

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: www.mendolafco.org

COMMISSIONERS

Tony Orth, Chair
Brooktrails Township CSD

Scott Ignacio, Vice-Chair
Point Arena City Council

Gerald Ward, Treasurer
Public Member

Matthew Froneberger
Special District Member

Gerardo Gonzalez
Willits City Council

Glenn McGourty
County Board of Supervisors

Maureen "Mo" Mulheren
County Board of Supervisors

Jenifer Bazzani, Alternate
Ukiah Valley Fire District

John Haschak, Alternate
County Board of Supervisors

Mari Rodin, Alternate
City Member

Richard Weinkle, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Kristen Meadows

Counsel
Scott Browne

REGULAR MEETINGS

First Monday of each month
at 9:00 AM in the
Mendocino County
Board of Supervisors
Chambers
501 Low Gap Road, Ukiah

A G E N D A

Regular Meeting of **Monday, July 12, 2021** at 9:00 AM
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

*Live web streaming and recordings of Regular Commission meetings are available via the [Mendocino County YouTube Channel](#).
Links to recordings, approved minutes, and meeting documents are available on the LAFCo website: <https://www.mendolafco.org/commission-meetings>*

Important Notice

Pursuant to State Executive Order N-29-20 pertaining to the convening of public meetings in response to the COVID-19 pandemic, effective April 5, 2020, the Mendocino Local Agency Formation Commission (LAFCo) meetings will be conducted via Zoom and will not be available for in person public participation until further notice. See website [meeting documents](#) webpage for participation information.

**Zoom meeting link: <https://mendocinocounty.zoom.us/j/87092588111>
By phone: (669) 900-9128; Meeting ID 870 9258 8111**

Submit **written comments** electronically to eo@mendolafco.org by 8:00 a.m. on July 12. In the subject line, specify the agenda item number for your comments, "To be read aloud" if desired, and in the body of the email include your name. If to be read aloud, please keep your comments to 500 words or less. All written comments will be provided as soon as feasible to the Commission and posted on the [meeting documents](#) webpage.

1. CALL TO ORDER and ROLL CALL

2. PUBLIC EXPRESSION

The Commission welcomes participation in the LAFCo meeting. Any person may address the Commission on any subject within the jurisdiction of LAFCo which is not on the agenda. There is a three-minute limit and no action will be taken at this meeting. See public participation information above.

3. CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial, and will be acted on by the Commission in a single action without discussion, unless a request is made by a Commissioner or a member of the public for discussion or separate action.

3a) Approval of the June 7, 2021 Regular Meeting Summary

3b) Approval of the June 2021 Claims & Financial Report

3c) Approval of SDRMA Insurance Payment for Fiscal Year 2021-22

3d) Ratification of AB 1581 CALAFCO Omnibus Bill Support Letter

4. WORKSHOP ITEMS

4a) Covelo Community Services District MSR/SOI Update

The Commission will hold a Workshop on the Draft Covelo Community Services District Municipal Service Review (MSR) and Sphere of Influence (SOI) Update. The Commission will review and discuss the Draft and welcomes public comment on the document. No formal action on the MSR/SOI will be taken at this meeting; a public hearing will be scheduled for formal consideration by the Commission.

5. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

None

6. INFORMATION AND REPORT ITEMS

The following informational items are reports on current LAFCo activities, communications, studies, legislation, and special projects. General direction to staff for future action may be provided by the Commission.

7a) Work Plan, Current and Future Proposals (Written)

7b) Countywide Planning Activities Report

7c) Correspondence (Copies provided upon request)

7d) Executive Officer's Report (Verbal)

7e) Committee Reports (Executive Committee, Policies & Procedures, Work Plan Ad Hoc) (Verbal)

7f) Commissioner Reports, Comments or Questions (Verbal)

7g) CALAFCO Business and Legislative Report

- Annual Conference in Newport Beach, October 6-8, 2021
- Nominations for CALAFCO Board of Directors
- CALAFCO Legislative Report
- CALAFCO U Fire 2021 Series Flyer
- CALAFCO Announcement of Executive Director retirement and recruitment

ADJOURNMENT

The next Regular Commission Meeting is scheduled for Monday, **August 2, 2021** at 9:00 AM
Location to be determined based on current State and local mandates related to the COVID-19 pandemic.

Notice: This agenda has been posted at least 72 hours prior to the meeting and in accordance with the temporary Brown Act Guidelines instated by State Executive Order N-29-20.

Participation on LAFCo Matters: All persons are invited to testify and submit written comments to the Commission on public hearing items. Any challenge to a LAFCo action in Court may be limited to issues raised at a public hearing or submitted as written comments prior to the close of the public hearing.

Americans with Disabilities Act (ADA) Compliance: Because the meeting is being held by teleconference, if you are hearing impaired or otherwise would have difficulty participating, please contact the LAFCo office as soon as possible so that special arrangements can be made for participation, if reasonably feasible.

Fair Political Practice Commission (FPPC) Notice: State Law requires that a participant in LAFCo proceedings who has a financial interest in a Commission decision and who has made a campaign contribution to any Commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission before the hearing.

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REGULAR MEETINGS

First Monday of each month
at 9:00 AM in the
Mendocino County
Board of Supervisors
Chambers
501 Low Gap Road, Ukiah

Agenda Item No. 3a

DRAFT MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, June 7, 2021

Meeting held via Zoom due to COVID-19 Pandemic Emergency Conditions

1. CALL TO ORDER and ROLL CALL (Video Time 3:08)

Chair Orth called the meeting to order at 9:01 a.m.

Regular Commissioners Present: Tony Orth, Scott Ignacio, Gerardo Gonzalez, Matthew Froneberger, Maureen Mulheren, Glenn McGourty, and Gerald Ward

Regular Commissioners Absent: none

Alternate Commissioners Present: Jenifer Bazzani, Richard Weinkle, and Mari Rodin

Alternate Commissioners Absent: John Haschak

Staff Present: Uma Hinman, Executive Officer; Larkyn Feiler, Analyst; Kristen Meadows, Clerk; and Scott Browne, Legal Counsel

2. PUBLIC EXPRESSION None

3. CONSENT CALENDAR (Video Time 7:12)

3a) Approval of the May 5, 2021 Regular Meeting Summary

Commissioner Ward suggested corrections to the summary on pages 7 and 10 of the agenda packet.

3b) Approval of the May 2021 Claims & Financial Report

May 2021 Claims totaling:	\$ 30,473.13
Hinman & Associates Consulting	\$ 20,981.70
P. Scott Browne	\$ 8,651.25
Ukiah Valley Conference Center	\$ 466.53
Streamline	\$ 50.00
Newspapers	\$ 282.52
Penny's Trophies	\$ 41.13

Questions from Commissioner Ward, Answers from EO Hinman:

Q Should the City of Ukiah (City) CEQA document referral be billed to an application? Has staff kept record of time spent on this item?

A The item, an agency referral, is part of the City's CEQA process for the project. Staff's time has been recorded.

Q Is payment from the City anticipated for application A-2021-01 related expenses?

A A full accounting, including legal fees, will be provided to the City for payment.

Q Should Legal Counsel hours related to the City of Ukiah's MSR/SOI Update MOU be allocated to the Work Plan rather than legal services?

A Agreement development is typically part of general services.

3c) Ratification of Corrected January 4, 2021, Meeting Summary (Video Time 14:46)

EO Hinman explained that when preparing the Proposed Budget Amendment (see item 5d) Staff noticed an error in the record. Staff originally recommended a budget amendment of \$184,193. Following discussion, the Commission decided to shift some of the funds from the Work Plan rather than adjust the budget for the full recommended amount. The result was direction to postpone the Covelo CSD, shifting the allocated funds to Basic Services for an amended budget totaling \$176,193. The corrections have been captured by strikethrough edits to the meeting summary and a note from the EO.

3d) Ratification of Corrected Resolution No. 2020-21-03

The same corrections noted in item 3c were made to the Resolution to accurately document the Commission's decision.

Commissioner Ward questioned Staff's decision to move forward with the Covelo CSD this fiscal year. EO Hinman explained that due to delays with the other three Work Plan projects (City of Ukiah, Ukiah Valley Sanitation District, and Ukiah Valley Fire Protection District), Staff moved forward with the Covelo CSD. Project expenses are well below budget and savings goals were maintained.

Motion by Commissioner Ward: Approve the Consent Calendar Items with noted corrections.

Second by Commissioner Gonzalez.

Approved by roll call vote: unanimous.

Ayes: (7) Ignacio, Gonzalez, Ward, Froneberger, Mulheren, McGourty, Orth

4. WORKSHOP ITEMS None

5. MATTERS FOR DISCUSSION AND POSSIBLE ACTION (Video Time 19:36)

EO Hinman noted that items 5a, b & c are all related to Sphere of Influence Updates.

Following distribution of the June 7th Agenda Packet, EO Hinman met with Sage Sangiacomo, Manager for the City of Ukiah (City) and Wing-See Fox, General Manager for the Ukiah Valley Sanitation District (District). She reported that all parties have committed to working together toward forward progress on all fronts. Based on this new information, Staff's updated recommendation is to delay consideration of items 5a-c to allow Staff time to collaborate and develop a plan to move all items forward.

Chair Orth invited comment from City Manager Sangiacomo and District Manager Fox.

City Manager Sangiacomo complimented EO Hinman's summary of the conversations and said that stepping back from all three items will allow for good policy and decision making.

District Manager Fox highlighted ways District and City staff are working together and acknowledged the dedicated work City Staff has invested into the joint sewer system. She looks forward to working together for the provision of sustainable sewer services in the Ukiah Valley.

In closing, EO Hinman thanked City Manager Sangiacomo and District Manager Fox for their collaboration and inclusion in their conversation(s) and is also looking forward to working together.

Commissioners Mulheren and McGourty expressed approval and support of the District and City's commitment to working together.

Chair Orth invited public comment.

Elizabeth Salamone, General Manager for the Russian River Flood Control and Water Conservation Improvement District (RRFCD) thanked Staff for facilitating forward movement on the three items. She looks forward to a resolution of issues and clarification of the Sphere of Influence Policy amendments for the betterment of all agencies under LAFCo jurisdiction.

Motion by Commissioner Ignacio: Delay consideration of items 5a-5c to allow for collaboration and plan development.
Second by Commissioner Gonzalez.

Approved by roll call vote: unanimous.

Ayes: (7) Ignacio, Gonzalez, Ward, Froneberger, Mulheren, McGourty, Orth

5a) Development of Sphere of Influence Policy Amendments

See above.

5b) City of Ukiah Appeal of Executive Officer Determination for 2014 Amended Ukiah Valley Sanitation District Detachment Application (LAFCo File No. D-2020-01)

See above.

5c) Update on the City of Ukiah (City) and Ukiah Valley Sanitation District (UVSD) Consultant Prepared Municipal Service Review and Sphere of Influence Update Process

See above.

5d) Proposed Budget Amendment for Fiscal Year 2020-21 (Video Time 29:16)

EO Hinman presented the second budget amendment request for FY 2020-21 to address increased staffing levels for Basic Services and Legal Counsel. Over 100% of both the Basic Services and Legal Services budget accounts have been expended. An increase of \$15,000 for Basic Services (Account 5300) and \$4,450 for Legal Services (Account 6300) is necessary to carry out the responsibilities and direction of the Commission. The budget amendment shifts funds between accounts, with no increase in the overall budget total.

Commissioner Ward ask what contributed to the \$35,000 increase in Basic Services. EO Hinman said it was related to policy development, development of the MOU for the City of Ukiah and the agreements for the City of Ukiah's SOI update with Planwest Partners, and responding to agency referrals for other applications. He asked if \$107,000 for Basic Services would be sufficient. EO Hinman responded in the affirmative.

Commissioner McGourty requested use of the share screen feature when reviewing budget documents in the future.

Motion by Commissioner Gonzalez: Adopt Resolution No. 2020-21-07 authorizing a budget amendment to shift unutilized budget from several accounts to increase Basic Services (Account 5300) to \$107,060 and Legal Services (Account 6300) to \$19,150 to meet projected staffing needs, and with no overall increase to the current budget operating expenses total of \$176,193.

Second by Commissioner Ignacio.

Approved by roll call vote: unanimous.

Ayes: (7) Ignacio, Gonzalez, Ward, Froneberger, Mulheren, McGourty, Orth

PUBLIC EXPRESSION (Video Time 34:16)

Elizabeth Salomone, RRFCD General Manager requested clarification of the postponement of items 5a-c. EO Hinman said that she will be following up with the City of Ukiah and UVSD Managers this month and will report back to the Commission at the next meeting.

RRFCD Manager Salomone asked if the item will then go before the Policies and Procedures Committee or the full Commission. EO Hinman responded that following a report to the full Commission, Staff will be working with the Policies and Procedures Committee to determine the next steps. In closing, Salomone thanked staff for communicating and sharing of information with the member agencies.

Chair Orth reminded staff of the Ad Hoc Committee created to assist with work load related matters.

UVSD Manager Fox commented, confirming the District's commitment to hard work and forward progress. She believes a step back provides an opportunity to shift from a narrow, defensive focus to a more cooperative perspective, which will ultimately facilitate results more quickly.

City Manager Sangiacomo recognized that a narrow focus is counterproductive when considering long term policies that effect all agencies under LAFCo jurisdiction. Ultimately, the goal is to coordinate agencywide engagement in a workshop setting that allows for and encourages participation from all agencies.

6. PUBLIC HEARING ITEMS (Video Time 40:28)

6a) Final Budget and Work Program for Fiscal Year 2021-22

EO Hinman presented the item with a PowerPoint Presentation.

On May 3, 2021, the Commission adopted a proposed budget of \$208,500. Since then, most of the budget has been expended due to increases in legal fees and Staff workload. The table below summarizes three options presented for consideration and determination of the Final Budget.

	Option 1 As presented on May 3.	Option 2 Meets reserves policy and intent	Option 3 Reflects Staff workload increase trend
Budget	208,500	208,500	227,000
Apportionment	225,000	245,000	265,000
Increase to Reserves	16,600	36,600	38,000
Operations Reserves (25%)	16%	26%	25%
Legal Reserves (\$50,000)	100%	100%	100%

Commissioner Rodin asked when Legal Counsel’s contract is renewed. EO Hinman said the contract continues indefinitely until a review is requested either from the Commission or Legal Counsel.

Commissioner Ward asked for clarification regarding the Operational Reserves account balance. EO Hinman responded that it is anticipated that just under \$25,000 will need to be withdrawn from reserves to meet FY 2020-21 operational costs. With the adoption of the proposed budget, revenues would exceed expenses, yielding \$16,000 which would be deposited into the account to increase reserves.

Motion by Commissioner Gonzalez: Adopt Resolution 20-21-08 with (Option 3) Exhibits A and B, approving the Final Budget and Work Plan for Fiscal Year 2021-2022 per Option 3, which reflect the priorities for the coming fiscal year; and direct the Executive Officer to transmit the Final Budget and Work Plan for FY 2021-2022 to the funding agencies and others as specified in Government Code §56381.

Second by Commissioner McGourty.

Approved by roll call vote.

Ayes: (6) Ignacio, Gonzalez, Froneberger, Mulheren, McGourty, Orth

No: (1) Ward

Commissioner Ward expressed opposition to Option 3. Although he would like to see increased progress on the Work Plan and advocates for increased staff time, he expressed concern for the impact increased apportionment fees may have on some of the smaller districts.

Chair Orth, Commissioners, McGourty, Froneberger and Rodin also expressed concern for the financial impact of increased apportionment fees to the districts and suggested different ways of determining each agency’s contribution amount in the future.

7. INFORMATION/REPORT ITEMS

7a) Work Plan, Current, and Future Proposals (Video Time: 56:45)

Five Active Proposals:

1. City of Ukiah Detachment of Ukiah Valley Sanitation District (UVSD) Served Areas: see item 6a.
2. City of Ukiah Annexation of City-Owned Properties: Staff is waiting on additional information to complete the application submittal. The tax-share agreement process has been initiated with the County.
3. City of Ukiah Pre-Application for Annexation of Areas North of the City: no change.

4. Ukiah Valley Fire District Pre-Application for Annexation of the City of Ukiah: Staff has been coordinated with Mr. Williams and has encouraged the UVFD/City to submit the application as soon as possible so that staff can initiate the tax share negotiation process with the County.
5. Millview County Water District Pre-Application for Annexation of Masonite Properties: Staff are anticipating an application submittal.

Future Proposal(s):

1. City of Ukiah Annexation of the Western Hills Home Properties: Staff has provided comments to the initial referral and is reviewing the draft initial study.

Work Plan:

- Ukiah Valley Sanitation District (UVSD) – Staff is working with the UVSD and Legal Counsel to develop a plan for funding and implementing the UVSD MSR/SOI Update for the Commission’s consideration.
- City of Ukiah (City) - The MOU is being negotiated between City and LAFCo attorneys. Additionally, LAFCo’s draft contract with the consultant is also under review by LAFCo and City attorneys.
- Ukiah Valley Fire District (UVFD) – In anticipation of an application for annexation from the District and City, staff has begun drafting the Administrative Draft MSR/SOI report, which is anticipated to track with the application once it is submitted.
- CSA 3 – Staff is working with County GIS to develop a current map of the CSA.
- Covelo CSD – Staff has received comments from district on the Administrative Draft. Next steps are complete the Public Draft and host a workshop hopefully at the next meeting.

Questions from Commissioner Ward, response from EO Hinman (Video Time 1:1:06)

Q Will the Millview County Water District Pre-Application affect the City’s SOI?

A Staff will review the provision of services in that area during the SOI process for the City and UVSD.

Q Will the UVFD’s application for annexation be reviewed before completion of the MSR/SOI.

A Staff plans to process the two concurrently.

Q When will the Ukiah Valley Fire District Pre-Application for Annexation of the City of Ukiah be presented to the Commission for review?

A The application needs to be reviewed by the Commission in early fall to meet the Board of Equalization’s December 1st deadline.

Chair Orth invited City Manager Sangiacomo to answer Commissioner Ward’s questions:

A He anticipates submitting the paperwork to LAFCo within the next two weeks. The City has supported joint operations with the Fire District in the amount of \$1.5 million each year to sustain Fire and EMS services in inland Mendocino County. If the City and Fire District are not successful in completing the annexation there is a risk of collapsing all Fire and EMS services in the area.

7b) Countywide Planning Activities Report (Video Time 1:08:47)

EO Hinman invited RFFCD Manager Salomone to provide an update on local drought conditions.

She facilitated discussion on various agency collaboration efforts and activities to address the situation including the Board of Supervisors Drought Ad Hoc Committee and its selection of a project manager, the Groundwater Sustainability Agency and the Potter Valley Project, leveraging district water rights, State funding resources, and collection of groundwater, underflows, and off river flows etc.

Commissioners Fronberger and Ignacio reported that the headwaters in the watershed and on the coast are remarkably reduced and rapidly decreasing. One of the watershed sources is expected to run dry by next month.

Following the discussion RFFCD Manager Salomone shared the most recent significant impacts to the County’s water supply. A recent reduction of flows from Lake Pillsbury of about 5,000 ac/ft has been placed entirely on the East Fork of the Russian River cutting off its flow into Lake Mendocino. The Federal Energy Resources Commission (FERC) issued a temporary variance proving the disproportionate reduction. Many county representatives provided public comment informing FERC of the implications of the reduction. It is not yet known what can be done to remedy the situation. If further reductions are made, Potter Valley will suffer.

In addition, the State Water Resources Control Board has issued notices of water unavailability restricting certain water right holders from diverting water from the system. The remaining senior right holders will be further restricted if the board passes emergency regulations (based on the storage level of Lake Mendocino) which are scheduled for consideration on June 15 and could be implemented on July 1.

She reported that the RRFCD has rights to stored water in Lake Mendocino and has been working with the State Water Board to develop a water demand program that stabilizes the flow of the Russian River. Efforts are in place to potentially save 20,000 acre/ft by October to hopefully carry through the winter should we have another drought year.

(Video Time: 1:34:37) Phil Williams, attorney for the City of Ukiah, commented on the Mendocino County water situation. As leaders, he said, it is important to understand the different types of water rights holders in the area – specifically the Riparian and Pre-1914 diverters, and the implications of curtailments and emergency regulations imposed by the State Water Board on Mendocino County water resources. Understanding how they work together will allow leaders to engage meaningfully to protect as much water for Ukiah Valley as possible.

7c) Correspondence None.

7d) Executive Officer's Report (Video Time: 1:32:27)

EO Hinman reported that the LAFCo office is again open to the public on Tuesdays and Fridays from 9 a.m. – 1 p.m. Work includes updating the Agency Directory and establishing new service providers for internet, phone, website domain and email hosting to replace Pacific Internet. The switch will be completed this month.

In closing EO Hinman thanked the Commission for the adopted budget which will provide the resources needed to support Staff as they carry out state mandates, directives from the Commission and the functions of the office.

7e) Committee Reports (Executive Committee/Policies & Procedures) (Video Time 1:38:58)

EO Hinman reported that Staff will be working with the Policies and Procedures committee to host a 2nd workshop with the member agencies.

7f) Commissioners Reports, Comments or Questions (Video Time: 1:39:52)

Commissioner Mulheren clarified that the Tax Share Ad Hoc Committee is a resource for all four cities of the County.

Commissioners Rodin and McGourty requested that all Commissioners and staff turn on video for future meetings unless it is impossible.

7g) CALAFCO Business and Legislation Report

EO Hinman referenced page 76 of the agenda packet for the following report items:

1. Office of the Governor – Transitional Period Prior to Repeal of COVID-related Executive Orders
2. 2021 CALAFCO Achievement Award Nominations – Due the end of June
3. May 2021 CALAFCO Legislative Report
4. CALAFCO Quarterly Report

ADJOURNMENT (Video Time: 1:46:52)

There being no further business, the meeting adjourned at 10:44 a.m. The next regular meeting is scheduled for Monday, July 12, 2021, at 9:00 a.m. The location is to be determined based on guidelines recommended by the Mendocino County Public Health Officer and Executive Orders regarding the COVID-19 pandemic.

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MENDOCINO Local Agency Formation Commission Staff Report

DATE: July 12, 2021
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Financial Report and Claims for June 2021**

RECOMMENDED ACTION

Approve the June 2021 claims and financial report.

Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 9,922.00	\$ 12,092.00
	5601 Office Supplies (QB)	\$ 70.00	
	6200 Bookkeeping	\$ 40.00	
	7000 Work Plan (UVFD, CSA 3, Covelo CSD)	\$ 904.00	
	8010 City of Ukiah Detach UVSD Areas	\$ 714.00	
	8025 City of Ukiah Annex City Owned Props	\$ 34.00	
	8026 UVFD Annex City of Ukiah	\$ 408.00	
P. Scott Browne	6300 Legal Counsel - General Services	\$ 921.80	\$ 2,294.30
	8010 Ukiah Detachment of UVSD Areas	\$ 1,372.50	
Newspapers	5900 Final Budget Public Hearing Pub.	\$ 275.73	\$ 275.73
County of Mendocino	6000 Televising Meetings (April)	\$ 271.03	\$ 1,145.00
	6000 Televising Meetings (May)	\$ 271.03	
	6670 GIS Maps (May)	\$ 602.94	
Ukiah Valley Conf. Center	5502 Office Space	\$ 464.00	\$ 467.64
	5600 Postage	\$ 3.64	
Streamline	5700 Internet & Website Costs (July)	\$ 50.00	\$ 50.00
Comcast	5700 Internet & Website Costs	\$ 189.99	\$ 189.99
Commissioner Stipends	6740 Stipends May & June (Weinkle)	\$ 100.00	\$ 100.00
Total:			\$ 16,614.66

Deposits: None

Attachments:

- Budget Tracking Spreadsheet
- Work Plan Tracking
- Invoices: Hinman & Associates Consulting, Browne

Please note that copies of all invoices, bank statements, and petty cash register were forwarded to the Commission Treasurer.

Mendocino Local Agency Formation Commission
 FY 2020-21 Budget and Application Tracking

Acct #	Task	FY 20-21 Budget Amended 2	1st Qtr Subtotals	2nd Qtr Subtotal	3rd Qtr Subtotal	April	May	June	Year to Date	Remaining Budget	% of Budget Expended
EXPENSES											
5300	Basic Services - EO/Analyst/Clerk	\$107,060	\$28,703.00	\$21,841.00	\$22,624.00	\$8,222.00	\$13,627.00	\$9,922.00	\$104,939.00	\$2,121.00	98%
	Unfunded Mandates	\$0		\$0.00	\$0.00						
5500	Rent	\$5,568	\$898.00	\$1,856.00	\$1,392.00	\$464.00	\$464.00	\$464.00	\$5,538.00	\$30.00	99%
5600	Office Expenses	\$3,550	\$916.04	\$1,869.12	\$471.67	\$86.10	\$238.86	\$73.64	\$3,655.43	\$-105.43	103%
5700	Internet & Website Costs	\$1,550	\$1,197.52	\$42.00	\$200.00	\$50.00	\$50.00	\$239.99	\$1,779.51	\$-229.51	115%
5900	Publication & Legal Notices	\$1,000	\$274.64	\$0.00	\$0.00		\$282.52	\$275.73	\$832.89	\$167.11	83%
6000	Televising Meetings	\$1,500	\$166.40	\$466.78	\$361.38			\$542.06	\$1,536.62	\$-36.62	102%
6100	Audit Services	\$3,380	\$1,690.00	\$0.00	\$1,690.00				\$3,380.00	\$0.00	100%
6200	Bookkeeping	\$4,500	\$1,000.00	\$830.00	\$2,280.00	\$270.00	\$80.00	\$40.00	\$4,500.00	\$0.00	100%
6300	Legal Counsel (S Browne)	\$19,150	\$2,400.00	\$2,727.00	\$3,700.40	\$900.00	\$6,367.50	\$921.80	\$17,016.70	\$2,133.30	89%
6400	A-87 Costs County Services	\$2,093	\$0.00	\$2,093.00	\$0.00				\$2,093.00	\$0.00	100%
6500	Insurance - General Liability	\$2,815	\$2,815.00	\$0.00	\$0.00				\$2,815.00	\$0.00	100%
6600	Memberships (CALAFCO/CSDA)	\$3,727	\$2,245.00	\$1,482.00	\$0.00				\$3,727.00	\$0.00	100%
6670	GIS Contract with County	\$1,000	\$0.00	\$0.00	\$0.00			\$602.94	\$602.94	\$397.06	60%
6740	In-County Travel & Stipends	\$300	\$0.00	\$50.00	\$100.00			\$100.00	\$150.00	\$150.00	50%
6750	Travel & Lodging Expenses	\$0	\$0.00	\$0.00	\$0.00				\$0.00	\$0.00	#DIV/0!
6800	Conferences (Registrations)	\$0	\$0.00	\$0.00	\$0.00				\$0.00	\$0.00	#DIV/0!
7000	Work Plan (MSRs and SOIs)	\$19,000	\$2,380.00	\$1,741.00	\$4,734.25	\$200.00	\$5,356.50	\$904.00	\$15,315.75	\$3,684.25	81%
Monthly/ Year to Date Totals		\$176,193.00	\$44,685.60	\$34,997.90	\$37,553.70	\$10,192.10	\$26,466.38	\$14,086.16	\$167,981.84	\$8,311.16	95%

APPLICATIONS	DEPOSIT (total by application)	1st Qtr Subtotals	2nd Qtr Subtotal	3rd Qtr Subtotal	April	May	June	Project Total to Date	Remaining Budget	Notes	
D-2014-8010	City of Ukiah Detachment of UVSD lands	\$11,532.75	\$3,436.00	\$1,556.00	\$1,228.00	\$1,569.50	\$4,006.75	\$2,086.50	\$15,080.75	\$-3,548.00	Additional deposit requested 6/9/21 and 7/1/21
P-2020-01 (8022)	City of Ukiah North Annexation Pre-Application	\$1,500.00	\$0.00	\$850.00	\$272.00			\$1,122.00	\$1,228.00		
P-2020-02 (8023)	City of Ukiah/UVFD Annexation Pre-Application	\$3,000.00	\$930.00	\$417.50	\$1,170.00			\$2,517.50	\$0.00	Closed, remaining deposit to A-2021-02	
P-2020-03 (8024)	Millview CWD Annexation Pre-Application	\$3,500.00	\$0.00	\$853.00	\$1,692.25	\$176.00		\$2,721.25	\$778.75		
A-2021-01 (8025)	City of Ukiah Annexation of City-Owned Properties	\$5,000.00	\$0.00	\$0.00	\$1,747.00		\$34.00	\$1,781.00	\$3,219.00		
A-2021-02 (8026)	UVFD Annexation of City of Ukiah	\$482.50	\$0.00	\$0.00	\$0.00		\$408.00	\$408.00	\$74.50		
8601	Sustainable Ag Lands Committee Grant Project	\$5,100.00	\$100.00	\$225.00	\$250.00			\$575.00	\$4,525.00	grant reimbursement	
Application Totals		\$30,115.25	\$4,466.00	\$3,901.50	\$6,359.25	\$1,745.50	\$4,006.75	\$2,528.50			
EXPENSES AND APPLICATION TOTALS		\$206,308.25	\$49,151.60	\$38,899.40	\$43,912.95	\$11,937.60	\$30,473.13	\$16,614.66			

DEPOSITS

6/3/2021 County of Mendocino (Apportionment Fees) \$ 12,000.00

ACCOUNT BALANCES

County of Mendocino Account Balance \$ 466
 Operations (Checking) Account Balance \$ 3,015
 Legal Reserve Balance \$ 35,000
 Operations Reserve Balance \$ 55,500
 Total \$ 93,981

MUNIS report balance as of 6/31/2021
 Quickbooks balance as of 6/30/2021
 Bank statement as of 5/31/2021
 Bank statement as of 5/31/2021

Mendocino LAFCo
FY 2020-21 Estimated Work Plan Implementation Schedule and Cost Tracking
 June 2021

Subject to Change: The estimated schedule and costs for the Fiscal Year 2020-21 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.

CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.

Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule and cost tracking table is intended to enhance communication and transparency.

Agency	Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Cost Estimate ¹	FY 2020-21 Amended Budget	FY 2020-21 Expenses	Cost to Date ²
Mendocino City CSD	Complete	Complete	6/1/20	8/3/20	Complete	\$10,000	\$0	\$1,224	\$13,573
Ukiah Valley Sanitation District	Complete	In progress	TBD	TBD	TBD	\$20,000	\$10,000	\$1,039	\$3,741
City of Ukiah	Pending	Pending	TBD	TBD	TBD	\$25,000	\$12,500	\$4,270	\$4,270
Ukiah Valley Fire District	Complete	Pending	TBD	TBD	TBD	\$7,000	\$6,000	\$1,768	\$1,768
County Service Area 3	In progress	In progress	TBD	TBD	TBD	\$10,000	\$6,000	\$119	\$3,995
Covelo CSD	Complete	In progress	7/12/21	TBD	TBD	\$8,000	\$0 ³	\$6,896	\$7,542
Estimated Total						\$80,000	\$34,500	\$15,316	\$34,889

¹ Column indicates the initial cost estimated for each study and accounts for in process studies rolled over from prior fiscal years.

² Column indicates a running total for actual expenses incurred to date for each study in process and is not limited to a specific fiscal year.

³ With the FY 2020-21 Amended Budget, the Commission transferred budget from the Work Plan (Account 7000) to Basic Services (Account 5300) and Legal Services (Account 6300). In so doing, the Work Plan was modified to delay preparation of the Covelo CSD to FY 2021-22. However, due to delays within FY 2020-21 on other Work Plan tasks, staff moved forward with preparation of the Covelo CSD which was ready to proceed.



Hinman & Associates Consulting (916) 813-0818

Hinman & Associates Consulting

PO Box 1251 | Cedar Ridge, CA 95924
uhinman@comcast.net

Date July 1, 2021
To Mendocino LAFCo
Project Executive Officer Services
Work Period June 1 - 30, 2021

Invoice No. 582
Invoice Total \$ 12,092.00

Account	Description	Staff/Hours			Other (At Cost)	Totals
		Executive Officer \$100	Analyst \$68	Clerk \$40		
5300	Basic Services Public Records Act Requests	61.00	21.50	59.00		\$ 9,922.00
5601	Office Supplies Quickbooks Online Fee Office Equipment				\$ 70.00	\$ 70.00
6200	Bookkeeping			1.00		\$ 40.00
7000	Work Plan (MSR/SOI/Special Studies) UVFD City of Ukiah UVSD CSA 3 Covelo CSD		1.50 1.50 7.00			\$ 102.00 \$ - \$ - \$ 102.00 \$ 700.00
8010	City of Ukiah Detachment Application		10.50			\$ 714.00
8022	City of Ukiah North Annex Pre-App					\$ -
8024	Millview CWD Annex Pre-App					\$ -
8025	City of Ukiah Annex City Properties		0.50			\$ 34.00
8026	UVFD Annex City of Ukiah		6.00			\$ 408.00
8601	SALC Project (grant reimbursed)					\$ -
Totals		\$ 6,800.00	\$ 2,822.00	\$ 2,400.00	\$ 70.00	\$ 12,092.00

5300 Basic Services

Administrative tasks and Clerk duties. File research and maintenance. Comprehensive city/special District directory update. Research new internet/domain/email/phone providers. June claims. Communications with Commissioners, public inquiries, etc. FY 2021-22 final budget development process. Agenda packet development for June 7 and July 12 Commission meetings. Coordination with Ukiah and UVSD on next steps for Work Plan efforts. Coordinate with City of Ukiah staff on the CEQA document for proposed Western Hills Annexation project. Respond to agency and public inquiries regarding how to address water deliveries and water connections.

6200 Bookkeeping

Prepared and coordinated with Treasurer regarding claims. Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks.

7000 Work Plan (Sphere of Influence Updates, Municipal Service Reviews, and Special Studies)

Preparation of Workshop Draft Covelo CSD MSR/SOI Update; provided to District for review (5/20). Coordinated with City of Ukiah and UVSD regarding MSR/SOI Updates. Coordinated with GIS to develop a current map of CSA 3. Organized files and worked on Administrative Draft structure for UVFD.

8010 City of Ukiah Detachment of UVSD Area

Coordinated with Legal Counsel on responses to City comments and points of application and CEQA component. Staff reports and preparation for June 7th agenda item on the appeal of EO's determination of incomplete application.

8022 City of Ukiah North Annex Pre-App

8024 Millview CWD Annexation Pre-Application

8025 City of Ukiah Annexation of City-owned Properties

Call with City staff to discuss the application and updates on information needs.

8026 UVFD Annexation of City of Ukiah

Reviewed prima facie application submittal and prepared Notice of Filing to County Assessor and Auditor to initiate the tax share negotiation process. Prepared referral letters for distribution to interested agencies. Coordinated with County GIS for APN list.

8601 Sustainable Agricultural Lands Committee Grant Project

From: Intuit QuickBooks Team <intuit@notifications.intuit.com>
Sent: Saturday, June 19, 2021 6:54 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001104446062
Invoice date: 06/19/2021
Total: \$70.00
Payment method: VISA ending
in

Sign in to QuickBooks where you can see your billing history and view, save, and print your invoice.

[View billing history](#)

Account details

Billed to: Mendocino LAFCo
Company ID ending:
Items on this invoice: QuickBooks Online Plus

(1) For subscriptions, your payment method on file will be automatically charged monthly/annually at the then-current list price until you cancel. If you have a discount it will apply to the then-current list price until it expires. To cancel your subscription at any time, go to [Account & Settings](#) and cancel the subscription. (2) For one-time services, your payment method on file will reflect the charge in the amount referenced in this invoice. Terms, conditions, pricing, features, service, and support options are subject to change without notice.

Law Office of P. Scott Browne
 131 South Auburn Street
 Grass Valley, CA 95945
 5302724250
Tax ID: 68-0348904

June 15, 2021

Mendocino LAFCo
 200 South School St. Ste F
 Ukiah, CA 95482

Invoice Number: 928
 Invoice Period: 05-16-2021 - 06-15-2021

Payment due by the 15th of next month.

RE: Mendocino LAFCo - General
 Mendocino LAFCo - General

Mendocino LAFCo - General

Time Details

Date	Staff Member	Description	Hours	
05-16-2021	PSB	Monthly flat rate, as agreed upon in Legal Representation Agreement		
05-21-2021	PSB	Review City changes to Planwest contract and begin revisions	2.00	
05-24-2021	PSB	Complete review of City changes to Planwest contract; Email to Uma;	2.25	
05-27-2021	PSB	Review Uma's changes; Finalize Planwest contract and sent to Phil Williamson	1.00	
06-07-2021	PSB	Meeting of Commission via Zoom	1.70	
			Total	900.00

Expenses

Date	Staff Member	Expense	Amount	
06-15-2021	PSB	Legal Research	21.80	
		Legal Research		
			Total Expenses	21.80

Total for this Invoice 921.80
Total Amount to Pay 921.80

We appreciate your business.

Page 1 of 2

Project Statement of Account

As of 06-15-2021

Project	Balance Due
Mendocino LAFCo - General	921.80
Total Amount to Pay	921.80

Mendocino LAFCo - General

Transactions

Date	Transaction	Applied	Invoice	Amount
05-15-2021	Previous Balance			6,367.50
06-14-2021	Payment Received - Reference ck# 1660			(6,367.50)
06-14-2021	Payment Applied	6,367.50	912	
06-15-2021	Invoice 928			921.80
			Balance	921.80

We appreciate your business.

Page 2 of 2

Law Office of P. Scott Browne
 131 South Auburn Street
 Grass Valley, CA 95945
 5302724250
Tax ID: 68-0348904

June 15, 2021

Mendo-02
 200 South School St. Ste F
 Ukiah, CA 95482

Invoice Number: 929
 Invoice Period: 05-16-2021 - 06-15-2021

RE: Ukiah Detachment of UVSD Areas (#D-2020-01)

Time Details

Date	Staff Member	Description	Hours	Rate	Amount
05-20-2021	PSB	Staff meeting with chair re: detachment issues; Review further emails;	1.60	225.00	360.00
06-01-2021	PSB	Review emails; Respond to Wing See;	0.50	225.00	112.50
06-02-2021	PSB	Conference call with UVSD staff and attorney	1.00	225.00	225.00
06-03-2021	PSB	Review and revise staff report for board meeting	3.00	225.00	675.00
Total					1,372.50

Time Summary

Staff Member	Hours	Rate	Amount
PSB	6.10	225.00	1,372.50
Total			1,372.50

Total for this Invoice	1,372.50
Previous Invoice Balance	2,283.75
Payment - ck# 1660 on 06-14-2021	(2,283.75)
Total Amount to Pay	1,372.50

We appreciate your business.

Page 1 of 2

Project Statement of Account

As of 06-15-2021

Project		Balance Due
Ukiah Detachment of UVSD Areas (#D-2020-01)		1,372.50
	Total Amount to Pay	1,372.50

Ukiah Detachment of UVSD Areas (#D-2020-01)

Transactions

Date	Transaction	Applied	Invoice	Amount
05-15-2021	Previous Balance			2,283.75
06-14-2021	Payment Received - Reference ck# 1660			(2,283.75)
06-14-2021	Payment Applied	2,283.75	913	
06-15-2021	Invoice 929			1,372.50
			Balance	1,372.50

Open Invoices and Credits

Date	Transaction	Amount	Applied	Balance
06-15-2021	Invoice 929	1,372.50		1,372.50
			Balance	1,372.50

We appreciate your business.

Page 2 of 2

June 7, 2021

Ms. Kristen Meadows
Commission Clerk
Local Agency Formation Commission of Mendocino County
200 South School Street
Ukiah, California 95482-4828

RE: 2021-22 Property/Liability Program Renewal Invoice

Dear Ms. Meadows,

We sincerely appreciate your continued partnership and thank you for your patience while the program reinsurers finalized the 2021-22 renewal costs for the SDRMA Property/Liability Program over the past few months. As expected, the program final renewal costs have been impacted by the conditions of the current insurance market as described in the attached *State of the Market* presentation.

Your agency's 2021-22 Property/Liability Program renewal invoice was emailed directly to you on June 3, 2021. However, if your agency has an insurance broker for property/liability, the invoice was emailed to the broker on record.

Your invoice may include the following adjustments:

- The annual contribution for Property/Liability Package Program may vary compared to the 2020-21 renewal invoice due to scheduled item changes, updates submitted through the renewal questionnaire, and any optional coverages selected by your agency.
- The Limit of Liability selected by your agency is also indicated on the invoice.
- For members belonging to both SDRMA Property/Liability and Workers' Compensation Programs, a 5% Multi-Program Discount has been deducted from the invoice total.
- Credit Incentive Program (CIP) discounts, if earned, have been applied to your invoice. Enclosed is your CIP status report showing the detail of the points earned.
- In addition, a \$75 credit has been applied if your agency used MemberPlus Online™ to submit your 2021-22 Renewal Questionnaire by the February 15th deadline. The 2021-22 CIP Criteria is also attached for your reference.
- No Longevity Distribution is declared for the Property/Liability Program this year.

In addition to the renewal invoice, the 2021-22 CIP Criteria has been attached for your reference.

To ensure accurate and timely processing of your coverages, **please submit payment for the total contribution amount shown on the invoice by July 15, 2021.** If your agency needs to make special payment arrangements due to cash flow constraints, or you would like to receive

a hard copy invoice, please contact our Finance Department, at accounting@sdrma.org or 800.537.7790.

Please note that any balance due on **August 15, 2021** will begin to accrue interest charges of 1% per month regardless of any payment arrangements.

From the SDRMA Board of Directors and entire risk management team, we thank you for your support! If you have any questions, please contact us at accounting@sdrma.org or 800.537.7790.

Sincerely,
Special District Risk Management Authority

A handwritten signature in blue ink that reads "Laura S. Gill".

Laura S. Gill
Chief Executive Officer

Enclosures: 2021-22 PL Renewal Invoice
2020-21 CIP Status Report
2021-22 CIP Criteria
State of the Market



Property/Liability Package Program Invoice

Program Year 2021-22

Local Agency Formation Commission of Mendocino County

200 South School Street
Ukiah, California 95482

Invoice Date: 06/03/2021
Invoice Number: 70377
Member Number: 7157

Property, Boiler/Machinery, Pollution, Cyber <i>Coverage for 0 reported item(s) valued at (including contents): \$0</i>	\$0.00
Mobile/Contractors Equipment <i>Coverage for 0 reported item(s) valued at: \$0</i>	0.00
General Liability*, Errors & Omissions, Employee & Public Officials Dishonesty <i>Certificates: 1 Non-Member Certificate(s)</i>	2,759.00
Auto Liability (includes \$50 charge for non-owned auto coverage) <i>Coverage for 0 reported item(s) valued at: \$0</i>	50.00
Auto Comp / Collision <i>Coverage for 0 reported item(s) valued at: \$0</i>	0.00
Trailers <i>Coverage for 0 reported item(s) valued at: \$0</i>	0.00

Gross Package Contribution	\$2,809.00
Earned CIP Credits (6)	-133.13
Longevity Distribution Credit	0.00
MemberPlus Online RQ Bonus	-75.00
Other Discounts	0.00
Subtotal	\$2,600.87
5% Multi-Program Discount	\$0.00

Total Contribution Amount Due by 30 Days **\$2,600.87**

**Current Limit of Liability is \$2.5M for G/L, A/L and E&O (excluding outside excess liability limits)*

Please pay in full by the due date. If not, a late charge of one percent (1%) per month, twelve percent (12%) per annum, will be assessed on all sums past due. Imposition of this charge does not extend the due date for payment.

For invoice questions call the SDRMA Finance Department.

Special District Risk Management Authority
1112 I Street Suite 300, Sacramento, California 95814-2865
Tel 916.231.4141 or 800.537.7790 | Fax 916.231.4111
www.sdrma.org



MEMBER'S CERTIFICATE OF COVERAGE

Issue Date
7/1/2021

Provider Special District Risk Management Authority
1112 'I' Street, Suite 300
Sacramento, California 95814
800.537.7790 www.sdrma.org



Member **Local Agency Formation Commission of Mendocino County**
200 South School Street
Ukiah, California 95482

Member Number: 7157

This is to certify that coverages listed below have been issued to the Member named above for the period indicated. This certificate is not an insurance policy or an agreement of coverage and does not amend, extend or alter the coverage afforded by the agreements listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage described herein is subject to all the terms, exclusions, and conditions of the specific coverage document. This certificate of coverage evidences the limits of liability in effect at the inception of the agreements shown; limits shown may have been reduced by paid claims. This certificate is issued as a matter of information only and confers no rights upon the certificate holder.

Type of Coverage	Policy Number	Effective Date	Expiration Date	Limits
General Liability	LCA-SDRMA-202122	7/1/2021	7/1/2022	Per Occurrence
Bodily Injury				\$ 2,500,000
Property Damage				\$ 2,500,000
Public Officials Personal				\$ 500,000
Employment Benefits				\$ 2,500,000
Employee/Public Officials E & O				\$ 2,500,000
Employment Practices Liability				\$ 2,500,000
Employee/Public Officials Dishonesty (Crime)	EDC-SDRMA-202122			\$ 1,000,000
Auto Liability	LCA-SDRMA-202122	7/1/2021	7/1/2022	Per Occurrence
Auto Bodily Injury				\$ 2,500,000
Auto Property Damage				\$ 2,500,000
Non-Owned Auto Bodily Injury				\$ 2,500,000
Non-Owned Auto Property Damage				\$ 2,500,000
Uninsured Motorist	UMI-SDRMA-202122			Limits on File

Laura S. Gill

Page 21 of 130
Laura S. Gill - Chief Executive Officer

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafo.org | Web: www.mendolafo.org

Tony Orth, Chair
Brooktrails Township CSD

June 21, 2021

Scott Ignacio, Vice-Chair
Point Arena City Council

The Honorable Governor Gavin Newsom
State of California
State Capitol Building
Sacramento, CA 95814

Gerald Ward, Treasurer
Public Member

Matthew Froneberger
Regular Special District

RE: Request to Sign AB 1581
Assembly Local Government Committee Omnibus Bill

Gerardo Gonzalez
Willits City Council

Dear Governor Newsom:

Glenn McGourty
County Board of Supervisors

The Mendocino Local Agency Formation Commission (LAFCo) respectfully requests that you **sign Assembly Bill 1581** (Assembly Local Government Committee) which is now before you for action. **AB 1581** makes changes and clarifications to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Maureen Mulheren
County Board of Supervisors

Jenifer Bazzani, Alternate
Ukiah Valley Fire District

This annual bill includes technical changes to the Act which governs the work of local agency formation commissions. These changes are necessary as commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 1581** makes several minor technical changes, corrects obsolete and incorrect code references, and makes minor updates to outdated sections. Without making any policy changes, the revised language greatly clarifies the laws and eliminates outdated and confusing language thereby creating a significant increase in the clarity of the Act for all stakeholders.

John Haschak, Alternate
County Board of Supervisors

Mari Rodin, Alternate
City Member

Richard Weinkle, Alternate
Public Member

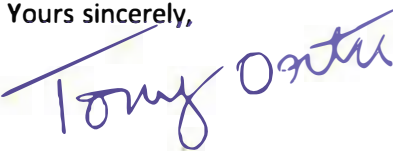
STAFF
Executive Officer
Uma Hinman

Because this legislation helps insure that the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state, and clearer to all who use the Act, we respectfully urge you to sign **AB 1581**.

Analyst
Larkyn Feiler

Yours sincerely,

Commission Clerk
Kristen Meadows



Counsel
Scott Browne

Tony Orth
Chair, Mendocino LAFCo

REGULAR MEETINGS
First Monday of each month
at 9:00 AM in the
Mendocino County
Board of Supervisors
Chambers
501 Low Gap Road, Ukiah

cc: Honorable Cecilia Aguiar-Curry, Chair, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
Ronda Paschal, Deputy Legislative Secretary to the Governor
Pamela Miller, Executive Director, CALAFCO

MENDOCINO

Local Agency Formation Commission

Staff Report

MEETING July 12, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Workshop** for Covelo Community Service District Municipal Service Review and Sphere of Influence Update

RECOMMENDATIONS

Hold a Workshop on the Draft Covelo Community Services District Municipal Service Review and Sphere of Influence Update, provide comments and requested revisions, and direct staff to notice the matter for Public Hearing as soon as feasible for consideration.

INTRODUCTION

This is a Workshop to introduce the Draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Covelo Community Services District (CCSD or District). The prior MSR and SOI for the District was adopted by the Commission on October 4, 2010. The Workshop Draft CCSD MSR/SOI Update includes the following information related to the District: history, government structure and accountability, operational efficiency, finances, projected growth, disadvantaged unincorporated communities, service capacity and needs, and proposed sphere. The District reviewed and provided feedback on an Administrative Draft of the study and requested changes have been incorporated into this Workshop Draft as appropriate.

As background, the District was formed on April 5, 1960 and encompasses the rural community of Covelo, located approximately 35 miles northeast of Willits on State Route 162. The District is a single-service district providing wastewater services and was formed to protect the health and safety of the Covelo community associated with well water contamination from private septic systems.

The District boundary is approximately 200 acres in size and services 265 residential equivalent users; no out of agency services are provided. Much of the developed area of Covelo is within the District's boundaries. Other municipal service providers in the area include the Round Valley County Water District, Covelo Fire Protection District and the Covelo Lighting District. The Round Valley Indian Reservation is located adjacent to the District and owns and operates its own wastewater treatment facility for the Reservation.

In 2010, the Commission adopted a coterminous SOI to reflect the area that the District's wastewater treatment plant and collection system had the capacity to serve. LAFCo approved two annexations totaling 62.2 acres to the District boundary, which were processed concurrent with the 2010 MSR/SOI Update and reflected in the adopted SOI. The District's SOI is recommended to be affirmed as a coterminous sphere, which is a sphere that is the same as the jurisdictional boundary, based on the limited projected growth for the area and low demand for additional District services. The District confirmed that their current boundary reflects existing service needs and projected service demands over the next five years.

Attachments: Workshop Draft Covelo CSD MSR/SOI Update

WORKSHOP DRAFT



(The Press Democrat, 2012)

COVELO COMMUNITY SERVICES DISTRICT

Municipal Service Review and Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street
Ukiah, California 95482

<http://www.mendolafco.org/>

Workshop:

Public Hearing:

Adopted:

LAFCo Resolution No:

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DRAFT

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1 INTRODUCTION

1.1 LOCAL AGENCY FORMATION COMMISSION

Local Agency Formation Commissions (LAFCos) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFCo for each county in California.

LAFCo is responsible for implementing the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFCo has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFCo's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

1.2 MENDOCINO LAFCO

The CKH Act provides for flexibility in addressing State regulations to allow for adaptation to local needs. Mendocino LAFCo has adopted policies, procedures and principles that guide its operations. These policies and procedures can be found on Mendocino LAFCo's website at the following location: <http://www.mendolafco.org/policies.html>.

Mendocino LAFCo has a public Commission with seven regular Commissioners and four alternate Commissioners. The Commission is composed of two members of the Mendocino County Board of Supervisors, two City Council members, two Special District representatives, and one Public Member-At-Large. The Commission also includes one alternate member for each represented category.

1.3 SPHERE OF INFLUENCE

The CKH Act requires LAFCo to adopt a Sphere of Influence (SOI) for all local agencies within its jurisdiction. A SOI is "a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission" (GC §56076).

When reviewing an SOI for a municipal service provider, LAFCo will consider the following five factors:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public

facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Sphere of Influence Updates include written statements or determinations with respect to each of the five mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of establishing or modifying a service provider's SOI or probable future boundary.

1.4 MUNICIPAL SERVICE REVIEW

The CKH Act (GC §56430) requires LAFCo to prepare a Municipal Service Review (MSR) for all local agencies within its jurisdiction. MSRs are required prior to and in conjunction with the update of a Sphere of Influence (SOI).

An MSR is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area.

An MSR must address the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

MSRs include written statements or determinations with respect to each of the seven mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of a service provider's existing and future service area boundary.

1.5 MENDOCINO LAFCO POLICIES

In addition to making the necessary determinations for establishing or modifying a SOI consistent with the CKH Act, the appropriateness of an agency's SOI is also based on an evaluation of consistency with local LAFCo policies.

The following Sphere of Influence policies are from the Mendocino LAFCo Policies and Procedures Manual, adopted November 5, 2018.

10.1.1 Legislative Authority and Intent

A sphere of influence is the probable 20-year growth boundary for a jurisdiction's physical development. The Commission shall use spheres of influence to:

- a) promote orderly growth and development within and adjacent to communities;
- b) promote cooperative planning efforts among cities, the County, and special districts to address concerns regarding land use and development standards, premature conversion of agriculture and open space lands, and efficient provision of public services;
- c) guide future local government reorganization that encourages efficiency, economy, and orderly changes in local government; and
- d) assist property owners in anticipating the availability of public services in planning for the use of their property.

10.1.2 Definitions

The Commission incorporates the following definitions:

- a) an “establishment” refers to the initial development and determination of a sphere of influence by the Commission;
- b) an “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency; and
- c) an “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.

10.1.3 Sphere Updates

In updating spheres of influence, the Commission’s general policies are as follows:

- a) The Commission will review all spheres of influences every five years for each governmental agency providing municipal services. Municipal services include water, wastewater, police, and fire protection services.
- b) Sphere of influence changes initiated by any agency providing a municipal service shall generally require either an updated or new service review unless LAFCo determines that a prior service review is adequate.
- c) Spheres of influence of districts not providing municipal services including, but not limited to, ambulance, recreation, hospital, resource conservation, cemetery, and pest control shall be updated as necessary.

10.1.4 Reduced Spheres

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency’s sphere of influence if either of the following two conditions apply:

- a) the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- b) the land is inside the affected agency’s jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

10.1.5 Zero Spheres

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer

needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

10.1.6 Service Specific Spheres

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a “service specific” sphere of influence may be designated.

10.1.7 Agriculture and Open Space Lands

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency’s sphere of influence unless the area’s exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency’s boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency’s sphere. Exclusion of these areas from an agency’s sphere of influence indicates that detachment is appropriate.

10.1.8 Annexations Are Not Mandatory

Before territory can be annexed to a city or district, it must be within the agency’s sphere of influence (G.G. §56375.5). However, territory within an agency’s sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

10.1.9 Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

10.1.10 Overlapping Spheres

LAFCo encourages the reduction of overlapping spheres of influence to avoid unnecessary and inefficient duplication of services or facilities. In deciding which of two or more equally capable agencies shall include an area within its sphere of influence, LAFCo shall consider the agencies’ service and financial capabilities, social and economic interdependencies, topographic factors, and the effect that eventual service extension will have on adjacent agencies. Where an area could be assigned to the sphere of influence of more than one agency, the following hierarchy typically applies:

- a) Inclusion within a city’s sphere
- b) Inclusion within a multi-purpose district’s sphere
- c) Inclusion within a single-purpose district’s sphere

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and coordinated planning among the county’s various agencies, districts that provide the same type of service shall not have overlapping spheres.

10.1.11 Memorandum of Agreements (For City Sphere Amendments and Updates)

Prior to submitting an application to LAFCo for a new city sphere of influence or a city sphere of influence update, the city shall meet with the County to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements as contained in G.C. §56425. If an agreement is reached between the city and County the agreement shall be forwarded to LAFCo. The Commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by LAFCo and the County, and LAFCo shall give great weight to the agreement to the extent that it is consistent with LAFCo policies in its final determination of the city sphere.

10.1.12 Areas of Interest

LAFCo may, at its discretion, designate a geographic area beyond the sphere of influence as an Area of Interest to any local agency. (Resolution No. 2018-19-01)

- a) An Area of Interest is a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency (the "Interested Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such a situation would be the Interested Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the city.
- b) When LAFCo receives notice of a proposal from another agency relating to the Area of Concern, LAFCo will notify the Interested Agency and will consider its comments.
- c) LAFCo will encourage Acting and Interested Agencies to establish Joint Powers Agreements or other commitments as appropriate.

(LAFCo, 2018)

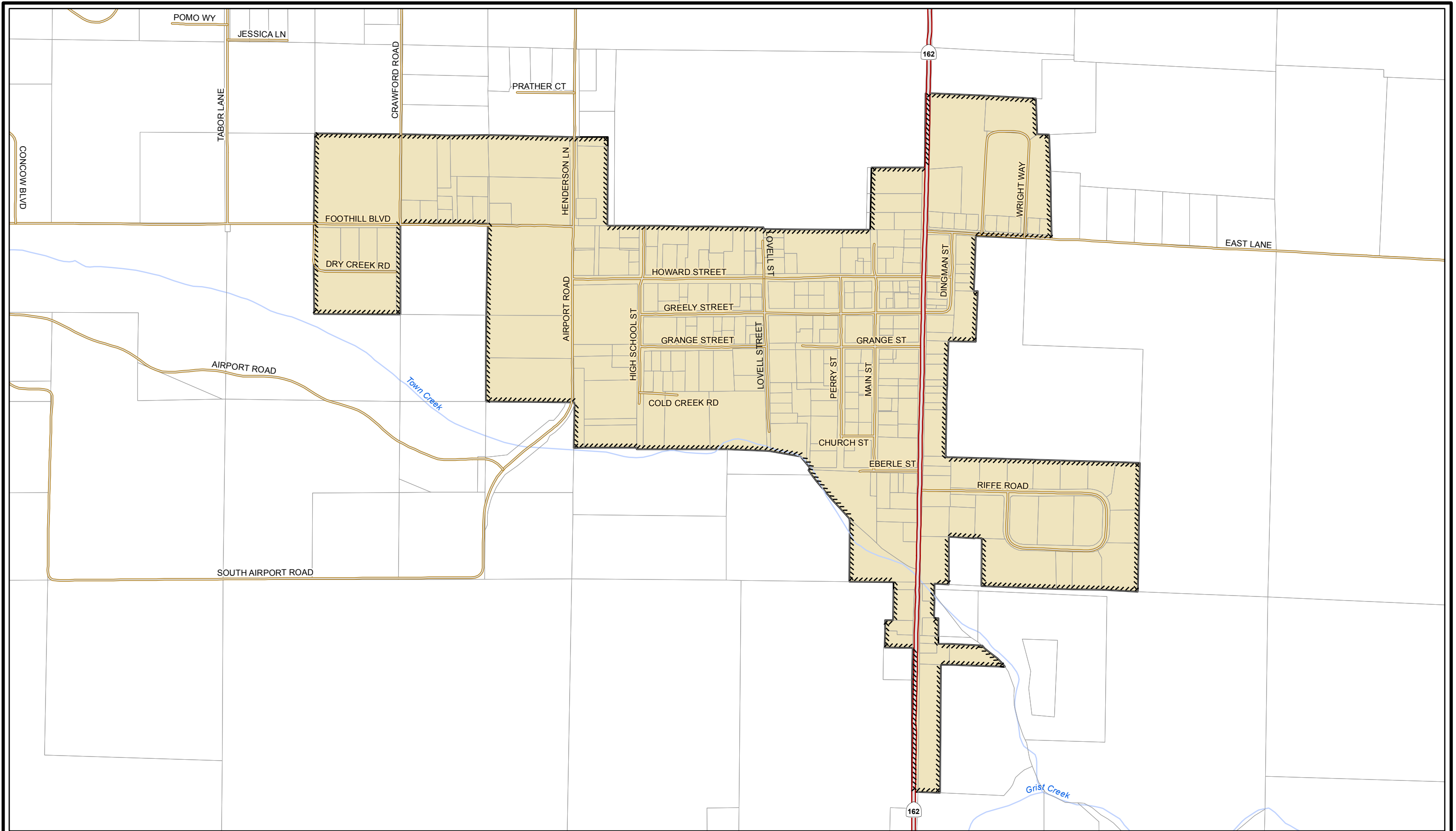
1.6 SENATE BILL 215

Senate Bill 215 (Wiggins) requires LAFCo to consider regional transportation plans and sustainable community strategies developed pursuant to SB 375 before making boundary decisions. Senate Bill 375 (Sustainable Communities and Climate Protection Act) requires each metropolitan planning organization (MPO) to address regional greenhouse gas (GHG) emission reduction targets for passenger vehicles in their Regional Transportation Plan (RTP) by integrating planning for transportation, land-use, and housing in a sustainable communities strategy.

Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RHNA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits are the local agencies primarily responsible for planning regional growth patterns through adoption and implementation of general plan and zoning regulations. While Mendocino County is not subject to the provisions of SB 375, LAFCo will review applicable regional transportation and growth plans when considering a change of organization or reorganization application.

DRAFT



Covelo Community Services District Sphere of Influence

Source: This map was prepared by the Mendocino County Information Services Department GIS Program, May 2021.
Note: This map is not a survey product.

- Covelo CSD
- Covelo CSD SOI
- Parcels
- Highway
- Roads
- Streams

Figure 1-1 Covelo CSD Boundary and Sphere of Influence Map

2 AGENCY OVERVIEW

Table 2.1 CCSD Profile

Agency Name:	Covelo Community Services District
Phone Number:	(707) 983-6888
Mailing Address:	P.O. Box 65, Covelo, CA 95428
District Office:	23950 Grange Street, Covelo, CA 95428
Website:	http://ccsd.roundvalley.org/
General Email:	covelocsd@hotmail.com
Date of Formation:	April 5, 1960
Agency Type:	Independent Special District, Multi-Service Provider
Enabling Legislation:	Community Services District Law: Government Code §61000 et seq.
Board Meeting Schedule:	2nd Thursday of the month at 6:00 p.m. at the District Office (Alternate: 2nd Wednesday of the month as needed)

Source: CCSD, 2020a.

2.1 HISTORY

2.1.1 FORMATION

The Covelo Community Services District (Covelo CSD, District, or CCSD) was formed on April 5, 1960 to protect the health and safety of the Covelo community associated with well water contamination from private septic systems. (LAFCo, 2010a)

2.1.2 BOUNDARY

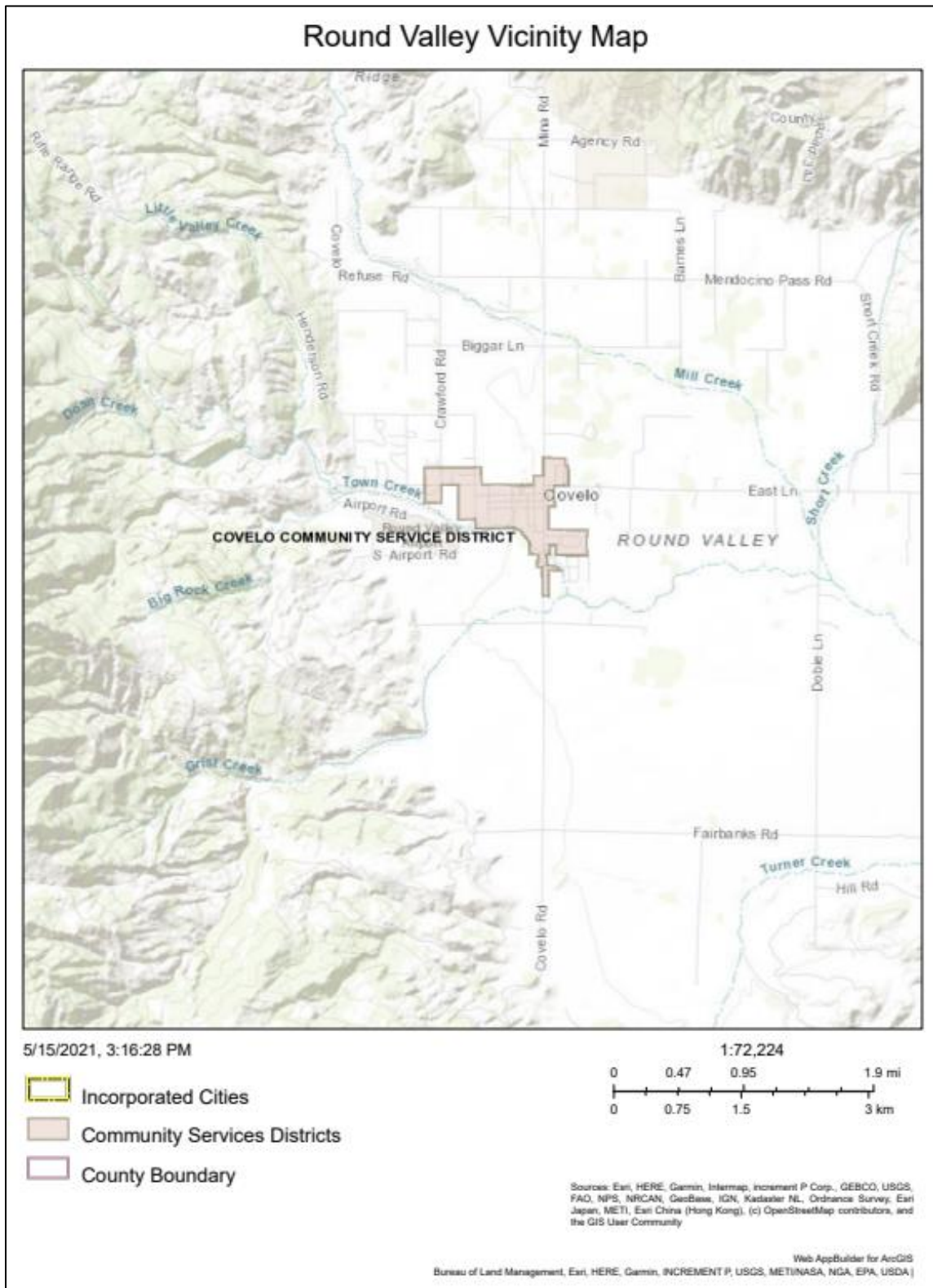
The District is located in the northeast region of Mendocino County between the Mendocino National Forest to the east and the Eel River to the west. The Covelo CSD boundary encompasses approximately 150 acres and includes the central or core portion of the unincorporated community of Covelo within the greater Round Valley area (see Figure 2-1).

Round Valley is approximately 23 square miles in size and is a north-south trending valley surrounded by rugged mountains. It is located in the upper Eel River basin above the confluence of the North Fork Eel River and the Middle Fork Eel River. Communities within the Valley are Covelo, which is located in the central portion of the valley, and the Round Valley Indian Reservation, which is located in the northern portion of the valley.

Access to the District is from State Highway 162, which traverses northeast from US Highway 101 for approximately 29 miles. Covelo is located approximately 35 miles northeast of the City of Willits.

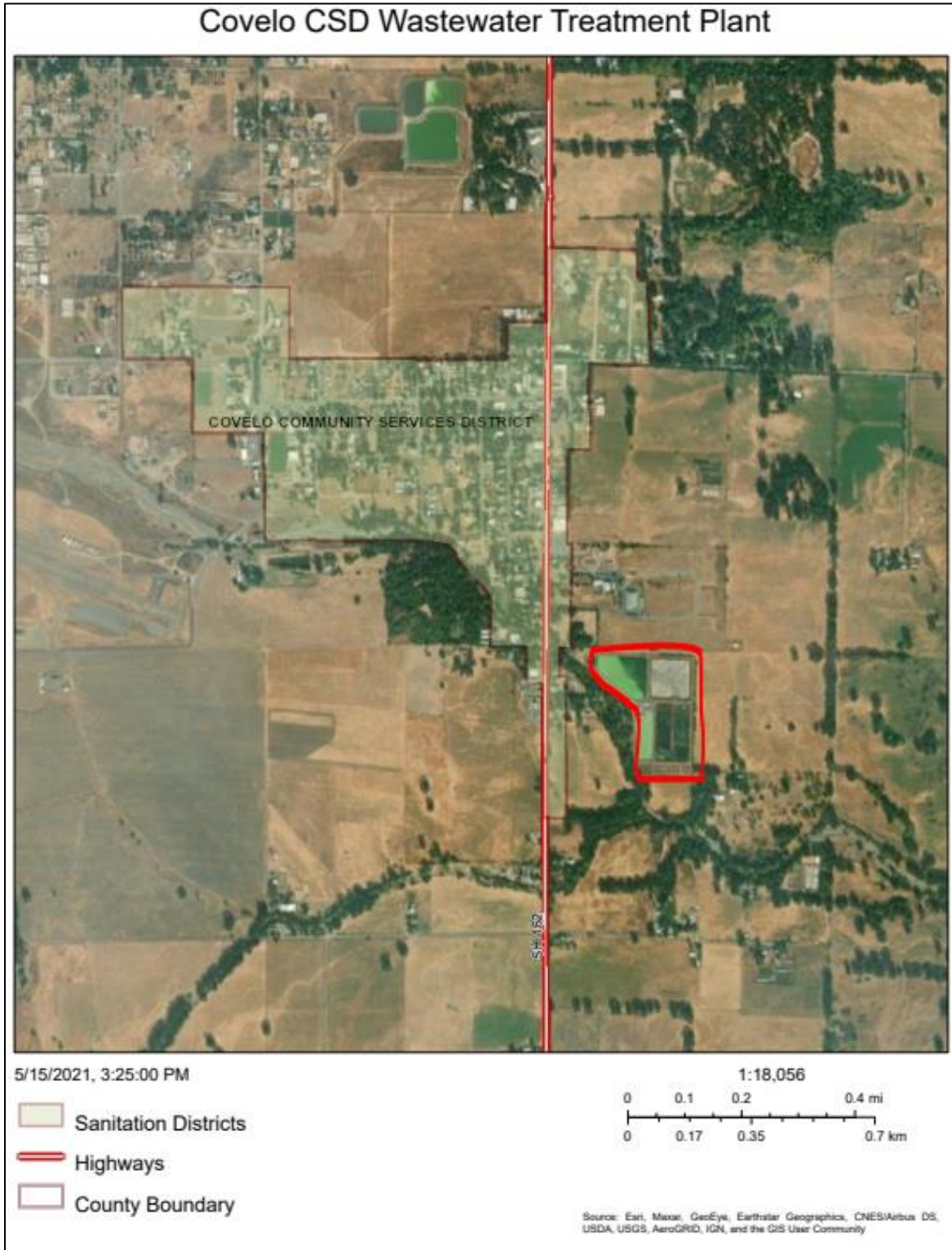
Much of the developed area of Covelo is within the District boundary; however, there are many structures and small parcels adjacent to the District's boundary. The District's wastewater treatment plant property is outside the District boundary and is located southeast of the District (see Figure 2-2).

Figure 2-1 Round Valley Vicinity Map



Source: Mendocino County, 2021.

Figure 2-2 Location of Covelo CSD Wastewater Treatment Plant



Source: Mendocino County, 2021.

2.1.2.1 Boundary Changes

There have been two changes to the District boundary that were approved immediately following adoption of the 2010 MSR/SOI Update, as shown in Table 2.2 below, annexing a total of approximately 62 acres.

Year	File Name	Acreage	Status	LAFCo Reso No.
2010	Travis Annexation	10.14	Completed	2010-02
2010	Covelo Community Services District Reorganization 2010	52.06	Completed	2010-03

The District boundaries have changed since the 2010 MSR, with the 2010 Travis Annexation and the Covelo CSD Reorganization in 2010.

(LAFCo, 2010b and 2010c)

2.1.3 SERVICES

The Covelo CSD is a single-service district providing wastewater services. For more information regarding this service refer to Chapter 3. For more information regarding other services provided by contract or agreement refer to Section 2.3.4.

2.1.3.1 Senate Bill 135

The Community Services District (CSD) Principal Act was comprehensively updated by Senate Bill (SB) 135 which took effect January 1, 2006. SB 135 consolidated the provisions for CSDs into a list of 31 services and facilities and also changed the definition of latent powers.

Under the old CSD statutes, latent powers were those services or powers authorized by the Principal Act when the District was formed, but were not currently being exercised, provided that any powers not designated in the petition for the formation of the District may not be exercised if the voters in the District must activate the power.

SB 135 redefined latent powers as those services and facilities authorized by the new CSD Principal Act that a CSD did not provide before January 1, 2006, as determined by LAFCo. Therefore, SB 135 effectively grandfathered in all services and facilities that CSDs provided before January 1, 2006.

The old CSD Principal Act from 1955 required voter approval of latent powers and predated the statewide creation of LAFCo in 1963. With SB 135, all powers authorized for CSDs but not being exercised became latent powers, regardless of the initial formation petition.

2.1.3.2 Active Powers

Consistent with SB 135, on December 29, 2005 LAFCo staff determined that the current services provided by Covelo CSD were as follows.

1. Collection and treatment of sewage, wastewater, recycled water and storm water in the same manner as a Sanitary District with a plant located at 76001 Covelo Road.

The 2010 MSR/SOI study prepared for the District reaffirmed the above list of active powers. There have been no changes to the District's active powers since that time.

(LAFCo, 2010a)

2.2 GOVERNMENT STRUCTURE

2.2.1 GOVERNING BODY

The Board of Directors is the legislative body for the District and is responsible for establishing policy, adopting and amending the annual budget, enacting ordinances, adopting resolutions, and appointing committees. The District is governed by a five-member Board of Directors elected at-large to serve staggered four-year terms (Table 2.3). In 2018, the District requested to consolidate elections and was approved by the County of Mendocino Board and Elections Office to move its elections to align with the General Election cycle, automatically extending the current terms of sitting Directors by one year. Board elections will now be held in even numbered years starting in 2024. (CCSD, 2019)

In order to be elected to the Board, candidates must be registered voters residing within the District boundaries. If there are insufficient candidates for election of Board vacancies, or if the number of filed candidates is equal to the number of Board vacancies, then District Board members may be appointed in lieu of election by the County Board of Supervisors per Elections Code §10515. New Board members take office at noon on the first Friday in December following their election. (County of Mendocino, 2019)

Government Code §1780-1782 governs the process for appointment of Board of Director seats vacated prior to the scheduled term expiration date. The District Board of Directors has 60 days to appoint an interested and qualified individual to a vacant seat if proper notice requirements have been met. The individual must live within the District boundary and be a registered voter. If the District cannot fill the seat within the 60-day period, the Mendocino County Board of Supervisors can appoint a Director to the District Board during a 30-day period following the initial 60-day period. If the vacant seat is not filled during the total 90-day period, the vacant seat remains empty until the next election.

The District Board of Directors elects Officers annually at the January regular meeting. Officers include a Chair and Vice-Chair elected and served by Board members, and a Treasurer and Secretary appointed by the Board and served by District staff. The Board may create additional offices and elect Board members to fill those offices, provided that no Board member holds more than one office. District Board members do not receive compensation for their public service. Staff support for the Board includes a General Manager and Bookkeeper/Office Manager. The current District Board of Directors is shown in Table 2.3 below.

(CCSD, 2020a)

Name	Office/Position	Term Expiration	Estimated First Year of Service	Serving Consecutive Terms
Joseph Gauder	Chair	Nov. 2024	2005	Yes
Sherrie Lee	Vice Chair	Nov. 2024	2019	No
Paul Filler	Director	Nov. 2022	2006	Yes
Vacant	Director	N/A	N/A	N/A
Vacant	Director	N/A	N/A	N/A

Source: CCSD, 2020a.

The District has difficulty filling vacancies, but has retained two long-term Board members. The last time the Board had five members was in Fiscal Year 2010-11.

Prior to serving as the District General Manager (since 2017), Dane Downing served on the District Board of Directors, and was the Chair at the time of the 2010 MSR prepared of the District. (LAFCo, 2010a)

2.2.2 PUBLIC MEETINGS

Regularly scheduled meetings for the Board of Directors are held on the second Thursday of the month at 6:00 p.m. at the District Office located at 23950 Grange Street in Covelo. Alternatively, the District Board meets on the second Wednesday of the month as needed, according to District staff. During the COVID-19 pandemic, meetings have been held via Zoom for Board members and the public; staff continues to meet in the office following current health order protocols.

In accordance with the Brown Act, all District Board meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings, or a minimum of 24 hours prior to special meetings. Meeting notices are posted outside the District office, at the Covelo Post Office bulletin board, Round Valley Library Commons bulletin board, and the Keith's Family Market bulletin board. No physical agendas are mailed. Board packets are emailed to two Directors and hand delivered to one Director. One member of the public also receives an emailed Board packet per their request.

The District maintains public notices regarding Board Director vacancies at its office, the Round Valley Library Commons, Covelo Post Office, and the local radio station provides a "bulletin board" report which includes the public notice on vacancies.

Public meeting information including past agendas and approved meeting minutes are posted on the District's website and are available at the District's office upon request.

Minutes are kept for all public Board meetings and are adopted at a subsequent meeting.

2.2.3 STANDING COMMITTEES

Committees may be assigned to assist in carrying out various functions of local government. The District does not currently have any standing committees (CCSD, 2020a).

2.2.4 PUBLIC OUTREACH

The District has a website at <https://ccsd.roundvalley.org>, which can be a helpful communication tool to enhance government transparency and accountability. The District's website has the District's contact information and agendas and minutes from District Board meetings from October 2019 to June 2020. The website is not current and does not appear to be maintained. A search of the District does not yield the District's website. (CCSD, n.d.(a))

The District's website would be enhanced by keeping it current; posting the regular Board meeting agenda, time, and location; posting the Board member contact information; and incorporating a content management system, such as DocuShare, to provide a searchable and chronologically organized document archive system for Board meeting packets and adopted ordinances, resolutions, annual budgets, financial audit reports, and other digital records. The website would also benefit from a search engine prioritization overhaul to improve the website ranking and site traffic, as the website does not currently appear in Google, Bing, or other searches for "Covelo Community Services District." The District should also consider maintaining additional social media outlets such as Facebook, and linking to relevant outside sources such as the Round Valley Library Commons Mendocino LAFCo's webpages.

With the passage of SB 929, all District's are required to be established and maintained with specific information and accessibility requirements; a website compliance handout is provided in Appendix B.

2.2.5 COMPLAINTS

The public can submit written or provide verbal comments or complaints on the District website, in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 3:00 p.m., or at the District Board of Directors meetings during the general public comment period. The District received two complaints in the last two years, each one a suspected violation(s) by individuals of District policies. Each complaint was addressed by conducting on-site visits of the parcels in question. The District sent letters to the property owners requesting that they abate the violations per District Ordinances. No complaints were received regarding the District's conduct of business. (CCSD, 2020a)

2.2.6 TRANSPARENCY AND ACCOUNTABILITY

The District adopted a Policy Handbook at its July 12, 2006 regular Board meeting. The Handbook addresses the Board of Directors elections, officers, meeting conduct, conflicts of interest, decisions, rules of order, and responsibilities. This is in addition to general operating policies and procedures for the District, financial policies, and personnel policies that define the obligations, rights, privileges, benefits, and prohibitions placed upon all District employees.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203. The District complies with the above requirements (CCSD, 2020a).

According to AB 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to Government Code §53235. Although the District does not compensate its Board members, its directors and staff attend Brown Act/Ethics trainings regularly.

Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

2.3 OPERATIONAL EFFICIENCY

2.3.1 MANAGEMENT AND STAFFING

The Board of Directors appoints a District Manager to support their efforts and oversee the daily operations of the District to ensure that the Board's policies, programs, and priorities are implemented. The District Manager is the Executive Officer and Treasurer of the District. The responsibilities and specific duties of the District Manager include the following:

- Management and control of operations and works of the District, subject to the approval of the Board of Directors.
- Attendance at all meetings of the District's Board and other meetings as the Board determines necessary.

- The appointment, supervision, training, evaluation, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors.
- The day-to-day supervision and leadership of the District's facilities and services.
- Maintenance of good customer service and customer and employee relationships.
- Supervision of the District's finances, including investing District funds, maintaining the District's insurance policies, and formulating budgets for the district.
- Implementation of the policies established by the Board of Directors for the operation of the District. (CCSD, n.d.(b))

General government services provided under the direction of the District Manager include administration, finance, and planning. Financial activities include accounting, utility billing, purchasing, payroll, collections, and assisting with the annual audit process. Administrative activities include preparing for public meetings, providing customer service at the District office and other outreach opportunities, and maintaining the District's official records such as meeting minutes, ordinances, resolutions, legal documents, and legal opinions. Planning activities include participating in the building permit process, working with engineers to develop repair and maintenance designs for grant funded projects, grant development and procurement.

District personnel include full-time and part-time employees for a total staffing level of two Full Time Equivalent (FTE) positions. Table 2.4 shows District staffing levels by personnel groups. The District has one full-time position and two part-time employees as follows: one General Manager (full-time), one Bookkeeper/Office Manager (part-time), and one Plant Operator/Collection Manager (part-time). In addition, the District employs a contract Certified Public Accountant (CPA) and legal counsel on an annual basis. As needed the District also enters into contracts with engineers, construction contractors, construction monitors, and others.

(CCSD, 2020a)

Personnel Groups	FTE
General Manager	1.0
Bookkeeping/Office Manager	0.5
Plant Operator/Collection System Manager	0.5
Total	2.0

Source: CCSD, 2020a.

2.3.2 AGENCY PERFORMANCE

A component of monitoring agency performance is routinely evaluating staff productivity. The District conducts organizational assessments and staff reviews annually upon negotiating the Employee Agreements, which are finalized before the final budget is approved each fiscal year. The General Manager also tracks non-salaried employee workload through bi-weekly timesheets. Employee workload assessments are conducted at times daily to aid and support the proper functioning of the District.

The District has Board of Director oversight and provides input and suggestions deemed to improve daily operations of the District. The General Manager also has authority to modify operations to increase efficiency and safety. (CCSD, 2020a)

2.3.3 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION

The District participates in the following regional and service-specific associations and organizations:

- The District General Manager participates in the California Special Districts Association.
- The District General Manager participates in the Special District Risk Management Authority. (CCSD, 2020a)

2.3.4 INTERAGENCY COLLABORATION

Below are examples of the District's interagency collaborative arrangements:

- The District collaborates with other public agencies by sharing the office and Board meeting location with the Round Valley County Water District (RVCWD).
- The District is developing a Memorandum of Understanding (MOU) with the RVCWD to share office space with the Round Valley Area Municipal Advisory Council (RVMAC) for document storage.
- The District participates in the Special District Risk Management Association (SDRMA) for the purpose of pooled insurance for providing liability, workers compensation for its facilities, operations, and employees.

(CCSD, 2020a)

2.3.5 CONTRACT OR JPA SERVICES

No municipal services are provided to District residents by other public agencies or non-profit organizations through agreements or Joint Powers Authority (JPA), or by private businesses through service contracts.

2.3.6 SHARED SERVICES AND FACILITIES

Other than sharing office space with the RVCWD and RVMAC as described above, the District does not have agreement with other local agencies to jointly provide public services or jointly own, manage, or fund public facilities.

2.3.7 ENHANCED SERVICE DELIVERY OPTIONS

The District is the only wastewater service provider in Round Valley, outside of the RVIT. District services do not extend beyond Round Valley.

The County of Mendocino provides law enforcement, code enforcement, transportation, and stormwater collection services within the District. RVCWD provides flood control and stream restoration services to landowners in the Round Valley watershed. Firefighting and prevention services are provided by the Covelo Fire Protection District. There is no water purveyor in the Covelo/Round Valley area. Ambulance service in the Covelo and the Round Valley area are provided by Medstar Ambulance and by the Covelo Fire Protection District, and the County of Mendocino is in the process of establishing an Exclusive Operating Area contract for ambulance services covering the inland area of Mendocino County including Covelo. There is no redundancy in the provision of municipal services to the District.

As a CSD, the District has the opportunity to provide additional municipal services upon activation of latent powers through Mendocino LAFCo. Given the recent establishment of the RVMAC and the issues identified in the Covelo area, there may be opportunity for the District to serve as a vehicle for achieving some of the goals that are otherwise unattainable in such a rural, unincorporated area.

No new opportunities for the District to achieve organizational or operational efficiencies were identified during the preparation of this MSR.

2.3.8 GOVERNMENT RESTRUCTURE OPTIONS

Government restructure options should be pursued if there are potential benefits in terms of reduced costs, greater efficiency, better accountability or representation, or other advantages to the public. There is no recommendation for a reorganization of local municipal service providers in the area at this time.

2.4 FINANCES

The District's financial resources are accounted for in different funds based on organizational units such as programs, functions, and services. The District's governmental activities, including administration, finance, and planning, are accounted for in governmental funds. The District has one type of fund, the Proprietary Fund, which is an enterprise fund that reports the business-type operations, but provides more detail and additional information such as cash flows. The cost of providing enterprise services is intended to be recovered through sewer fees. (Robertson, 2019)

2.4.1 CURRENT FISCAL HEALTH

2.4.1.1 Financial Summary

The District prepares and adopts an annual budget prior to the beginning of each fiscal year (July 1), which serves as a financial planning tool and an expense control system. Expenses cannot exceed the authorized budgeted amounts unless the budget is amended by the Board of Directors by resolution during the fiscal year. The District also has annually audited financial statements prepared by a CPA which serves as financial assurance for the use of public funds. This section includes District financial information for Fiscal Year (FY) 2015-16, 2016-17, 2017-18, and 2018-19, and highlights specific revenue sources and long-term financial considerations.

The following table (Table 2.5) provides year-end (not budget) financial information for the District. This table summarizes the Statement of Revenues, Expenses prepared by Robertson & Associates, CPAs and represents the short-term financial standing of the District based on reporting annual income, expenses, and profits/losses using the accrual basis of accounting. This involves depreciation, which is a method of spreading the cost of a capital asset over its estimated useful life, as opposed to recognizing the cost of a capital asset as an expenditure at the date of acquisition. The annual financial reports define a capital asset as a fixed asset (land, buildings and improvements, equipment, and vehicles) with an initial cost greater than \$1,000. Additions, improvements, and other capital outlays that significantly extend the useful life of an asset are also capitalized. The length of useful life for each asset type is defined in the financial reports (Robertson, 2019).

According to the audited financial information in the table below, the District has operated at a net deficit each year in the last four fiscal years. The trend in net position is a key measure of fiscal health and indicates that the District needs to balance the budget and/or meet current operating costs with increased revenues. The District should be working toward a balanced budget as well as toward building additional reserves to fund capital improvements and replace equipment.

Table 2.5 CCSD Financial Summary				
	FY 15-16	FY 16-17	FY 17-18	FY 18-19
Beginning Net Position	\$3,101,344	\$3,018,013	\$2,872,182	\$2,668,820
Prior Period Adjustments	\$0	\$0	\$0	\$110,463
Ending Net Position	\$3,018,013	\$2,872,182	\$2,779,283	\$2,569,942
Operating Revenues				
Sewer Fees	\$211,300	\$205,640	\$268,515	\$269,495
Other operating revenue	\$9,578	\$9,707	\$13,133	\$19,318
Total Operating Revenues	\$220,878	\$215,347	\$281,648	\$288,813
Operating Expenses				
Salaries	\$70,645	\$82,582	\$105,883	\$122,673
Casual labor	\$195	\$642	\$611	\$516
Employee benefits	\$8,021	\$18,353	\$21,380	\$21,751
Payroll taxes	\$6,141	\$7,684	\$9,704	\$13,465
Vehicle expenses	\$2,366	\$3,284	\$1,059	\$3,221
Insurance	\$8,248	\$8,371	\$9,429	\$10,540
Supplies	\$4,926	\$6,386	\$12,117	\$6,236
Professional services	\$12,813	\$14,240	\$14,569	\$12,425
Licenses and fees	\$7,497	\$7,959	\$7,104	\$8,529
Maintenance	\$3,768	\$2,453	\$6,033	\$8,847
Monitoring	\$9,614	\$22,501	\$12,371	\$6,709
Utilities	\$26,266	\$31,759	\$22,683	\$30,713
Office expenses	\$3,581	\$12,873	\$6,118	\$5,197
Equipment	\$528	\$1,694	\$6,450	\$1,825
Depreciation expense	\$114,204	\$114,256	\$110,305	\$112,282
Other expenses	\$1	\$1,119	\$4,088	\$1,442
Total Operating Expenses	\$278,814	\$336,156	\$349,904	\$363,487
Net Income/(Loss)	(\$57,936)	(\$120,809)	(\$68,256)	(\$74,674)
Other Non-Operating Revenues (Expenses)				
Interest Income	\$64	\$75	\$49	\$68
Interest Expense	(\$25,459)	(\$25,097)	(\$24,692)	(\$24,272)
Total Non-Operating Revenue (Expenses)	(\$25,395)	(\$25,022)	(\$24,643)	(\$24,204)
Change in Net Position from Prior FY	(\$83,331)	(\$145,831)	(\$92,899)	(\$98,878)

Source: Robertson: 2016, 2017, 2018, 2019.

In FY 2015-16, the Proprietary Fund ended with a balance of \$3,018,013 compared to a \$3,101,344 fund balance at the end of the prior fiscal year. This was a decrease of \$83,331 from the prior year in net position. Overall revenues were \$220,942 and overall expenses were \$30,4273 in this fiscal year. (Robertson, 2016)

In FY 2016-17, total net position was \$3,018,013 at the beginning of the fiscal year and \$2,872,182 by June 20, 2017. This was a decrease of \$145,831 from the prior year. Overall revenues were \$215,422 and overall expenses were \$361,253. (Robertson, 2017)

In FY 2017-18, the Proprietary Fund ended with a fund balance of \$2,779,283, down from \$2,872,182 in fund balance at the end of the prior fiscal year. This represents a decrease of \$92,899 from the prior year. Overall revenues were \$281,697 and overall expenses were \$374,596. (Robertson, 2018)

In FY 2018-19, total net position was \$2,569,942 on June 30, 2019, a decrease of \$98,878 from the prior year. Overall revenues were \$288,881 and overall expenses were \$387,759. (Robertson, 2019)

Refer to Figure 2-3 below for the most recent Statement of Net Position, which represents the long-term financial standing, or net position, of the District based on reporting the difference between the District's assets and liabilities.

2.4.1.2 Enterprise Activities

The District's operational type is considered an enterprise activity in that they are financed and operated in a manner similar to private business operations enterprises where the intent is that the costs (including depreciation) to provide the wastewater services to the general public are financed or recovered primarily through user charges. These enterprise activities are accounted for in Enterprise Funds. The District reviews rates and fees during the annual budget development process and proposes an increase, when necessary, to support the on-going delivery of services. The District Board of Directors adopts rates and fees annually at a duly noticed Public Hearing based on actual expenditures and cost recovery.

The District's adopted Rates and Fees per Resolution No. 2017-001 is a monthly wastewater rate per equivalent dwelling unit is \$65. (CCSD, 2020b) The District's enterprise services are currently operating at a net loss, and the District has indicated that the community cannot, generally speaking, pay more for services than the current fees. Covelo CDP is a Severely Disadvantaged Community as described in more detail in Section 2.5.2.

The following resolutions were passed in Fiscal Year 2019-20 regarding fees:

- Resolution 2019-003: "fees" amended the Residential Equivalent Unit Rate Schedule, which defines how many REU's are assessed per category of residential and non-residential use;
- Resolution 2020-003 Eliminating Vacant Rate Category";
- RES 2020-004 Established the Capacity Fee per Residential Equivalent Unit", meaning the fee to connect to the sewer system; and
- RES 2020-006 "Establishing the Septage Disposal Fee and After-Hours Gate Fee for all Septage Haulers"

The District is not subject to the Gann Limit or Proposition 4 because it does not receive tax revenues. All revenues for the District are from user charges, fees, and penalties, as well as interest on the current fund balance.

2.4.2 LONG TERM FINANCIAL CONSIDERATIONS

2.4.2.1 Reserves, Cash and Equivalents, and Investments

The District has two reserve accounts established for capital replacement and routine maintenance of the wastewater treatment plant. These accounts are not governed by formal policy or resolution and are considered unrestricted. (Robertson, 2019)

- Capital Reserve: A capital reserve account in the Proprietary Fund for the purpose of funding any needed expansion of capital facilities or the acquisition of capital equipment. The Capital Reserve account has an approximate current balance of \$76,700.
- Maintenance Reserve: A maintenance account in the Proprietary Fund Funds to provide for maintenance, repair, and replacement of equipment and/or capital assets. Large infrastructure repairs and improvements have in the past been funded with grants and loan packages. The Maintenance Reserve Account has an approximate current balance of \$23,400.

(CCSD, 2020a and 2020b)

In addition to these reserve accounts, the District maintains funds within an investment account with the State of California called the Local Agency Investment Fund (LAIF) the State of California. The LAIF account currently has approximately \$6,700, with interest accruing in the last budget year at \$100 annually.

Figure 2-3 shows the District's Balance Sheet for Fiscal Year End June 20, 2020. (CCSD, 2021)

10:02 AM

Covelo Community Services District

06/24/21

Balance Sheet

Accrual Basis

As of June 30, 2020

	<u>Jun 30, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
1B 11010 CCSD General Checking	84,906.94
1B 11021 USDA Installment Pmt	10.00
1B 11022 USDA Payment Reserve	38,214.91
1B 11030 LAIF	6,284.04
1B 11070 Community Foundation (Community Foundation Grant 2019 \$8,000)	8,000.00
1B 11080-Maintenance	21,873.88
1B 11090-Capital (Savings account)	76,760.05
Covelo Community Services Distr	-5.00
Total Checking/Savings	<u>236,044.82</u>
Accounts Receivable	
3R 11050 Accounts Receivable	60,453.85
Total Accounts Receivable	<u>60,453.85</u>
Other Current Assets	
1C 11051 A/R Other	-0.50
1C 11052 Allow for dbtful accts (Allowance Uncollectible A/R)	-1,172.92
1C 11060 Prepaid Insurance	340.36
1C 11062 Other Current Asset	817.33
Total Other Current Assets	<u>-15.73</u>
Total Current Assets	<u>296,482.94</u>
Fixed Assets	
12000 Land	39,640.00
12050 1960 Sewage Plant	157,496.49
12051 1976 Sewage Plant	843,876.94
12052 Treatment plant upgrade	1,429,563.86
12054 East Lane Sewer Line	25,936.47
12055 Howard/162 Collection Upg	2,288,983.69
12060 Water Wells (Water Wells)	19,076.25
12065 LAFCO Annexation Maps	5,940.50
12090 Equipment	95,333.93
Total Fixed Assets	<u>4,905,848.13</u>
Other Assets	
1C 13000 Accumulated Depr	-1,804,411.69
Total Other Assets	<u>-1,804,411.69</u>
TOTAL ASSETS	<u>3,397,919.38</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2P 21020 Accounts Payable	1,330.65
Total Accounts Payable	<u>1,330.65</u>
Other Current Liabilities	
21030 Accounts Payable-Other	-368.88
21050 Accrued P/R Taxes Payable	7,784.39
21100 P/R/ Taxes Payable-Other	-57.04
21500 Accrued Interest Payable	7,299.54
Total Other Current Liabilities	<u>14,658.01</u>
Total Current Liabilities	<u>15,988.66</u>
Long Term Liabilities	
1L 22020-Note PayableUSDA (4.125% - 40 years)	572,400.01

Covelo Community Services District

Balance Sheet

As of June 30, 2020

	<u>Jun 30, 20</u>
Total Long Term Liabilities	572,400.01
Total Liabilities	588,388.67
Equity	
28000 Contributed Capital	816,660.49
29000 Retained Earnings	-156,652.16
31000 Retaind Earn/PrevYear	2,132,107.12
Net Income	17,415.26
Total Equity	2,809,530.71
TOTAL LIABILITIES & EQUITY	<u>3,397,919.38</u>

2.4.2.2 Outstanding Debt

On July 11, 2007, the District borrowed \$677,000 from the United States Department of Agriculture (USDA). This loan was used to complete Phase 1 of the Covelo Wastewater Facilities Improvement Project to upgrade the collection system for wastewater to the treatment plant. The annual interest rate on the loan, compounded semiannually, is 4.125 percent. The District has no other outstanding loans or debt obligations.

Figure 2-4 shows the District's long-term debt activity and schedule of future principal and interest as of FY 2019-20 under the USDA loan. The District will be obligated through 2048 for current debt payments.

Figure 2-4 Long-term Debt Activity for FY 2019-20

<u>For the Year Ended June 30:</u>	<u>Principal</u>	<u>Interest</u>	<u>Payment</u>
2020	\$ 10,800	\$ 23,835	\$ 34,635
2021	11,200	23,381	34,581
2022	11,700	22,908	34,608
2023	12,200	22,415	34,615
2024	12,700	21,902	34,602
2025 - 2029	71,700	101,041	172,741
2030 - 2034	87,800	84,649	172,449
2035 - 2039	107,500	64,577	172,077
2040 - 2044	131,500	40,012	171,512
2045 - 2048	126,100	10,669	136,769
Totals	\$ 583,200	\$ 415,389	\$ 998,589

Source: Robertson, 2019.

2.4.2.3 Grant Funds

The District has received financial assistance from federal and state agencies in the form of grants. The disbursement of funds received under these programs generally require compliance with terms and conditions specified in the grant agreements and are subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the Community Services Fund. However, the District has indicated that any such disallowed claims should not have a material adverse effect on the overall financial position of the District.

The District has applied for and received a North Coast Resource Partnership (NCRP) Grant to replace faulty sections of the collection system as well as to install solar panels at the treatment plant. The District anticipates that the cost savings from these improvements, which are scheduled for implementation in FY 2021-22, will provide the District with funds to repair the wastewater treatment plant restroom facilities.

The NCRP Grant is a CA Department of Water Resources (DWR) Grant that was administered by NCRP to solicit and select grantees. This grant is being administered in its execution by Humboldt County. The CCSD have been awarded \$750,000 to repair three sections of the collection system identified to be significant contributors to groundwater inflow. Wet winter years create tremendous strain on the WWTP to accommodate the high levels of inflows. The second component is construction of a roof cover for the disinfecting ozone unit. Additionally, solar panels will be mounted to the roof structure and will generate approximately 16 kilowatts per hour. The solar system is designed to be expandable, which will allow for additional panels and wind generators as resources become available.

A grant through the Mendocino Community Foundation provided \$8,000 toward installation of the ozone roof structure. The Community Foundation has also provided reporting extensions, necessary due to delays with DWR funding.

The CCSD was also awarded a \$250,000 California Technical Assistance Grant, which funded a team of engineers and support staff who assembled the preliminary funding package for a CA Waterboards Grant. The CCSD is now the lead in procuring the Waterboards Grant to fund the project, which will allow the District to replace the influent well and pumping station. The comprehensive grant packet has been completed and is expected to be considered by the Waterboard within the 2020/2021. No matching funds are required for the grants; however, the CCSD has authorized covering overages in the ozone unit roof construction.

2.4.2.4 Capital Improvement Plan

The District is responsible for prioritizing and budgeting for long-term capital needs in addition to ongoing operations and maintenance costs. The District does not have a Capital Improvement Plan (CIP). The District defines capital improvement priorities on an as-needed basis and in the annual budget process. Capital improvements are primarily funded in one of two ways. Small to mid-range projects that have not been defined in District policy are scheduled for the upcoming fiscal year through a capital outlay appropriation, while the District seeks loans or grants for larger projects. Two currently unused funding mechanisms available to the District to finance capital facilities and improvements include Proposition 218 bond measures and Development Impact Fees pursuant to the Mitigation Fee Act (GOV 66000 et seq.). Routine maintenance of equipment and facilities is generally performed based upon the manufacturer's recommended schedule, industry best practices, and actual need, and is funded through the budget development process. (CCSD, 2020a)

2.5 GROWTH

2.5.1 PRESENT AND PLANNED LAND USE AND DEVELOPMENT

The District is located in the unincorporated community of Covelo, a census-designated place (CDP) and a commercial hub of the larger Round Valley area. The CDP has a total area of 7.1 square miles or approximately 4,544 acres. Round Valley is a remote area devoted to agricultural uses including grazing lands and orchards, and rural residential home sites. The Round Valley Indian Reservation, including the Hidden Oaks Casino and Round Valley Indian Health Center, covers 405 acres of the CDP at the north end of Round Valley, with forest and rangelands extending further to the north. (Mendocino County, 2009)

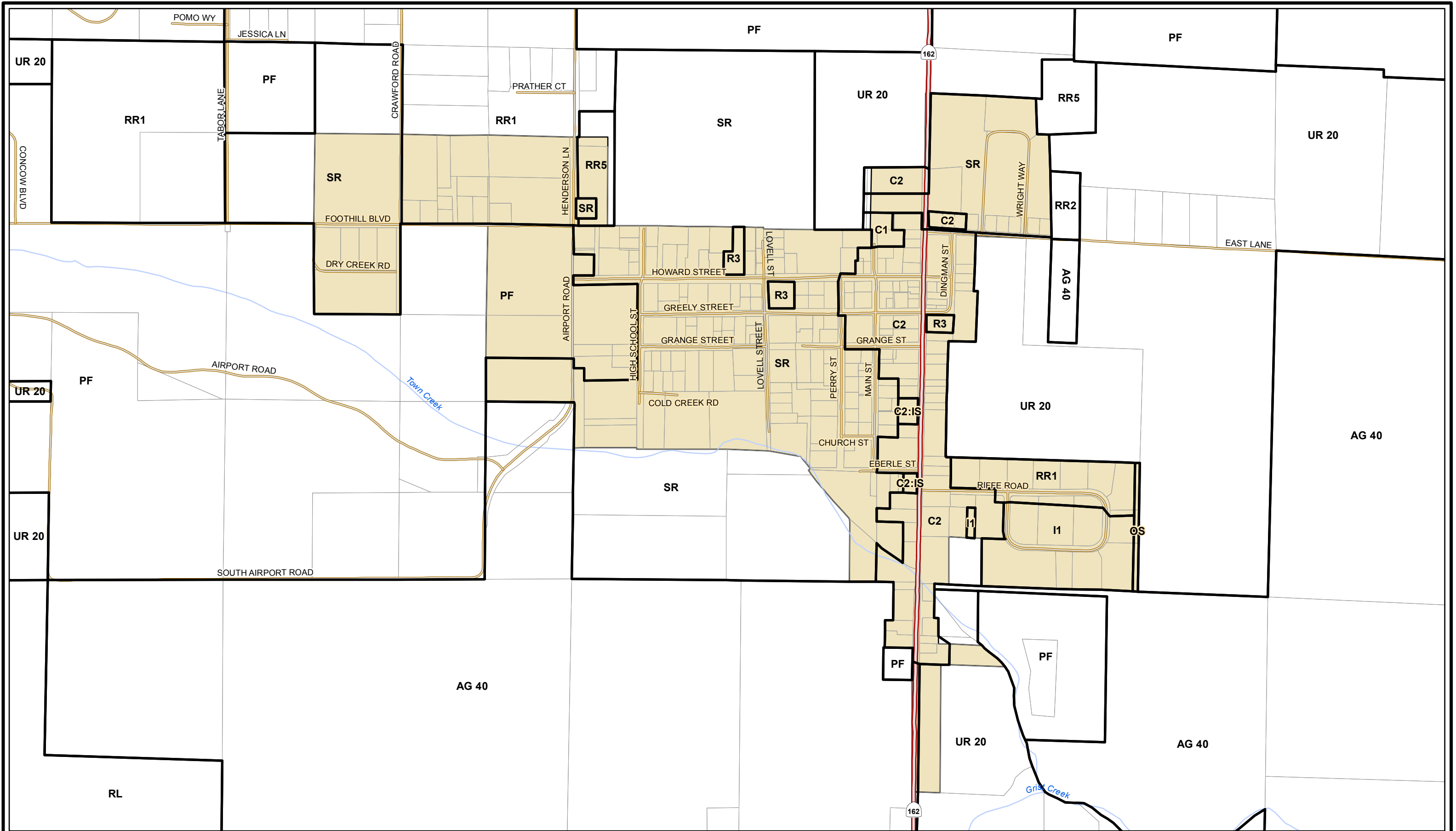
2.5.1.1 Land Use

The specific zoning designations for Covelo are listed below and are based on the Mendocino County Zoning Ordinance (Figure 2-5):

- AG Agricultural Lands
- C-1 Limited Commercial
- C2 Inland General Commercial
- C2-IS Inland General Commercial (Isolated Service)
- FL Forest Land
- I1 Inland Limited Industrial
- PF Public Facilities

- R-3 Multiple-family Residential
- RL Rangeland
- RR1 Rural Residential
- RR10 Rural Residential
- RR5 Rural Residential
- SR Suburban Residential
- TP Timberland Production
- UR Upland Residential

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Covelo Community Services District Zoning

Source: This map was prepared by the Mendocino County Information Services Department GIS Program, May 2021.
 Note: This map is not a survey product.

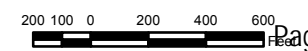
- Covelo CSD
- Zoning
- Parcels

- Highway
- Roads
- Streams

- SR Suburban Residential
- R3 Multi Family Residential
- RR1 Rural Residential 1ac min
- RR2 Rural Residential 2ac min
- RR5 Rural Residential 5ac min
- C1 Limited Commercial

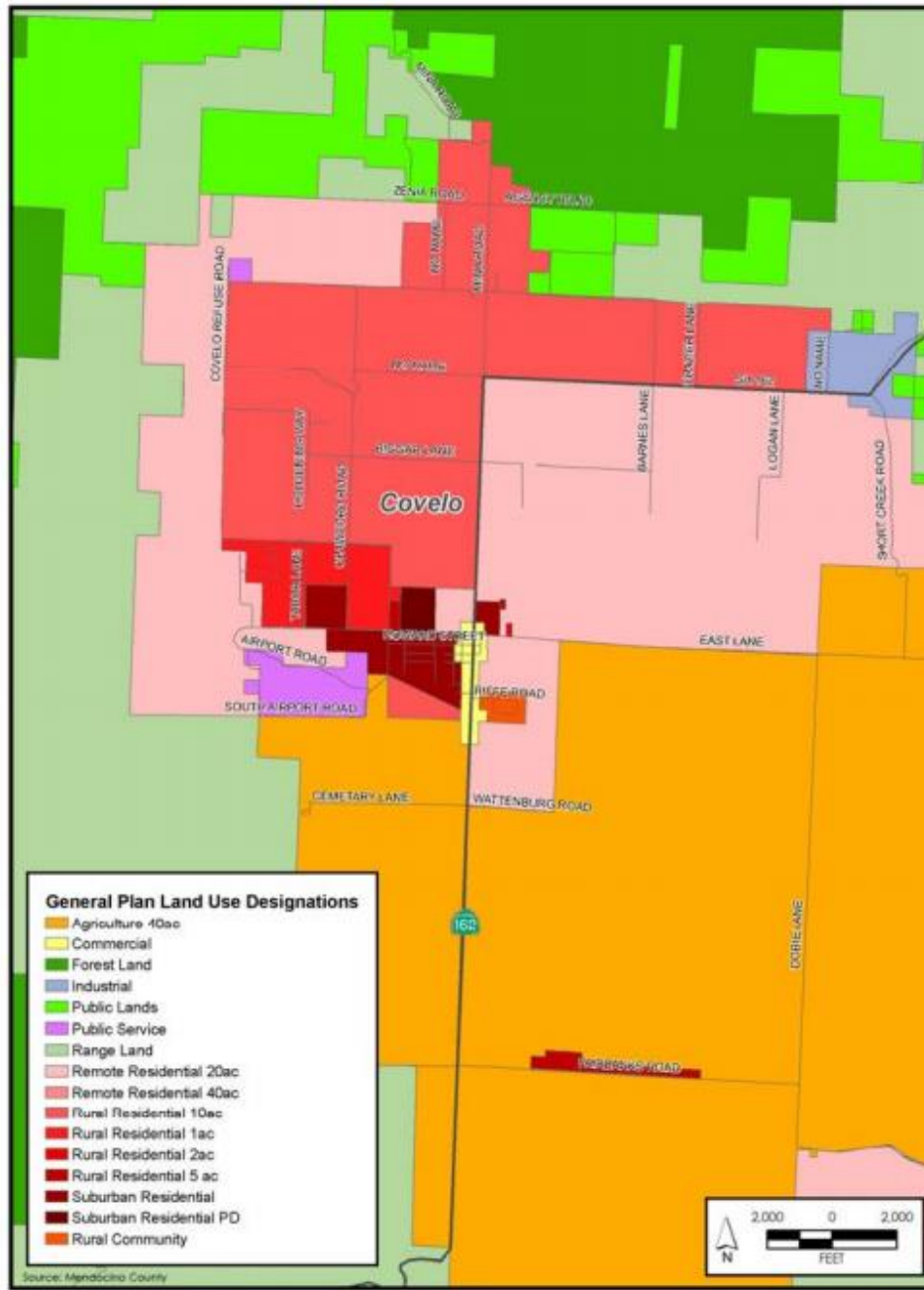
- C2 General Commercial
- C2:IS General Commercial Isolated Service
- I1 Limited Industrial
- PF Public Facility
- UR 20 Upland Residential 20ac min
- AG 40 Agriculture 40ac min

Figure 2-5 Covelo CSD Zoning Map



As shown in Figure 2-6 below, the Community Plan Map for Covelo designates a commercial core area around State Route 162, surrounded by residential uses that become less dense farther from the commercial core. Outside of the District boundaries, agricultural uses and rural residential home sites prevail, with RL Rangeland (livestock grazing, protection of natural resources), TP Timberland Production (growing and production of timber), SR Suburban Residential (residential with some commercial uses), UR Upland Residential (low-density agricultural/residential uses), and PF Public Facilities (airport and school uses) predominating. (Mendocino 2013)

Figure 2-6 Covelo Community Map



Source: Mendocino County, 2009.

The following goals, policies, and action items from the Mendocino General Plan Community-Specific chapter could apply to public services and wastewater in particular in the Covelo area.

Covelo Community Goals

Goal CP-C-1: Conserve Round Valley’s natural, visual and historical resources while maintaining agricultural operations including grazing lands.

Goal CP-C-2: Expand economic opportunities in Round Valley consistent with the desired rural character of the valley.

Goal CP-C-3: Maintain compact development patterns by focusing commercial, residential and community uses in Covelo.

Covelo Community Area Policies

Policy CP-C-1: Preserve and enhance the established historic character of downtown Covelo.

Action Item CP-C-1.1: Enhance Covelo’s downtown and incorporate beautification improvements through circulation, streetscapes, signage, landscaping and other means.

Policy CP-C-2: Retain and restore historic buildings and sites.

Policy CP-C-4: Discourage subdivision activity in the outlying Rural and Remote Residential lands, including on lands adjacent to Rangelands and Forest Lands.

Policy CP-C-5: Encourage higher density residential uses, including affordable housing units, in or near the commercial centers as part of a mixed-use strategy.

Policy CP-C-6: Encourage improvements to existing residential structures.

Policy CP-C-7: Establish places and facilities that create a sense of community.

Action Item CP-C-7.1: Revitalize the commercial core of Covelo as the focal point of the community, with mixed-use potential for convenience retail, office and residential uses, focusing on the State Route 162 (Covelo Road) corridor and Greely Street.

Action Item CP-C-7.2: Consider installation of a central plaza or gazebo in the downtown.

Policy CP-C-8: Expand and diversify economic ventures.

Policy CP-C-9: The County encourages the expansion of commercial uses in Covelo.

Policy CP-C-10: Commercial uses should be focused near the established core areas along State Route 162.

Policy CP-C-11: Actively pursue light industrial manufacturing employers for Round Valley.

Action Item CP-C-11.2: Designate the mill site northwest of the town center as a study area to consider a range of future land uses, including industrial, light industrial, commercial and other uses supporting jobs creation for local residents

Policy CP-C-12: Increase economic and social ties with the Round Valley Indian Tribes.

Policy CP-C-13: Encourage joint-use opportunities with Round Valley Indian Reservation.

Policy CP-C-14: Support a community fire hydrant system to facilitate economic and public safety.

Policy CP-C-15: Encourage the Covelo CSD to plan for the provision of a public water system.

Action Item CP-C-15.1: Assist the Covelo Community Services District (CSD) in its efforts to serve future growth with water capacity consistent with the land use patterns and densities established in the General Plan.

Policy CP-C-16: Consider upgrades to the Round Valley Airport to support economic development and emergency services.

In addition to these policies, the County amended its cannabis regulations on December 4, 2018 to allow Cannabis Accommodation combining districts which apply in the Covelo core area and on Fairbanks Road in Round Valley. Commercial Cannabis Accommodation Combining Districts (Opt-In Districts) are areas intended to support continued operations by existing growers. From January 3, 2019 to July 1, 2019, the Department of Agriculture accepted applications for cultivation permits within the Cannabis Accommodation Combining Districts. (Mendocino County, n.d.)

2.5.1.2 Development

The District is centered on the core of the Covelo community area as shown in Figure 2-1. The population at the 2010 census was 1,255 people, an increase of 80 people from the 2000 census. (Current Community Survey 5-Year Estimates show an estimated population of 1,140 with a margin of error ± 239 (USCB, 2019b).) However, the population is likely much higher and, common with transient populations, fluctuates throughout the year. Covelo contains a range of commercial enterprises, churches, a lodging establishment, food establishments, grocery store, convenience store, gas station, Post Office, the Round Valley Airport, Round Valley Public Library, Round Valley Elementary School (K–8), Round Valley High School (9-12), Eel River Charter School (K-8), and residential areas interspersed throughout the community. A majority of the land within the District consists of a mixture of commercial and residential uses, with some agricultural and grazing lands on the outskirts. The core area of Covelo until recently retained the historic character embodied by older commercial buildings and residences. In 2019 a fire destroyed the majority of a remaining block of historic buildings. Rebuilding has not yet been initiated.

The community proper is a mixture of commercial uses (retail, office, etc.) and limited industrial uses. The remainder of the valley is developed as a mix of suburban residential, rural residential, and agricultural land uses. Agricultural land uses are predominantly pastureland devoted to cattle grazing, with a relatively small pear orchard on the south end of the valley. The Round Valley Indian Reservation occupies the north end of Round Valley and is home to the [Round Valley Indian Tribes \(RVIT\)](#), which is made of several Native American tribes. (Mendocino County, 2008a)

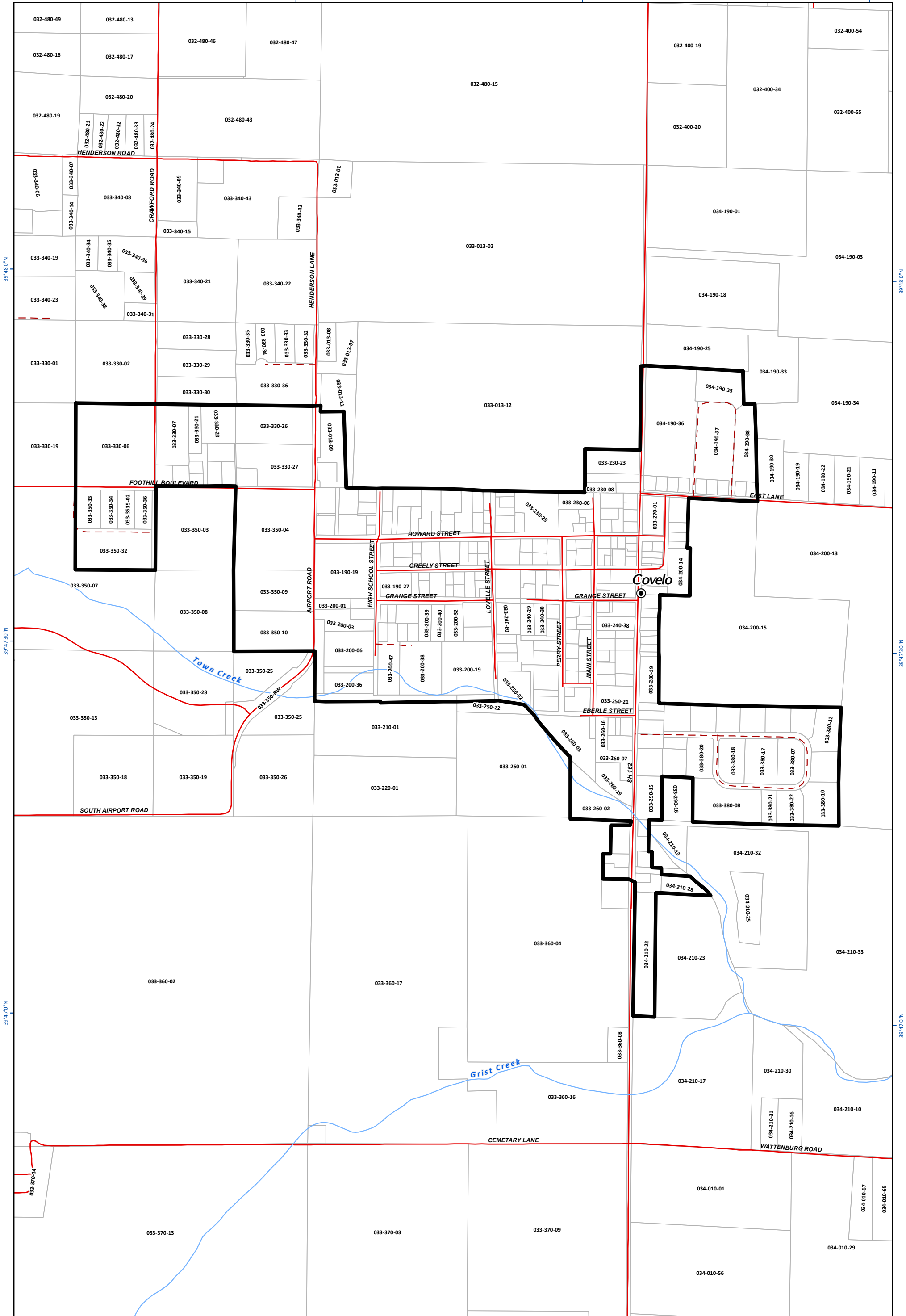
Residents have expressed interest in retaining Covelo’s historic nature and the rural character of the valley, while increasing economic development and affordable housing opportunities. Historically, Covelo’s economy was focused on the timber industry. The Round Valley Flour Mill is an identified historical resource in the Mendocino County General Plan.

The Covelo community planning area in Round Valley is accessed by State Route 162 and Round Valley Airport. Mendocino National Forest borders the community of Covelo to the north and east. Mendocino County has land use authority over privately owned lands within the District boundary and makes land-use decisions based on the County General Plan and Zoning Regulations.

The District includes some Tribal Lands within the western area of the District boundaries. The Round Valley Reservation is home to the RVIT, formerly the Covelo Indian Community, a sovereign nation of

confederated tribes: the Yuki, who were the original inhabitants of Round Valley, as well as the Pit River, Pomo, Nomlacki, Concow, and Wailacki tribes, who were forced onto the reservation with Yuki. The Round Valley Indian Tribe is a federally recognized tribe. The reservation was one of five reservations in California legislated by the United States Government in 1870 pursuant to the Four Reservations Act of 1864.

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39°48'0"N

39°47'30"N

39°47'0"N

39°48'0"N

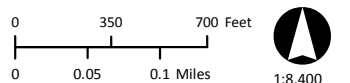
39°47'30"N

39°47'0"N

Coordinate System: NAD 83, Calif. State Plane Zone II
 Projection: Lambert Conformal Conic
 Parcel Data: Mendocino County Info Svcs., October, 2014
 Aerial Imagery: US Dept. of Agriculture, NAIP series, unless otherwise indicated
 Topographic Data: USGS 7.5 minute quad series
 Flood Data: FEMA FIRM Maps, June 2011

- Rivers
- Private Roads
- Covelo CSD Boundary
- Public Roads
- Parcels 10-14

COVELO COMMUNITY SERVICES DISTRICT



Some factors affecting community growth include limited vehicular access, distance to employment centers such as Willits and Ukiah, lack of a public water system, and limited wastewater capacity provided by the Covelo Community Services District. Covelo is also the site of an alluvial basin that is locally susceptible to liquefaction. (Mendocino County, 2009)

Infrastructure and other nonresidential and residential development susceptible to flooding include Town Creek, which runs through Covelo, as well as much of the area south and east of Covelo, as shown on Figure 2-8. The RVCWD is responsible for flood control and stream restoration on Town Creek.

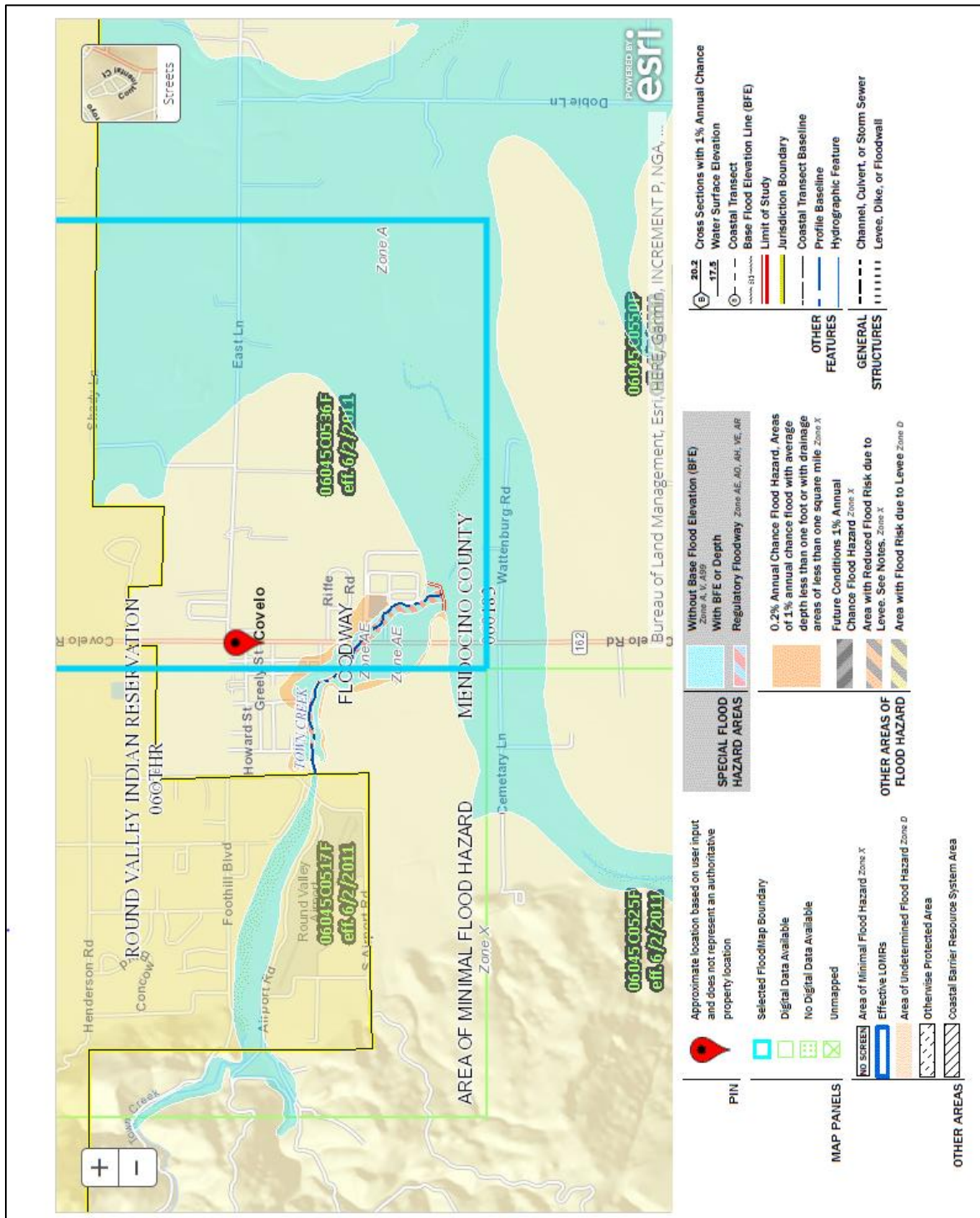
The most recent Housing Element adopted by Mendocino County in 2015 conducted an analysis of development potential for Covelo. Although there are many parcels throughout Covelo that are vacant or underutilized, only three were included in the Housing Element inventory due to development restrictions such as zoning and lack of centralized water services. See Figure 2-9 below. At the time of the 2015 Housing Element, it was reported that the District was pursuing expansion of its authority to include water service, initially for fire hydrants and suppression and in the longer term for a potable water system. The RVMAC has also recently expressed interest in these services for the benefit of the community. However, such an expansion has not materialized, primarily due to concerns of placing a large revenue burden on the residents of the District. In addition to a lack of water, the three parcels evaluated in the Housing Element are also close to the airport, which poses an additional development constraint with noise and safety impacts to any new residences.

Mitigating this challenge somewhat is the presence of a large, easily accessible aquifer that could be tapped by individual or communal wells to serve new multifamily structures. Three sites in the core of the Covelo currently have multifamily zoning and are available for such use. Since it is possible to utilize onsite wells for water supply and connect to the CSD for sanitation service, these properties do have development potential. However, the lack of a centralized water system would likely limit the potential number of units to half their development potential.

(Mendocino County, 2015)

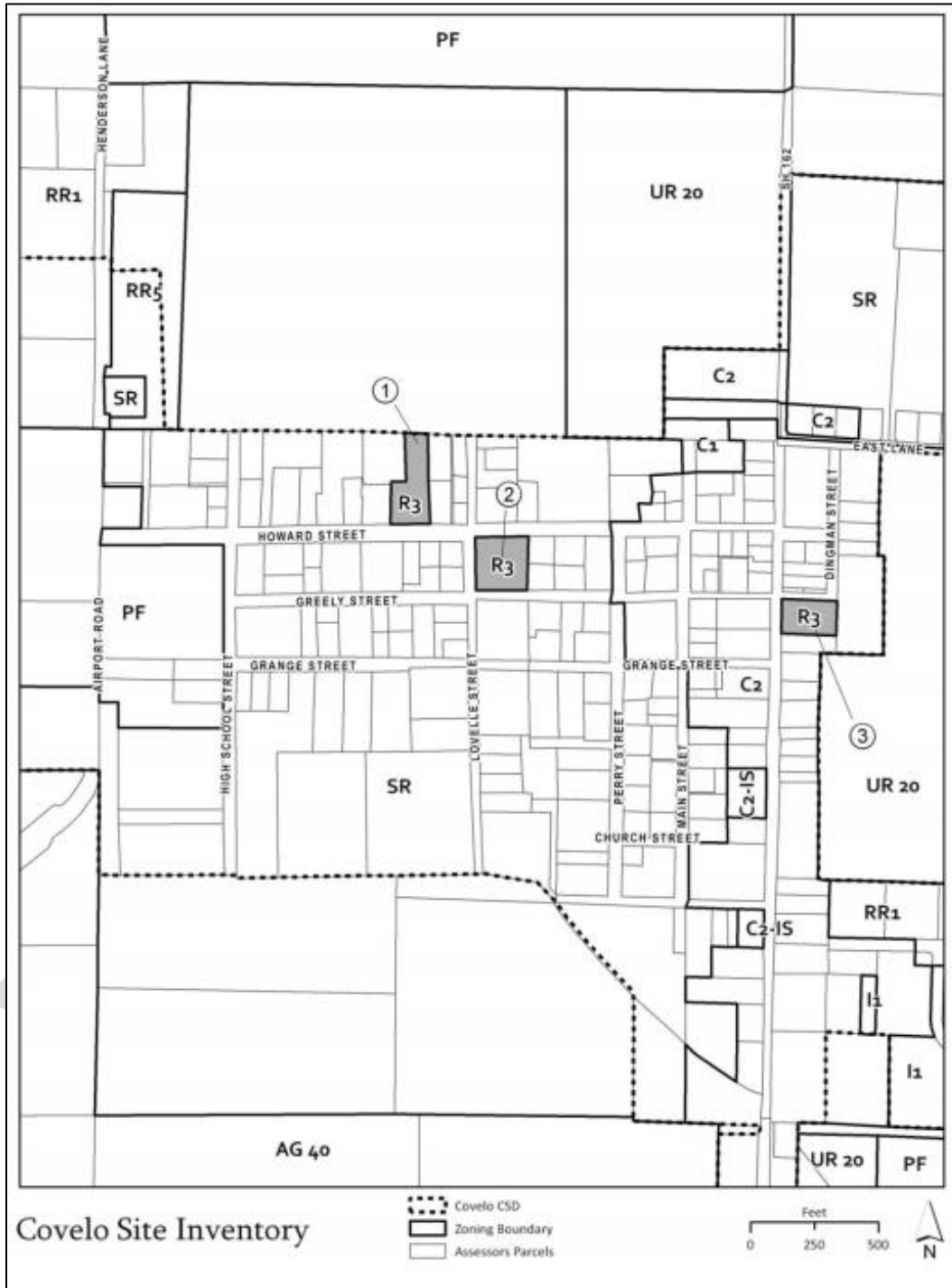
The entire District is currently under a temporary Mitigatable Moratorium due to the winter infiltration and inflow (I&) issues and treatment plant capacity shortfalls discussed in Section 3 of this document. Increased monthly rates are unaffordable for the community, so the only way to mitigate these issues to enable additional development is through external funding sources. The District has received a grant to remedy these issues and will be implementing that shortly (See Section 2.4.2.3). (North Coast Resource Partnership, 2018)

Figure 2-8 Flood Map for Covelo Area



Source: FEMA, 2011.

Figure 2-9 Housing Element Inventory of Buildable Sites in Covelo Planning Area



(Mendocino County, 2015)

2.5.2 EXISTING POPULATION AND PROJECTED GROWTH

According to District staff, the District currently serves approximately 430 residents with 265 service connections. The U.S. Census Bureau has designated Covelo as a Census Designated Place (CDP). Census Designated Places are Census Bureau estimates of what an incorporated city boundary would be if a concentrated population area were a city. The Covelo CDP is much larger than the District boundaries, but for general informational purposes, the Census data for the Covelo CDP indicates that as of the 2010 census, 1,255 people resided within the CDP, from which a population density of 164.9 people per square mile can be extrapolated. However, it is likely that this number is quite a bit higher but unreported. By comparison the average population for Mendocino County is 24.16 persons per square mile.

The rate of growth in Mendocino County from 2010 (87,850 residents) to 2019 (86,749) was -1.3%. However, the population of the District has been increasing more than the population of the County as whole. District and Census Tract boundaries are noncontiguous, but Census Tract 010100 encompasses approximately 80 percent of the District and is therefore used in the table below.

	1980	1990	2000	2010	2019
Census Tract 010100	2,137	2,066	2,374	2,617	2,674
Percent Change	13%	-3%	15%	10%	2%
Mendocino County	66,738	80,345	86,265	87,841	86,749
Percent Change	30%	20%	7%	2%	-1%

Source: USCB, 2019a; Mendocino County 2008b.

As shown in Table 2.6, the population growth of the Round Valley area was lower on average until 2000, when it began to see more growth on average than the rest of Mendocino County. If the last ten years is an indication of average growth for the next ten years, the District might expect to see 2% growth; however, the decades-long trend demonstrated by the data appears to be sagging, and growth may continue to slow. Growth projections published by Caltrans indicate a very slow overall County population growth of approximately 0.15%. (Caltrans, 2019) Based on this growth rate, the District can expect a small population increase of three people within the next five years. Although there are a number of parcels just outside the District of similar size as those within, and several which could be subdivided for development, there are no proposed or anticipated significant land use changes, new development projects, or redevelopment of existing sites within the District's boundary over the next five years (CCSD, 2020a). The District will likely experience limited growth until constraints related to infrastructure needs are sufficiently addressed.

The District has a maximum number of REU's available due to capacity limitations of the WWTP. Given that there is currently a temporary mitigatable moratorium in effect, there are no new developments possible. Although there are indications that populations have increased within the District as there seems to be an increase in residents per residence, there is no documentation available.

2.6 DISADVANTAGED UNINCORPORATED COMMUNITIES

Senate Bill (SB) 244, which became effective in January 2012, requires LAFCo to evaluate any Disadvantaged Unincorporated Communities (DUCs), including the location and characteristics of any such communities, when preparing an MSR that addresses agencies that provide water, wastewater, or structural fire protection services. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$80,440 or \$64,000 (USCB, 2019c). This State legislation is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas.

Covelo is a CDP and the primary population center within the District. Covelo CDP has an MHI of \$23,600 (USCB, 2019d) and qualifies as a DUC, and is also considered a Severely Disadvantaged Community (SDAC) under California Public Resources Code Section 75005 with a median household income of less than 60% the statewide average. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.

3 MUNICIPAL SERVICES

A Municipal Service Review (MSR) is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. The MSR determinations inform the SOI Update process and assist LAFCo in considering the appropriateness of a public service provider's existing and future service area boundary. The information and analysis presented in Chapters 2 and 3 of this document form the basis for the MSR determinations provided under Section 3.7.

3.1 SERVICE OVERVIEW

3.1.1 SERVICES

Covelo CSD provides wastewater services within its boundaries and has only one service area.

Additional municipal services are provided to District residents by other public agencies or non-profit organizations through agreements and Joint Powers Authority (JPA) and by private businesses through service contracts, as detailed in Section 2.3.4. This MSR only reviews services provided by the District.

3.1.2 OUT-OF-AGENCY SERVICES

The District does not provide any out-of-agency services, and there are no pending or anticipated requests for or commitments from the District to provide out-of-agency services over the next five years. (CCSD, 2020a)

3.2 WASTEWATER

3.2.1 SERVICE OVERVIEW

The District owns, operates, and maintains a public wastewater collection system, treatment plant, and disposal system for the treated water and sludge (biosolids) byproducts from the treatment plant. The District is currently under a temporary Mitigatable-Moratorium (MM) due to winter infiltration and inflow (I&I) issues and treatment plant capacity shortfalls. (North Coast Resource Partnership, 2018)

The District currently does not have a capital improvement plan that identifies current and long-term District facility and equipment needs, including upgrades, renovations, and major maintenance, capital improvements and purchases, and facility expansions, and identifies potential revenue sources for addressing those capital needs.

3.2.2 COLLECTION SYSTEM

The District's wastewater collection system channels wastewater from the source (a residence, commercial, school, or other building) to the wastewater treatment plant via pipes that run from each structure to a sewer main in the street. The street sewer mains connect to progressively larger pipes until the wastewater treatment plant (WWTP) is reached. Residential mains are usually four inches in diameter. Street mains vary in size with the smallest being six inches in diameter. The District has 20,000 feet (approximately 3.75 miles) of 6-, 8-, 10- and 12-inch sewer lines, and one pump station.

In an ideal case, sewer collection systems are completely gravity powered, and the WWTP is ideally located at the lowest elevation of the collection system territory. In regions where gravity flow cannot be utilized, pumping stations known as lift stations are needed. As shown in Figure 2-9 below, the District sewer system consists of four major collection basins, three of them north of Town Creek and one south of the creek. The smallest of the three northern basins lies along East Lane within the northeast corner of the District. Wastewater in this basin flows by gravity to a lift station near the northern limit of the Commercial Street sewer main. The lift station pump lifts collected wastewater to the terminal manhole on the Commercial Street main where it joins wastewater generated in the largest northern collection basin situated within and west of Commercial Street. The largest collection basin is located north of Town Creek and primarily west of Commercial Street. All wastewater from these two northern collection basins flows by gravity toward Town Creek, and passes under the creek through an inverted siphon. A main interceptor sewer line located just south of Town Creek conveys collected wastewater east to the WWTP.

An area known as the “Business Park” comprises the third collection basin located north of Town Creek. This collection area was annexed into the District boundary in 2010. An independent gravity sewer line conveys wastewater from the Business Park directly to the treatment plant influent pump station on the north side of Town Creek.

The fourth sewage collection basin is located entirely south of Town Creek. This collection area is smaller in size than the combined areas located north of Town Creek, but potentially serves a lot of developable area between the Round Valley Airport on the east and Highway 162 on the west. The wastewater generated within this basin flows north and joins wastewater generated within the main northern basins on the south side of Town Creek before being conveyed through the main sewage interceptor to the treatment plant. The main interceptor includes a second inverted siphon below Town Creek, just upstream of the influent pump station at the treatment plant.

The overall collection system serves a geographic area of approximately 185 acres, including around 35 acres that lie outside of the existing district boundary. The collection system serves the customer breakdown as noted in Table 2.7

Type of Development	Residential Equivalent Units (REU)
Single-Family Dwelling	185
Business	59
Fire House	1
Church	4
Motel	4.25
Schools	47.5
Mobile Home Park	33
Restaurant	14

Source: CCSD, 2021

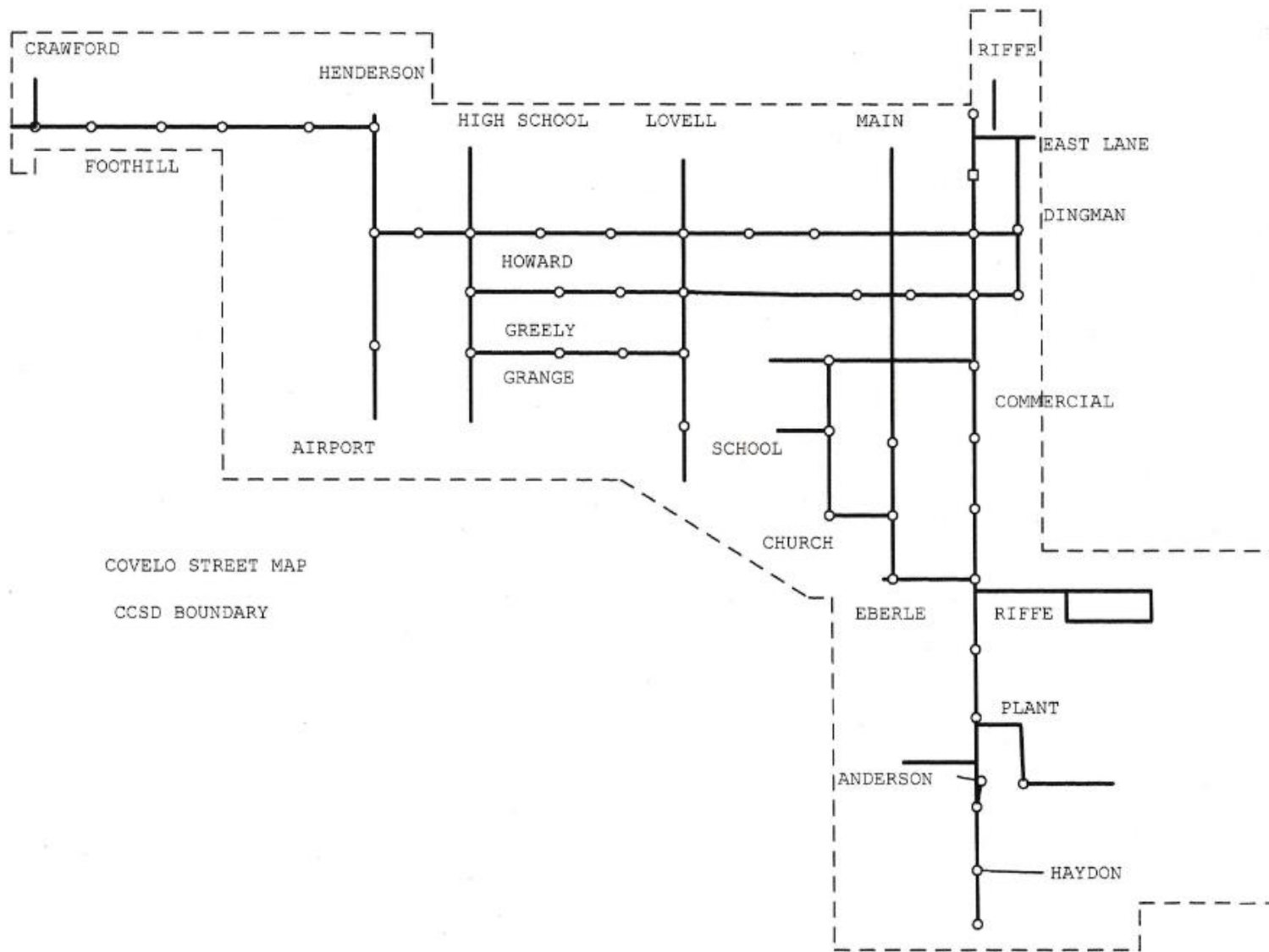
The sewer main piping comprising the collection system in the largest of the three northern basins includes approximately 3,900 linear feet of 8-inch diameter and 14,575 linear feet of 6-inch diameter asbestos-cement pipe (transite pipe). There are approximately 45 manholes and 10 mainline cleanouts in

this portion of the overall system. The Business Park collection system is the second largest of the three northern sewer basins, and consists of 2,200 linear feet of 6-inch diameter pipe, 1,085 linear feet of 12-inch diameter pipe, and 800 linear feet of 12-inch pipe that terminates within the WWTP property. The smaller, East Lane basin includes 800 feet of 6-inch diameter sewer main, 4 manholes and 1 mainline cleanout. A lift station raises collected wastewater from the East Lane basin to the north end of the Commercial Street basin.

Upgrades to the system were performed in 2008, but due to design and construction errors in some of these pipes, as well as aging infrastructure that was not replaced in 2008, much of the collection system now requires improvements because of I&I seepage. A collection system upgrade is currently being implemented under a North Coast Resource Partnership grant to remedy these issues as discussed further under Section 3.2.5. (North Coast Resource Partnership, 2018)

DRAFT

Figure 3-1 Map of Collection System



3.2.3 WASTEWATER TREATMENT AND DISPOSAL SERVICES

The District's wastewater treatment plant (WWTP/plant) is located just outside the District's boundary to the southeast, adjoining Grist Creek, which flows through Covelo in a southeast direction. The plant was first constructed in the 1960s and underwent major construction upgrades as part of the Clean Water Grant Program in 1976-77. The existing facility consists of an influent pump station, headworks, two treatment ponds, two holding ponds, a sand filter, an ozone disinfection process, and an outfall into Grist Creek.

The groundwater level is much higher under the wastewater treatment plant than in almost all the rest of Round Valley. Tests before the plant was constructed showed free groundwater 4 to 8 feet below the surface during the summer. During winter the groundwater rose to only a foot below the surface. This contrasts to water level fluctuations in the rest of the valley. There are two groundwater levels in the general region of the WWTP. The first, the Covelo Aquifer, extends to a depth of approximately 40 feet. It is heavily influenced by surface water and sewage disposal systems. An "aqualude" between 40 to 60 feet below the surface separates and isolates a second groundwater supply, the Round Valley Aquifer. This aquifer receives very little inflow from the surface directly above it. Recharge derives from the surrounding hills and terraces.

Water quality is good from the lower aquifer. Most well depths in the Valley are in the 100- to 200-foot depth range. Historically, Coho salmon and steelhead were known to occur in Mill Creek, into which Grist Creek flows, and Coho were even observed in Grist Creek; however, it has been decades since any have been observed in the tributaries. The plant is just outside the 100-year flood zone, but is partially within the 500-year zone.

(LAFCO, 2010a)

Raw sewage is pumped through a bar screen to two oxidation ponds, 4.7 and 2.2 million gallons in size (total surface area 4.5 acres) which function as semi-mixed, aerobic-anaerobic lagoons. Under its NPDES permit, the District may discharge into Grist Creek if there is a dilution ratio of 100:1. No discharge is allowed from May 15 through September 30 of each year under any circumstances. (North Coast Regional Water Quality Control Board, 2017)

Holding ponds are designed to store treated effluent subject to these limitations. Before discharge, treated effluent is filtered through four separate sand filters in two cycles and is then passed through a disinfection process similar to a tablet-type chlorination system. Current capacity is 40,000 gallons a day. The existing equipment could be upgraded to double that volume. (LAFCO, 2010a)

3.2.4 OPERATIONS AND MAINTENANCE

The District does not have an operation and maintenance program, nor a CIP as discussed in Section 2.4.2.4. The Plant Operator/Collection System Manager determines all maintenance and repair needs for the sewer system based upon the manufacturer's recommended schedule, industry best practices, and actual need. Maintenance is funded through the budget development process. (CCSD, 2020a)

It is recommended that the District maintain a System Operation and Maintenance Program (SOMP) which establishes procedures intended to prevent or minimize the potential for sanitary sewer overflows. The program can include guidelines for the operation and maintenance of the sanitary sewer collection system, such as a plan for drafting and maintaining the District's collection system maps, operation and maintenance activity schedules, a plan to prepare the District's capital improvement program (CIP),

system rehabilitation and replacement plans, and District personnel training schedules. As part of the SOMP, a schedule for monitoring and cleaning sewer lines and lift stations can be developed. Prevention and containment measures can also be planned for in an SOMP with emergency pump-around and containment equipment, and training schedules for staff to use this equipment in an emergency. Hot spots - areas where visual or video inspections indicate repeated or unusual accumulation of grease, grit, roots or other debris, or in areas with a past history of sewage blockages – can be identified, mapped, and placed on a routine cleaning schedule.

The District may also find efficiencies in developing Geographic Information Systems (GIS) mapping for the wastewater system with manhole, sewer line, and lift station layers, as well as an attribute table with manhole and sewer line information georeferenced to each manhole and sewer line, which lists the line type, line material and the pipe diameter. The District would be able to use the attribute table and map displays for collection system maintenance scheduling, to query information about the system, and to create maps and labels.

The District is required by the State Water Resources Control Board to prepare a Sewer System Management Plan (SSMP) that includes an operation and maintenance program, design and performance provisions, an overflow emergency response plan, and a system evaluation and capacity assurance plan, among other items. The District approved a SSMP at its September 12, 2019 regular board meeting.

Although no engineering report was available for review in the preparation of this MSR, a 2006 engineering analysis of the system by SHN Engineers listed a number of plant deficiencies. (SHN Consulting Engineers & Geologists, 2006) In 2008, repairs made to the system improved some of these issues, but they did not remedy them completely, and the District has had unauthorized surface discharges that have failed toxicity tests since that time. The District also currently has a moratorium on new service connections due to the maximum capacity and I&I issues.

The District recently received a North Coast Resource Partnership grant that includes funding for collection system improvements and wastewater treatment plant improvements. The grant award of \$750,000 will allow the District to address one of the moratorium mitigation measures: reduce inflow and infiltration by replacing faulty laterals, a manhole, and a section of main pipe. The construction design and bid package are to be completed by June 2021 and construction to begin and to be completed summer/fall of 2021, respectively.

The collection system's I&I issues compromise the treatment facility's capacity and have resulted in raised rates (in 2017) by \$15 a month to offset the testing and administrative costs needed during wet weather events. The project will redesign the treatment plant ponds to increase water treatment efficiency, thus reducing processing costs and timing of influent. The improvements will also allow the District moratorium to be lifted, allowing increased revenue from new development. Improvements will replace portions of the collection system to reduce approximately 0.2 MGD of wet weather I&I, and will upgrade the treatment plant to adjust inlets and outlets through various parts of the plant, separate some of the treatment facilities (wetlands and percolation pond), and install aerators/mixers in the primary oxidation pond to improve the treatment capacity and maintenance abilities of the WWTP. These improvements would also reduce the toxic ammonia in the plant's effluent.

(North Coast Resource Partnership, 2018)

3.2.5 SYSTEM CAPACITY

The District's wastewater collection, treatment, and disposal facilities serve 430 people with 265 service connections. The District serves predominantly commercial, residential, and school uses. The District is located in a larger community, which if appropriately characterized by the CDP boundaries, has an approximate resident population of 1,255, covering an area of approximately 7.1 square miles, with sparse development outside the District boundaries.

The permitted design capacity of the wastewater treatment plant is 77,000 gallons per day. The most recently available daily wastewater flows are as follows:

Parameter	Unit	2015	2016	2017	2018	2019	2020 ¹	Average
Average Daily Flow	MGD	.054	.093	.098	.054	.083	.044	.071
Average Dry Weather Flow	MGD	.037	.041	.033	.040	.039	.037	.038
Average Wet Weather Flow	MGD	.072	.137	.120	.061	.106	.046	.090
Maximum Daily Flow	MG	.144	.329	.455	.184	.369	.087	.261
Maximum Monthly Flow	MG	3.195	5.946	8.163	3.334	5.381	1.771	4.632

¹2020 was a significant drought year.

As shown in the table, most of the average flows were less than 77,000 gallons per day or .077 million gallons per day (MGD) in any given year. However, years with higher precipitation levels – 2016, 2017, and 2019 – produced some exceedances of the maximum permitted flow rate, particular the wet weather flows which exceeded the maximum flow rate in three of the last five years. These service peaks are mostly related to high rainfall years due to I&I issues. In the summer months (non-school year months), service demand drops due to less overall inflow.

Growth of the wastewater system could occur through new development within the boundaries of the District or expansion of the system to serve existing areas adjacent to the District currently utilizing onsite sewage disposal systems (septic systems). Although there are a number of parcels just outside the District boundaries which could be subdivided for development, there are no proposed or anticipated significant land use changes, new development projects, or redevelopment of existing sites within the District's boundary over the next five years. (CCSD, 2020a) The District will likely experience limited growth until constraints related to infrastructure needs are sufficiently addressed. After the system has been upgraded, it is anticipated that the District will see occasional requests for service and annexation.

3.2.6 FACILITIES AND ASSETS

The District owns, operates, and maintains multiple capital assets including land, structures, equipment, and infrastructure to provide services to its constituents. As of December 31, 2019, the District's capital assets totaled \$3,198,990. The District's North Coast Resource Partnership Grant is a DWR grant that has been awarded and is being developed for completion in 2021.. (CCSD, 2020c)

The Districts owns and operates its wastewater collection, treatment, and disposal system. The District owns 22.5 acres on two parcels where the wastewater treatment plant is located. The treatment plant facilities are owned by the District, including pumping stations, office/storage buildings, backup generators, and ozone disinfection unit. The District has easements to all sewer lines from the terminus at the plant on throughout the District up to each property line cleanout. Most facilities are approximately

20 years old and in generally good operating condition. Some facilities are no longer in good operating condition. The District also owns office equipment, vehicles to support its operations, and other equipment for maintenance and operations. Capital assets as of June 30, 2019, with depreciation, are shown in Figure 3-1 below.

As mentioned above, the District is currently in the process of implementing a North Coast Resource Partnership Grant to replace faulty sections of the collection system as well as to install solar panels at the WWTP. Additionally, the CCSD has applied for a CA Waterboard Grant to rebuild the influent well and pumping station.

Figure 3-2 Fixed Assets FYE 2020

Covelo Community Services District
CAPITAL ASSETS & DEPRECIATION SCHEDULE
FYE: 12/31/2020

PLACED IN SERVICE		LIFE YEARS	COST ORIGINAL	COST ADJUSTED	YEAR ENDED DEPREC.	ACCUM. DEPREC.	NET BOOK
					2020	2020	2020
1960	LAND		0.00				
1975	LAND	50	39640.00				
WASTEWATER TREATMENT PLANT							
1961	GENERAL PLANT	30	157496	157496.49	0.00	157496.49	0.00
1976	GENERAL PLANT	50	843876.94	843876.94	16877.54	742611.71	101265.23
2003	WATER WELL	30	19076.25	19076.25	635.88	10809.88	8266.38
2008	HOWARD/162 COLLECTION UPGRADE	40	2288983.69	2288983.69	57224.59	686695.11	1602288.58
2010	LAFCO ANNEXATION MAPS	30	5940.50	5940.50	198.02	1980.17	3960.33
2011	TREATMENT PLANT UPGRADE	40	1429563.86	1429563.86	35739.10	321651.87	1107911.99
EQUIPMENT							
2003	VINTAGE WW PIPE CUTTER	5	654.54	654.54	0.00	654.54	0.00
2003	WARTHOG POWER NOZZLE ATTACH	5	1174.39	1174.39	0.00	1174.39	0.00
2005	F150 TRUCK 1995	5	3845.00	3845.00	0.00	3845.00	0.00
2007	1994 FORD SEWER JET TRUCK	10	26614.65	26614.65	0.00	26614.65	0.00
2009	8 X 40 SHIPPING CONTAINER	30	2700.00	2700.00	90.00	990.00	1710.00
2009	HUSQVARNA RIDING MOWER	10	1848.70	1848.70	0.00	1848.70	0.00
2010	SEESNAKE SEWER VIDEO CAMERA	5	2300.00	2300.00	0.00	2300.00	0.00
2016	OZONE MONITOR MODEL M465H	10	6450.00	6450.00	645.00	2580.00	3870.00
			45587.28				
TOTALS			4,633,028.52	4,633,028.52	111,410.12	1,803,756.00	2,829,272.52

3.3 DETERMINATIONS

This section presents the required MSR determinations pursuant to California Government Code §56430(a) for the Covelo Community Services District.

3.3.1 MSR REVIEW FACTORS

3.3.1.1 Growth

Growth and population projections for the affected area

1. The Covelo CSD is estimated to serve a population of approximately 430 residents.
2. The Covelo CDP, which includes the District and is 7.1 square miles, currently has 1,255 residents and is estimated to grow very slowly due to infrastructure deficiencies.
3. Population growth is expected to increase at an annual rate of approximately 0.15% for Covelo CDP. Based on this growth rate, the District can expect a small population increase of 220 people within the next five years. It is anticipated that the District will experience very limited growth until constraints related to infrastructure needs are sufficiently addressed.
4. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County's Inland General Plan and Zoning Regulations.

3.3.1.2 Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

5. Covelo CDP has an MHI of \$23,600 and qualifies as a DUC and an SDAC with less than 60% of the State's MHI. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.
6. The Round Valley Indian Reservation is located adjacent to the District in the northwest portion of Round Valley. However, the Round Valley Indian Tribes (RVIT) own and operate its own wastewater treatment facility for the Reservation.

3.3.1.3 Capacity of Facilities and Adequacy of Services

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

7. The District provides wastewater services within its boundaries with no distinct service areas.
8. The District does not provide any out-of-agency services.
9. The District's wastewater system serves a total of 265 residential equivalent users, including single family dwellings, 189; businesses, 59; schools, 47.5; mobile home park, 33; restaurants, 14; churches, 4.
10. The District's wastewater system facilities and infrastructure includes a wastewater treatment plant with a design capacity of 77,000 gallons per day, 20,000 feet (approximately 3.75 miles) of sewer lines and one pump station. The average total annual demand on the District's water system regularly exceeds the plant capacity, with three of the last five years exceeding average daily flow.

11. There are wastewater capacity issues and infrastructure needs for the District that need to be addressed within the timeframe of this MSR. The plant requires upgrades to prevent I&I issues during storm events, and some of the infrastructure requires replacement, such as the plant restroom facilities.
12. It is recommended that the District maintain a System Operation and Maintenance Program (SOMP) which establishes procedures intended to prevent or minimize the potential for sanitary sewer overflows. The program can include guidelines for the operation and maintenance of the sanitary sewer collection system, such as a plan for drafting and maintaining the District's collection system maps, operation and maintenance activity schedules, a plan to prepare the District's capital improvement program, system rehabilitation and replacement plans, and District personnel training schedules. As part of the SOMP, a schedule for monitoring and cleaning sewer lines and lift stations can be developed. Prevention and containment measures can also be planned for in an SOMP with emergency pump-around and containment equipment, and training schedules for staff to use this equipment in an emergency. Hot spots - areas where visual or video inspections indicate repeated or unusual accumulation of grease, grit, roots or other debris, or in areas with a past history of sewage blockages – can be identified, mapped, and placed on a routine cleaning schedule.
13. It is recommended that the District develop a Geographic Information Systems (GIS) map for the wastewater system with manhole, sewer line, and lift station layers, as well as an attribute table with manhole and sewer line information georeferenced to each manhole and sewer line, which lists the line type, line material and the pipe diameter. The District would be able to use the attribute table and map displays for collection system maintenance scheduling, to query information about the system, and to create maps and labels.

3.3.1.4 Financial Ability of Agency

Financial ability of agencies to provide services

14. The District prepares an annual Budget and has annual Independent Financial Audits prepared by a qualified Certified Public Accountant. The District shall provide LAFCo a complete copy of all future financial audit reports (starting with Fiscal Year 2019-20) prepared by a Certified Public Accountant within 12-months of the end of the fiscal year or years under examination consistent with the timeframes established by Government Code Section 26909(a)(2)(b)(ii) as amended by SB 448.
15. According to audited financial information from Fiscal Years 2016-17 through 2018-19, the District generally operates at a net deficit each year. The District's enterprise services are also currently operating at a net loss, and the overall net position has declined in each of the last four years. The trend in net position is a key measure of fiscal health and indicates that the District needs to balance the budget and/or meet current operating costs with increased revenues. The District's declining net position indicates that under the current level of service delivery, the District will eventually be unable to meet its ongoing financial obligations. The District does have adequate finances to meet current and future demands for public services within the next five years. However, the District should be working toward a balanced budget as well as toward building reserves to fund capital improvements and replace equipment.
16. The District does not have a Capital Improvement Plan. It is recommended that the District prepare and adopt a 5-year Capital Improvement Plan to ensure that financial planning occurs for future capital infrastructure needs.

3.3.1.5 Shared Services and Facilities

Status of, and opportunities for, shared facilities

17. The District does not participate in any shared services. There is no redundancy in the provision of municipal services to the District.
18. The District collaborates with other public agencies by sharing the office and Board meeting location with the RVCWD.
19. The District is developing an MOU with the RVCWD to share office space with the Round Valley Area Municipal Advisory Council for document storage.
20. The District participates in the SDRMA for the purpose of pooled insurance for providing liability, workers compensation for its facilities, operations, and employees. Health insurance is provided by the Association of California Water Agencies Joint Powers Insurance Authority for District employees and their dependents.
21. No new opportunities for the District to achieve organizational or operational efficiencies were identified during the preparation of this MSR.

3.3.1.6 Accountability, Structure, and Operational Efficiencies

Accountability for community service needs, including governmental structure and operational efficiencies

22. The District is governed by a Board of Directors elected to serve 4-year terms. The Board is comprised of five seats, only three of which are filled as has been the case since Fiscal Year 2010-11. The District has difficulty filling vacancies, but has retained two long-term Board members, which can be a significant benefit in establishing long-standing positive working relationships in the community, understanding the history and unique aspects of the organization, and maintaining institutional knowledge. It is recommended that the District conduct public outreach to the community through physical bulletin board notification sites as well as local media and/or free social media to attract additional Board members. A small stipend for Board members may also attract more members.
23. Regularly scheduled meetings for the District Board of Directors are held on the second Thursday of the month at 6:00 p.m. at the District Office located at 23950 Grange Street in Covelo. Alternatively, the District Board meets on the second Wednesday of the month as needed, according to District staff. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act.
24. The District Board of Directors conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The District Board of Directors has adopted policies and procedures related to elected officials including conflict of interest and reimbursement, finances, and personnel. The District Board members file a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203 of the Political Reform Act and receive two hours of training on public service ethics laws and principles at least once every two years pursuant to AB 1234. The District Board of Directors considers proposed increases to rates and fees at a properly noticed Public Hearing and subject to mailing a Notice of Hearing for Protests to all property owners pursuant to Proposition 218. The District complies with local government ethics laws and regulations and operates with accountability and transparency.

25. The District has a website at <https://ccsd.roundvalley.org>. The District's website has the District's contact information and agendas and minutes from District Board meetings from October 2019 to June 2020. However, the website is not current and does not appear to have been maintained in the last year. A search of the District in any major search engine does not yield the District's website, and it is not linked on the Mendocino LAFCo Special District page. The District's website would be enhanced by keeping it up to date; posting the regular Board meeting agenda, time, and location; posting the Board member contact information; and incorporating a content management system to provide a searchable and chronologically organized document archive system for Board meeting packets and adopted ordinances, resolutions, annual budgets, financial audit reports, and other digital records. The website would also benefit from a search engine prioritization overhaul to improve the website ranking and site traffic. The District should also consider maintaining community outreach, particularly prior to and during construction of capital improvements, with social media outlets such as Facebook, and linking to relevant outside sources such as Mendocino LAFCo's webpage.
26. The District has one full-time position and two part-time employees as follows: one General Manager, one Bookkeeper/Office Manager, and one Plant Operator/Collection Manager. In addition, the District employs a contract Certified Public Accountant (CPA) and legal counsel on an annual basis. As needed the District also enters into contracts with engineers, construction contractors, construction monitors, and others.
27. The public can submit written or provide verbal comments or complaints in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the District Board of Directors meetings during the general public comment period.
28. There are no government restructure options for the District to achieve organizational or operational efficiencies identified during the preparation of this MSR.

3.3.1.7 Other Service Delivery Matters

Any other matter related to effective or efficient service delivery, as required by commission policy

29. There are no other matters related to service delivery required by Mendocino LAFCo Policy.
30. As a CSD, the District has the opportunity to provide additional municipal services upon activation of latent powers through Mendocino LAFCo. Given the recent establishment of the RVMAC and the issues identified in the Covelo area, there may be opportunity for the District to serve as a vehicle for achieving some of the goals that are otherwise unattainable in such a rural, unincorporated area. Attachment C includes a list of municipal services that are authorized under Community Services District Law that could potentially be activated for the Covelo CSD.

4 SPHERE OF INFLUENCE

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) Update process. An SOI Update considers whether a change to the SOI, or probable future boundary, of a local government agency is warranted to plan the logical and orderly development of that agency in a manner that supports CKH Law and the Policies of the Commission. The MSR and required determinations are presented in Chapters 2 and 3 of this document and form the basis of information and analysis for this SOI Update. This chapter presents the SOI Update and required determinations pursuant to California Government Code §56425(e) for Covelo Community Services District.

4.1 SOI UPDATE

This update is prepared as part of a CKH Act mandated (GC §56076) process. As stated in that section, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend an appropriate Covelo Community Services District (CCSD) Sphere of Influence (SOI). The objective is to establish CCSD SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the CCSD Municipal Services Review (MSR) in Section 3, which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty-year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5 to 10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

If the CSD were to annex the SOI in the future, and potentially activate additional latent powers, that would be an appropriate time to establish possible service zones within the District, identifying where various services, such as water, are provided. LAFCo oversight during the establishment of service zones would ensure the policies of the Commission, such as preserving agricultural land and open space, are addressed.

4.1.1 EXISTING SPHERE OF INFLUENCE

The Sphere of Influence (SOI) for Covelo CSD is coterminous (identical to) with the District boundary and was established by LAFCo on October 4, 2010 (LAFCo Resolution No. 2010-01). Concurrent annexations consistent with the 2010 SOI were also approved on October 4, 2010 (LAFCo Resolutions No. 2010-02 and 2010-03). There have been no changes to the District boundary or SOI since then. (LAFCo, 2010a)

4.1.2 STUDY AREAS

There are no additional study areas beyond the present SOI. Based on current wastewater treatment system capacity, which has reached its maximum extent and regularly exceeds its capacity in the rainy season, as well as the repair and capital improvement needs of the system, it appears that the District does not have the capacity to provide wastewater services beyond its proposed service area. There may be a future need for services outside the proposed jurisdictional boundaries of the District; however, the District is presently unable to provide those services. The territory of the District and the proposed coterminous SOI are in the County; therefore, the zoning for these parcels is controlled by the County. There are no present or planned land uses within the proposed coterminous SOI that differs with existing County zoning.

4.1.3 AREA OF INTEREST DESIGNATION

LAFCo's Area of Interest Policy, per Section 10.1.12, provides for the designation or identification of unincorporated areas located near to, but outside the jurisdictional boundary and established SOI of a city or district, in which land use decisions or other governmental actions of another local agency directly or indirectly impact the subject local agency.

An Area of Interest (AOI) designation serves as a compromise approach that recognizes situations involving challenging boundary or municipal service delivery considerations, or for which urbanization may be anticipated in the intermediate or long range planning horizons. It is a tool intended to enhance communication and coordination between local agencies.

An AOI designation is most helpful when the county and city or district can reach agreement that development plans related to LAFCo designated Areas of Interest will be treated the same as if these areas were within the city or district SOI boundary regarding notification to and consideration of input from the city or district.

As noted above, there are no Study Areas established in this MSR due to the District indicating that the existing District boundary and SOI are adequate, as well as current lack of capacity at the wastewater treatment facility and other repair and capital needs that should be addressed prior to any new annexations.

4.1.4 PROPOSED SOI CHANGES

The District has confirmed the adequacy of their existing District boundary and SOI. The coterminous SOI is appropriate given the District's current operating level, the current lack of capacity in the wet-weather season, other repair and capital needs that must be addressed, and the lack of financial ability to add additional service connections and new infrastructure that would require financial resources to maintain and operate. There are no proposed SOI changes for the Covelo CSD (Figure 1-1). (CCSD, 2020a)

4.1.5 CONSISTENCY WITH LAFCO POLICIES

The District is comprised of a community with residential, commercial, and public facility (school) uses. Maintaining the existing District SOI is consistent with Mendocino LAFCo Policies (refer to Section 1.5 for the specific SOI policies).

4.1.6 DETERMINATIONS

It is recommended that the Commission affirm the existing Sphere of Influence for Covelo Community Services District that is coterminous with the District boundary. The following statements have been prepared in support of this recommendation.

4.1.6.1 Land Uses

The present and planned land uses in the area, including agricultural and open space lands

The District service area is comprised of the semi-rural unincorporated community of Covelo within the larger Round Valley area. The District's uses include residential and residential-supporting commercial and public facility uses. Round Valley is a remote area devoted to agricultural uses including grazing lands and orchards, and rural residential home sites. The Round Valley Indian Reservation, including the Hidden Oaks Casino and Round Valley Indian Health Center, covers 405 acres of the CDP at the north end of Round Valley, with forest and rangelands extending further to the north. Outside of the District boundaries, agricultural uses and rural residential home sites prevail, with RL Rangeland (livestock grazing, protection of natural resources), TP Timberland Production (growing and production of timber), SR Suburban Residential (residential with some commercial uses), UR Upland Residential (low-density agricultural/residential uses), and PF Public Facilities (airport and school uses) predominating. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County's General Plan and Zoning Regulations. (Mendocino County, 2009)

4.1.6.2 Need for Facilities and Services

The present and probable need for public facilities and services in the area

General government services provided under the direction of the District Manager include Administration, Finance, and Planning. The Covelo CSD is estimated to serve a population of approximately 430 residents. Population growth is expected to increase at an annual rate of approximately 0.15% for the Covelo area. Based on this growth rate, the District can expect a small population increase of three people within the next five years. Although there are a number of parcels just outside the District of similar size as those within, and several which could be subdivided for development, there are no proposed or anticipated significant land use changes, new development projects, or redevelopment of existing sites within the District's boundary over the next five years. The District will likely experience limited growth until constraints related to infrastructure needs are sufficiently addressed. The residents and visitors currently receiving services from the District will continue to need these public services. (CCSD, 2020a)

4.1.6.3 Capacity of Facilities and Adequacy of Services

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

The District's enterprise services are currently operating at an annual net loss, and the District's overall net position has decreased in all of the last four years. The trend in net position is a key measure of fiscal health and indicates that the District needs to balance the budget and/or meet current operating costs

with increased revenues. The District should be working toward a balanced budget. The District does maintain a Capital Reserve account, which currently has \$76,748.19, but the District should be working toward building additional reserves to fund capital improvements and replace equipment. In addition, the District's capacity has been regularly exceeded during storm events in three of the last five years, in violation of the current NPDES permit. The District is currently working on a number of projects to improve the facilities and provide some cost-saving measures (such as installation of solar panels at the treatment plant). However, it is unclear whether these planned improvements will provide the additional capacity needed as well as the finances needed to bring the project into a stronger net position annually. The Covelo CSD has adequate finances, facilities, and equipment to meet current demands for public services within the next five years, but does not have the physical or financial capacity currently to sustain this level of service indefinitely.

4.1.6.4 Communities of Interest

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

No social or economic communities of interest have been identified that should be included in the Covelo CSD boundary or SOI.

4.1.6.5 Disadvantaged Unincorporated Communities

The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence

Covelo is a Census Designated Place (CDP) and the primary population center within the District. Covelo CDP has an MHI of \$23,600 and qualifies as a DUC, and is also considered an SDAC under California Public Resources Code Section 75005 with a median household income of less than 60% the statewide average. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.

The Round Valley Indian Reservation is located adjacent to the District in the northwest portion of Round Valley. The Round Valley Indian Tribes (RVIT) own and operate its own wastewater treatment facility for the Reservation.

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6 ACRONYMS

AF	Acre-feet
CCSD	Covelo Community Services District
CDP	Census Designated Place
CEQA	California Environmental Quality Act
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CPA	Certified Public Accountant
CSD	Community Services District
DUC	Disadvantaged Community
FY	Fiscal Year
FTE	Full Time Equivalent
GPM	gallons per minute
I&I	Infiltration and inflow
JPA	Joint Powers Authority
LAFCo	Local Agency Formation Commission
MG	million gallons
MGD	million gallons per day
MHI	Median Household Income
MOU	Memorandum of Understanding
MSR	Municipal Service Review
RVCWD	Round Valley County Water District
RVIT	Round Valley Indian Tribes
RVMAC	Round Valley Municipal Advisory Committee
SB	Senate Bill
SDAC	Severely Disadvantaged Community
SDRMA	Special District Risk Management Association
SOI	Sphere of Influence
WWTP	Wastewater Treatment Plant

7 ACKNOWLEDGEMENTS

7.1 REPORT PREPARATION

This Municipal Service Review and Sphere of Influence Update was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

Uma Hinman, Executive Officer
 Larkyn Feiler, Analyst
 Kristen Meadows, Commission Clerk

7.2 ASSISTANCE AND SUPPORT

This Municipal Service Review and Sphere of Influence Update could not have been completed without the assistance and support from the following organizations and individuals.

Covelo CSD	Dane Downing, General Manager Tim Dennis, Treatment Plant Operator Gail Cook, Clerk/Office Manager
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8 APPENDICES

8.1 APPENDIX A – OPEN GOVERNMENT RESOURCES

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices.
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: www.ca-ilg.org/node/3369.
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.
- Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csda.net/tag/webinars/>.

8.2 APPENDIX B – WEBSITE COMPLIANCE HANDOUT

Refer to the next page.

DRAFT

California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

SB 929

Our district has created and maintains a website

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

Our Enterprise System Catalog is posted on our website

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272

AB 2853 (optional):

We post public records to our website

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

The Brown Act

AB 392:

Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

State Controller Reports

Financial Transaction Report:

A link to the Controller's "By the Numbers" website is posted on our website

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

A link to the Controller's PublicPay website is posted in a conspicuous location on our website

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

Healthcare District Websites

AB 2019:

If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

Open Data

AB 169:

Anything posted on our website that we call "open data" meets the requirements for open data

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

Section 508 ADA Compliance

CA gov code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at achecker.ca



California Special Districts Association
CSDA
Districts Stronger Together

csda.net



getstreamline.com

The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

Placement:

What it says: An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

What that means: Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

Exception:

What it says: A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

What that means: If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

Format:

What it says: [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

What that means: You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact sloane@getstreamline.com or dillong@csga.net

8.3 APPENDIX C – APPLICABLE POLICIES

County of Mendocino 2009 General Plan

Chapter 6: Community – Specific Policies: Covelo Goals and Policies

The following goals, policies, and actions are specific to Covelo, and supplement the countywide goals and policies elsewhere in this General Plan.

Covelo Community Goals

Goal CP-C-1: Conserve Round Valley’s natural, visual and historical resources while maintaining agricultural operations including grazing lands.

Goal CP-C-2: Expand economic opportunities in Round Valley consistent with the desired rural character of the valley.

Goal CP-C-3: Maintain compact development patterns by focusing commercial, residential and community uses in Covelo.

Covelo Community Area Policies

Policy CP-C-1: Preserve and enhance the established historic character of downtown Covelo.

Action Item CP-C-1.1: Enhance Covelo’s downtown and incorporate beautification improvements through circulation, streetscapes, signage, landscaping and other means.

Policy CP-C-2: Retain and restore historic buildings and sites.

Policy CP-C-3: The design of new development should reflect the rural character of the Covelo community.

Policy CP-C-4: Discourage subdivision activity in the outlying Rural and Remote Residential lands, including on lands adjacent to Rangelands and Forest Lands.

Policy CP-C-5: Encourage higher density residential uses, including affordable housing units, in or near the commercial centers as part of a mixed-use strategy.

Policy CP-C-6: Encourage improvements to existing residential structures.

Policy CP-C-7: Establish places and facilities that create a sense of community.

Action Item CP-C-7.1: Revitalize the commercial core of Covelo as the focal point of the community, with mixed-use potential for convenience retail, office and residential uses, focusing on the State Route 162 (Covelo Road) corridor and Greely Street.

Action Item CP-C-7.2: Consider installation of a central plaza or gazebo in the downtown.

Policy CP-C-8: Expand and diversify economic ventures.

Policy CP-C-9: The County encourages the expansion of commercial uses in Covelo.

Policy CP-C-10: Commercial uses should be focused near the established core areas along State Route 162.

Policy CP-C-11: Actively pursue light industrial manufacturing employers for Round Valley.

Action Item CP-C-11.1: Consider placement of a community signboard along State Route 101 at the State Route 162 intersection advertising services and special events in Round Valley.

Action Item CP-C-11.2: Designate the mill site northwest of the town center as a study area to consider a range of future land uses, including industrial, light industrial, commercial and other uses supporting jobs creation for local residents

Policy CP-C-12: Increase economic and social ties with the Round Valley Indian Tribes.

Policy CP-C-13: Encourage joint-use opportunities with Round Valley Indian Reservation.

Policy CP-C-14: Support a community fire hydrant system to facilitate economic and public safety.

Policy CP-C-15: Encourage the Covelo CSD to plan for the provision of a public water system.

Action Item CP-C-15.1: Assist the Covelo Community Services District (CSD) in its efforts to serve future growth with water capacity consistent with the land use patterns and densities established in the General Plan.

Policy CP-C-16: Consider upgrades to the Round Valley Airport to support economic development and emergency services.

Chapter 3 Development Element: Water Supply and Sewer (Wastewater Treatment) Services Policies

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water or sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Chapter 3 Development Element: Infrastructure (Facilities and Services) Policies

Policy DE-117: Deliver programs and services to communities in an integrated, coordinated and equitable manner, reflective of local conditions.

Policy DE-118: The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1: Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119: Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

Policy DE-120: General Plan changes to increase density or intensity should not be granted when basic infrastructure deficiencies are identified unless there is a program in place for timely resolution of the problem.

Policy DE-121: New discretionary development will be required to demonstrate that basic infrastructure is available and has adequate capacity to serve the project without degrading existing level of service standards.

Policy DE-122: When committing to serve new development, the County will encourage service providers to grant priority to allocation of available and future water resources to lower income housing developments that help meet the regional housing need.

Policy DE-123: Plans for completion of basic infrastructure should be made concurrent with discretionary development entitlement actions.

Policy DE-124: Plan for the expansion of commercial and industrial uses and sites for affordable housing when planning and designing community spaces and infrastructure.

Policy DE-125: The County supports the extension of affordable broadband internet access to all areas of the county, particularly rural areas which currently (2009) do not have broadband access.

Chapter 3 Development Element: LAFCo Policies

Policy DE-37: Work with LAFCO and other agencies to reduce suburban sprawl, promote efficient service delivery, and protect agricultural, timber and open space areas from unintended conversion to urban uses.

Policy DE-118: The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1: Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119: Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

DRAFT

MENDOCINO Local Agency Formation Commission

Staff Report

MEETING July 12, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Status of Applications, Proposals, and Work Plan**

RECOMMENDATION

Informational report.

BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCo) with regulatory and planning duties to coordinate the logical formation and development of local government agencies. This includes approving or disapproving proposals for reorganizations (i.e., annexations, detachments, dissolutions, etc.), activation of latent powers, sphere of influence amendments, and outside service agreements.

APPLICATIONS

Following is a summary of active and future proposals.

Active Proposals

There are currently five (5) active proposals.

Applications

City of Ukiah Detachment of UVSD Served Areas (LAFCo File No. D-2020-01)

In April 2020, the City of Ukiah submitted a request to restart a 2014 application for detachment of Ukiah Valley Sanitation District (UVSD) served areas from the City that had been deemed incomplete and placed on-hold by the City in 2015. LAFCo staff responded to the City in May, requiring a new application submittal due to the lapse of time and change in conditions, as well as noting the application as premature pending completion of the UVSD SOI Update. The application will be processed concurrently with the City of Ukiah Municipal Service Review and Sphere of Influence Update. The City submitted an Appeal to the Commission of the Executive Officer's determination that the application is incomplete (letter dated April 26, 2021). The Commission continued the item to June 7, 2021 (Item 5d). The Appeal has been temporarily placed on hold by the City, pending progress on sphere policy amendments that are currently underway.

An accounting of the application costs to date has been provided to the City along with a request for additional deposit to cover processing costs.

City of Ukiah Annexation of City-Owned Properties (LAFCo File No. A-2021-01)

On February 22, 2021, LAFCo received an application from the City of Ukiah proposing to annex City-owned parcels that are used for government purposes and consisting of approximately 446 acres in total.

Parcels include the City's Wastewater Treatment Plant, solid waste transfer station, a portion of the municipal airport and open space. The application referral and notice to the County to initiate the tax share negotiation were routed and comments received. An incomplete letter identifying additional information needs was sent to the City of Ukiah on March 23, 2021. No further information has been received.

Ukiah Valley Fire District Annexation of the City of Ukiah (LAFCo File No. A-2021-02)

On June 29, 2021, LAFCo received a portion of the UVFD's application proposing annexation of the City of Ukiah into the District and a concurrent Sphere Amendment. In recognition of the time sensitive nature of the application, LAFCo staff had agreed to initiate the RTC §99(b) Tax Share Agreement process with the District's submittal of a prima facie application. The deadline for the State Board of Equalization is December 1st of each year in order to process the jurisdictional changes for the year after the following (i.e., complete BOE submittal by December 1, 2021 changes will reflect in the 2023 tax year).

The Notice of Filing that initiates the Tax Share Agreement process was distributed to the County Assessor, Auditor-Controller and CEO on July 2, 2021. The Agency Referral soliciting initial comments from affected agencies was also distributed on July 2nd.

Pre-Applications

City of Ukiah Pre-Application for Annexation of Areas North of the City (LAFCo File No. P-2020-02)

Pre-Application request for consultation on the process and potential issues regarding the City's proposal to annex the Brush Street Triangle and Masonite area properties. Staff is coordinating with City staff regarding appropriate process and timing of application processing.

Millview County Water District Pre-Application for Annexation of Masonite Properties (LAFCo File No. P-2020-04)

Pre-Application request for consultation on process and draft documents associated with the MCWD's proposal to annex the Masonite area properties. LAFCo staff have participated in several conference calls with the District and its consultants regarding the proposal and has provided feedback on draft CEQA and application materials.

Potential Future Proposals

City of Ukiah Annexation of Western Hills (Hull Properties)

The City has routed a project referral package stating its intent to acquire and annex approximately 695 acres in the Western Hills for open space preservation, while allowing the potential for future low density residential development on the approximately 55 easternmost acres, consistent with existing development in the Western Hills within the City of Ukiah limits. LAFCo received and provided written comments on the project referral in February and a revised referral in March. Staff also provided written comments on the Draft Initial Study/Mitigated Negative Declaration for the project in May.

WORK PLAN

Local policy directs the Commission to annually adopt a Work Plan for purposes of providing a comprehensive overview of municipal service reviews and sphere of influence updates over the course of the fiscal year. This report provides an update on progress made in terms of accomplishing the activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities.

City of Ukiah

On December 7, 2020, the Commission approved a consultant selection for the City of Ukiah MSR/SOI Update and directed staff to negotiate and execute agreements with the City of Ukiah for funding and the Planwest Partners Team for preparing the City's MSR/SOI Update. The City has offered to fully fund the Update in order to expedite the process, which would otherwise have required a minimum of two years for LAFCo to fund through its normal budget cycles. LAFCo Counsel and City attorneys are developing an MOU agreement between the City and LAFCo for funding the MSR/SOI Update. Additionally, LAFCo's draft contract with the consultant is also under review by LAFCo and City attorneys. City and LAFCo staff are coordinating the next steps for the SOI Update.

County Service Area (CSA) No. 3

This will be the first MSR/SOI report for the CSA. Due to the COVID-19 emergency, there have been delays in receiving a response to requests for information from the County. However, staff is working with County GIS to develop a current map of the CSA and will be performing outreach with the County regarding next steps.

Covelo Community Services District (Covelo CSD)

The Commission will be holding a public Workshop on the Draft MSR/SOI study on July 12, 2021.

Ukiah Valley Fire District (UVFD)

The UVFD MSR/SOI Update was postponed in 2019 to track with the City of Ukiah MSR/SOI Update. Staff is in the process of drafting the Administrative Draft MSR, which will track with the application for annexation of the City and concurrent Sphere Amendment (LAFCo File No. A-2021-02).

Ukiah Valley Sanitation District (UVSD)

The UVSD has provided a response to the Request for Information (RFI) and staff has been collecting available documentation for the MSR/SOI report. The RFP Ad Hoc Committee has postponed selection of a consultant for this study pending additional feedback from the District on schedule for the Update. Staff has been discussing funding options and timing with UVSD staff. The UVSD Board has provided direction to its staff to work with LAFCo to develop funding terms for consideration by the Board and Commission. Staff is working with the UVSD and Legal Counsel to develop a plan for funding and implementing the UVSD MSR/SOI Update for the Commission's consideration. District and LAFCo staff are coordinating next steps for the SOI Update.



June 1, 2021

CALAFCO



To: Local Agency Formation Commission
Members and Alternate Members

From: Gay Jones, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors

RE: Nominations for 2021/2022 CALAFCO Board of Directors

Nominations are now open for the fall elections of the CALAFCO Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four to five times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

CALAFCO’s Election Committee is accepting nominations for the following seats on the CALAFCO Board of Directors:

<u>Central Region</u>	<u>Southern Region</u>	<u>Northern Region</u>	<u>Coastal Region</u>
City Member	County Member	County Member	City Member
Public Member	District Member	District Member	Public Member

The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 7, 2021 at the Hyatt Regency in Newport Beach at the John Wayne Airport, CA.

Please inform your Commission that the CALAFCO Election Committee is accepting nominations for the above-cited seats until *Tuesday, September 7, 2021 at 5:00 p.m.*

Incumbents are eligible to run for another term. Nominations received by September 7 will be included in the Election Committee’s Report and will be on the ballot. The Report will be distributed to LAFCo members no later than September 23, 2021 and ballots made available to Voting Delegates at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance. **The ballot request must be made no later than Tuesday, September 7, 2021. Completed absentee ballots must be returned by 8:00 a.m., Monday, October 4, 2021.**

Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate’s Resume Form or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee.

The nomination forms and materials must be received by the CALAFCO Executive Director no later than Tuesday, September 7, 2021 at 5:00 p.m. Here is a summary of the deadlines for this year's nomination process:

- **June 1** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 7** – Completed Nomination packet due
- **September 7** – Request for an absentee/electronic ballot due
- **September 7** – Voting delegate name due to CALAFCO
- **September 23** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **September 23** – Distribution of requested absentee/electronic ballots.
- **October 4** – Absentee ballots due to CALAFCO
- **October 7** - Elections

Returning the nomination form prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received should there be multiple candidates. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to info@calafco.org. Alternatively, nomination forms and materials can be mailed to the address below. Please forward nominations to:

CALAFCO Election Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1020 12th Street, Suite 222
Sacramento, California 95814
EMAIL: info@calafco.org

Questions about the election process can be sent to the Chair of the Committee, Gay Jones, at gjones@calafco.org or by calling her at 916-208-0736. You may also contact CALAFCO Executive Director Pamela Miller at pmiller@calafco.org or by calling 916-442-6536.

Members of the 2021/2022 CALAFCO Election Committee are:

Gay Jones, Chair gjones@calafco.org	Sacramento LAFCo (Central Region) 916-208-0736
Blake Inscore binscore@calafco.org	Del Norte LAFCo (Northern Region) 707-951-0517
Chris Lopez clopez@calafco.org	Monterey LAFCo (Coastal Region) 831-755-5033
David West dwest@calafco.org	Imperial LAFCo (Southern Region) 760-352-3411

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures as well as the current listing of Board Members and corresponding terms of office.

Please consider joining us!

Enclosures

Board of Directors Nomination and Election Procedures and Forms

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

The Board nomination and election procedures shall be:

1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.⁸
- b. The Board shall appoint one of the members of the Election Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Election Committee in cooperation with the CALAFCO Executive Director.⁸
- c. Each region shall designate a regional representative to serve as staff liaison to the Election Committee.⁸
- d. Goals of the Committee are to provide oversight of the elections process and to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban suburban and rural population if there is an open seat for which no nominations papers have been received close to the deadline.⁸

2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:

- a. No later than three months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:⁸
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFCoS listed by region.
 - iii. The dates by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Elections Committee action."⁸
 - iv. The names of the Election Committee members with the Committee Chairman's LAFCo address and phone number, and the names and contact information for each of the regional representatives.⁸
 - v. The address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Election Committee Chairman shall send an announcement to the Executive Director for distribution to each member LAFCo and for publication in the newsletter and on the web site. The

Key Timeframes for Nominations Process	
<u>Days*</u>	
90	Nomination announcement
30	Nomination deadline
14	Committee report released
<small>*Days prior to annual membership meeting</small>	

announcement shall include the following:⁸

- i. A statement clearly indicating which offices are subject to the election.
 - ii. The specific date by which all nominations must be received by the Election Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."⁸
 - iii. The names of the Election Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.⁸
 - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

3. THE ELECTION COMMITTEE:

- a. The Election Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.⁸
- b. At the close of the nominations the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.⁸
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.⁸
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election.⁸
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.⁸

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING⁶
Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCOs requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCOs voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCOs voting under this provision may only vote for the candidates nominated by the Election Committee and may not vote in any run-off elections.⁸

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

- a. The Election Committee Chairman, another member of the Election Committee or the Chair's designee (hereafter called the Presiding Officer) shall:⁸
 - i. Review the election procedure with the membership.
 - ii. Present the Election Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 1. For city member.
 2. For county member.
 3. For public member.
 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:

1. Name the nominees and offices for which they are nominated.
2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
- ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
 1. Poll the LAFCoS in good standing by written ballot.
 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
 3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.⁸
 4. With assistance from CALAFCO staff, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
 1. The nominee receiving the majority⁶ of votes cast is elected.
 2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).⁶
 3. In case of tie votes⁶:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
 4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.⁶
 - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
 - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
 - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Election Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.⁸
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated

- for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFCO

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

8. FILLING BOARD VACANCIES

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

**CALAFCO Regions
FOUR REGIONS**



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

Northern Region

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

CONTACT: Steve Lucas
Butte LAFCo
slucas@buttecounty.net

Southern Region

Orange
Los Angeles
Imperial
Riverside
San Bernardino
San Diego

CONTACT: Gary Thompson
Riverside LAFCo
gthompson@lafco.org

Coastal Region

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

CONTACT: Martha Poyatos
San Mateo LAFCo
mpoyatos@smcgov.org

Central Region

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

CONTACT: Christine Crawford, Yolo LAFCo
christine.crawford@yolocounty.org

CALAFCO Board Members 2020-21*(as of June 1, 2021)*

Board Member Name	LAFCo - Region	Type (Term Expires)
Bill Connelly - Secretary	Butte - <i>Northern</i>	County (2021)
David Couch	Humboldt - <i>Northern</i>	District (2021)
Blake Inscore	Del Norte - <i>Northern</i>	City (2022)
Gay Jones	Sacramento - <i>Central</i>	District (2022)
Michael Kelley – Chair	Imperial - <i>Southern</i>	County (2021)
Christopher Lopez	Monterey – <i>Coastal</i>	County (2022)
Daron McDaniel	Merced – <i>Central</i>	County (2022)
Michael McGill – Immediate Past Chair	Contra Costa - <i>Coastal</i>	District (2022)
Jo MacKenzie	San Diego - <i>Southern</i>	District (2021)
Margie Mohler - Treasurer	Napa - <i>Coastal</i>	City (2021)
Tom Murray	San Luis Obispo - <i>Coastal</i>	Public (2021)
Anita Paque – Vice Chair	Calaveras - <i>Central</i>	Public (2021)
Daniel Parra	Fresno - <i>Central</i>	City (2021)
Josh Susman	Nevada - <i>Northern</i>	Public (2022)
Acquanetta Warren	San Bernardino – <i>Southern</i>	City (2022)
David West	Imperial - <i>Southern</i>	Public (2022)



Board of Directors 2021/2022 Nominations Form

Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCo of the _____ Region

Nominates _____

for the (check one) City County Special District Public

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

LAFCo Chair

Date

NOTICE OF DEADLINE

Nominations must be received by **September 7, 2021** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:
CALAFCO Election Committee
CALAFCO
1020 12th Street, Suite 222
Sacramento, CA 95814

Or email to: info@calafco.org

**Board of Directors
2021/2022 Candidate Resume Form
(Complete both pages)**

Nominated By: _____ LAFCo Date: _____

Region (please check one): Northern Coastal Central Southern

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

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

NOTICE OF DEADLINE

Nominations must be received by **September 7, 2021**
at 5:00 p.m. to be considered by the Election Committee.
Send completed nominations to:
CALAFCO Election Committee
CALAFCO
1020 12th Street, Suite 222
Sacramento, CA 95814

Or email to: info@calafco.org

CALAFCO Daily Legislative Report as of Tuesday, July 06, 2021

1

[AB 339](#) (Lee D) Local government: open and public meetings.

Current Text: Amended: 7/5/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Last Amended: 7/5/2021

Status: 7/5/2021-Read second time and amended. Re-referred to Com. on JUD.

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

Calendar:

7/13/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair

Summary:

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require local agencies to conduct meetings subject to the act consistent with applicable state and federal civil rights laws, as specified.

Attachments:

[AB 339 Fact Sheet](#)

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. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

UPDATE AS OF 4/20/21 - The bill was significantly amended on 4-15-21. These amendments removed all state requirements as noted above. Further, they require public participation by phone or internet (with video/audio), and allow agencies to create a registration process for public comments so long as people can register to speak via phone and in person.

The amendments remove the blanket requirement to translate the agenda and meeting access information and makes those an on-request requirements. The amendments also remove the blanket requirement for agencies to have sufficient qualified bilingual translators during meetings and changes that requirement to on-request, and requires agencies to make public the process to make such a request.

All requirements remain unfunded mandates.

UPDATE: Amended on 5-4-21 as a result of the ALGC hearing, this version of the bill now:

- Limits the bill's applicability to the meetings of city councils and county boards of supervisors only, the jurisdictions of which contain a population of at least 250,000 people;

- Requires public access via telephone OR internet (not both);
- Removes language requiring two-way operability for internet;
- Removes all language translation requirements;
- Removes language allowing local agencies to require members of the public to register in order to provide public comment;
- Removes language allowing teleconferencing to be used by members of the legislative body (to avoid inadvertently precluding the use of teleconferencing by the public);
- Refines language referring to "all meetings" to state "all open and public meetings" (to ensure closed sessions are not subject to the provisions of the bill);
- Restores current law allowing public comment before an agenda item is taken up; and,
- Adds a sunset date of December 31, 2023.

As amended 6/25/21 - The bill requires a city or county with over 250,000 to conduct public meetings with a two-way telephone or internet option for the public. It also requires them, if as of 6-15-21 the agency has provided video streaming of their public meetings, to continue to do so. Also requires the agency to provide in-person public comment unless the law prohibits in-person gatherings.

AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 5/10/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Last Amended: 5/10/2021

Status: 7/5/2021-From committee: Amend, and do pass as amended and re-refer to Com. on JUD. (Ayes 5. Noes 0.) (July 1).

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

Calendar:

7/13/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair

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 of emergency 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 determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.

Attachments:

[AB 361 Fact Sheet](#)

Position: Watch

Subject: Brown Act

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. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

UPDATE: As amended on 4/6/21, the bill now specifies that the new statute can be applied if meeting in person presents imminent risk to the health & safety of attendees; Requires the agenda to provide opportunity for anyone to attend via call-in or internet option; should there be a service disruption that prevents remote public participation, the agency must take no further action on any agenda item until service is restored; the agency cannot require submittal of public comments in advance of the meeting; and requires the legislative body, every 30 days after the initial declaration of emergency, should the emergency remain active, to make certain findings that the

emergency still exists and prevents in-person meetings.

UPDATE: As amended on 5-10-21, the amendments tighten restrictions for in-person meetings to only the determination that meeting in person presents imminent risk to the health and safety of attendees (removing the option to consider if attendance by one of more members of the legislative body is hindered).

This bill is sponsored by the CA Special Districts Association (CSDA). The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

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

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amended: 4/29/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021)(May be acted upon Jan 2021)

Desk	2 year	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 notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

AB 1581 (Committee on Local Government) Local government: omnibus.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 3/9/2021

Last Amended: 4/19/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 31, Statutes of 2021.

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 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires, when a proposed change of organization or reorganization applies to 2 or more affected counties, that exclusive jurisdiction vest in the commission of the principal county, unless certain things occur. This bill would add the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.

Attachments:

- [LAFCo Template Request Gov Signature](#)
- [CALAFCO Request Governor Signature June 2021](#)
- [LAFCo Support letter template](#)
- [CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

As amended on 4/19, additional sections amended include 56066, 56123, 56124, 56375. Further the bill repeals sections 56375.2, 56387, 56388, 56747, 56760, 57001.1, 57075.5, 57202.1 and 57383.

SB 810 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 36, Statutes of 2021.

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

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. This bill would declare that it is to take effect immediately as an urgency statute.

Attachments:

- [CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 811 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 37, Statutes of 2021.

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

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. This bill would declare that it is to take effect immediately as an urgency statute.

Attachments:

- [CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 812 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 38, Statutes of 2021.

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

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.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

AB 1195 (Garcia, Cristina D) Drinking water.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 6/17/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

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

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

Attachments:

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

UPDATE: As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure

and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THE BILL IS NOW A 2-YEAR BILL.

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

Current Text: Amended: 7/5/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amended: 7/5/2021

Status: 7/5/2021-Read second time and amended. Re-referred to Com. on E.Q.

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

Calendar:

7/7/2021 Upon adjournment of Education Committee - John L. Burton Hearing Room (4203)
SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary:

The California Safe Drinking Water Act provides for the operation of public water systems, which include small community 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 Public Utilities Commission through an order authorizing the water or sewer system corporation to consolidate with a small community water system or state small water identified as failing or at risk of failing by the state board.

Attachments:

[AB 1250 Fact Sheet 2021](#)

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFCos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

UPDATE: The amendments on 5/24/21 establish the Consolidation For Safe Drinking Water Fund, with all moneys available, upon appropriation, going to the PUC in order to process the applications and cover any associated regulatory costs, and requires a water or sewer system corporation to pay a fee of \$10,000 when filing an application pursuant to the above provision and requires the fee to be deposited into the fund.

SB 403 (Gonzalez D) Drinking water: consolidation.

Current Text: Amended: 7/5/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 7/5/2021

Status: 7/5/2021-Read second time and amended. Re-referred to Com. on APPR.

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

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 revise those consolidation provisions, including, among other revisions, authorizing the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.

Attachments:

- [CALAFCO Removal of Opposition Letter June 2021](#)
- [CALAFCO Oppose Unless Amended Letter April 2021](#)
- [SB 403 Fact Sheet 2021](#)

Position: Neutral

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.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO's position letter is also posted there.

Specific to SB 403, we requested 3 amendments: (1) Define "at risk"; (2) Add a requirement for the SWRCB to consult with GSAs when considering a domestic well consolidation; and (3) Put a cap on the number of users to be added by the subsuming system or the extent to which the service is being extended. Additionally, CALAFCO recommended a comprehensive review of the current mandatory consolidation process citing a host of issues the current process creates.

UPDATE: As amended on 4/27/21, the bill now defines "at risk system" and "at risk domestic well"; creates an appeal process for potentially subsumed water systems; requires inspection or testing of wells to determine "at risk" status; and allows the Board to prioritize systems historically overburdened by pollution and industrial development or other environmental justice concerns. It also puts a cap of 3,300 or fewer connections on systems that can be subsumed. These amendments address 2 of our 3 requested amendments. We will continue to work with the author on requiring the SWRCB to consult with GSAs on wells.

UPDATE: Amends from 6/8/21 add a requirement for the Water Board to consult with GSAs. This is the last remaining amendment requested by CALAFCO so we have removed our opposition and gone to Neutral. The other amendment in this version simply reorders a subsection with no substantive impacts.

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

Desk	2 year	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.

Attachments:

[AB 11 Fact Sheet](#)

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.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

AB 473 (Chau D) California Public Records Act.

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

Introduced: 2/8/2021

Status: 7/1/2021-Read second time. Ordered to Consent Calendar.

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

Calendar:

7/7/2021 #98 SENATE CONSENT CALENDAR - 2ND DAY

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: Amended: 6/21/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amended: 6/21/2021

Status: 7/1/2021-Read second time. Ordered to Consent Calendar.

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

Calendar:

7/7/2021 #99 SENATE CONSENT CALENDAR - 2ND DAY

Summary:

Would enact various conforming and technical changes related to another bill, AB 473, which recodifies and reorganizes the California Public Records Act. This bill would only become operative if AB 473 is enacted and reorganizes and makes other nonsubstantive changes to the California Public Records Act that become 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.

UPDATE: Amendments of 5/27 are technical and minor in nature, and make it the conforming act to AB 473

AB 897 (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation action plans.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 7/1/2021

Status: 7/1/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.

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

Calendar:

7/13/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE NATURAL RESOURCES AND WATER, STERN, Chair

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, through the program, to encourage the inclusion of agencies with land use planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[AB 897 Fact Sheet](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state

can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

UPDATE: As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

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

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 5/19/2021-Referred to Com. on GOV. & F.

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

Calendar:

7/8/2021 Upon adjournment of Session - Room 3191 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

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 develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would 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 for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

AB 959 (Mullin D) Park districts: ordinances: nuisances: abatement.

Current Text: Amended: 6/18/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 6/18/2021

Status: 7/5/2021-From committee: Amend, and do pass as amended. (Ayes 5. Noes 0.) (July 1).

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

Calendar:

7/7/2021 #97 SENATE THIRD READING

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 a city legislative body to declare what constitutes a nuisance. Current law authorizes the legislative body of a city, county, or city and county to provide for the summary abatement of any nuisance resulting from the defacement of the property of another by graffiti or other inscribed material, at the expense of the minor or other person creating, causing, or committing the nuisance, and, by ordinance, authorizes the legislative body to make the expense of abatement of the nuisance a lien against property of the minor or other person and a personal obligation against the minor or other person. This bill would authorize the board of directors of a district to declare what constitutes a nuisance, as provided. The bill would, among other things, authorize a district to exercise the authority granted to a city, as described above, for purposes of abating a nuisance, as provided.

Attachments:

[AB 959 Fact Sheet](#)

Position: Watch

CALAFCO Comments: As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

UPDATE: As amended on 5-10-21, the bill requires the district Board to adopt an ordinance declaring what constitutes a nuisance. It authorizes the district to initiate civil action and recover damages.

The amendment of 6/18/21 corrects a code citing.

[AB 975](#) (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.

Current Text: Amended: 5/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2021

Status: 6/1/2021-Ordered to inactive file at the request of Assembly Member Luz Rivas.

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

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days

the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

AB 1021 (Mayer I) Imperial Irrigation District.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 7/1/2021

Status: 7/1/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.

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

Calendar:

7/8/2021 Upon adjournment of Session - Room 3191 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

Would require the local agency formation commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of options for providing electricity in the Imperial Irrigation District and options for alternative governance structures that provide for proportional representation for the Imperial Irrigation District board of directors, as specified. The bill would require the study to be published no later than July 1, 2022.

Attachments:

[CALAFCO Oppose Unless Amended 5-26-21](#)

Position: Oppose unless amended

Subject: Special Districts Governance

CALAFCO Comments: As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFcos to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

UPDATE AS OF 4/21/21 - As amended on 4/19/21, the bill makes substantive changes including: (1) Requires state funding for the study and prescribes an 18-month timeline for completion upon receipt of funds; (2) Adds study content of options for governance structure of the district; (3) Changes the number from 3 to 1 of nonvoting board members appointed to the district Board; and (4) Specifies requirements for the appointment.

UPDATE: The amendments of 5/24/21 remove the funding for the special study, making it an unfunded mandate. The bill also now requires the study to be completed by 7-1-23. As a result of the funding removal and the concerning precedent setting nature of requiring LAFco to conduct a special study without funding, CALAFCO has taken an OPPOSE UNLESS AMENDED position

requesting funding be restored.

As amended 7/1/21, the bill now: (1) has an urgency clause; (2) requires the study to be completed by 7-1-22 (instead of 7-1-23), and (3) removes voting rights from the study. There is still no funding written into the bill, although budget trailer bill SB 129 contains the appropriation. As the appropriation of \$500,000 goes directly to the County of Riverside, a process by which both LAFCOs receive that funding must be established and outlined within the text of the bill. CALAFCO will remain opposed until that is completed.

AB 1053 (Gabriel D) City selection committees: County of Los Angeles: quorum: teleconferencing.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/20/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/18/2021)(May be acted upon Jan 2021)

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

Summary:

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Attachments:

[CALAFCO Removal of Opposition Letter April 2021](#)

[CALAFCO Oppose Unless Amended April 2021](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

UPDATE: The bill failed to move out of committee so it is now a 2-year bill.

AB 1246 (Nguyen R) Community services districts.

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

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

2 year	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

CALAFCO Comments: This is a spot bill.

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: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/4/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
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.

Attachments:

[AB 1295 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

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

Current Text: Amended: 7/5/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/5/2021

Status: 7/5/2021-Read second time and amended. Ordered to second reading.

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

Calendar:

7/8/2021 #1 ASSEMBLY SECOND READING FILE -- SENATE BILLS

Summary:

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt 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 or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these provisions from superceding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.

Position: Watch

Subject: Housing

CALAFCO Comments: While not directly affecting LAFcos, the requirements in the bill are of interest. As amended on 4/13/21, the bill authorizes a local government to adopt 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 the bill. 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 Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is exempt from CEQA. The bill imposes specified requirements on a zoning ordinance adopted under these provisions. The bill would prohibit a legislative body that adopts a zoning ordinance pursuant to these provisions from subsequently reducing the density of any parcel subject to the ordinance and makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts a use or density authorized by an ordinance adopted pursuant to the provisions in the bill.

UPDATE: The amendment of 4/27/21 amends 65913.5(a)(3) to remove exemption of parcels excluded from specified hazard zones by a local agency pursuant to 51179(b).

UPDATE: The amendments on 5/26 prohibit a residential or mixed-use residential project consisting of 10 or more units that is located on a parcel zoned pursuant to these provisions from being approved ministerially or by right or from being exempt from CEQA, except as specified, and repealw these provisions on January 1, 2029.

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/1/2021

Status: 7/1/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on H. & C.D.

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

Calendar:

7/12/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair

Summary:

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Position: Watch

Subject: Growth Management, Planning

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

Current Text: Amended: 6/28/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 6/28/2021

Status: 6/29/2021-Read second time. Ordered to third reading.

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

Calendar:

7/8/2021 #32 ASSEMBLY THIRD READING FILE - SENATE BILLS

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.

Attachments:

[CALAFCO Oppose Unless Amended letter May 2021](#)

Position: Oppose unless amended

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.

UPDATE: As amended on 4/29/21, the bill now adds 56133.6 which seeks to address several projects in the City of St. Helena, and resolve a current law suit between the winery and the city. The amendments authorize Napa LAFCo to consider new or extended service by the city to specific parcels with certain conditions. The bill requires the Napa LAFCo make certain determinations if approving, include any decision in their required report to the Legislature and has a sunset of 1-1-26.

CALAFCO has made a request for several technical amendments to the version dated 4-29-21, and has concern this addition strays too far from the original intent of the pilot program. Requested amendments on the table now include: (1) Rewording of both sections 56133.5(a)(2) and 56133.6(a)(3) to explicitly state both (A) and (B) are required; (2) Reword the new addition to 56133.5(d) so that it does not presume Napa LAFCo will authorize the new or extension of service; and (3) Rewrite 56133.6(a)(1) to clarify that (A) must apply to both (B) and (C).

As amended on 5-11-21, all requested technical amendments were made, however the intent of the pilot program has changed with the addition of 56133.6 and Napa LAFCo's ability to approve extension of service for parcels that do not meet the pilot program's requirement of planned use as defined in 56133.5. For this reason, CALAFCO is opposed unless amended, requesting the removal of 56133.6. Our letter is in the bill detail section.

[SB 55](#) (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/5/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

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

Summary:

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, 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 unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. 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.

Attachments:

[SB 55 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting development as noted above by adding specificity. The bill prohibits development in either of the areas noted above unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

Desk	2 year	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 261 (Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

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

Summary:

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board.

This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

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

Current Text: Amended: 6/21/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amended: 6/21/2021

Status: 6/30/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 30). Re-referred to Com. on APPR.

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

Calendar:

7/7/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, 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, as defined, 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. The bill would require a municipal wastewater agency that enters into or amends one of these agreements after January 1, 2022, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located, but would exempt those agreements and amendments from local agency formation commission approval except as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Attachments:

[CALAFCO Support June 2021](#)

[SB 273 Fact Sheet](#)

Position: Support

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.

The CALAFCO requested an amendment to add a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo, was accepted by the author in the ALGC hearing.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

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

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amended: 4/5/2021

Status: 6/24/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 23). Re-referred to Com. on APPR.

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

Calendar:

7/7/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

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 email 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.

Attachments:

- [CALAFCO Support SB 274 \(3-15-21\)](#)
- [SB 274 Fact Sheet](#)

Position: Support

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). A fact sheet is posted in the tracking section of the bill.

The amendment on 4/5/21 was to correct a typo reflecting the authority to email information.

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

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

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

Summary:

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan’s consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

Desk	2 year	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.

Attachments:

[SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

[SB 574](#) (Laird D) Agricultural preserves: Williamson Act.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/4/2021

Status: 6/24/2021-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 8. Noes 0.) (June 23). Re-referred to Com. on APPR.

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

Summary:

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

As amended on 3/4/21, the bill requires cities/counties to file annual maps on Act lands; and removes the requirement for state approval for the amount of security to be paid when paying cancellation fee.

CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

[SB 813](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2021.

Current Text: Amended: 6/21/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Last Amended: 6/21/2021

Status: 7/1/2021-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 8. Noes 0.) (June 30). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered

Summary:

Current law provides that a person who has made an offer to purchase an interest in an undivided-interest subdivision, as specified, and not exempted, has the right to rescind any contract resulting from the acceptance of that offer during a specified timeframe. Current law defines and describes the terms "subdivided lands" and "subdivision" for these purposes. Current law requires any person who intends to offer subdivided lands for sale or lease, as specified, to file with the Bureau of Real Estate an application for a public report consisting of, among other things, a notice of intention and a completed questionnaire. Current law exempts the proposed sale or lease of those lots or other interests in a subdivision that are limited to industrial or commercial uses by law or by a declaration of covenants, conditions, and restrictions that has been recorded in the official records of the county or counties in which the subdivision is located from certain of those provisions relating to the filing of a report with the Bureau of Real Estate and sales contracts. This bill would instead exempt the proposed sale or lease of those lots or other interests from all provisions as specified.

Position: Watch

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

Total Measures: 33

Total Tracking Forms: 33

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Join Us for a Very Special Virtual Series Fire & EMS Service Basics, Challenges and LAFCo's Role & Responsibility



ABOUT THIS SERIES

California wildfires burned 4.2 million acres in 2020 and 1.3 million acres in 2017. In 1964, it took four days for a wildfire to travel from Calistoga in Napa County to Santa Rosa in Sonoma County. In 2017, it took only four hours for a wildfire to travel that same route. Local and state firefighting resources have been stretched beyond imagination. Wildland firefighting is only one of the many functions of an all-risk agency. With the majority of the state in a declared drought emergency as of early May, it is sure to be another record-setting year for wildfires. So, what are LAFCo's role and responsibilities in terms of overseeing these complex services? How can we create Municipal Service Reviews with information and determinations that have meaning and create value both short-and-long-term? What should we be looking at and considering that we aren't?

This very special 4-part series will take a deep dive into Fire and EMS services and LAFCo's role and responsibility in understanding, studying, and making determinations regarding these complex services. Each session builds on the prior one, concluding the series with a session that explores several case studies highlighting urban, suburban and rural fire service providers.

SESSION ONE

Understanding the basics of service models, preparing for the Municipal Service Review and evaluating community needs

DATE: Monday, August 9, 2021

TIME: 1:30 – 4:00 p.m.

Presenters: Mark Bramfitt, Executive Officer, Sonoma LAFCo; Kurt Latipow, Retired Fire Chief and Consultant; Dawn Longoria, Staff Analyst II, Napa LAFCo

SESSION TWO

Evaluating current staffing, training, facilities, operations, equipment, anticipated growth and service needs projections, and finances

DATE: Monday, August 16, 2021

TIME: 1:30 – 4:00 p.m.

Presenters: Richard Berkson, Principal, Berkson & Associates; Mark Bramfitt, Executive Officer, Sonoma LAFCo; Kurt Latipow, Retired Fire Chief and Consultant; Dawn Longoria, Staff Analyst II, Napa LAFCo

SESSION THREE

Evaluating governance, DUCs, shared services opportunities, updating the Sphere of Influence and contracts

DATE: Monday, August 23, 2021

TIME: 1:30 – 4:00 p.m.

Presenters: Mark Bramfitt, Executive Officer, Sonoma LAFCo; Kurt Latipow, Retired Fire Chief and Consultant; Dawn Longoria, Staff Analyst II, Napa LAFCo

SESSION FOUR

So, you've done a great Municipal Service Review, now what? A look at rural, suburban and urban case studies

DATE: Thursday, August 26, 2021

TIME: 1:30 – 3:30 p.m.

Presenters: Tom Cooley, Commissioner, Plumas LAFCo; Mike McMurray, Retired Fire Chief and Past President, Fire Districts Association of California; Holly Whatley, Shareholder, Colantuono, Highsmith & Whatley, PC

Sessions 1-3 are approved for 2.5 & Session 4 is approved for 2 AICP CM credits

REGISTRATION INFORMATION

NO REGISTRATION FEE IS REQUIRED FOR ANY OF THE SESSIONS FOR MEMBERS OF CALAFCO. THIS SERIES IS DESIGNED ONLY FOR THE MEMBERS OF CALAFCO.

One registration covers sessions 1 thru 3 and a second registration covers session 4 – all at no cost to CALAFCO members. Registrations are online only.

Registration must be received **July 23, 2021 for all sessions. No late registrations will be accepted.**

Click here to register for sessions 1 thru 3:

<https://www.eventbrite.com/e/fire-ems-service-basics-challenges-and-lafcos-role-responsibility-tickets-156597093121>

Click here to register for session 4:

<https://www.eventbrite.com/e/fire-ems-service-basics-challenges-and-lafcos-role-responsibility-tickets-156600366913>

Once you register on Eventbrite you will receive the Zoom Registration link with your confirmation email. You will then need to use that Zoom Registration link prior to the session to get the Webinar link to join that session. **DO NOT WAIT UNTIL THE LAST MINUTE TO DO THIS STEP.**

You can also find this information on the CALAFCO website at www.calafco.org.

For additional information or questions, please contact CALAFCO University lead Martha Poyatos at mpoyatos@smcgov.org or CALAFCO Administrator Jeni Tickler at jtickler@calafco.org.

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Series Summary

Fire and Emergency Medical Services (EMS) are highly complex municipal services. There are various types of providers (all-paid, all-volunteer, hybrid) governed by a broad set of regulations and standards. Services provided in rural areas are vastly different than services provided in dense urban areas. And yet, LAFCoS are responsible for reviewing these services across the state.

With wildfires steadily increasing in size and intensity each year, creating effective and efficient fire services has become more important than ever before. California wildfires burned 4.2 million acres in 2020 and 1.3 million acres in 2017. In 1964, it took four days for a wildfire to travel from Calistoga in Napa County to Santa Rosa in Sonoma County. In 2017, it took only four hours for a wildfire to travel that same route. These are some of the results of climate change. Local and state firefighting resources have been stretched beyond imagination. Yet, wildland firefighting is only one of the many functions of these agencies.

We've created this very unique four-part series on Fire & EMS services. Sessions 1 through 3 use factors for consideration in Municipal Service Reviews outlined in the Act as the basis for our discussions. Session 4 will focus on case studies of fire service reorganizations with examples covering urban, suburban and rural areas of the state. Each session is planned to be interactive and a special short data-gathering survey will be sent to all registrants prior to the first session.

Join our expert panels of Executive Officers, retired Fire Chief (now consultant), Legal Counsel and Commissioners for this very unique four-part series, offered at no cost to members of CALAFCO. Each session builds on the prior session, so you are encouraged to attend all of them.

Series Schedule

Session One Monday, August 9, 2021 1:30 – 4:00 p.m.

- What constitutes fire and EMS services and agency type
- Standards that apply to fire and EMS services
- The MSR: Getting the information you need
- Evaluation of community needs

Session Two Monday, August 16, 2021 1:30 – 4:00 p.m.

- Evaluation of current staffing, training, facilities, operations, equipment
- Growth and projected need for services
- Financial ability to provide services

Session Three Monday, August 23, 2021 1:30 – 4:00 p.m.

- Evaluating governance
- Opportunities for shared services
- Service to Disadvantaged Unincorporated Communities (DUCs)
- Sphere of Influence evaluation and amendments
- LAFCo evaluation of contracts for service (per CKH 56134)

Session Four Thursday, August 26, 2021 1:30 – 3:30 p.m.

- Case studies and examples of reorganizations in rural, suburban and urban areas
- What do you do when MSR determinations don't call for LAFCo action

Who Should Attend?

This session is for LAFCo staff and commissioners and CALAFCO Associate members.