areas.

Ms. Poyatos responded that one of the driving factors was that the majority of the territory is not assessed and would not generate revenue for the District. She also said that the District is authorized to provide services outside boundaries. She noted that from what Ms. Nelson presented in regard to watersheds and evolving needs related to climate change staff would support the expanded sphere.

Commissioner O'Neill said he would support the recommendations from the District.

Chairman Slocum said that he is supportive of recommendation of the District.

Commissioner Horsley made a motion to adopt the updated SOI for the San Mateo Resource Conservation District with additional territory as proposed by the District. Commissioner Draper seconded the motion which passed unanimously by roll call vote. (Ayes: Commissioners Draper, Rarback, Horsley, Lohman, Martin, Vice Chair O'Neill, Chair Slocum. Abstentions: None; Noes: None)

6. Update on Potential Municipal Service Review for East Palo Alto Sanitary District, West Bay Sanitary District, and City of East Palo Alto

Ms. Poyatos provided an overview of the boundaries of the East Palo Alto Sanitary District, West Bay Sanitary District and the City of East Palo Alto noting that the East Palo Alto Sanitary District (EPASD) includes the majority of East Palo Alto and a small portion of Menlo Park, West Bay Sanitary District (WBSD) also serves East Palo Alto, west of Highway 101. She added that certain projects under consideration by the City of East Palo Alto are within the boundaries of both districts. She said that both districts are independently governed special districts with boards elected by voters in the districts.

Ms. Poyatos referred to staff report dated January 13 summarizing that at the October 21 meeting the Commission considered a report regarding a request that LAFCo initiate an MSR for EPASD, WBSD, and the City of East Palo Alto to assess the finances, infrastructure and governance. She stated that at the October LAFCo meeting, the Commission approved preparation of a consultant prepared MSR conditioned upon the developers funding the

preparation so as to not affect the completion of the work program. She said that staff was directed to prepare a request for proposals (RFP) for MSR covering the EPASD, WBSD and the City of East Palo Alto and to move forward with the MSR with two conditions. She said the first condition was preparation of the MSR conditioned upon developers funding not just the cost of the MSR but also cost for preparing RFP. Second condition was that the developers and the City of East Palo Alto and EPASD be given the opportunity to pursue mediation and an agreement on capital improvement cost methodology required for issuance of the will serve letter to for City approved projects before issuing the RFP. She noted that two developers with approved projects but do not yet have will serve letters, Sobrato and MidPen Housing, have indicated that their efforts for mediation and methodology for cost sharing were to no avail.

Ms. Poyatos noted that since the agenda packet for this meeting was released LAFCo received a one letter provided by the EPASD General Manager from SR Diversified commenting on supplemental cost sharing proposal for the City approved projects, a table labeled rate scenario, and a letter from EPASD to Holland & Knight, representing Sobrato and MidPen Housing dated March 10, 2020. She also noted that LAFCo received a letter from EPASD Board Member Dennis Scherzer dated January 18, 2021. The City of East Palo Alto also resent their letter from October and indicated their support for preparation of the MSR has not changed.

She said that the reason for requesting a prioritized MSR is the inability of the developers to obtain will serve letters for sewer service as well as cost sharing plans on capital improvements to serve the projects. She added that LAFCo staff has been contacted by a third developer, The Emerson Collective, regarding their proposed developments at 2535 Pulgas Avenue, which is an office building, and a 52 acre site proposed for office, residential, research and development and recreational uses. She said this project is within the boundaries of both EPASD and WBSD.

Ms. Poyatos stated that the scope of an MSR is contained in Government Code Section 56430, which includes seven areas of determination, as well as those in local LAFCo policy. She concluded that the record of meetings and correspondence indicate an inability of the parties to agree on a path forward on how new development can be provided sewer service. She noted that while the EPASD asserts that they have no role in the City's land use, the City and the District share the same constituency and rate payers and it is in the best interest of this shared constituency that the MSR be prepared to provide third party assessment of sewer infrastructure, service capacity and transparency to inform the City council, the EPASD board and the developers and rate payers on a path forward.

Chairman Slocum opened public comment.

Akin Okupe, EPASD General Manager, informed the Commission that the problem the District is dealing with is who is going to pay for the upgrade to the sewer system. He said the background of the problem is that Sobrato Organization purchased a property that used to discharge 1,000 gallons per day to the District's collection system and they plan to replace the property with a high-rise building that is going to discharge 20,000 gallons per day into the collection system. He said this is going to be a huge impact on the collection system and that the system does not have the capacity for this project. He stated that the existing pipe is in very good condition, and that it can last for another 10-15 years. He noted that based on industry practice, when a developer wants to build a project they include a plan to upgrade the collection system. Mr. Okupe expressed concern about the accuracy of the CEQA document and the idea that the existing rate payers would be responsible to pay for the infrastructure improvements through increased sewer rates.

Patrick Heisinger, City of East Palo Alto Assistant City Manager stated that the City's position cited in their letter has not changed. He noted that there is an affordable housing development that is fully entitled and ready and the City purchased the property in 2009 and has invested \$24 million into the project. He noted that in addition to trying to help advance several other development projects, the Council is looking forward to advance critical affordable housing initiatives. Mr. Heisinger stated he wanted to clarify for the record about the City keeping EPASD informed on development in the City. He said they have documented in public numerous times where the environmental impact reports have been sent to the EPASD. He noted that there is a sitting sanitary district Board Member that was on the city strategic plan for the general plans. He concluded that they are at an impasse.

Tim Steele, Senior VP of Sobrato Organization, suggested that LAFCo was not the venue to negotiate for sewer will serve letters. He noted that there are several other developers who are frustrated with the EPASD permit process. Mr. Steele said their request is not to have LAFCo negotiate these transactions and step in the middle and mediate, but that LAFCo should move forward with the MSR, which should be an impartial study. He said that the cost to LAFCo is zero as the development projects have indicated they would pay for the cost of the MSR. He added that they are not expecting the City to participate in payment as they all want to pay for it out of private dollars rather than public.

EPASD Board Director Dennis Scherzer stated that one of their problems is that the City has a lot of projects planned and they are not synchronized. He said the Sobrato II project would empty into the Donohoe street line, but now upstream there's a proposed apartment complex with 444 units, with 100,000 gallons of effluent per day. He said there was also another project downstream and these have not been coordinated. Director Scherzer expressed concern about the environmental documents (EIRS) for City projects. He stated that the EIRs were probably received by the District but questioned why the District wasn't

included in the preparation. He said their reports were based on a lack of information. He noted that in terms of the Emerson Collaborative straddling the boundary line, it looks like there would have to be an annexation to WBSD. He questioned why the developer and the City haven't raised concerns with WBSD, including the need to build a bigger pump station in anticipation of what was in the general plan. He said EPASD is in fine shape to serve the people they represent. He cited an excerpt from the California Constitution, Article 13b Section 6 regarding how fees are charged for development and what fees can be used for and noted that as Board members they uphold the Constitution.

Jeff Poetsch, President of Ravenswood Shores Business District located in East Palo Alto stated that they represent about 80% of the property owners in the Ravenswood area. He indicated that in prior discussions with the EPASD and Business District Directors there was nothing that addressed a reason not to do the MSR. He said it would be informative to the City and District and he would hope that the MSR could move forward to benefit the community of East Palo Alto.

Chairman Slocum closed public comment.

Commissioner Draper said that after reading all the materials she is in favor of doing an MSR as shown in the recommended action. She said that during the 1980s she was the planning officer for the City of Sunnyvale at the time when the City had to implement a sewer moratorium. She said during this time she was involved in how the sanitary sewer system planning had to include not only existing development, but also for expansion. She said the City also had restrictions as the District has described and yet they were able to plan not only for existing people but also for the future. She said she also worked for the City of Fremont where she was involved in a big revision of its general plan and they needed to work with their utility district and sanitary district to make sure they had the capacities in service, pipes and line surges. She said that all the information she read does not line up with her past experience. She concluded that to answer these questions, an MSR should be conducted and she supports the staff recommendation.

Commissioner Horsley stated that he worked with Dennis Scherzer in 1993 in East Palo Alto and that he was really helpful and influential at that time and that it's good to hear from him. He said he supports the MSR because it's pretty clear that there's an impasse between the agencies. He stated that the information could help them make a decision to move forward.

Commissioner Lohman began by stating that he does not want his comments construed as being against the MSR, instead his comments are directed at the impasse. He said that to him the problem comes down to who's going to pay for this expansion. He referred to a letter received from Mr. John Reiner from Kennedy Jenks who has been retained by

Sobrato. He said they have been consultants on projects in his district. He noted that the letter repeats the Sobrato organization's opinions. He said that he does not feel there is conflict of interest in the fact that he knows the consulting group. He said that when he first joined LAFCo he was told that though he represents the special districts in the county he should think and vote as a County citizen and he said his comments are in that vein. He said that the application and verbiage he's seen in the discussion is an attack on the EPASD. He said this is a danerous precedent for San Mateo County and all its residents because all the residents in this County are served by multiple special districts.

Commissioner Lohman noted that he has served on special districts for over 15 years and not once has a commercial or residential project been proposed to have current rate payers pick up infrastructure cost. He stated that on this project the City and the developers have laid blame on the current impasse on the EPASD, they state that EPASD never attended a city planning and is now trying to block the project. He said that Mr. Okupe responded correctly and he believes that special districts are not planning agencies. He said that development planning is the job of the cities and counties, noting these are all represented on LAFCo. Commissioner Lohman said that as Mr. Okupe stated that District responsibility is to receive an application, do a complete engineering study of the project, its effect on the current infrastructure, and the cost of the project. The District would then discuss with the applicant how it intends to pay costs, and the special district takes no action until approved application is submitted. He stated that in his own district this same process is adhered to and is established in formal procedures. He said that often the first time a special district reviews an application is the when reviewing an EIR. He said that in responding to an EIR the District iterates all the items he mentioned. He stated that the City of East Palo Alto and the developers have requested an accelerated MSR, his concerns with this request is the implied threat that goes along with it. The implication for EPASD is that if they don't yield the demand and pass the development costs on to their rate payers, the applicants will press to dissolve or merge the district out of existence. He said this is a grievous misuse of LAFCo's MSR process. He said that the applicants are demanding the special district break its procedures and possibly go against California laws that describe the operation of special districts.

Commissioner Lohman said that since the MSR will move forward he would formally request that five items be added to the RFP: 1) review of CA state laws that define special districts and the actions that they can take concerning applications 2) legality of developer passing project costs onto existing customers 3) a document from the developer who's applying for this to list all the projects they know where applicants have successfully passed their costs on to the existing special district customers 4) analysis of other projects across San Mateo County special districts and the procedures for cost assignment to projects 5) comments from WBSD on how they will be distribute costs for projects.

Commissioner Rarback stated that when East Palo Alto was incorporated the decision to not include a sanitary district or sanitary service narrowly lost and had it won he believes we would not be here today. He said that the proposal for an accelerated MSR makes eminent sense, we really need a comprehensive solution to providing services to find out who does what and who pays for what. He indicated agreement that an accelerated MSR needs to pass to get movement that is needed between the various agencies.

Vice Chair O'Neill began by stating that he is in favor of moving the MSR forward and more information is appropriate for anybody to make a decision to move forward. He said he spoke to Ms. Poyatos and she confirmed the last MSR for EPASD was about 11 years ago. He said the entire County has changed in 11 years and an area such as East Palo Alto has had significant amount of changes. He said that in regard to Commissioner Lohman, he does support inclusion of items 1 and 2 in the RFP. He noted that it would be good to have a non-partial judgement analysis as to what the Constitution says and what the law is. He said he would like to see the MSR move forward with or without the amendments.

Chairman Slocum began by stating that he has been associated with work in East Palo Alto since its incorporation. He said he agrees with Commissioner O'Neill's comment about more information being helpful for everybody. He noted that the MSR would be in the best interest of East Palo Alto and its surrounding communities. He indicated his support of the accelerated MSR.

Commissioner Draper added that as previously stated, she worked for an agency that needed to look at existing and future development potential and they figured out how to finance it with the same restrictions so there are models out there to show how these things are put together. She added that when she read the material it did not include the possibilities that other agencies have used to allow for this growth. She also noted that in the agencies where she worked, the sanitary district did not wait for a proposal to come in, rather it had a plan to look to the future.

Commissioner Horsley moved to direct staff to produce and issue a request for proposals for a municipal service review for East Palo Alto Sanitary District, West Bay Sanitary District and the City of East Palo Alto upon receipt of a deposit in the amount of \$2,800. Vice Chair O'Neill seconded.

Commissioner Lohman requested for formal addition to the MSR RFP: 1) investigate legal ramifications 2) survey to special districts on whether developers are requesting the agency pick up all the costs or creative solutions.

Commissioner Martin noted that she never considered an MSR as a threat to the operation of a special district but rather a third-party evaluation.

Commissioner Rarback stated that he is not in favor of exploring legality and ramification of the MSR within the context of the RFP.

Commissioner Horsley restated his motion to direct staff to produce and issue a Request for Proposals for a Municipal Service Review for East Palo Alto Sanitary District, West Bay Sanitary District, and City of East Palo Alto upon receipt of a deposit in the amount of \$2,800. Vice Chair Mike O'Neill seconded the motion which was and passed unanimously by roll call vote. (Ayes: Commissioners Draper, Rarback, Horsley, Lohman, Martin, Vice Chair O'Neill, Chair Slocum. Abstentions: None; Noes: None)

7. Legislative and Policy Committee

a. Legislative Report

Mr. Bartoli stated that CALAFCO is now tracking 3 bills that have been introduced in 2021. He referred to staff report attachments including summaries of the 2020 California State Assembly – Local Government Committee and the California State Senate – Senate Committee on Governance & Finance. He said that due to the focus on the response to Covid-19, only one bill, AB 3312, affected LAFCo's and this was the bill specific to an annexation to the City of Merced.

Chairman Slocum opened and closed the public hearing. No comments were received.

8. Commissioner/Staff Reports

Commissioner Horsley said he appreciated the presentation from Ms. Nelson on the Resource Conservation District and all that they do. He noted that looking at the conflict between EPASD, he hopes that they are able to shed light on a solution for the City of East Palo Alto.

Commissioner Rarback, shared that he is delighted to be part of LAFCo and pledged to do his best for the entire County.

9. Adjournment

Chair Slocum adjourned the meeting at 3:45 p.m.

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 10, 2021

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst

Subject: LAFCo File No. 21-01- Proposed annexation of 20 Sioux Way, Portola Valley (APN 077-310-020) to West Bay Sanitary District and subsequent annexation to the On-site Wastewater Disposal Zone (1.1 acres)

Summary

This proposal, submitted by landowner petition, requests annexation of 20 Sioux Way, Portola Valley to the West Bay Sanitary District and connection to the District's sewer main. 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 \$1,744,200. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has three 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-intensity residential and zoning is residential estate, single-family (one to two acres 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. The Town also reserves the right to review landscaping requirements for any above ground infrastructure that is part of this project.

COMMISSIONERS: WARREN SLOCUM, CHAIR, COUNTY ▪ MIKE O'NEILL, VICE CHAIR, CITY ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

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.

West Bay Sanitary District: Fees for annexation, permits and annual service charges will be required. Annexation to the On-site Wastewater Disposal Zone will be required and to construct a STEP System on the property and connect to the existing force main on Sioux Way. All costs will be paid by the project proponent.

Executive Officer's Report

This proposal has been submitted by landowner petition in order to connect a developed residential parcel to public sewer to support a remodel for the existing home. The territory proposed for annexation is located in the Town of Portola Valley at 20 Sioux Way near Cervantes 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 in order 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 56663(c) 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. Paragraph (c) was added to Section 56663 to streamline proceedings in which landowners have already given consent to

uninhabited annexation. The landowners have requested, and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

By resolution, approve LAFCo File No. 21-01 - Proposed annexation of 20 Sioux Way, Portola Valley (APN 077-310-020) 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 20 Sioux Way, Portola Valley
- B. Vicinity Map

cc: Sergio Ramirez, General Manager, West Bay Sanitary District
Cesar Donofrio, Property Owner

**APPLICATION FOR A CHANGE OF ORGANIZATION, REORGANIZATION, OR OUTSIDE 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.

To establish sanitary sewer service and annex subject property (20 Sioux Way, Portola Valley) into West Bay Sanitary District sewer system.

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?

To connect to West Bay Sanitary District sewer system for building service.

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

Yes No

5. Estimated acreage: 1.14 acres

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.

West Bay Sanitary Sewer District and Town of Portola Valley

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
<i>Police (example)</i>	<i>Co. Sheriff</i>	<i>City Police</i>	<i>N/A</i>	<i>Taxes</i>
<i>Sewer (example)</i>	<i>None</i>	<i>City of . . .</i>	<i>Proponent</i>	<i>Fees</i>
SEWER	NONE	WBSD	PROPONENT	FEEES

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.

Located at the crossroads of Sioux Way and Cervantes Road with project frontage along Sioux Way.
Approximately 3 miles from Highway 280.

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

Residential

3. How are adjacent lands used?

North: Single-family, Residential Property
 South: Single-family, Residential Property
 East: Single-family, Residential Property
 West: Single-family, Residential Property

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

Internal remodel of single family home

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

Low Residential

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

R-E (Residential Estate)

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

N/A

8. What additional approvals will be required to proceed?

Town of Portola Valley, Regional Water Control, and WBSD

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?

N/A

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?

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: Cesar Donofrio

EMAIL: C.DONOFRIO@MAKINGSENSE.COM

ADDRESS: 20 SIOUX WAY, PORTOLA VALLEY, 94028

TELEPHONE: 650-575-7337

ATTN: _____


Signature of Proponent

Addendum to Application titled LAFCo File No. 21-01 --

Proposed Annexation of/for (Address)

20 Sioux Way, Portola Valley

APN's 077-310-020 (List)

to WBSD

As part of above noted application submitted by petition, the Chief Applicants, (Cesar Donofrio) 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.

Cesar Donofrio

Date 1-29-2021



Date

Date

Date

**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 into the West Bay Sanitary Sewer District Sewer sewer system.
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. See attached exhibit "B"
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:
To receive sanitary sewer service from the West Bay Sanitary District.
7. The proposed Annexation is requested to be made subject to the following terms and conditions: N/A
8. The persons signing this petition have signed as:

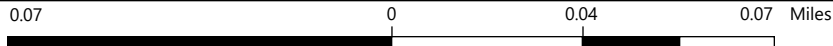
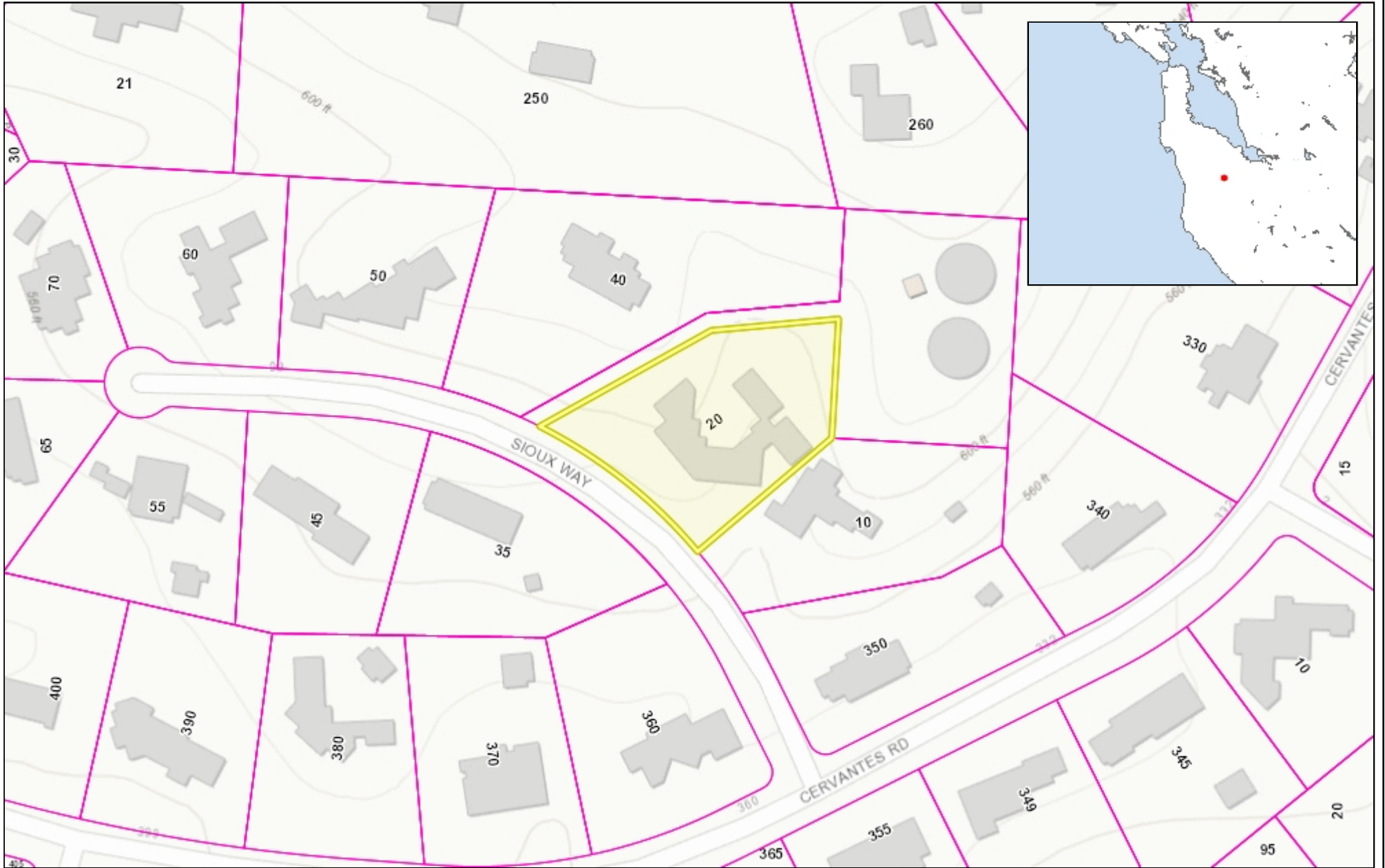
__ registered voters or Owners of land (check one) within the subject territory.

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*
1/29/2021	Cesar Donofrio	 20510UX WAY PORTOLA VALLEY, CA 94028	077-310-020

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



WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:2,257 

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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 10, 2021

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst

Subject: LAFCo File No. 21-02- Proposed annexation of 155 Grove Drive, Portola Valley (APN 079-011-080) to West Bay Sanitary District and subsequent annexation to the On-site Wastewater Disposal Zone (1.25 acres)

Summary

This proposal, submitted by landowner petition, requests annexation of 155 Grove Drive, Portola Valley to the West Bay Sanitary District and connection to the District's sewer main. 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 \$6,395,000. 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-intensity residential and zoning is residential estate, single-family (one to two acres 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. The Town also reserves the right to review landscaping requirements for any above ground infrastructure that is part of this project.

COMMISSIONERS: WARREN SLOCUM, CHAIR, COUNTY ▪ MIKE O'NEILL, VICE CHAIR, CITY ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

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.

West Bay Sanitary District: Fees for annexation, permits and annual service charges will be required. Annexation to the On-site Wastewater Disposal Zone will be required and to construct a Grinder Pump System on the property to be served and connect to the existing force main on Grove Drive. All costs will be paid by the project proponent.

Executive Officer's Report

This proposal has been submitted by landowner petition in order to connect a developed residential parcel to public sewer to support the construction of a new assessor dwelling unit. The territory proposed for annexation is located in the Town of Portola Valley at 155 Grove Drive near 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 in order 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 56663(c) 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. Paragraph (c) was added to Section 56663 to streamline proceedings in which landowners have already given consent to

uninhabited annexation. The landowners have requested, and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

By resolution, approve LAFCo File No. 21-02- Proposed annexation of 155 Grove Drive, Portola Valley (APN 079-011-080) 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 155 Grove Drive, Portola Valley
- B. Vicinity Map

cc: Sergio Ramirez, General Manager, West Bay Sanitary District
Scott and Kathleen Mitic, Property Owner

**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 155 Grove Drive, Portola Valley to 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) **X** Uninhabited
 5. This proposal is **X** is not __ consistent with the sphere of influence of the affected city and/or district(s).
 6. The reason(s) for the proposed **annexation**_(annexation, detachment, reorganization, etc.) is/are: **To connect SFR and required for new ADU to be built to public sewer.**

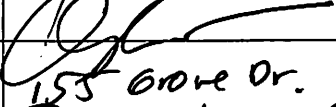
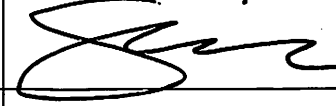
7. The proposed **annexation** is requested to be made subject to the following terms and conditions:

8. The persons signing this petition have signed as:

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

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*
Feb 3, 2021	Kathleen Mitic	 155 Grove Dr. Palo Alto Valley CA 94028	079-011-080
Feb 3, 2021	Scott Mitic		079-011-080

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

**APPLICATION FOR A CHANGE OF ORGANIZATION, REORGANIZATION, OR OUTSIDE 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.

Annexation of 155 Grove Drive to WBSD, Portola Valley

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?

To establish sanitary sewer and annex subject property (155 Grove Drive, Portola Valley) into WBSD sewer system required for new ADU to be built.

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

Yes No

5. Estimated acreage: 1.25

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.

West Bay Sanitary District (WBSD)

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
<i>Police (example)</i>	<i>Co. Sheriff</i>	<i>City Police</i>	<i>N/A</i>	<i>Taxes</i>
<i>Sewer (example)</i>	<i>None</i>	<i>City of . . .</i>	<i>Proponent</i>	<i>Fees</i>
Sewer	None	WBSD	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.

155 Grove Drive - intersects with Portola Road (approx. .2 miles) & approx. 1 mile West of Alpine Road, Portola Valley

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

Residential

3. How are adjacent lands used?

North: Residential

South: Residential

East: Residential

West: Residential

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

New ADU per plans (approx. 800 sq/ft)

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

Low Density Residential

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

R-E (Residential Estate)

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?

LAFCo approval, WBSD Permits, PV Building Permits, Septic Abandonment Permit, Road Encroachment Permit

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: Scott Mitic

EMAIL: SCOTTMITICEMAIL.COM

ADDRESS: 155 Grove Dr, Parkside
Valley CA
94028

TELEPHONE: 415 297 2007

ATTN: _____

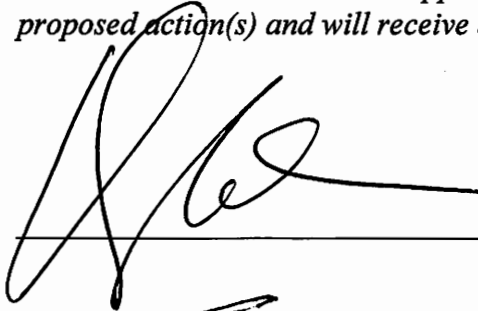

Signature of Proponent

Applica_blk.doc
(10/6/2000)

Addendum to Application titled LAFCo File No. 20-02 --
Proposed annexation for 155 Grove Drive, Portola Valley

APN's 079-011-080
to West Bay Sanitary District

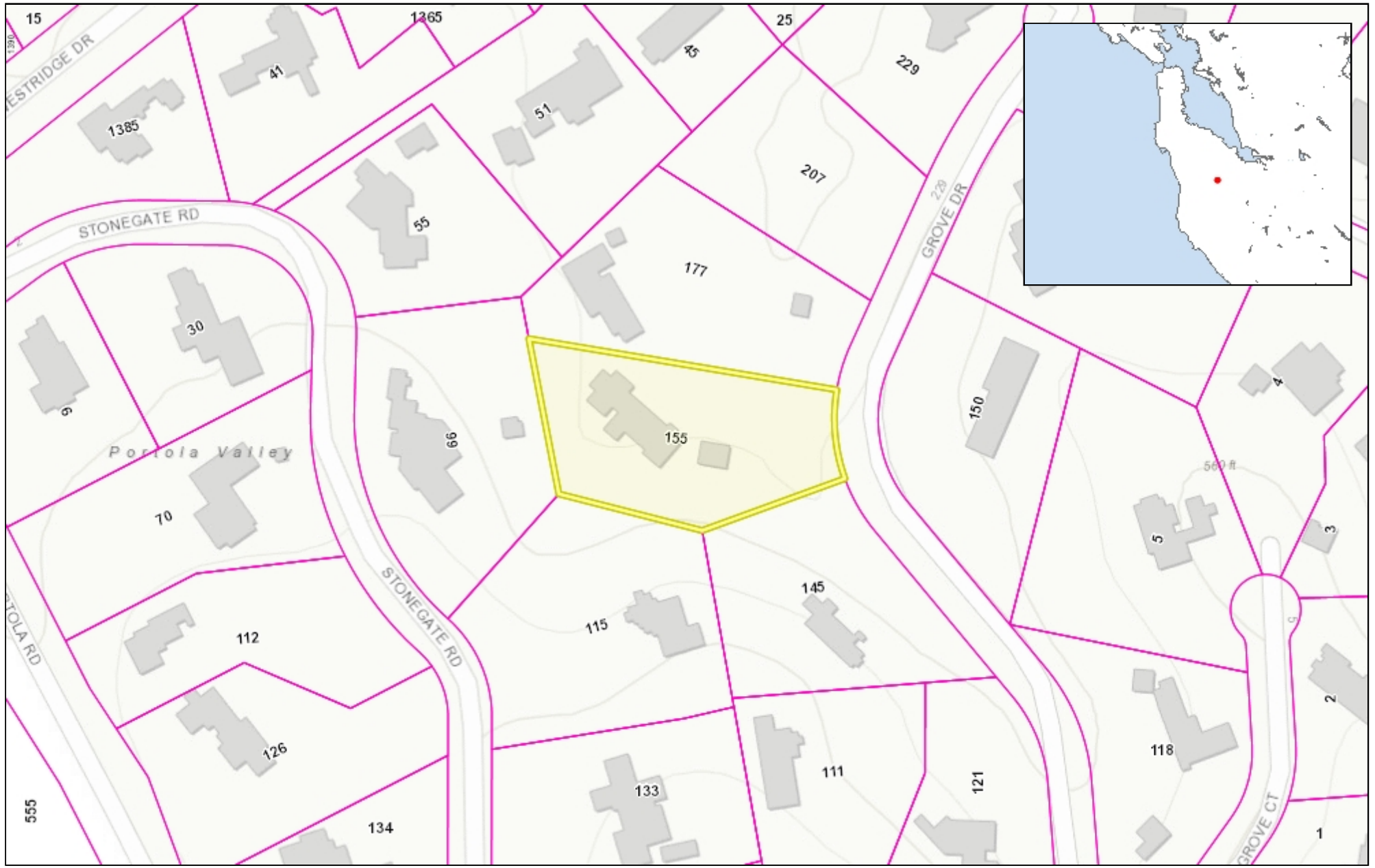
*As part of above noted application submitted by petition, the Chief Applicants, **Katie & Scott Mitic** as Applicants and subject landowner(s), real parties in interest, agree to defend, indemnify, hold harmless, and release the San Mateo LAFCO, its agents, Commissioners, Executive Officer, attorneys, 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 Feb 3, 2021


Date Feb 3, 2021

Date _____

Date _____



WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:2,257

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LOCAL AGENCY FORMATION COMMISSION

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

March 10, 2021

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst

Subject: Consideration of Adoption of Proposed Work Program and LAFCo Budget for Fiscal Year 2021-22

Budget Review Schedule and Background

Section 56381 of Cortese-Knox-Hertzberg 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, the cities and independent special districts¹. 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

¹ 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: WARREN SLOCUM, CHAIR, COUNTY ▪ MIKE O’NEILL, VICE CHAIR, CITY ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O’NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

how excess or reduced fund balance shall be applied to the LAFCo budget. It is recommended that the Commission adopt 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.

Billing of One-Third LAFCo apportionment to County, Cities and Independent Special Districts

In previous budget cycles, the Commission adopted a draft proposed budget before May 1 and a final proposed budget by June 15 as required by the Cortese-Knox-Hertzberg Act. In September, the Commission would then adopt revisions to the budget to reflect the final actual fund balance for the prior fiscal year. After these revisions, LAFCo staff transmitted the budget to the County Controller's Office to invoice member agencies for their share of the one-third apportionment. Waiting to invoice cities and districts until September has resulted in a negative cash balance. To address this issue, LAFCo staff will transmit the adopted budget to the Controller by the June 15 so that the Controller can expedite invoicing funding agencies for their share of the LAFCo budget.

Proposed 2021-22 Budget

The attached draft budget includes the actual budget for 2019-2020, adopted and estimated actual for 2020-21 and the draft proposed 2021-22 Budget of \$769,299. Key items addressed in more detail below include \$5,000 in one-time funding for the purchase two new laptops needed for working remotely, \$10,170 for CALAFCO Conference and Staff Workshop attendance, and a \$10,000 increase in County Counsel. This results in an increase in the net operating budget of approximately \$35,000 and an associated increase in apportionment to funding agencies. The proposed one-third apportionment is \$210,298, an increase of \$28,819 from FY 2020-21. The 2020-21 Budget reflected reductions to minimize the impact of the LAFCo budget on the County, cities and special districts as LAFCo's funding agencies, including the removal of appropriations for meetings and conferences.

Proposed Work Program

The following draft 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.

MSRs/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 a MSR. San Mateo LAFCo has completed first round MSR's for all districts except Westborough Water District and all cities except Foster City, Burlingame, Hillsborough, Millbrae, San Bruno and South San Francisco.

Task	Progress	Comments
<p>Prepare Municipal Service Reviews and Sphere of Influence Studies for the following anticipated agencies: South San Francisco and Westborough Water District (in progress) San Mateo Harbor District (2021) City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District (Consultant, late 2021) San Bruno and Millbrae (late 2021) CSA-11 (later 2021) Burlingame, Hillsborough and Foster City (2022) County-wide Fire Study (2022-23) If approved by the Commission</p>	<p>On-going</p>	<p>All studies will include administrative and public hearing drafts. The MSR for City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District will be consultant prepared and funded by developers with no cost to LAFCo or member agencies</p>
<p>Process applications for boundary changes in a responsive, professional and efficient manner.</p>	<p>On-going</p>	<p>Priority is given to applications for economic development, public health and safety, or other urgent needs. Potential proposals include: CSA-11 annexation West Bay Sanitary District divestiture of solid waste Belmont annexation</p>
<p>Complete annual audits for Fiscal Year 2018-2019 and 2019-2020.</p>	<p>2018-2019 is on-going</p>	
<p>Comment on potential LAFCo applications, relevant projects & development proposals, city General Plan updates and/ or related environmental documents</p>	<p>On-going as needed</p>	
<p>Initiate informal meetings to discuss budget and policy issues with Cities, Special Districts, and County, as appropriate.</p>	<p>On-going</p>	
<p>Update contract with County</p>	<p>New</p>	<p>Proposal to update annual contract with County to better reflect services provided by County staff and departments to LAFCo</p>

Post public information on the LAFCO website and review website layout, graphics, and content for ease of public use.	On-going	San Mateo County, which hosts the LAFCo website, is in the process of updating a new website platform. This process is just starting and is likely to last into 2022
Provide Commission with regular updates of laws, policies, and procedures.	On-going	
Implement quarterly update for budget	New	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
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	Committee on updating the Commission's Policy and Procedures and will be bringing recommended updates to the Commission in the coming months including a reserve policy and update administrative/budget policy

CALAFCO	On-going	Support activities including serving as the CALAFCO Deputy Executive Officer
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Estimated Actual 2020-21 Budget

The 2020-21 Adopted Budget includes appropriations for the Executive Officer, Management Analyst and shared Executive Secretary; Commission meetings; County Counsel; general operating expenditures including rent, supplies, etc.; travel; meetings and legal counsel. Staff is conservatively estimating County Counsel actual charges based on the complexity of the several anticipated applications. Revenues include fund balance carry over, application fees (estimated to come in under the projected) and the intergovernmental revenue from the County, cities and special districts.

As noted below, based on estimated revenues and expenditures, the estimated fund balance carryover to be applied to the 2020-21 fiscal year is \$38,877.

Proposed 2021-22 Budget

Salary and Benefits

Salary and benefits of \$480,336 reflects the Executive Officer position, Management Analyst, and Commissioner stipend. On a limited basis, this account is charged for extra-help staff time to assist LAFCo staff with website updates.

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 Controller Administrative Fees (Account 5872) which is an estimated charge, expenditures reflect service charges provided by County departments.

As a response to the need to work remotely and requirements of the County Information Service Department (ISD), LAFCo replaced two existing desktop computers with laptops for a total cost of \$5,000.

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 training, 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 FY 21-22 for CSDA are estimated.

Meetings and Conferences

CALAFCO, along with CSAC, League of Cities and CSDA, is planning to hold an in-person annual conference and staff workshop. The Meetings and Conference appropriation is estimated at \$10,170 based on the annual CALAFCO conference venue in Orange County and budgeting for staff to attend the staff conference in 2022, also in Orange County.

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. The rent charges increase to \$13,587 for two workstations for LAFCo staff. The allocation for County Counsel has been increased to \$40,000 in anticipation of potential for complex proposals this fiscal year that may require additional legal review and consultation. The proposed budget includes \$4,000 for the recording of LAFCo meetings in anticipation of returning to in-person meetings. Because LAFCo relies on County offices and meeting rooms, LAFCo will follow the County policies and procedures in returning to in-person Commission meetings at the Board of Supervisors Chambers.

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 2021-22 allocates \$10,928 compared to \$9,861 in the current fiscal year.

Reserve

Staff recommends making no additional appropriation to the reserve of \$61,131. 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 municipal service reviews and sphere studies.

This year's estimated fund balance carry over is \$38,877 to offset agency costs. The proposed draft 2021-22 budget includes no appropriation for consulting and an apportionment of \$61,131 to reserve maintaining the 2020-21 reserve amount.

Review by Budget Committee

The Budget Committee unanimously recommended approval of the Draft Proposed FY2021-22 budget

Recommendation:

1. Open the public hearing and accept public comment.
2. Consider and approve by motion the attached Proposed Budget of \$769,299.
3. Direct the Executive Officer to schedule the Final 2021-22 Budget for a public hearing at the May 19, 2021 Commission meeting and circulate it with any necessary amendments to the County, cities, and independent special districts.

Attachments

- A. Budget Spreadsheet for FY21-22
- B. Adopted FY 20-21 Budget and previous years

LAFCO PROPOSED 2021-22 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)

Salary and benefits of \$516,861 includes the County position of Principal Management Analyst that serves as Executive Officer by contract with the County, Management Analyst salary and benefits, Executive Officer 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.

Services & Supplies

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 \$500 for incidental office supplies provided to LAFCo.

Photocopy (5196)

A flat appropriation of \$500 for incidental copies made from the Planning Department copier where the LAFCo office is located.

Postage & Mailing (5197)

Appropriation of \$1,200 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 \$5,000 in one-time funds to replace two existing desktops.

Software License (5212)

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.

Legal Advertising (5341)

Appropriation of \$1,200 for legal notices published in newspapers for LAFCo hearing items that require notice.

Mileage Allowance (5712)

Appropriation of \$250 for mileage reimbursement.

Video Recording of Commission Meetings

\$4,000 based on minimum of 4 hours at \$100 per hour and carry over from charges not received in FY 21-22. Six regular meetings of various duration and one potential additional meeting.

Meetings & Conferences (5721)

The Meetings and Conference appropriation is estimated at \$15,660 based on the annual CALAFCO conference venue in Orange County and budgeting for staff to attend the staff conference in 2022, also in Orange County.

Training (5733)

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

Fiscal Office Specialist (5814)

Appropriation of \$1,200 for a County Fiscal Office Specialist to process LAFCo accounts receivable, accounts payable, and payroll.

.5 FTE Executive Secretary (5838)

Appropriation of \$58,161 for part-time contracted Executive Secretary position. This amount includes salary, benefits, and administrative overhead charges from County Planning.

Outside Auditing Services (5842)

Allocation of \$12,700 for outside auditing services for the conclusion of the FY18-19 audit and the commencement of the FY19-20 audit.

Graphics/GIS (5848)

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

Consulting (5856)

No appropriation for consulting recommended at this time. Anticipated consulting costs for the prioritized municipal service review for the City of East Palo Alto, East Palo Alto Sanitary District and West Bay Sanitary District will be funded by developers and therefore have no impact on the LAFCo budget.

GIS (5861)

Appropriation of \$1,000 for special work completed by ISD/Public Works GIS mapping related to LAFCo applications or studies.

Controller (5872)

Estimated Cost of \$3,000 for administering the apportionment and collection of LAFCo budget to County, cities, and special districts.

Telephone (6712)

Estimated telephone charges of \$350 for Executive Officer and Management Analyst phone lines.

Other Information Services Department (ISD) Services (6713)

An estimate of \$11,500 for computer support, connectivity, etc.

Rent (6714)

Rent charges of \$13,587.

General Liability (6725)

Estimated appropriation of \$8,500 for insurance through CSDA and employee insurance with County of San Mateo.

County Counsel (6732)

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

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 2021-22 allocates \$10,928 compared to \$9,861 in the current fiscal year.

Reserve (8612)

Staff recommends appropriating \$61,131 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 is required. Commission authorization is required to spend reserve.

LAFCo	DRAFT Recommended FY 21-22 Budget	Final Actual FY	Adopted FY 20	Est. Actuals FY	Proposed FY 21-22	
	March 10, 2021	19-20	21	20-21		
	Expenditures					
4111	Salary & Benefits Executive Officer	253,324	273,234	273,234	275,588	
4111	Salary & Benefits Management Analyst	178,075	190,570	190,570	200,714	
4141	Admin. Leave Cash Out	0	0	0	0	
4161	Commissioner Compensation	3,250	4,800	4,800	4,800	
4000	SALARIES & BENEFITS SUBTOTAL	434,649	468,604	468,604	481,102	
5132	Internet/Communications	0	0	482	950	
5184	Refund County overpayment in 2014/15 & 18/19	0	17,346	0	17,346	Transfer funds via journal entry in FY 21-22
5191	Outside Printing (other special printing)	0	1,000	0	1,000	
5193	General Office Supplies	345	500	500	500	Estimated
5196	Photocopy - in-house copier	500	500	500	500	Estimated
5197	Postage & Mailing Service	219	1,200	5	1,000	
5211	Computer Supplies	243	300	243	500	
5212	Computer Equipment under \$5,000	0	1,500	0	5,000	Purchase of two laptops to replace desktops
5215	Software License	0	0	264	700	
5218	Corovan Records Storage	233	700	200	700	
5331	Memberships (CALAFCO/CSDA)	7,505	16,000	12,144	16,000	Estimated CSDA dues and actual CALAFCO dues
5341	Legal Advertising	1,002	1,200	285	1,200	
5712	Mileage Allowance	291	250	0	250	
5721	Meetings & Conferences	8,051	0	0	10,170	Estimated at \$250 round trip per person from SFO to Orange County, \$194 for lodging a day per CALAFCO, \$66 for meals per GSA, registrations rates (310 for staff workshop and 520 for annual conference) 3 staff for workshop, 3 staff and 3 commissions or conference
5733	Training	50	250	0	250	
5814	Fiscal Office Specialist	988	988	988	1,526	
5838	.5 FTE Exec. Secretary	40,989	57,856	57,856	58,161	
5842	Outside Auditing Services	1,498	7,700	2,000	12,700	Need to carry over what is in the budget this year to pay for rest of FY 18-19 and for next 19-20
5848	Graphics	350	1,500	0	1,500	
5856	Consulting	0	0	0	0	
5858	Other Professional Contract Services (Recording of Meetings)	0	8,000	0	4,000	Estimated in anticipation of in-person meetings
5861	DPW/GIS Mapping	18,403	1,000	0	1,000	
5866	Fingerprinting new employee	88	0	0	0	
5872	Controller Admin	3,918	2,114	2,114	3,000	Estimated (Processing LAFCo appropriation)
5000	SERVICES & SUPPLIES SUBTOTAL	84,673	119,904	77,099	137,003	
6712	Telephone	1,409	3,227	1,050	350	
6713	ISD (Automation Services)	8,266	14,202	14,500	11,500	
6714	Rent	12,925	12,925	12,925	13,587	
6717	Motor Pool	188	150	0	0	
6725	Gen'l Liability	7,849	8,000	8,000	8,500	
6727	Bond Insurance	60	100	62	100	

6732	County Counsel	2,366	30,000	30,000	40,000
6733	Human Resources	67	150	67	150
6738	Countywide Security	124	150	128	150
6739	All Other Charges (Card key and Accounting Software)	239	400	300	400
6821	A 87 Charges/County Cost Allocation	8,598	9,861	9,861	10,928
6000	OTHER CHARGES SUBTOTAL	42,091	79,165	76,893	85,665
	Subtotal Appropriations	561,413	667,673	622,596	703,770
8612	Reserve	0	61,131	0	61,131
	Special Reserve	0	0	0	0
	Total Appropriations Budget	561,413	728,804	622,596	764,901
	Revenues				
3333	Fund Balance	106,785	152,367	152,367	38,877
2421	Application Fees	20,040	28,000	19,000	30,000
	Miscellaneous Revenue	29,217	0	2,800	
2658	CALAFCO Deputy EO Stipend	8,000	4,000	4,000	4,000
	Intergov. Rev. (County/City/Dist)	491,055	544,437	544,437	630,893
	Total Revenues	655,097	728,804	722,604	703,770
	County/City/District 1/3 Apportionment	163,685	181,479	181,479	210,298

It is anticipated that several proposals and studies will require substantial County Counsel review and support

Reserve fund would remain at current levels and no contributes would be made in FY 21-22

LAFCo	DRAFT Revised Recommended FY 20-21 Budget	Revised	Final	Proposed	Adopted	Recomm.	Est. Actual	Revised Final	Adopted	Revised	
	October 14, 2020	Adopted	Actual	March 2019	May 2019	Revised	FY 19-20	Actual FY 19-20	June 2020	Oct 2020	
		FY 18-19	FY 18-19	FY 19-20	FY 19-20	FY 19-20		20	FY 20-21	FY 20-21	
4111	Salary & Benefits Executive Officer	234,340	234,340	253,324	253,324	253,324	253,324	253,324	272,889	273,234	updated based on budget office advice
	Management Analyst	145,000	114,733	178,075	178,075	178,075	178,075	178,075	190,224	190,570	
4141	Admin. Leave Cash Out	6,000	0	6,000	6,000	6,000	0	0	0	0	
4161	Commissioner Compensation	4,800	3,600	4,800	4,800	4,800	4,000	3,250	4,800	4,800	
4000	SALARIES & BENEFITS SUBTOTAL	390,140	352,673	442,199	442,199	442,199	435,399	434,649	467,913	468,604	
5184	Refund County overpayment in 2014/15 & 18/19	12,416	0	0	0	17,346		0	17,346	17,346	
5191	Outside Printing (other special printing)	1,000	0	1,000	1,000	1,000	0	0	1,000	1,000	
5193	General Office Supplies	500	398	500	500	500	500	345	500	500	
5196	Photocopy - in-house copier	500	500	500	500	500	500	500	500	500	
5197	Postage & Mailing Service	1,200	204	1,200	1,200	1,200	300	219	1,200	1,200	
5211	Computer Supplies					0		243	0	300	
5212	Computer Equipment under \$5,000	0	0	0	0	0	0	0	1,500	1,500	
5218	Corovan Records Storage	700	143	700	700	700	200	233	700	700	
5331	Memberships (CALAFCO/CSDA)	7,714	7,911	8,882	9,000	9,000	8,951	7,505	16,000	16,000	
5341	Legal Advertising	1,500	140	1,500	1,500	1,500	250	1,002	1,200	1,200	
5712	Mileage Allowance	250	216	250	250	250	291	291	250	250	
5721	Meetings & Conferences	9,000	5,532	9,000	9,000	9,000	7,000	8,051	0	0	budget reduction measure Covid
5733	Training	250	75	250	250	250	50	50	250	250	
5814	Fiscal Office Specialist	988	988	988	988	988	988	988	988	988	
5838	.5 FTE Exec. Secretary	52,138	0	52,138	55,733	40,989	40,989	40,989	57,856	57,856	
5842	Outside Auditing Services	7,700	0	7,700	7,700	7,700	7,700	1,498	7,700	7,700	Contract actuarial and audit service
5848	Graphics	1,500	1,015	1,500	1,500	1,500	600	350	1,500	1,500	
5856	Consulting	0	0	0	0	0	0	0	0	0	
5858	Video Recording Comm. Meetings	4,000	0	4,000	4,000	8,000	0	0	8,000	8,000	
5861	DPW/GIS Mapping	1,000	0	1,000	1,000	1,000	0	18,403	1,000	1,000	DPW mapping charge reimbursed by applicant (see Misc. Revenue)
5866	Fingerprinting new employee		70			70	88	88	0	0	
5872	Controller Admin	1,982	0	1,982	2,500	4,482	4,000	3,918	2,114	2,114	
5000	SERVICES & SUPPLIES SUBTOTAL	104,338	17,192	93,090	97,321	105,975	72,407	84,673	119,604	119,904	
6712	Telephone	500	344	1,413	1,413	1,413	1,200	1,409	3,227	3,227	
6713	ISD (Automation Services)	8,443	7,467	7,576	7,576	7,576	7,576	8,266	14,202	14,202	
6714	Rent	12,925	12,925	12,925	12,925	12,925	12,925	12,925	12,925	12,925	
6717	Motor Pool						0	188	150	150	
6722	Countywide security and HR	90	195	105	590	255					
6725	Gen'l Liability	4,591	4,342	5,950	5,950	5,950	6,400	7,849	7,000	8,000	
6727	Bond Insurance						60	60	100	100	
6732	County Counsel	30,000	12,737	20,000	20,000	20,000	5,000	2,366	20,000	30,000	
6733	Human Resources						70	67	150	150	
6738	Countywide Security						124	124	150	150	
6739	All Other Charges						200	239	400	400	
6821	A 87 Charges/County Cost Allocation	6,640	6,640	8,598	8,598	8,598	8,598	8,598	9,861	9,861	
6000	OTHER CHARGES SUBTOTAL	63,189	44,650	56,567	57,052	56,717	42,153	42,091	68,165	79,165	
	Subtotal Appropriations	557,667	414,515	591,856	596,572	604,891	549,959	561,413	655,682	667,673	
8612	Reserve 3%	16,730	0	17,756	17,897	18,147	0	0	13,114	61,131	

	Special Reserve	0	0	0	0	0	0	0	0	0
	Total Appropriations Budget	574,397	414,515	609,612	614,469	623,038	549,959	561,413	668,796	728,804
	Revenues									
3333	Fund Balance	128,846	79,593	99,983	79,593	99,983	99,983	106,785	65,079	152,367
2421	Application Fees	30,000	14,424	28,000	28,000	28,000	20,000	20,040	28,000	28,000
	Miscellaneous Revenue							29,217	0	0
2658	CALAFCO Deputy EO Stipend		0	4,000	4,000	4,000	4,000	8,000	4,000	4000
	Intergov. Rev. (County/City/Dist)	415,551	420,481	498,019	502,876	491,055	491,055	491,055	571,717	544,437
	Total Revenues	574,397	514,498	609,612	614,469	623,038	615,038	655,097	668,796	728,804
	County/City/District 1/3 Apportionment	138,517	138,517	166,006	167,625	163,685	163,685	163,685	190,572	181,479

Corrected year end fund balance for final actual 19-20, provided by budget office

DPW Mapping, CALAFCO reimbursement, application fee incorrectly posted

new 1/3 share to county cities and special districts
2/3 (\$362,958) shows in acct 1992 and 181,479 shows in acct. 2542

Refund to county not issued & carried over to 18/19 FY 20/21 Reserve reduced to 2%

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 10, 2021

To: LAFCo Commissioners
From: Martha Poyatos, Executive Officer
 Rob Bartoli, Management Analyst
Subject: **Consideration of Revised LAFCo Schedule of Processing Fees**

Summary

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. Fees were last revised in 2019 and as part of the FY 19-20 Budget, a recommendation was made by the Commission to review fees every two years.

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 Counsel charges.

Recommended revisions to the fee schedule include an update to the annexation/detachment fees, updates to other action fees, clarification of state fees, and adding fees for services that have been charged at cost, but were not explicitly shown on the fee schedule fees.

The update to the annexation/detachment fees take into account an increase in salary and benefits, the addition of a full time Management Analyst and shared secretarial position, 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 25%.

Annexations and Outside Service Agreements that are less than 5 acres in size are the most common type of application received by LAFCo. The highest proposed application fee for this

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application would be a major application fee of \$4,580. This application fee is similar to Alameda, Contra Costa, Marin, Napa, Orange, Santa Clara, and Sonoma LAFCos.

The fee for consolidation, merger, dissolution and the creation of subsidiary district is proposed to be moved to actual costs, as these actions vary greatly in complexity and required staff time. Fees for other types of actions have remained at actual costs. In addition to these changes, the LAFCo fee schedule current is lacking fees for the divestiture of special district powers.

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.

State law requires the Commission to adopt processing fees by resolution. If approved, the new fee schedule would go into effect 60 days after adoption by LAFCo and would be applicable to proposals that are certified as complete on or after this 60 day period, estimated to be July 19, 2021.

Committee Review

On March 3, 2021, the Budget Committee recommended approval of the revised fee schedule.

Recommended Commission Action

By motion, direct LAFCo staff to circulate the draft LAFCo Budget Policy to the County, cities, special districts, and other interested parties, and place the consideration of adoption at the May 19, 2021 Commission meeting.

Attachments

- A. Proposed 2021 Processing Fee Schedule
- B. Adopted 2019 Processing Fee Schedule

SAN MATEO LAFCo FEE SCHEDULE
 Effective for Applications Accepted for Filing
 On or After (60 from adoption)~~July 16, 2019~~

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)
Acres		
1 or less	\$1,872 \$1,480 -	\$2,754 \$2,176 -
1.1 - 4.9	\$3,114 \$2,474 -	\$4,580 \$3,638 -
5 - 9.9	\$3,489 \$2,724 -	\$5,131 \$4,006 -
10 – 19.9	\$3,766 \$3,053 -	\$5,538 \$4,490 -
20 – 29.9	\$4,646 \$3,724 -	\$6,833 \$5,476 -
30 – 49.9	\$5,415 \$4,305 -	\$7,962 \$6,331 -
50 +	\$6,108 \$4,930 -	\$8,983 \$7,250 -

OTHER ACTIONS

Outside Service Agreement	Same as acreage fees above
Consolidation/Merger/Dissolution/Subsidiary District (Excludes legal notice and election costs)	Actual Cost \$1,557
District Formation	Actual Cost
Municipal Service Review (Not initiated by LAFCo)	Actual Cost
Application for Activation or Divestiture ddition of Special District Powers	Actual Cost Plus Environmental Fees
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 <u>and</u> 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

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 https://www.wildlife.ca.gov/Conservation/CEQA
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 (http://www.boe.ca.gov/) 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.

SAN MATEO LAFCo FEE SCHEDULE
Effective for Applications Accepted for Filing
On or After July 16, 2019

PROCESSING FEES

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

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1 or less	\$1,480	\$2,176
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30 – 49.9	\$4,305	\$6,331
50 +	\$4,930	\$7,250

OTHER ACTIONS

Outside Service Agreement	Same as acreage fees above
Consolidation/Merger/Dissolution/Subsidiary District (Excludes legal notice and election costs)	\$1,557
District Formation	Actual Cost
Municipal Service Review (Not initiated by LAFCo)	Actual Cost
Application for Addition of Special District Powers	Actual Cost Plus Environmental Fees
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 Publication Cost
Sphere of Influence Revision/Municipal Service Review	Actual Cost
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County Department of Public Works Fees	Hourly rate of Public Works staff

ADMINISTRATIVE FEES

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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.

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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March 10, 2021

To: LAFCo Commissioners
From: Martha Poyatos, Executive Officer
 Rob Bartoli, Management Analyst
Subject: **Consideration of Draft LAFCo Budget Policy**

Summary

San Mateo LAFCo has contracted with the County of San Mateo for staffing, office space, general services and supplies and legal counsel since 1996. Under the contract, the Commission's adopted budget is maintained in the County's budget system and all payroll and financial transactions including accounts payable and receivable are processed by County fiscal staff, the County budget office and the County Controller. In all cases, accounting practices allow for segregation of duties. In processing payments from applicants, payments to vendors or reimbursements, LAFCo staff submits checks or invoices per County procedures and policies. LAFCo staff works with the County Budget Office to transmit the LAFCo adopted budget to the Budget Office for input into the County's budget system.

Since 1996, the Commission and staff have operated consistent with County budget and accounting practices. In order to memorialize these practices, it is recommended that the Commission adopt budget policies to serve as guidance to the Commission's staff and the County Controller and budget office.

The draft policy addresses the LAFCo budget adoption process, process for budget adjustments, contingency and reserve amounts, expenditures, billing agencies for apportionment and contract approval.

Regrading the contingency and reserve amounts, the Budget Committee recommended that reserve levels not exceed 10% of the overall LAFCo Budget. Currently, the reserve budget stands at 9% of the proposed FY21-22 budget.

Provisions of this policy include directing that the difference in estimated and actual year end fund be allocated in the Commission's reserve and that if one of the funding agencies fails to remit their share of apportionment, the Controller shall collect the amount due from any

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property tax or other revenues owed to that agency as permitted by Government Code Section 56381.

Recommended Commission Action

By motion, direct LAFCo staff to circulate the draft LAFCo Budget Policy to the County, cities, special districts, and other interested parties, and place the consideration of adoption at the May 19, 2021 Commission meeting

Attachments

A. Draft LAFCo Budget Policy

Budget Policy

1. LAFCO AS A SEPARATE FUND

For administrative purposes, the LAFCo budget is a separate fund within the County's financial accounting system. Unexpended appropriations are retained as fund balance as available financing for the following year.

2. BUDGET ADOPTION

Section 56381 of Cortese-Knox-Hertzberg Act (the Act) requires Commission consideration of a proposed budget by May 1 and by June 15. The Commission shall adopt the proposed and final operating budget at a noticed public hearing following circulation of the proposed and recommended 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.

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, Commission policy is that the difference in fund balance shall be added to or deducted from the adopted reserve.

3. BILLING OF LAFCO APPORTIONMENT TO COUNTY, CITIES AND INDEPENDENT SPECIAL DISTRICTS

Upon adoption of the final budget, the Executive Officer shall transmit the budget to the County, cities and special districts and the County Controller. The Controller shall apportion the net operating budget of the Commission in thirds amongst the County, the cities and independent special districts. The cities' and districts' shares shall be apportioned in proportion to each city's and district's total revenues, as reported in the most recent edition of the Cities Annual Report published by the State Controller, as a percentage of the combined city and district revenues within the County. The Controller's office shall collect and deposit revenues received in the Commission's budget. The County shall be billed the one-third share and shall remit funds owed via intrafund transfer.

If the County, a city, or an independent special district does not remit its required payment within 60 days, the Controller shall collect the required payment from the property tax, or any fee or eligible revenue owed to the County, city, or district. The Controller shall provide written notice to the County, city, or district prior to appropriating a share of the property tax or other revenue to the Commission for the payment due the Commission. Any expenses incurred by the Commission or the Controller in collecting late payments or successfully challenging nonpayment shall be added to the payment owed to the Commission (Government Code 56381(4)(c)).

Provision for loan to Commission

If, during the fiscal year, the Commission is without adequate funds to operate, the board of supervisors may loan the Commission funds. The Commission shall appropriate sufficient funds in its budget for the subsequent fiscal year to repay the loan (Government Code 56381(4)(c)).

In 2021, the County of San Mateo approved a resolution that allows San Mateo LAFCo to receive a loan not to exceed \$100,000 to cover cash-flow issues that arise from restricted cash-flow pending its receipt of agency apportionment from agencies under its jurisdiction and/or due to differences in actual revenues received compared to budgeted.

4. BUDGET ADJUSTMENTS

The Commission may make adjustments to its budget at any time during the fiscal year, as it deems appropriate. Subsequent to the adoption of the budget, the Executive Officer may transfer appropriations between accounts (i.e. sub-objects) within major categories (i.e. objects) such as salaries and benefits, services and supplies, etc., without approval from the Commission. Transfers of appropriations between major categories/objects and appropriation of unanticipated revenue or from fund balance or reserve requires approval from the Commission.

5. CONTINGENCY AND RESERVE

The annual budget should strive to contribute to the reserve an amount equal to 2 % of the overall budget as needed and as determined by the Commission. An amount not to exceed 10% of the budget should be held in reserve. Funds appropriated in the reserve shall not be used or transferred to any other expenditures account without prior approval of the Commission.

6. EXPENDITURES AND DISBURSEMENTS

San Mateo County currently administers LAFCo's budget in the County's budget system. LAFCo staff shall follow adopted County policies and procedures for invoices, claims, disbursements, receipts and deposits of revenues. Staff shall initiate transactions such as purchase orders and payment of invoices and claims. The Executive Officer shall review all claims and invoices received by LAFCo and may authorize payment, as appropriate, within the framework and limitations of the budget as adopted by the Commission. Financial records shall be maintained and reconciled for all financial transactions. Detailed procedures for processing invoices for review and payment shall be created and maintained as an attachment to this policy.

The primary objectives of accounts payable and cash disbursements are to ensure disbursements are properly authorized, invoices are processed in a timely manner, and invoice charges do not exceed the purchase order or contract amounts. Purchases shall be made in accordance with the San Mateo County purchasing policies and procedures. Quarterly financial updates and budget status reports including expenditure detail per account shall be presented to the Commission.

7. PAYROLL AND BENEFITS ADMINISTRATION

San Mateo County administers payroll and benefits for employees serving the Commission by contract. LAFCo staff shall review each payroll report and the entry of the payroll posted by the County into the general ledger on a monthly basis to ensure the payroll is complete and accurate.

8. CONTRACT APPROVAL AND EXECUTION

The Commission delegates to the Executive Officer the authority to approve and execute contracts, agreements and amendments for \$5,000 or less, provided sufficient funds are contained in the appropriate line item in the LAFCo budget. Any contract, agreement or amendment greater than \$5,000, or any contract agreement or amendment for which there are not sufficient funds contained in the appropriate line item of the LAFCo budget, shall be presented to the Commission for approval and execution. For other policies including, but not limited to, pricing and contractual solicitations and contract documents, LAFCo defers to the County of San Mateo Contracting and Purchasing Polices.

DRAFT

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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March 10, 2021

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst

Subject: **Consideration of Updates to Procedures of Outside Service Agreement Policy for City Water Extensions**

Summary

The Commission has adopted policies concerning general rules for hearings, municipal service reviews, sphere of influence and sphere updates, , consideration of boundary change proposals, extension of service outside agency boundaries (recently updated), proposals affecting more than one county, conducting authority proceedings (protest proceedings), public member selection and the functions and services of special districts.

In 2019, the Commission adopted an updated Outside Service Agreement Policy. Recently, staff received an inquiry from a property owner in the Town of Woodside that underscored a need for a revision to the policy. A new house was proposed for a vacant property in Woodside, which is located in the Redwood City water service area established by the Bay Area Water Supply & Conservation Agency and the San Francisco Public Utilities Commission. Several cities that are retailers of SFPUC water supply provide water service to properties in other cities. The case of cities having established water service areas that include territory in another city is unique in California and was not contemplated by Section 56133 which governs the extension of water service.

The current policy only addresses the extension of service from a city to an unincorporated area in the city's sphere or to another incorporated area when there is a public health issue and where the extension of service by a city to said property would not result in a boundary change. The policy is silent on these types of service extensions for water service by a city to another incorporated area but within the agency's established water service area when no public health threat exists. In order to address the unique service patterns related to SFPUC water retailers that serve territory in another city, a revision specific to city water extensions to other cities is recommended.

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Draft Changes

The following is the proposed revision to the existing Outside Service Policy:

The boundaries of most water service agencies in San Mateo County are set by the Bay Area Water Supply & Conservation Agency and the San Francisco Public Utilities Commission. In a number of cases, the designated service areas for water providers include both incorporated and unincorporated areas. Several cities in San Mateo County provide water service to other incorporated communities. The intention of Section 56133 is to allow the provision of service to areas within an agency's sphere of influence in anticipation of future annexation to that agency, or outside a sphere of influence where annexation is not anticipated and the extension remedies a public health threat. For incorporated areas that receive water service from another municipality, it is not anticipated that the provision of this water service would require a property to detach from one city and annex to another as these areas are not located in the sphere of influence of another city. As there is no anticipation of a boundary change in conjunction with the extension of a water, Section 56133 is not applicable for a water extension by a city outside of its boundary to another incorporated area. To ensure that a water extension of this manner is exempt, LAFCo will require notification by the service provider prior to the extension of service and the Executive Officer will provide written confirmation that said service is exempt from Section 56133.

Attached is the draft policy in track-changes with recommended revisions.

Committee Review

On March 4, 2021 the Legislative and Policy Committee recommended approval of the revisions to the policy.

Recommended Commission Action

By motion, direct LAFCo staff to circulate the draft LAFCo Budget Policy to the County, cities, special districts, and other interested parties, and place the policy for consideration of adoption at the May 19, 2021 Commission meeting

Attachments

- A. Draft LAFCo Budget Policy
- B. Maps of water service areas and city boundaries

**SAN MATEO LOCAL AGENCY FORMATION COMMISSION
POLICY AND PROCEDURE FOR REVIEW OF REQUESTS
FOR EXTENSION OF SERVICE OUTSIDE JURISDICTIONAL BOUNDARIES**

In 2001, San Mateo LAFCo adopted a policy for the extension of services outside of jurisdictional boundaries. This policy was intended to allow for local implementation of the Cortese-Knox-Hertzberg Act related to the provision of services outside to areas in San Mateo County. The majority of requests for extension of services have been for sewer or water extensions that typically involved infill development in unincorporated areas under the County's land use jurisdiction, but within a city's sphere of influence (SOI). Affected parcels have not been contiguous to the city and therefore not eligible for immediate annexation.

Since the initial policy, the economic recovery and increased demand for housing on the peninsula has increased the number of new developments requesting outside service extensions on vacant parcels as well as subdivisions within these unincorporated islands that are not contiguous to city boundaries. In response to these increased requests, LAFCo has clarified and updated the policy to reflect changes to the Cortese-Knox-Hertzberg Act, revised language that promotes the future annexation of the property, clarified the specific criteria for when services would be extended, and memorialized emergency extension procedures. These updates are reflected in this policy document.

1. Legislative Authority

Government Code Section 56133 provides that any city or district that plans to provide new or extended services by contract or agreement outside its jurisdictional boundaries must apply for and obtain written approval from the local agency formation commission in the affected county. Paragraph (b) of Section 56133 further states that LAFCo may approve extension of service outside an agency's boundaries and within its sphere of influence in anticipation of future annexation. As approval of such an extension is discretionary and must be done in anticipation of future annexation, San Mateo LAFCo will require that each application for extension be conditioned upon an executed and recorded deferred annexation agreement, a recorded covenant, or some other instrument that evidences or promotes likelihood of annexation of the property.

The Commission may also approve extension of service outside boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety if both of the following requirements are met:

- a. The agency applying for the contract approval has provided the commission with documentation of a threat to health and safety, and
- b. The commission has notified any alternate service provider, including any water or sewer system corporation, which has filed a map and a statement of its service capabilities with the commission.

2. Agreements and Contracts Not Subject to Section 56133

The following agreements/contracts between public agencies are not subject to LAFCo approval under Section 56133:

- a. Two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.
- b. Agreements for the transfer of non-potable or nontreated water.
- c. Provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.
- d. An extended service that a city or district was providing on or before January 1, 2001.
- e. A local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundary.
- f. A fire protection contract, as defined in of Government Code Section 56134, subdivision (a).

These agreements and contract exemptions only apply to the commission of the county in which the extension of service is proposed.

LAFCo approval of extension of service outside jurisdictional boundaries is a discretionary action under the California Environmental Quality Act (CEQA).

3. Procedure for Processing Applications for Extension of Service Outside Jurisdictional Boundaries

In implementing Government Code Section 56133, the Commission shall process applications for extension of service outside agency boundaries in the following manner:

- a. LAFCo staff shall encourage pre-application consultation and assist the applicant in investigating annexation prior to submitting a formal application for extension of services outside jurisdictional boundaries. It is the intent of the Commission that properties that are contiguous to city or district boundaries be annexed to the city or district in order to receive service. Consideration may be given to parcel configuration, relationship of the parcel to city streets and efficient jurisdictional boundaries. The agency proposing to extend service shall submit a resolution of application, a completed application form, applicable fees and the agency's form of agreement with the property owner for extension of service to the Executive Officer.
- b. Once submitted, the Executive Officer shall deem the application acceptable for filing within 30 days of receipt, or if the application is incomplete, transmit a letter to the applicant stating the reasons the application is incomplete. Upon determination that an application is acceptable for filing, the application shall be placed on the Commission's agenda within 90 days.
- c. LAFCo shall process the application in the manner it processes applications for organizational change to the extent that the application shall be referred for comment to affected county, city(ies), district(s).

- d. The Executive Officer shall transmit the Commission's decision in writing to the affected city or district, the County of San Mateo Planning and Building Department, and the property owner.

4. Factors to Consider in Reviewing Applications

Upon review and consideration of the application materials specified in b above, the Commission may approve, approve conditionally, deny, or continue to a later date the application for extension of service outside jurisdictional boundaries. If the application is denied or approved with the conditions, the applicant may request reconsideration, citing the grounds for reconsideration.

LAFCo will consider the following factors to determine the local and regional impacts of the proposed service outside of jurisdictional boundaries:

- a. Whether annexation is a reasonable and preferable alternative to LAFCo allowing for the extension of services outside the agency's or district's jurisdictional boundaries;
- b. The growth inducing impacts of any proposal;
- c. Whether the proposed extension of service promotes logical and orderly development within the SOI. The creation of islands, strips, and corridors, the annexation of the properties that abut incorporated areas at the rear of the property only, or the annexation of properties where access is only available through unincorporated areas are disfavored;
- d. The agreed upon timetable and stated expectation for annexation, where feasible and within LAFCo policy, to the agency providing the requested service. If logical and orderly development can be achieved via annexation in lieu of an outside extension of service, annexation should be favored;
- e. The proposal's consistency with the policies and plans of all affected agencies;
- f. The ability of the local agency to provide service to the proposed areas without detracting from current service levels;
- g. Whether the proposal contributes to the premature conversion of agricultural land or other open space land;
- h. Extent to which the proposal will assist the entity in achieving its fair share of regional housing needs;

San Mateo County LAFCo Policy for Extension of Service Outside Jurisdictional Boundaries

- i. Whether the proposal conflicts with or undermines adopted Municipal Service Review determinations and/or recommendations.
- j. When a proposal is located within a sphere of influence of the following criteria shall apply as well:
 - i. For developed parcels within a sphere of influence
 - 1. There is a documented existing or potential threat to public health or safety, or proposed new development is consistent with the City and County General Plans and other applicable regulations, and annexation to the city or district is not feasible at the time of application, and
 - 2. The property owner and city or district have entered into a recordable agreement to future annexation and said agreement runs with the land and shall inure to future owners of the property.
 - ii. For undeveloped parcels within a sphere of influence
 - 1. The proposed new development is consistent with the city and County General Plans and other applicable regulations, and
 - 2. Annexation to the city or district is not feasible at the time of application, and
 - 3. The property owner and city have entered into a recordable agreement to future annexation and said agreement runs with the land and shall inure to future owners of the property.
 - iii. For all properties located outside a sphere of influence
 - 1. The extension of service mitigates existing or impending health and safety concern. Certification of the impending or existing public health threat is provided by the Director of Environmental Health, and
 - 2. The property is currently developed, and
 - 3. The service extension complies with the City and/or County General Plans and other applicable regulations, and
 - 4. The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission, and

5. No future expansion of service will be permitted without approval from LAFCO.

5. Emergency Connections Procedures

- a. If at the time of the Commission's meeting agenda is prepared, an application for extension of service to a developed parcel within or outside a city's sphere of influence necessary to mitigate an existing or impending health and safety risk is scheduled for action by the subject City Council or District Board, but is too late to be noticed and placed on the agenda of the next LAFCo meeting for formal action, and delay until the subsequent Commission agenda would cause undue hardship, the Executive Officer, as part of their regular report to the Commission, shall provide a report describing the proposed extension and terms of the proposed agreement which is pending action by the city council or district board.

Pursuant to Section 56133, the Commission may consider delegation to the Executive Officer the authority to consider and approve the application following formal action by the legislative body of the city or district if the action taken does not vary from the report provided to the Commission and if the proposed extension meets all of the following conditions:

- i. Service/infrastructure extension is exempt from the California Environmental Quality Act (CEQA), and
 - ii. Certification is provided by the Director of Environmental Health of an impending or existing public health threat, and
 - iii. The service extension complies with the City and County General Plans and other applicable regulations.
- b. An administrative approval may be allowed for those projects that pose an urgent health or safety concern, without consideration by LAFCo if the project is brought to the Executive Officer's attention without adequate time to place the matter on the Commission's agenda. The administrative approval shall be made jointly by the LAFCo Chairperson (or Vice Chairperson if the Chair is not available) and the Executive Officer.

Both must agree that an administrative approval is appropriate, based upon the criteria outlined below:

- i. Service/infrastructure extension is exempt from the California Environmental Quality Act (CEQA), and
- ii. Certification is provided by the Director of Environmental Health of an impending or existing public health threat, and
- iii. The property is currently developed, and;
- iv. There are physical restrictions on the property that prohibit a conventional service delivery method typically suited to the unincorporated area (i.e., septic tank, private well, etc.), and;
- v. The service extension complies with the City and County General Plans and other applicable regulations, and;
- vi. The property owner and city have begun the process to enter into a recordable agreement to future annexation and said agreement runs with the land and shall inure to future owners of the property. An exception to this requirement is the extension of sewer or water service by a city to territory located in the boundaries of the neighboring city because there is no alternative service provider and city boundaries would not be altered.

6. Water Extensions by a City into an Incorporated Area

The boundaries of most water service agencies in San Mateo County are set by the Bay Area Water Supply & Conservation Agency and the San Francisco Public Utilities Commission. In a number of cases, the designated service areas for water providers include both incorporated and unincorporated areas. Several cities in San Mateo County provide water service to other incorporated communities. The intention of Section 56133 is to allow the provision of service to areas within an agency's sphere of influence in anticipation of future annexation to that agency, or outside a sphere of influence where annexation is not anticipated and the extension remedies a public health threat. For incorporated areas that receive water service from another municipality, it is not anticipated that the provision of this water service would require a property to detach from one city and annex to another as these areas are not located in the sphere of influence of another city. As there is no anticipation of a boundary change in conjunction with the extension of a water, Section 56133 is not applicable for a water extension by a city outside of its boundary to another incorporated area. To ensure that a water extension of this manner is exempt, LAFCo will require notification by the service provider prior to the extension of service and the Executive Officer will provide written confirmation that said service is exempt from Section 56133, and within the established SFPUC water service area.

San Mateo County LAFCo Policy for Extension of Service Outside Jurisdictional Boundaries

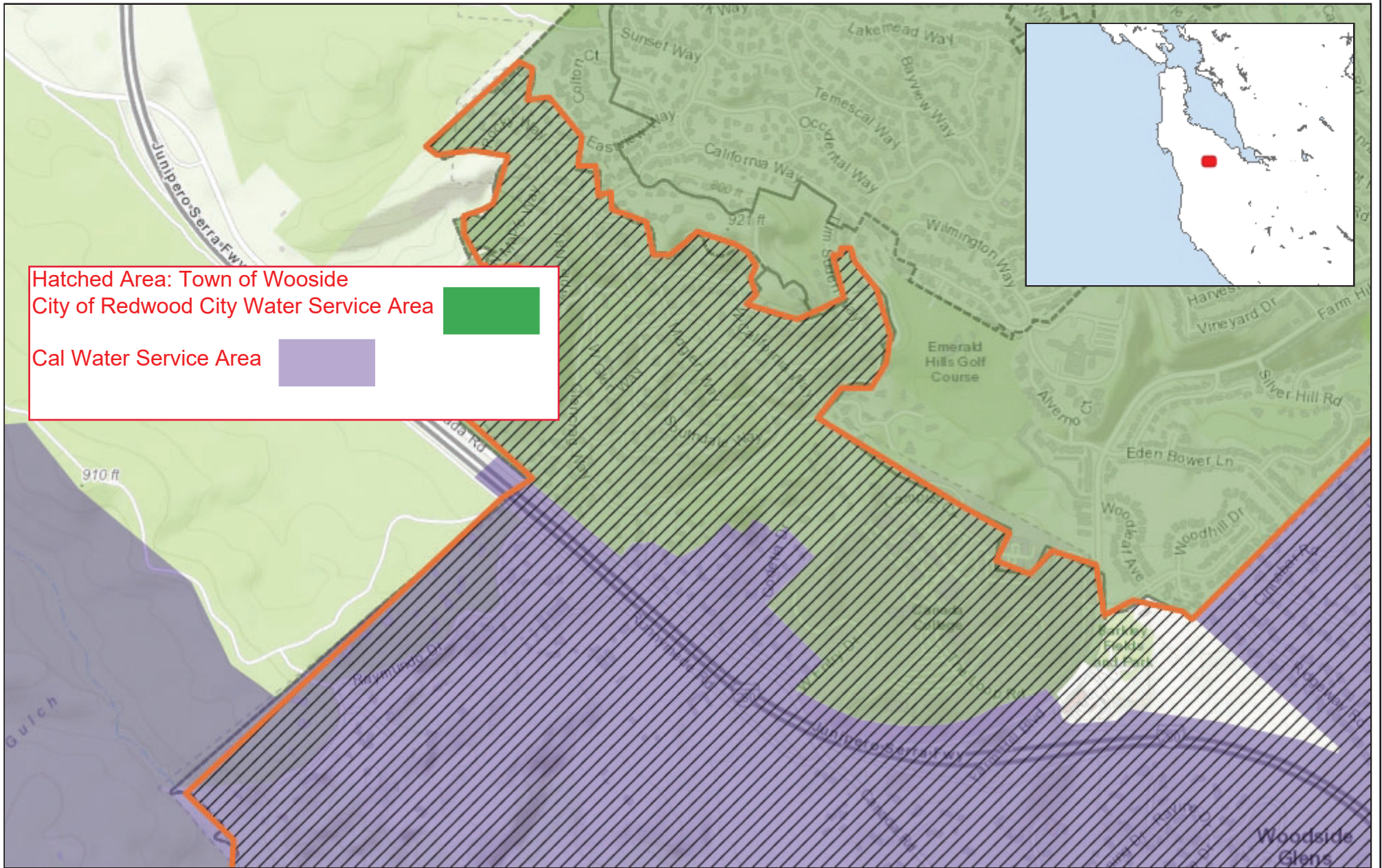
Adopted January 17, 2001



Revised November 21, 2001

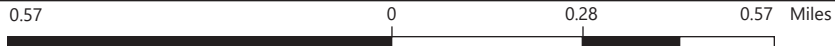
Revised ~~XXXX March 20,~~ 2019

Commented [MP1]: Formal adoption date would be subsequent meeting.

DRAFT



Hatched Area: Town of Woodside
 City of Redwood City Water Service Area 
 Cal Water Service Area 

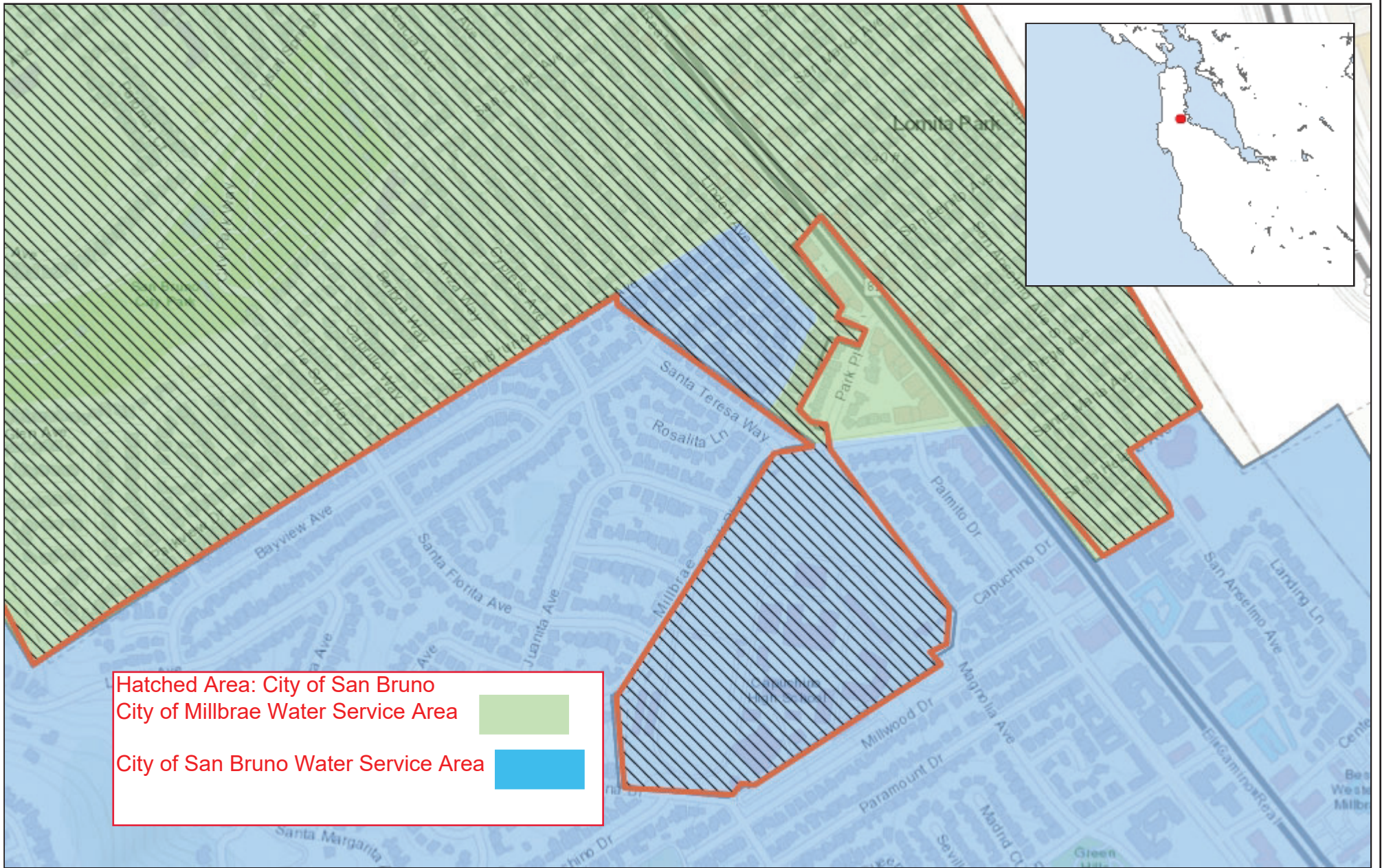




WGS_1984_Web_Mercator_Auxiliary_Sphere
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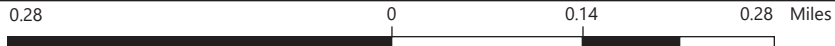
1: 18,056 

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



Hatched Area: City of San Bruno
 City of Millbrae Water Service Area 
 City of San Bruno Water Service Area 



WGS_1984_Web_Mercator_Auxiliary_Sphere
 © Latitude Geographics Group Ltd.

1:9,028 

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



LOCAL AGENCY FORMATION COMMISSION

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

March 10, 2021

To: LAFCo Commissioners
From: Martha Poyatos, Executive Officer
 Rob Bartoli, Management Analyst
Subject: Legislative Report – Information Only

Summary

As it is still early in the State legislative session, many bills are only starting to be reviewed by legislative committees. Several of these bills are carry over from the previous legislative session. Of the 29 bills being tracked by CALAFCO the bills fall into the following categories:

- Special District Governance (5 Bills – AB 1195, AB 903, AB 959, AB 1246, SB 96)
- General Plan/Transits Plans/Climate Plans (4 Bills – AB 11, AB 897, SB 475, SB 499)
- Land Use/Housing (3 Bills – SB 55, AB 1295, SB 10)
- Open Meetings/Brown Act (3 Bills – AB 339, AB 361, AB 703)
- Public Records Act (3 Bills – AB 473, AB 474, SB 274)
- Potential Spot Bills (3 Bills – AB 428, AB 588, AB 1477)
- Validating Acts (3 Bills – SB 810, SB 811, SB 812)
- Water (3 Bills - AB 1250, SB 273, SB 403)
- Local Government (1 Bill – SB 813)
- Outside Service Agreements (1 Bill – SB 13)

On March 4, the LAFCo Legislative Committee reviewed these 29 bills. Currently, there are no bills with recommended action from CALAFCO other than “Watch”.

Since the Committee met, CALAFCO provided information on AB 959 affecting four open space districts. **AB 959 (Mullin)** would allow for park and open space districts the ability to adopt public nuisance ordinances and establish procedures for abating these nuisances. Under the district’s principal acts in Pubic Resources Code, these districts have limited legal tools to prevent unauthorized uses of their land. Administrative abatement is a method of addressing public nuisances due to the fact that it provides all parties with due process and does not

COMMISSIONERS: WARREN SLOCUM, CHAIR, COUNTY ▪ MIKE O’NEILL, VICE CHAIR, CITY ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
 ▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O’NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

require court-based proceedings. Other public agencies, include dependent park districts already have this authority. Examples of nuisances that impact sensitive habitat and wildfire protection zones on Park District lands include, illegal water diversion, extension of private yards, illegal encroachments on Park District property, unauthorized landscaping, and streambed alteration. Only four special districts currently would be affected by this legislation including Midpeninsula Regional Open Space District.

Staff will be prepared to respond to questions concerning the various bill being tracked by CALAFCO.

Recommended Action:

Receive the report.

Attachments

- A. CALAFCO Legislative Daily Report 3/5/2021

CALAFCO Daily Legislative Report as of Friday, March 05, 2021

1

[AB 339](#) ([Lee D](#)) **State and local government: open meetings.**

Current Text: Introduced: 1/28/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Status: 1/29/2021-From printer. May be heard in committee February 28.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

Position: Watch

Subject: Other

CALAFCO Comments: This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services.

The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak).

The bill adds similar requirements for any state legislative body.

This bill is sponsored by the Leadership Council for Justice and Accountability.

[AB 361](#) ([Rivas, Robert D](#)) **Open meetings: local agencies: teleconferences.**

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 2/12/2021-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 authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

Position: Watch

Subject: Other

CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct

meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body.

This bill is sponsored by the CA Special Districts Association (CSDA).

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act’s requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

Position: Watch

Subject: Other

SB 810 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/3/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/11/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Watch

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 811 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/3/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/11/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)
 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Watch**Subject:** Other**CALAFCO Comments:** These are the annual validating Acts.**SB 812 (Committee on Governance and Finance) Validations.****Current Text:** Introduced: 2/23/2021 [html](#) [pdf](#)**Introduced:** 2/23/2021**Status:** 3/3/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/11/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)
 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Watch**Subject:** Other**CALAFCO Comments:** These are the annual validating Acts.**AB 1195 (Garcia, Cristina D) Southern Los Angeles County Regional Water Agency.****Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/4/2021-Referred to Coms. on L. GOV. and E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would create the Southern Los Angeles County Regional Water Agency as a regional water agency serving the drinking water needs of the cities, unincorporated areas, and residents in the communities overlying the Central Basin and West Coast Basin aquifers in southern Los Angeles County. The bill would require the agency to serve the region as the leader in interagency collaboration on water resource issues and to be governed by a 5-member board of locally elected officials in the agency's jurisdiction, each appointed by a specified state or local entity. The bill would authorize the agency to serve the water needs of its region through specified activities, including, among others, operating public water systems or other water infrastructure and integrating other water systems in the region into its operations, as prescribed.

Position: Watch**Subject:** Water**SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition.****Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/3/2021-Re-referred to Coms. on GOV. & F. and HOUSING.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, in furtherance of specified state housing production and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone

or a state responsibility area. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development in a very high fire hazard severity zone or a state responsibility area.

3

AB 11 (Ward D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 1/25/2021-Re-referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

AB 428 (Mayes I) Local government planning.

Current Text: Introduced: 2/4/2021 [html](#) [pdf](#)

Introduced: 2/4/2021

Status: 2/5/2021-From printer. May be heard in committee March 7.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes certain findings and declarations relating to local government organizations, including, among other things, the encouragement of orderly growth and development, and the logical formation and modification of the boundaries of local agencies. This bill would make nonsubstantive changes to these findings and declarations.

Position: Watch

CALAFCO Comments: This is a spot bill.

AB 473 (Chau D) California Public Records Act.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 2/18/2021-Referred to Com. on JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/23/2021 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, STONE, Chair

Summary:

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position: Watch**Subject:** Public Records Act**CALAFCO Comments:** This bill is a redo of AB 2138 from 2020 that did not move forward.

According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 474](#) (Chau D) California Public Records Act: conforming revisions.**Current Text:** Introduced: 2/8/2021 [html](#) [pdf](#)**Introduced:** 2/8/2021**Status:** 2/18/2021-Referred to Com. on JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/23/2021 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, STONE, Chair

Summary:

Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position: Watch**Subject:** Public Records Act**CALAFCO Comments:** This bill is a redo of AB 2438 from 2020 that did not move forward.

According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 588](#) (Garcia, Eduardo D) Local government.**Current Text:** Introduced: 2/11/2021 [html](#) [pdf](#)**Introduced:** 2/11/2021**Status:** 2/12/2021-From printer. May be heard in committee March 14.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current 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: Watch**Subject:** Other**CALAFCO Comments:** This is a spot bill. According to the author's office there is no current intended use for the bill.**[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.****Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)**Introduced:** 2/17/2021

Status: 2/25/2021-Referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks.

Position: Watch

Subject: Climate Change

[AB 903](#) (Frazier D) Los Medanos Community Healthcare District.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-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 require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county in order to operate the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as described above, the bill would impose a state-mandated local program.

Position: Watch

[AB 959](#) (Mullin D) Park districts: regulations: nuisances: abatement.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 3/4/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. Current law requires the board of directors to superintend, control, and make available to all the inhabitants of the district all public recreation lands and facilities, as provided. Existing law authorizes the board to adopt regulations. Current law provides that a violation of an ordinance, rule, or regulation adopted by the board is a misdemeanor punishable by a fine or imprisonment in the county jail, as provided. This bill would authorize the board of directors to adopt regulations relating to nuisances and establish a procedure for the abatement of the nuisances, including administrative abatement.

Position: Watch

[AB 1246](#) (Nguyen R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of

solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

AB 1250 (Calderon D) Water and sewer system corporations: consolidation of service.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on E.S. & T.M. and U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. The bill would require the commission to approve or deny the application within 8 months, except as provided.

Position: Watch

AB 1295 (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on L. GOV. and H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Position: Watch

AB 1477 (Cervantes D) Mosquito abatement and vector control districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Mosquito Abatement and Vector Control District Law, provides for the establishment of mosquito abatement and vector control districts, to be governed by a board of trustees, appointed as provided. This bill would make technical, nonsubstantive changes to these provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

SB 10 (Wiener D) Planning and zoning: housing development: density.

Current Text: Amended: 2/24/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 2/24/2021

Status: 2/24/2021-Set for hearing March 18. From committee with author's amendments. Read second time and amended. Re-referred to Com. on HOUSING.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/18/2021 Upon adjournment of Agriculture Committee - John L. Burton Hearing Room (4203)
SENATE HOUSING, WIENER, Chair

Summary:

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.

Position: Watch

Subject: Housing

SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 1/28/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

Position: Watch

Subject: CKH General Procedures

CALAFCO Comments: This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 1/28/2021-Referred to Coms. on GOV. & F. and E. & C.A.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters

and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 3/2/2021-Set for hearing March 11.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/11/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

Position: Watch

Subject: Municipal Services

CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

SB 274 (Wieckowski D) Local government meetings: agenda and documents.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 2/22/2021-Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 32. Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the

legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested).

[SB 403](#) (Gonzalez D) Drinking water: consolidation.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 3/3/2021-Set for hearing March 15.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/15/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is at risk of failing to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that are at risk of failing to provide an adequate supply of safe drinking water.

Position: Watch

Subject: Disadvantaged Communities, Water

CALAFCO Comments: Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

[SB 475](#) (Cortese D) Transportation planning: sustainable communities strategies.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires certain transportation planning activities by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated under federal law as metropolitan planning organizations. As part of a regional transportation plan, current law requires a metropolitan planning organization to adopt a sustainable communities strategy, which is designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Existing law, to the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, requires the affected metropolitan planning organization to prepare an alternative planning strategy showing how the targets may be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. This bill would state the intent of the Legislature to enact subsequent legislation that would make various changes to these provisions.

Position: Watch

[SB 499](#) (Leyva D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Coms. on GOV. & F. and E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Position: Watch

Subject: Disadvantaged Communities

[SB 813](#) (Committee on Governance and Finance) Controller: local government financial reports.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/3/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Controller to compile, publish, and make publicly available on the Controller's website reports of the financial transactions and information on annual compensation of each county, city, and special district within this state. This bill would specify that the reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later.

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 29

Total Tracking Forms: 29

3/5/2021 2:13:59 PM

CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS



CALAFCO MISSION

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

2020 ANNUAL REPORT

California Association of Local Agency Formation Commissions

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Sacramento, CA 95814

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FROM THE CALAFCO EXECUTIVE DIRECTOR

For just about all of us, 2020 was quite a challenge. During the year, the California Association of Local Agency Formation Commissions (CALAFCO) dedicated itself to meet the new and evolving needs of our members. As they reinvented the way they work and deliver services, so did we.

Although we were unable to gather in person in March for our annual Staff Workshop or in October for our Annual Conference, we stayed connected with virtual meetings and virtual educational events. We learned from each other as we supported one another through a historic time. CALAFCO stood in support of our member LAFcos by shifting the way we provide supportive services and adjusted priorities to meet their changing needs.

2020 will be remembered as the year we would all like to forget. But doing so means we also forget the many things we learned - about ourselves as strong, capable, and resilient beings, and about the power of collective support, collaborative and innovative problem solving, and about our ability to generate hope for systemic and sustainable change.

Without missing a beat, LAFcos throughout the state continued to provide the necessary leadership in fulfilling their missions, and in supporting their respective local agencies and the communities they serve. I would like to take this opportunity to thank all of our member LAFcos for their dedicated, focused and steadfast commitment to the work they do and the people they serve.

I also want to thank the CALAFCO regional staff for their support and contributions to the Association. A special thank you to our Associate member partners for their generous support of CALAFCO. Last but certainly not least, I want to express my gratitude to the CALAFCO Board of Directors, all of whom worked tirelessly throughout the year in support of the ideals and mission of CALAFCO and all LAFcos. Through their leadership, vision and tenacity, the Association met the challenges of the year.

I'm proud to represent the Association and all 58 LAFcos as well as our Associate Members, and present the 2020 Annual Report, which highlights the collective work of the past year and many of the achievements we realized. We hope you enjoy this new format of the Annual Report. I look forward to what we can accomplish together in 2021.

A handwritten signature in blue ink, which appears to read "Pamela Miller". The signature is fluid and cursive.

Pamela Miller
Executive Director
CA Association of Local Agency Formation Commissions

CALAFCO 2020 Annual Report

FROM THE 2019-2020 CALAFCO CHAIR OF THE BOARD



We are living in interesting times!

Every time I think it can't get worse; it does. At the time I wrote this article, we were plagued by record heat and fires. Often past chairs have written something like, "...it was a challenging but rewarding year". I will say it was a challenging year; I don't think I can call it rewarding, but I have been proud to see how CALAFCO rose to the challenge and pivoted to address the impacts thrown on us by this pandemic. We moved to virtual meetings, made Zoom available to our member LAFCoS, held regular meetings with our member LAFCo Executive Officers/Clerks and made a series of virtual CALAFCO U classes and on demand webinars available free to our members; we continue to focus on "value added" to our members. Much of the credit for this, and its success, is due to efforts by our Executive Director, Pamela Miller, who we were fortunate to retain, as an employee, after she announced her retirement; we are indebted to her. Of course many others pitched in to make this possible and the CALAFCO Board provided needed support.

We were forced to cancel our Annual Conference. Many LAFCoS were directly impacted as were many government agencies. Many have died, the economy was rocked and many individuals struggle to meet basic needs; essential workers continue to provide service and others are forced to work out of economic necessity-risking their, and their family, health and lives.

My father, the youngest of four, was born in 1927. As I grew up, his parents from time to time, talked about the influenza pandemic of 1918. I used to find those stories surreal; people confined to their homes, a red notice nailed to the door and many deaths. My grandparents not only endured this pandemic but, in their lifetime, faced WWI, the Great Depression and WWII. Much of this is now delegated to "just history". My grandparents came thru it and someday 2020 will also be delegated to history.

I'm proud that CALAFCO more than survived this challenge. Our dues change let us avoid a structural deficit and a loss for the year even with the cancellation of the Annual Conference. Our prudent reserves may allow us to cover unexpected costs, especially legal costs as we navigated AB 5, converting Pamela and Jeni to employees.

We continue to proudly serve our member LAFCoS and remain a viable and respected voice in Sacramento.
Thanks to all of you.

Michael R. McGill, P.E.
Chair of the Board, 2019-2020
CA Association of Local Agency Formation Commissions

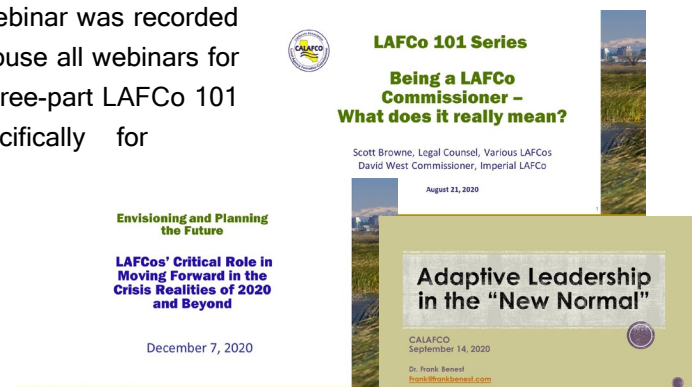
CALAFCO 2020 Annual Report

In 2019, CALAFCO began a two-year strategic plan to define the Association's priorities and guide the work. There were three main strategic areas each with actionable goals for each of the two years. This report highlights the achievements of the work in 2020 towards those goals.

1. Serve as an educational resource to member LAFCo Commissioners, LAFCo staff, Associate Members, and stakeholders.
2. Focus efforts on Association member development and communication.
3. Serve as an information resource to all Association members, work as a legislative and policy advocate for LAFCo issues and provide information to the Legislature and other stakeholders.

1. Serve as an educational resource

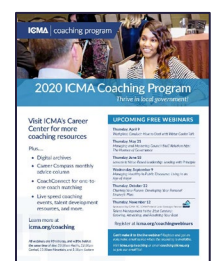
Given the COVID-19 pandemic, in-person training and educational opportunities were impossible from mid-March through the end of 2020. This meant the cancellation of our annual Staff Workshop and Annual Conference. However, in early summer, CALAFCO staff began looking at how to deliver short educational sessions virtually - something CALAFCO had never done before. From August through December, six webinars were successfully delivered at no cost to our members. Additionally, each webinar was recorded and a new section created on the CALAFCO website to house all webinars for member on-demand viewing. Webinar topics included a three-part LAFCo 101 series (including a newly designed session specifically for Clerks/Analysts and another for LAFCo Commissioners), adaptive leadership, and two sessions on LAFCos role in this "new/now normal" world of ours. In total, 274 LAFCo staff, commissioners and Associate Members attended these free educational offerings.



Early in January CALAFCO hosted a CALAFCO University session in Orange County focusing on legacy costs associated with reorganizations.

We are proud to continue to offer our members AICP credits when applicable for any educational session we host.

CALAFCO remains a coaching partner with Cal-ICMA and through this partnership all of our members receive free access to professional development webinars, one-to-one coaching and other professional development resources.



CALAFCO 2020 Annual Report

2. Focus efforts on Association member development and communication

In response to our members, CALAFCO developed a short series of News Bulletins and distributed them to the membership during the first three months of the State's shutdown. The Bulletins advised members of the latest Executive Orders and other noteworthy news items that impacted LAFCoS and other local agencies.

Beginning mid-March, we hosted weekly meetings for LAFCo Executive Officers and another for LAFCo Clerks to allow for collaboration and information sharing. These meetings transitioned to virtual meetings and continue as monthly meetings into 2021, with as many as 32 Executive Officers attending the monthly meeting.

Knowing many of our members struggled to find effective ways for their Commissions to meet while maintaining transparency and public participation, CALAFCO purchased two Zoom licenses and provided the use of one of those licenses to our member LAFCoS, along with our toll-free conference calling system, at no cost, as a way for our members to continue conducting business transparently.

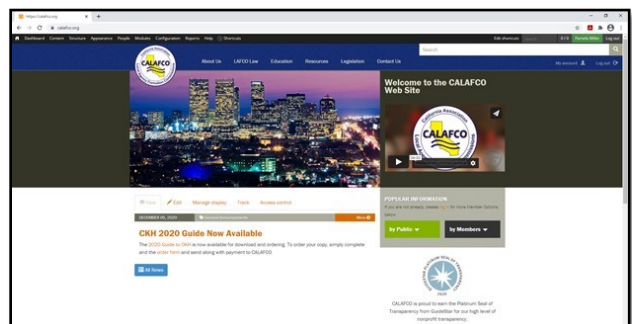


The events of 2020 were uncharted territory for many, and the fiscal aftermath will long be felt by all local agencies across the state. CALAFCO recognized this as a unique time for LAFCoS to champion the support of local agencies and help rebuild communities. In partnership with several Executive officers and one of our Associate Member partners, CALAFCO created a series of messaging materials to assist our member LAFCoS in their facilitation of local discussions on the

revitalization of their respective communities. These resources were introduced and distributed in December.

In addition to our normal communication tools of Quarterly Reports and list serves, we also hosted virtual regional roundtables in December for our member LAFCoS (as a replacement for our in-person roundtables at the Annual Conference) as well as a LAFCo Legal Counsel roundtable in October. With so many of our members meeting virtually, our Executive Director was able to attend sixteen (16) different LAFCo meetings the second half of the year.

In response to the membership survey in 2019, CALAFCO staff spent time this year updating several of the most frequently used sections of the CALAFCO website. In addition to the creation of the new webinar archive, the CALAFCO University archives was updated, along with several sections within the LAFCo Law section. Other sections were completely reorganized and updated for easier member access to resource information and materials. CALAFCO is proud to continue earning the GuideStar Platinum Seal of Transparency for high level of nonprofit transparency.



CALAFCO 2020 Annual Report

3. Serve as an information resource and legislative and policy advocate

In addition to the work of enhancing the CALAFCO website as an informational resource, CALAFCO continued to participate in the Department of Water Resources' County Drought Advisory Group and lead the efforts of the 18-member Protest Provisions Stakeholder Working Group (Working Group).

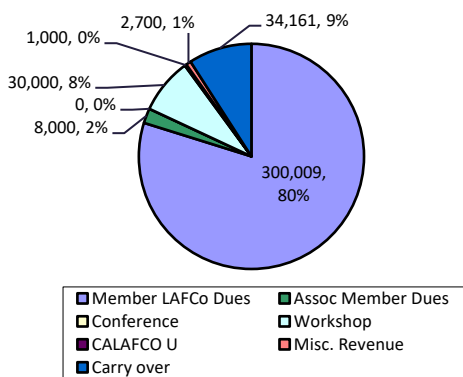
The 2020 legislative year turned out to be unlike any other and the pandemic turned legislation inside-out. The focus of the Legislature quickly turned to COVID response as well as responding to a historic year of wildfires and calls for social and racial justice and equity. At the direction of the CALAFCO Board, we ended our efforts to obtain state-level grant funding for LAFCoS through sponsored legislation and did not sponsor an Omnibus bill in 2020. Instead, the Board made the proposal to make changes to statute pertaining to extension of services the legislative priority, along with the ongoing efforts of the Working Group. After seeking feedback and consensus from Executive Officers as directed by the Board, in late January the Executive Committee approved moving forward with seeking legislation. Given the late timing, the Association was unsuccessful in securing an author. As a result, CALAFCO did not sponsor any bills in 2020. It is uncertain if any bills (other than Omnibus) would have successfully passed through the Legislature given the shift in their focus mid-year. CALAFCO continued to support our membership through legislative action where appropriate and fiercely guarded LAFCo authority when necessary, tracking 32 bills and taking positions on 7 bills.

Other 2020 highlights

There were several other highlights in 2020 that were not part of the two-year strategic plan. First, we successfully transitioned our two primary part-time contractors (Executive Director and Administrator) to part-time employees effective September 1 in compliance with AB 5. Additionally, for the first time, CALAFCO conducted a virtual election for the Board of Directors.

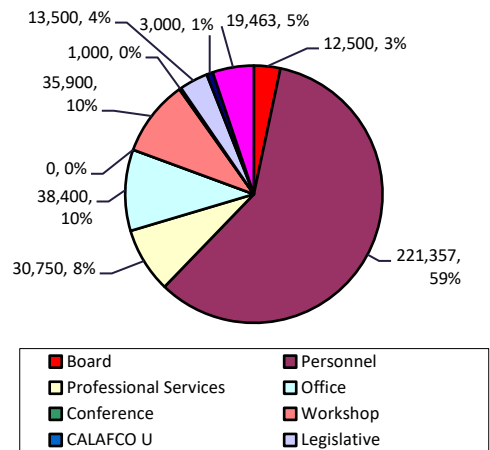
CALAFCO Financials 2020

FY 2020-21 REVENUE BY CATEGORY AND % OF TOTAL BUDGET



In July, the Board of Directors adopted a revised budget without any Conference revenue/expenses, with new estimated employer costs and the retention of the Executive Director. The lack of the planned 15% Conference net profit created a structural deficit that can be covered by the net balance carryover into FY 2020-21, which ended up

FY 2020-21 EXPENSES BY CATEGORY AND % OF TOTAL BUDGET



larger than expected at the end of FY 2019-20 due to cost savings in other budget areas. By the end of 2020 it appeared savings into FY 2020-21 was continuing in many areas that will help the Association's financial outlook going into another uncertain fiscal year.

Looking ahead to 2021

Our LAFcos are strong and resilient and led with remarkable courage during 2020. CALAFCO remains committed to continue building a resilient and sustainable Association that supports our members in their work. To focus resources on our members' highest priorities in 2021, the CALAFCO Board of Directors' biennial strategic planning workshop in January will create the foundation for the Association's next two-year strategic plan. As we move into our 50th year, CALAFCO remains committed to:

- **Serve as an educational resource to member LAFCo Commissioners, LAFCo staff, Associate Members, and stakeholders.**
- **Focus efforts on Association member relations, development, recognition and communication.**
- **Continue development of a strong and sustainable Association.**
- **Serve as an information resource to all Association members, work as a legislative and policy advocate for LAFCo issues and provide information to the Legislature and other stakeholders.**

CALAFCO 2019-2020 BOARD OF DIRECTORS AND STAFF

OFFICERS (Oct 2019 – Oct 2020)

CHAIR - *Michael McGill*, Contra Costa LAFCo, District Member (Coastal)

VICE CHAIR - *Michael Kelley*, Imperial LAFCo, County Member (Southern)

SECRETARY - *Anita Paque*, Calaveras LAFCo, Public Member (Central)

TREASURER - *Bill Connelly*, Butte LAFCo, County Member (Northern)

IMMEDIATE PAST CHAIR - *Josh Susman*, Nevada LAFCo, Public Member (Northern)

MEMBERS (Oct 2019 – Oct 2020)

Cheryl Brothers, Orange LAFCo, City Member (Southern)

David Couch, Humboldt LAFCo, City Member (Northern)

Shiva Frentzen, El Dorado LAFCo, County Member (Central)

Blake Inscore, Del Norte LAFCo, City Member (Northern)

Gay Jones, Sacramento LAFCo, District Member (Central)

Jo MacKenzie, San Diego LAFCo, District Member (Southern)

Margie Mohler, Napa LAFCo, City Member (Coastal)

Tom Murray, San Luis Obispo LAFCo, Public Member (Coastal)

Jane Parker, Monterey LAFCo, County Member (Coastal)

Daniel Parra, Fresno LAFCo, City Member (Central)

David West, Imperial LAFCo, Public Member (Southern)

STAFF

EXECUTIVE DIRECTOR - *Pamela Miller*

ADMINISTRATOR - *Jeni Tickler*

LEGAL COUNSEL - *Clark Alsop*, Best Best & Krieger

CPA - *James Gladfelter*, Alta Mesa Group

EXECUTIVE OFFICER - *Stephen Lucas*, Butte LAFCo (Northern)

DEPUTY EXECUTIVE OFFICERS - *Christine Crawford*, Yolo LAFCo (Central); *Martha Poyatos*, San Mateo LAFCo (Coastal); and *Gary Thompson*, Riverside LAFCo (Southern)

CALAFCO 2020 Annual Report

A SNAPSHOT LOOK AT 2020 by the numbers

MEMBERSHIP

58 Member LAFCoS

26 Associate Members

4 Regions

16 Member Board of Directors

Over 750 Commissioners & Staff supported



EDUCATION

300 Total attendees

7 Events

6 Webinars

1 CALAFCO U

LEGISLATION

32 Bills monitored, tracked, engaged and positions taken



ADMINISTRATION

8 List serves with **286** subscribers

58,843 Webpage views(www.calafco.org)

Over **60** meetings hosted for Member LAFCoS

2 P/T Staff + **2** P/T Consultants + **4** Regional Staff



News from the Board of Directors **CALAFCO QUARTERLY**

February 2021

A
message
from the
Executive
Director

Greetings from your CALAFCO Board of Directors and Executive Director. It seems that our collective hope for an uneventful start to 2021 was met with laughter and resistance from the universe. However, we remain undaunted and resolute to move forward in partnership with our members to make great things happen in 2021.

This Quarterly Report will begin by highlighting the good news in our CALAFCO family first, followed by Association updates. Happy reading!

LAFCOs in the News

Santa Clara LAFCo Receives State APA Award for Communication and Outreach Plan

After receiving the American Planning Association - California Northern Chapter's "Award of Excellence - Communication Initiative", **Santa Clara LAFCo's** project then received the State Chapter's 2020 Award of Excellence.

San Bernardino and San Diego LAFCos Awarded Sustainable Agricultural Lands Conservation (SALC) Grants

San Bernardino LAFCo, in partnership with the Inland Empire Resource Conservation District (IERCD), were awarded a SALC planning grant for \$220,475. The planning grant project aims to create a local tool for the preservation of agriculture lands, which does not currently exist in San Bernardino County. The goals of this project would be to encourage the long-term preservation of agricultural lands within San Bernardino County and develop local mitigation tools to provide a way for municipalities to preserve agricultural lands while continuing to address housing and growth needs.

San Diego LAFCo, in partnership with the Resource Conservation District (RCD) of Greater San Diego, the San Diego County Farm Bureau, the County of San Diego, and San Diego Association of Governments (SANDAG) were also awarded a SALC planning grant for \$250,000. The purpose for the funding is to develop a community vision and strategic plan to increase and preserve San Diego region's agricultural lands and preserve its economic viability in semi-rural and rural communities. The plan of action is to identify and monitor agricultural lands and uses to inform future preservation and enhancement opportunities.

The Strategic Growth Council (SGC) added LAFCos to the list of eligible entities to apply for SALC grants in January 2019 after many years of CALAFCO trying to get LAFCos eligible for state-level grant funding. Since then, **San Bernardino** and

San Diego LAFCos are the first two LAFCos to initiate a grant application.

CALAFCO congratulates **Santa Clara, San Bernardino and San Diego LAFCos** on their achievements!



Welcome to Our Newest Associate Member

CALAFCO welcomes our newest Silver Associate Member, **Holly Owen**, Certified Planner. Holly's services include Municipal Service Reviews and planning and feasibility studies. To contact Holly, you can email her at holly.owen@gmail.com.

CALAFCO BOARD OF DIRECTORS

CALAFCO BOARD CHANGES

The Board recently welcomed three new Board members. In late October, two new members were elected to the Board. Representing the Coastal region county seat is **Christopher Lopez**, **Monterey LAFCo** Commissioner and County Supervisor. The central region county seat also has a new representative, **Merced LAFCo** Commissioner and County Supervisor **Daron McDaniel**. In January, the Board appointed a new member to fill the unexpired term of recently re-elected Board member Cheryl Brothers (who unfortunately lost her home election). Filling that unexpired term for the southern region city seat is **San Bernardino LAFCo** Commissioner and City of Fontana Mayor **Acquanetta Warren**.



The Board also gratefully acknowledges the outgoing Board members whose dedicated service to CALAFCO had a great impact: former **Monterey LAFCo** Commissioner **Jane Parker** (coastal region county rep); former **El Dorado LAFCo** Commissioner **Shiva Frentzen** (central region county rep); and former **Orange LAFCo** Commissioner **Cheryl Brothers** (southern region city rep).

News from the Board of Directors

CALAFCO QUARTERLY

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In November, the officers of the Board for 2020-21 were seated as follows:

Chair – *Michael Kelley*, Imperial LAFCo (southern)
Vice Chair – *Anita Paque*, Calaveras LAFCo (central)
Secretary – *Bill Connelly*, Butte LAFCo (northern)
Treasurer – *Margie Mohler*, Napa LAFCo (coastal)
Immediate Past Chair – *Michael McGill*, Contra Costa LAFCo (coastal)

During their November meeting, the Board made the following Committee appointments:

Legislative Committee

Bill Connelly (North)
Gay Jones (At-Large)
Jo MacKenzie (South)
Mike McGill (Coastal)
Anita Paque (Central)
Michael Kelley (a) (South)
Chris Lopez (a) (Coastal)
Daron McDaniel (a) (Central)
Tom Murray (a) (At-Large)
Josh Susman (a) (North)

Elections Committee

Blake Inscore
Gay Jones (Chair)
Chris Lopez
David West

Awards Committee

Daron McDaniel
Jo MacKenzie
Margie Mohler
Anita Paque (Chair)
Josh Susman

2021 Annual Conference

David Couch
Tom Murray
Daniel Parra
David West (Chair)

The CALAFCO Board met virtually for their biennial strategic planning session on January 21, followed by a regular Board meeting the next day on January 22 (also virtual). The full meeting packet for both sessions is located on the CALAFCO website (and accessible to all CALAFCO members). During the strategic planning session the Board discussed several topics of critical importance to the Association, including the current dues structure and population cap used, the ongoing practice of using 15% net profit from the Annual Conference to balance the budget, and the issue of extension of services as it relates to local agencies not always seeking LAFCo authorization of exemption or approval to extend services.

After spending time connecting as a group, the strategic planning session began with a dashboard review of the Association's work in 2020. Highlights included the cancellation of both the Staff Workshop and Conference (and the fiscal impact to the Association as a result of the Conference cancellation due to the reliance of the 15% net profit to balance the budget); the creation and delivery of a series of webinars offered at no cost to CALAFCO members; a new section on the CALAFCO website that houses these

webinars for on-demand viewing; updates to the CALAFCO website; and the legislative year that wasn't. Additional work accomplished that was not part of the strategic plan for 2020 included a successful transition of the two primary contractors to employees and the retention of the Executive Director (originally set to retire in the fall of 2020). The full 2020 dashboard review can be found on the CALAFCO website.

The Board spent a great deal of time discussing the member LAFCo dues issue after receiving a full report from the dues ad hoc committee. After reviewing the various models considered by the ad hoc committee (16 in total), the Board received one additional model that had updated population figures from the Department of Finance (using the existing FY 2020-21 model as the base). Again, after much discussion, the Board gave unanimous consent to maintaining all of the existing variables in the FY 2020-21 dues model, using the required updated population estimates and not adding the CPI increase (estimated at 3%) for the FY 2021-22 dues. This decision was formally ratified with unanimous approval during the Board meeting on January 22. An announcement regarding the FY 2021-22 dues was distributed February 9, and you can find the dues on the CALAFCO website.

The Board then discussed the ongoing structural deficit and dangerous fiscal practice of using an unreliable educational event net profit to balance the budget. They gave unanimous consensus to no longer using any net profit from any education event to balance the budget. Underscored this year without a Conference, the loss of that budgeted net profit created a structural deficit. That decision was also formally ratified with unanimous approval during their Board meeting on January 22.

Later that afternoon there was a discussion about the problem of local agencies not seeking LAFCo authorization to extend services. The Board brainstormed non-legislative ideas for consideration this year as an interim solution to a legislative fix in 2022. The day ended with a brief conversation about SMGA and the relationship between LAFCo and investor-owned utilities.

The Board will consider adopting the next two-year strategic plan (for 2021-22) at their April 30 meeting.

During their January 22 meeting, in addition to ratifying the decisions noted above, the Board received the second quarter financial reports and directed the Executive Director to create a rolling two-year budget going forward (beginning with the draft FY 2021-22 budget) and adopted the 2021 legislative policies with the recommended amendment of the Legislative Committee.



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CALAFCO EDUCATIONAL EVENTS

2021 STAFF WORKSHOP AND ANNUAL CONFERENCE

Staff Workshop

Due to the COVID-19 pandemic, CALAFCO's Staff Workshop was once again cancelled. The workshop was scheduled for March 17-19 in Newport Beach.

CALAFCO staff successfully negotiated a revision in the facility contract for 2022 at the same rates as 2021. We are still working with the mobile workshop vendors to try and roll over the deposits for that event and will keep you posted.

We wish to thank our Workshop hosts, *Imperial* and *Orange LAFCos* who have graciously agreed to host in 2022 - third time is a charm they say!

CALAFCO is currently polling LAFCo staff on their desire to have something offered for staff only in a virtual format. Watch for updates soon. *If your LAFCo staff have not provided us that feedback, please do so by the deadline of February 12.*

Mark your calendars for the Staff Workshop on March 23 - 25, 2022.

Annual Conference

The Annual Conference, hosted by CALAFCO, is currently scheduled for **October 6 - 8** at the *Hyatt Regency Newport Beach John Wayne Airport*. We are hopeful by that time we will be able to safely meet in person, and the Conference planning committee will begin their work very soon. Watch for a call for program planning volunteers.

CALAFCO UNIVERSITY

We were pleased to offer six virtual sessions in 2020 between August and December. This year, CALAFCO is planning several virtual CALAFCO U sessions for the first half of the year. Once again, these sessions will be offered to our members at no cost to you. *Watch for save-the-date announcements coming very soon.* As a teaser, we are planning for a three-part session on Fire and EMS Agency reorganizations in March and another session on Hiring Best Practices in May.



CALAFCO ADMINISTRATIVE UPDATE

CALAFCO staff are working on the annual updates of the Membership Directory. It's requested you respond to the request for updates when you receive them from us.



CALAFCO LEGISLATIVE UPDATE



The new two-year legislative session is in full swing and it is anticipated to be another interesting year. As the deadline to introduce legislation nears (Feb. 19), we are seeing a large number of bills relating to COVID-19 response, wildfire prevention, education, healthcare and bridging the equity divide.

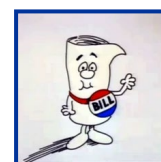
CALAFCO is sponsoring the 2021 Assembly Local Government Committee (ALGC) Omnibus bill and continues the work of the Protest Provision Rewrite Working Group as legislative priorities for 2021. The Working Group, consisting of 18 members (CALAFCO, CSDA, League, CSAC and reps from both local government committees) reconvened and has approved the submission of several obsolete special provisions relating to protests into the Omnibus bill. The group is also working on drafting language to consolidate all existing protest language into one section within CKH, and the subcommittee that is looking at the protest percentage threshold variances is reconvening.

CALAFCO has also been working closely since last fall with Senator Caballero's staff and the sponsors of SB 414 (2019-20) on a redo of that bill. Our conversations have included offering amendments to write LAFCos back into the formation process of the new water authorities. Although the new bill has not yet been introduced (as of the writing of this Report), it is expected before the 2/19 deadline.

The 2020 CKH Guide is now available to download from the CALAFCO website. We are also accepting orders for the hard copy version. Visit the CALAFCO website for details.

Full 2020 legislative reports from the ALGC and Senate Governance & Finance Committees are also available on the CALAFCO website.

All bills being tracked by CALAFCO can be found on the CALAFCO website inside the Legislation section of the site (log in with your member id first to access this section). The CALAFCO Legislative Committee meets regularly and all meeting materials are located in the Legislation section of the CALAFCO website.





CALAFCO ASSOCIATE MEMBERS' CORNER



This section is dedicated to highlighting our Associate Members. The information below is provided to CALAFCO by the Associate member upon joining the Association. All Associate member information can be found in the CALAFCO Member Directory.

City of Rancho Mirage

The **City of Rancho Mirage** has been a Silver Associate Member since July 2010. With a population of just over 18,000, the **City of Rancho Mirage** is located in the County of Riverside. The City offers an abundant amount of sunshine, great climate, and related resort-style living. For more information about the City, contact the Director of Development Services, **Jeremy Gleim**, at jeremyg@ranchomirageca.gov, or at 760-328-2266. Learn more about the City on their website at www.ranchomirageca.gov.



County Sanitation Districts of Los Angeles County

The County Sanitation Districts of Los Angeles County has been a Silver Associate Member since July 2005. They are a public agency focused on converting waste into resources like recycled water, energy and recycled materials. The agency consists of 24 independent special districts serving about 5.6 million people in Los Angeles County. The service areas cover approximately 850 square miles and encompass 78 cities and unincorporated areas in the county. For more information on the Districts, contact **Donna Curry** at dcurry@lacsdc.org, or visit their website at www.lacsdc.org.



Rancho Mission Viejo

Rancho Mission Viejo has been a Silver Associate Member since June 2005. They are responsible for the development and management of a governance structure for a 23,000-acre, 14,000 home planned community. For more information, visit them at www.ranchomissionviejo.com or contact Michael Balsamo at mbalsamo@ranchomv.com.



QK

A Silver Associate Member since September 2010, **QK** (formerly Quad Knopf) provides planning, engineering, biology, environmental and survey services to public and private clients. Their planners have previous experience working for public agencies, including serving as LAFCo Analysts and Executive Officers. They specialize in the San Joaquin and Sacramento Valley regions. For more information on **QK**, visit their website at www.qkinc.com, or contact **Jerome Keene** at jerome.keene@qkinc.com.



CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to continuing to highlighting you in future Quarterly Reports.

Did You Know??

CALAFCO 2020 Survey

Did you know we recently published the **2020 survey of member LAFCos relating to COVID?** The survey included questions about current and future operations, staffing models, commission meeting methods, and budget impacts.



Meeting Documents Online

Did you know that all **CALAFCO Board of Directors and Legislative Committee meeting documents are online?** Visit the Boards & Committees pages in the Members Section of the site. Board documents date back to 2008 and Legislative Committee documents back to 2007.

CALAFCO Courses Archived

Did you know that all **CALAFCO University course materials are now archived on the CALAFCO website?** Visit the CALAFCO website in the CALAFCO U Course Material Archive section.

Mark Your Calendars For These Upcoming CALAFCO Events

- ❖ CALAFCO Legislative Committee virtual meeting - 2/19
- ❖ CALAFCO Legislative Committee virtual meeting - 3/26
- ❖ CALAFCO Board of Directors virtual meeting - 4/30



The **CALAFCO 2021 Calendar of Events** can be found on the CALAFCO website.

As we continue to face both known and unknown challenges, your CALAFCO Board and Staff wish all of you to stay safe and be healthy. We thank you for your continued dedicated service to the communities you serve. Be well.