

PLACER LOCAL AGENCY FORMATION COMMISSION

E. Howard Rudd, Chair (Public); Gray Allen (District); Donna Barkle (City); Jim Holmes (County); Ron Treabess (District); Miguel Ucovich (City); Robert Weygandt, Vice-Chair (County)

REGULAR HEARING AGENDA June 11, 2014--4:00 p.m. Board of Supervisors' Chambers County Administrative Building 175 Fulweiler Avenue, Auburn, CA 95603

- 1. Flag Salute**
- 2. Call to Order and Roll Call**
- 3. Approval of Agenda** (Action item)
- 4. Public Comment:** This is the time when persons may address the Commission on items not on the agenda. Please limit comments to three (3) minutes as the Commission is not permitted to take any action on items presented as public comment.
- 5. Approval of Minutes:** From the April 9, 2014 hearing. (Action Item, pg. 3)
- 6. Oath of Office:** To be administered to new City Commissioner Stan Nader
- 7. Selection of Chair:** (Action item, pg.4)
- 8. Approval of Fiscal Year 2014-2015 Final Budget:** (Action item) The Commission will be presented with the final Budget and work status report for FY 2014-2015, asked to approve the final budget and provide staff direction for the work status report. (Action Item, pg. 7)
- 9. Selection of Consultant and authorization of Contract for the Comprehensive Fiscal Analysis for the Town of Olympic Valley:** The Commission will be asked to authorize the Executive Officer to execute a contract with selected consultant for the preparation of a Comprehensive Fiscal Analysis for the Town of Olympic Valley. (Action Item, pg. 16)
- 10. Selection of Environmental Consultant:** The Commission will be asked to form an Ad Hoc Subcommittee for selection of an On Call Consultant for review and preparation of Environmental Documents and authorize Executive Officer to execute a contract with selected Consultant. (Action Item, pg. 25)
- 11. Legislative Report:** The Commission will receive a report on pending legislation
- 12. Executive Officer Reports:**
 - Proposal Status
 - Status of Town of Olympic Valley proposal
 - Status of Municipal Service Reviews
 - Status of Special District Representative election
 - CALAFCO Conference, October 15 -17, 2014, Ontario
 - Upcoming Hearing Dates
- 13. Closed Session:** Closed Session pursuant to Government Code Section 54957 to consider Public employee performance evaluation

14. Commissioner Reports:

15. Adjournment:

For further information or to provide written comments on any item on the agenda, please contact the Placer LAFCO. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Placer LAFCO office at 110 Maple Street, Auburn, CA 95603 during normal business hours. Phone: (530) 889-4097. Placer LAFCo is committed to ensuring that persons with disabilities are provided the resources to participate in its meetings. If you require a disability-related accommodation, please contact the Clerk to the Commission at least two business days prior to the meeting date.

PLACER LOCAL AGENCY FORMATION COMMISSION

E. Howard Rudd, Chair (Public); Gray Allen (District); Donna Barkle (City); Jim Holmes (County); Ron Treabess (District); Miguel Ucovich (City); Robert Weygandt, Vice-Chair (County)

**Minutes
April 9, 2014**

1. The Flag Salute was led by Commissioner Ucovich
2. Call to Order and Roll Call: The meeting was called to order by Chairman Rudd at 4:00 p.m. in the Board of Supervisors Chambers at 175 Fulweiler Avenue. Commissioners present and seated were Allen, Treabess, Holmes, Ucovich, Rudd, and Alternate Duran (4:13). Staff present were Executive Officer Kris Berry, LAFCO Counsel Bill Wright, and Clerk to the Commission Linda Wilkie.
3. The Agenda was approved as submitted by motion: Ucovich/Holmes/5:2 (Duran and Kirby absent)
4. Public Comment: There was no public comment.
5. The Minutes from the March 12, 2014 hearing were approved as submitted by motion. Treabess/Allen/4:3 (Ucovich abstained, Alternate Commissioners Duran and Kirby absent)
6. Approval of Fiscal Year 2014-2015 Proposed Budget: The Commission was presented with the proposed budget for FY 2014-2015, asked to approve and provide staff direction as to any desired changes for the final budget and proposed work plan. (4:13, Duran is seated). After discussion, the Commission approved the proposed budget at submitted. Treabess/Allen/6:1 (Alternate Commissioner Kirby absent)
7. Legislative Report: The Commission received a report on pending legislation and was asked to authorize the Executive Officer to prepare correspondence supporting or deny selected legislation. Action by motion to support bills AB 1521, SB 2011, AB 1729, and AB 2156. Ucovich/Duran/6:1 (Kirby absent)
8. Executive Officer Reports:
 - Proposal Status: No new proposals at this time
 - Status of Town of Olympic Valley proposal- update given
 - Status of Municipal Service Reviews- update given
 - Status of Special District Representative election – awaiting response from districts.
 - Upcoming Hearing Dates – the next hearing will be May 14, 2014
9. Commissioner Reports: Commissioner Allen stated that the Placer County Water Agency would be meeting on April 15 to vote on water restrictions. Commissioner Treabess said that a celebration would be held at the Tahoe City Public Utility District for the 75th anniversary.
10. Adjournment: There being no further business, Chairman Rudd adjourned the hearing at 4:40 p.m.

June 11, 2014
Item No. 7

**PLACER COUNTY
LOCAL AGENCY FORMATION COMMISSION**

110 Maple Street, Auburn California 95603

530-889-4097

Email: lafco@placer.ca.gov

STAFF REPORT

DATE: June 4, 2014

TO: Chairman Rudd, Commissioners Allen, Barkle, Holmes, Treabess, Ucovich, Weygandt. Alternate Commissioners Duran, Gray, Sheehan.

FROM: Kris Berry, AICP, Executive Officer 

SUBJECT: Selection of Officers for fiscal year 2014-2105

Recommended Action:

Select a new Chair and new Vice-Chair, each for a one (1) year term ending in May 2015

Discussion:

In accordance with Government Code section 56334, each year Placer LAFCO selects a Chair and a Vice-Chair at its May meeting to preside at meetings for the next year. The current Chair is Commissioner Rudd, current Vice-Chair is Commissioner Weygandt.

The Commission adopted a rotation policy as a general guideline for Chair and Vice-Chair on August 13, 2008 (Resolution 2008-03, attached). According to this policy, the scheduled Chair would be a County representative (Weygandt) and Vice-Chair would be a Special District Member (Allen).

PLACER LOCAL AGENCY FORMATION COMMISSION

Resolution No. 2008-03

Establishing a Rotation Policy for LAFCO Commissioners

Whereas, the Placer Local Agency Formation Commission (Placer LAFCO) is an independent agency established and operating under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), and

Whereas, Placer LAFCO, pursuant to §56334 (CKH) elects a Chairperson of the Commission in May of each year, and

Whereas, the Commission intends to establish a rotation policy to use as a guideline in the selection of a Chairperson.

Now, therefore be it resolved, the following rotation schedule shall serve as a general guideline for the election of the Chairperson:

Special District	2008
City	2009
County	2010
Special District	2011
City	2012
Public Member	2013
County	2014

Be it further resolved, the Commission may elect to continue the rotation in the same form after the year 2014. The Commission may further elect to follow a corresponding Vice Chair rotation schedule to allow for the orderly transition of the Vice-Chair to the position of Chairperson.

Be it further resolved, that the Placer Local Agency Formation Commission hereby adopts the rotation schedule as a general guideline for the future selection of the Chair and Vice-Chair. As a general guideline, this policy is not binding on future Commissions and at any time the Commission may elect to deviate from this policy.

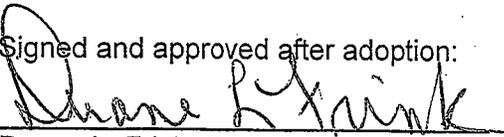
On a motion by Commissioner WEYGANDT, seconded by Commissioner HILL, the foregoing resolution was passed and adopted by the Placer Local Agency Formation Commission this 13th day of August, 2008 by the following vote:

Ayes: MOBERLY, WEYGANDT, HILL, FRINK, RUDD, GRAY, HOLMES

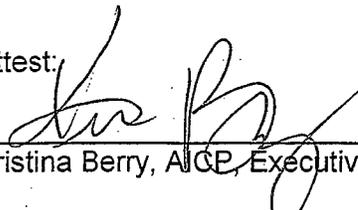
Noes: NONE

Absent: NONE

Signed and approved after adoption:


Duane L. Frink, Chair

Attest:



Kristina Berry, AICP, Executive Officer

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STAFF REPORT

DATE: June 4, 2014

TO: Chairman Rudd, Commissioners Allen, Barkle, Holmes, Treabess, Ucovich, Weygandt. Alternate Commissioners Duran, Gray, Sheehan.

FROM: Kris Berry, AICP, Executive Officer 

SUBJECT: Approval of Final Budget for fiscal year 2014-2015 and receive update on the status of recent Placer LAFCO activities and work status report and anticipated work for next fiscal year.

A. RECOMMENDATION

- 1) Approval of the final budget for the fiscal year 2014-2015, attached as Exhibit "A", and:
- 2) Receive report of recent Placer LAFCO activities and work status report and anticipated work for fiscal year 2014-2015, attached as Exhibit "B."

B. BACKGROUND

The Commission is required to adopt a final budget by June 15th of each year. The Commission considered the proposed budget at the April 9, 2014 Commission meeting.

Pursuant to §56381 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Commission is required to adopt a proposed budget by May 1st, and a final budget by June 15th. Under AB 2838, the cost of LAFCO is a shared responsibility of the county, the cities and the special districts. After adoption of the budget, the net operating expense of the Commission is divided as follows: one-third to the County, one-third to the Cities and one-third to the Special Districts. The City share is apportioned in proportion to each City's total revenues. The Special District share is apportioned according to each district's revenues.

Further refinements to the budget, based on actual and projected spending until the end of the fiscal year have been made. There was a minor increase in the final budget versus the proposed budget (\$800), based on these projections. However, within the refinements, increase in the AB 2838 proportionate funding by the funding agencies increased by \$7,361. Due to increases in projections for costs in the current year, there is a reduction in the estimated carryover, therefore requiring an increase in funding.

Government Code section 56381 provides that, at a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the Commission finds that reduced staffing or program costs will nevertheless allow the Commission to fulfill its statutory purposes and programs. The overall budget is an increased budget from the previous year from \$484,193.40 to \$489,7559.00. This increase reflects increased costs in several areas.

For several years, LAFCO had an excess of funds in the county treasury, and has partially offset the costs to the funding agencies by using these funds to partially fund the budget. Last year \$160,000.00 of the budget was funded by using these funds. It is projected that LAFCO will still have approximately \$115,000 excess in the treasury at the end of the current fiscal year, in addition to a \$107,200.00 reserve/contingency fund which we have specifically budgeted and accumulated over time. This budget includes partial funding from the treasurer of \$80,000.00 to offset the total budget of \$489,579.00, resulting in funding requirements of \$363,321.61 from the contributing agencies. LAFCO has been using this funding for several years to both reduce this account and offset amounts of agency funding. We are also estimating a decreased amount in carryover from this fiscal year budget (\$30,157.39) which will be used to help fund next year's budget. The remaining portion of the budget is made up from estimated revenue from interest and proposal application fees.

One variable that will change the total budget amount will be the cost of the consultant selected to prepare the Comprehensive Fiscal Analysis for the Olympic Valley Incorporation proposal. The consultant is expected to be selected at our June 11th hearing. At this point, that decision has not been finalized. However, although this cost will increase the total budget amount, it will be offset by the proponents funding the report. No agency contributions will be affected by the increase in budget. We are scheduled to make a selection of the consultant by our June 11^h Commission meeting. Upon funding, we will prepare and amended Budget for your consideration.

C. DISCUSSION

The matrix showing the proposed budget for fiscal year 2014-2015, along with the final budget for the current fiscal year, together with known expenditures through June 2, 2014 is attached. This proposed budget is based upon the following assumptions:

- 1) The proposed budget includes the Commission Clerk as an employee budgeted full time as opposed to the current year budget which included the Clerk at 36 hours per week. In January 2012 this position was changed from a contract position to be a 32 hour regular staff position. However, it is common for the clerk to work additional hours due to workload, and is currently working approximately 37.5 hours per week.
- 2) Increased personnel costs are a result of a combination of salary increases, additional expenses in benefits and increased hours of the clerk position.
- 3) A decrease in operating costs has been budgeted, mainly due do to a decrease in rent, no A-87 costs charged this year and a decrease in Commission travel budget (we had budgeted a larger amount than normal last year for hosting the CALAFCO

conference). We do anticipate increases in funding for Legal Consultants and staff travel. The proposed budget amount of \$80,000 for Municipal Service Reviews would allow the continued work of the existing contracts and would allow several of the cities MSR's to be funded.

- 4) We have budgeted for an increase in Legal consulting fees from \$20,000.00 to \$30,000.00. If this amount is exceeded, it is likely to be proposal related, and these charges would be offset as they would likely be charges against proposal billings. We will need to bring forward to the Commission at a later date and amended contract for Legal Consulting.
- 5) This year we were credited some previous years charges on our A-87 charges, resulting in a negative balance. No charges are anticipated for A-87 for this year.
- 6) The expected costs of all health care and benefit programs were calculated based on formulas provided to LAFCO by the County Administrative Office.
- 7) The budget also includes current payment of health insurance costs for 1 retired employee. Based on concerns raised at the hearing for the preliminary budget, I have verified this amount with the Personnel Department and this cost is accurate for our one retired employee (Medical, Dental and reflects increased costs for upcoming year).
- 8) In previous years, funding of reserves has built the reserve amount to \$37,200.00 for personnel costs, and \$70,000.00 for a general operating contingency. An additional \$10,000.00 is budgeted for contingencies, to bring it to a total reserves/contingency amount of \$117,200.00.
- 9) The carryover from this year's budget is expected to be approximately \$30,157.39.
- 10) The total proposed operating budget is \$489,579.00, which is an approximately 1% budget increase from last year.

D. SUMMARY

The fiscal year 2014-2015 proposed budget is based on the assumption of completion of all District Municipal Service Reviews in the budget time frame, and the ongoing process of adoption of Spheres of Influences based on the Municipal Service Reviews. It does not include budgeting for the preparation of the Municipal Service Reviews and Spheres for cities and districts with applicant proposed changes or request for a substantial change in the spheres.

The budget was based on conservative estimates of revenues and expenditures, with adequate funding to ensure that the Commission be able to fulfill its statutory responsibilities in accordance with Government Code §56381 during the fiscal year.

EXHIBIT A

EXHIBIT A					
LAFCO FY 2014-2015 FINAL BUDGET TITLE	2013-2014 FINAL BUDGET	2013-2014 Expenditures YTD June 2	2013-2014 Est yr end	2014-2015 FINAL BUDGET	2014-2015 Reserves
2310 Retiree Health	12,430.00	10,334.91	12,430.00	17,324.00	
1002 Salaries/Wages	174,025.00	154,356.20	170,000.00	180,000.00	37,200.00
1005 Overtime	2,000.00	359.92	500.00	2,000.00	
1010 Cafeteria Plans	3,563.00	4,589.88	5,000.00	5,458.00	
1300 P.E.R.S.	48,530.00	40,495.30	44,000.00	49,000.00	
1303 Post Employment benefits	14,930.00	7,658.26	8,500.00	8,664.00	
1301 F.I.C.A.	13,770.00	11,560.45	14,000.00	13,995.00	
1310 Employee Group Ins. + Personnel Costs	15,210.00	13,128.01	15,210.00	16,238.00	
1315 Workers Comp Insurance	400.00	195.70	250.00	232.00	
1325 401(k) Employer Match	750.00	637.50	750.00	750.00	
SUBTOTAL: SALARIES & BENEFITS	285,608.00	243,316.13	270,640.00	293,661.00	37,200.00
2000 Outside Agency Pass Through Fees	1,000.00	2,782.60	2,783.00	1,000.00	
2051 Communications	2,800.00	2,367.80	2,800.00	2,000.00	
2052 E.O. Cell Phone	850.00	900.33	980.00	900.00	
2140 Liability Ins./Comm. Workers Comp.	2,110.40	2,442.03	2,442.03	2,500.00	
2291 Computer Maintenance					
2408 Auditor Fees	2,000.00	4,385.52	4,800.00	4,800.00	
2439 Membership Dues	2,878.00	2,920.00	2,920.00	2,955.00	
2456 GIS Mapping					
2481 PC Acquisition					
2500 MSR/Sphere Updates	80,000.00	29,671.32	50,000.00	80,000.00	
2510 PC Upgrades				2,000.00	
2511 Printing/copy machine/interoffice mail	2,500.00	1,569.19	2,000.00	3,400.00	
2523 Office Supplies & Exp	2,000.00	1,839.82	2,000.00	2,400.00	
2524 Postage	2,500.00	2,092.11	2,500.00	2,500.00	
2528 Outside Audit Costs					
2554 Commissioner Fees	9,600.00	4,824.48	5,624.48	9,000.00	
2555 Legal/Consultants	20,000.00	21,125.00	26,000.00	30,000.00	
2556 County Services					
2568 Data and System access charges	6,613.00	5,982.86	6,613.00	6,568.00	
2701 Legal Notices/Publications	2,500.00	1,105.60	1,850.00	2,500.00	
2709 Software Charges (IPPS)	466.00	435.00	466.00	895.00	
2727 Office Rent + Utilities	29,000.00	25,169.54	28,000.00	18,000.00	
2844 Training	1,000.00	885.00	885.00	1,500.00	
2865 IT-MIS Services					
2931 Staff Travel & Transportation	3,500.00	4,421.62	4,600.00	5,500.00	
2933 Lodging					
2939 Commissioner Travel	11,000.00	8,297.87	8,500.00	7,500.00	
2941 County Vehicles	500.00				
3551 A-87 Costs	15,768.00	16,102.00	16,102.00	0.00	
5600 General Operating Contingency				10,000.00	10,000.00
SUBTOTAL: OPERATING COSTS	198,585.40	139,319.69	171,865.51	195,918.00	80,000.00
TOTAL OPERATING COSTS:	484,193.40	382,635.82	442,505.51	489,579.00	
REVENUE: TITLE					
	2013-2014 FINAL Budget	2013-2014 Actual YTD 2-Jun	2013-2014 Year end Projected	2014-2015 ESTIMATED REVENUE	
6950 Interest	10,000.00	5,106.32	5,500.00	6,000.00	
8193 Outside Agency Pass Through Fees		1,300.00	1,300.00		
8218 Forms and photocopies		4.69	4.69	100.00	
8212 General Reimbursement		371.21	371.21		
8216 AB283E Allocated Amount	215,995.00	215,997.05	164,100.37	363,321.61	
8239 Application Fees	20,000.00	24,745.00	24,745.00	10,000.00	
8782 Applicant Funded Consultant Fees					
Partial Treasury funding	161,556.00		200,000.00	80,000.00	
TOTAL REVENUE	407,551.00	247,524.27			
CARRYOVER from previous year	76,641.63		76,641.63	30,157.39	
	484,192.63		472,662.90	489,579.00	

- Support to CALAFCO Legislative Committee
- Review of LAFCO policies
- Ongoing training to staff as required
- Continued scanning of LAFCO files
- Continued outreach
- Prepare plan for GIS introduction and training of staff on GIS basics.
- Provide regular updates to Commission on progress, work with Commission on criteria.

EXHIBIT B
Placer LAFCO Work Status Plan

At the Commission hearing of April 9, 2014, Commissioner Treabess requested that staff report back with information regarding activities and progress of Placer LAFCO. Below is a preliminary report to the Commission on activities of Placer LAFCO during the current fiscal year. Upon receiving input from the Commission, I am recommending that we report back to the Commission on a regular basis to be determined by the Commission or current and anticipated activities, as well as the format of this report.

LAFCO accomplishments and work status for Fiscal Year 2013-2014:

Proposals considered by the Commission:

- Comments to Nevada LAFCO regarding the Truckee Donner Public Utility District Sphere of Influence (July 2013)
- Adoption of Auburn Cemetery District Municipal Service Review and approval of Annexation (November 2013)
- Meyer Annexation to the City of Auburn
- Lincoln Village 7 Annexation (March 2014)

Municipal Service Reviews currently in process, will be heard by the Commission in the next fiscal year. These are Municipal Service Reviews which are currently under contract with consultants and in the preparation stages:

- Cemetery Districts Municipal Service Review
- Tahoe/Martis Valley Municipal Service Review
- Western Slope Fire Municipal Service Review

Proposals currently in review:

- Town of Olympic Valley
 - Comprehensive Fiscal Analysis

Proposals in preapplication stages and early discussions:

- Island Annexation to the City of Rocklin
- Nevada Irrigation Annexations
- Northstar/PCWA reorganization
- Brewer out of service extension to South Placer MUD
- Lincoln Village 1
- Martis Valley West Parcel
- Small annexation in North Rocklin

Request for Proposals and selection of On-Call Environmental Consultant

Review of Notice of Preparations and other ongoing environmental review

Review of Legislation and staff support to CALAFCO Legislative Committee

Staff support and hosting of 2013 CALAFCO Annual conference at Squaw Creek

Staff participation in CALAFCO conferences

Relocation of LAFCO office and substantial savings on rental costs

Digital Scanning of Placer LAFCO files, Commission Clerk has scanned files from 1964 to 1984, continues as time permits.

Provide continuing outreach with public, districts and cities

Anticipated upcoming Commission proposals and issues (FY 2014-2015)

- Town of Olympic Valley
 - Comprehensive Fiscal Analysis
 - Environmental Determination and review
 - Incorporation proposal
- Western Slope Fire Study Municipal Service/ Sphere of Influence Study and implementation of recommendations
- Cemetery District Municipal Service Review/ Sphere of Influence Study and implementation of recommendations
- Tahoe/Martis Valley Municipal Service Review/ Sphere of Influence Study and implementation of recommendations
- Brewer out of Service Extension to SPMUD
- Rocklin Island Annexation
- Nevada Irrigation District Annexations
- Initiation of Municipal Service Reviews for the following cities and districts, based on available funding:
 - Rocklin
 - Loomis
 - Auburn
 - Colfax
 - Auburn Recreation District

Anticipated Staff work (in addition to above listing)

- Review and processing of incoming proposals
- 2
- Ongoing review of environmental documents

- Support to CALAFCO Legislative Committee
- Review of LAFCO policies
- Ongoing training to staff as required
- Continued scanning of LAFCO files
- Continued outreach
- Prepare plan for GIS introduction and training of staff on GIS basics.
- Provide regular updates to Commission on progress, work with Commission on criteria.

June 11, 2014
Item No. 9

PLACER COUNTY
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STAFF REPORT

DATE: June 4, 2014

TO: Chairman Rudd, Commissioners Allen, Barkle, Holmes, Treabess, Ucovich, Weygandt. Alternate Commissioners Duran, Gray, Sheehan.

FROM: Kris Berry, AICP, Executive Officer 

SUBJECT: Selection of Consultant and authorization of Contract for the Comprehensive Fiscal Analysis for the Town of Olympic Valley.

RECOMMENDATION:

Receive the report from the evaluation committee and direct the Executive Officer to execute a contract with the recommended consultant for the preparation of the Comprehensive Fiscal Analysis.

SUMMARY:

A Request for Proposals for a Comprehensive Fiscal Analysis (CFA) for the Town of Olympic Valley Incorporation proposal was forwarded to 28 consultants on April 21, 2014. Unfortunately, only one bid was received. The Request for Proposal was resent on May 14, 2014 to 36 firms, with three firms responding on May 21, 2014. In both bid processes, the Request for proposal was also posted on the CALAFCO website and Placer LAFCOs website.

A Comprehensive Fiscal Analysis (CFA) is required for all proposed Incorporations pursuant to §56800 of the Cortese- Knox-Hertzberg Local Government Reorganization Act of 2000. The CFA is required to contain financial data from the County's most recent fiscal year prior to the issuance of the Certificate of Filing, and the proposed city cost and revenues for at least the first three years of the formation of the city. The CFA is also used for Revenue Neutrality discussions between the County and Proponents and to identify negative financial impacts to affected agencies and proposed mitigation measures.

At the March 12, 2014 Commission meeting, the Commission set up a selection committee consisting of Commissioner Rudd, S.R. Jones (Executive Officer of Nevada LAFCO) and

myself to evaluate the proposals and select a consultant. The selection committee has received and evaluated the proposals, however as of the date of preparation of this staff report, have not made a final decision. We plan on presenting to the Commission at the June 11, 2014 meeting our recommended consultant.

Generally, we do not disclose names of bidders or the amounts of bids until a decision has been reached by the evaluators. This information will be provided to you at the June 11, 2014 hearing.

The evaluation committee will be prepared to present the proposals at the hearing with our recommendation.

Attachments:

Exhibit 1 Scope of Work

**REQUEST FOR PROPOSALS
for a
Comprehensive Fiscal Analysis**

Placer Local Agency Formation Commission (LAFCO) is soliciting proposals from qualified Consultants to perform a Comprehensive Fiscal Analysis (CFA) of the proposed Incorporation of the Town of Olympic Valley.

REQUEST FOR PROPOSALS
Olympic Valley Incorporation
Comprehensive Fiscal Analysis

1. Objective:

The Placer Local Agency Formation Commission (LAFCO) is seeking proposals from professional service firms to prepare a Comprehensive Fiscal Analysis (CFA) for the proposed incorporation of Olympic Valley. LAFCO has received and certified a petition requesting incorporation of the community. In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) regarding incorporations, a CFA must be prepared in order to determine 1) whether or not the proposed city is fiscally viable and 2) the fiscal impacts to Placer County and other affected agencies, including a determination of the status of revenue neutrality. The CFA must serve as both a technical document for the Commission's, County's and proponent's evaluation of the proposed incorporation and as a resource available to the public to understand the nature and effects of the proposal.

2. Background:

Olympic Valley (also known as Squaw Valley) is an unincorporated community located west of Highway 89, North of Lake Tahoe. Olympic Valley is a community of approximately 1000 year round residents. However, transient seasonal population and daily visitor population peaks during winter holiday periods to between 20,000 – 25,000.

Olympic Valley, site of the 1960 Olympics, is a valley surrounded primarily by U.S. Forest Service property. The area has a variety of uses from single family residential, condominium/mixed use development, Commercial, Hotel and Resort; recreational and ski facilities.

The area proposed for incorporation consists of approximately 15 square miles. The boundary of the proposed Town is coterminous with the boundaries of the Squaw Valley Public Service District, which provides water, sewer collection and fire services.

3. Proposed Plan of Services:

Currently the community receives services from the Placer County (community development, public works, law enforcement, animal services, snow removal, parks and recreation, etc) and from two special districts (water, fire, wastewater collection and treatment). A list of all service providers, current and proposed is included as Appendix E of the proponent's application (Attached as Exhibit 1). The successful applicant will be required to identify and include all community services to be provided to the territory within the proposed city and the agency responsible for providing such service.

PROJECT DESCRIPTION

In accordance with Government Code §56800, a CFA must be prepared prior to LAFCO's consideration of an incorporation proposal. The CFA must conform to the requirements in the Cortese-Knox-Hertzberg Act (CKH) Act and be consistent with the incorporation guidelines prepared by the State Office of Planning and Research.

The CFA will determine whether the proposed city is economically feasible, the estimated costs associated with providing services to the new city, the estimated revenues, and the impacts of these costs and revenues on other affected agencies. The final report will be the subject of LAFCO review and public hearings and will form the basis for fiscal determinations and findings related to the proposed incorporation. The CFA will become the property of LAFCO.

Scope of Services

LAFCO is the client for the requested services and desires the consultant to prepare an independent and impartial CFA for the proposed incorporation of Olympic Valley based on all available information. The final report will become the property of LAFCO and is subject to LAFCO's review and comments. The analysis will be prepared in a manner consistent with state law, the current draft of the Office of Planning and Research (OPR) Incorporation Guidelines and Placer LAFCO's policies regarding incorporations (attached). Unless otherwise stated in the final contract, the consultant will be responsible for all data collection and analysis, and may be asked to provide support to LAFCO staff in the presentation of the CFA results and in revenue neutrality negotiations. The base year for all revenue and cost data is Fiscal Year 2012-2013.

Under the direction of LAFCO, the consultant will develop an independent and impartial CFA for the proposed incorporation of the community of Olympic Valley, based on the most current fiscal information available. Duties include the following:

- A. Confirm proposal assumptions.
- B. Develop a written plan of services based on information provided by the proponents and affected agencies. The plan of services shall include information on existing levels of service.
- C. Establish population estimates and projections, based on available data. The proposed city is in an area with a tourist season and where the population varies by season. These factors should be included in the analysis.
- D. Establish market based land-use estimates and projections, based upon available data and reasonable market assumptions.
- E. Identify cities appropriate for cost comparison consistent with Section 56800, including at least one city with a similar peak season tourism economy, and associated revenue and service fluctuations
- F. Collect base year service and cost data of the proposed city.
- G. Collect base year revenue data of the proposed city.
- H. Collect the data and prepare the analysis required under Section 56800.
- I. Assist in responding to questions or comments submitted by the Controller under Section 56801, if necessary.
- J. Develop revenue and expenditure "budgets" for all discrete funds, i.e. General Fund, Road Fund and special district, for the base year, transition year and a minimum of eight additional subsequent years (revenues and expenditures) for the proposed budget. The "budget" should include start-up costs for the new city government. In the analysis, review how the costs of any existing services compare to the costs of services provided in cities with a similar economic base, size, and population that provide a similar level and range of services. The analysis should also include the

- repayment of transition year costs to the County. Determine "pre-revenue neutrality" fiscal viability.
- K. Provide the process and methodology proposed, and determine the cost and revenue impacts on the County (or other agencies), including identification of which of the costs to be transferred to the new city would result in an administrative cost reduction to the County (or other agencies).
 - L. Analyze and report the status of revenue neutrality relative to the County pursuant to Government Code Section 56815.
 - M. Qualitative analysis of the impacts of the proposal on existing Mello-Roos (if any) Districts and other assessment districts within the proposed city;
 - N. Inventory County assets requested to be transferred and estimate value, including the proposed process and methodology for determining each value. Determine if identified assets have remaining bonds(s), liens(s) or other debt(s) that can be assumed by, or transferred to the new city.
 - O. Determine the provisional appropriations limit pursuant to Section 56812
 - P. Produce a preliminary draft CFA for staff review
 - Q. Based on LAFCO staff comments, prepare a Draft CFA for public review and revenue neutrality negotiations.
 - R. Subject to direction from Executive Officer, produce a Final Draft CFA based on comments received and outcome of revenue neutrality negotiations.
 - S. Provide presentations to the public and the Commission (minimum of one each).
 - T. Any other information that is deemed to be relevant to the CFA.

The final scope of services will be based on the consultant's approach to the project and will be negotiated with the firm selected and will be included in the services agreement.

5. Proposal Requirements

- A. A statement regarding the anticipated approach for this project, explicitly discussing and identifying suggested changes and/or additional detail to the draft scope of services outlined in Section 4, subsections A through T of this RFP.
- B. A cost proposal, including:
 - i. A not-to-exceed total budget amount.
 - ii. The cost for each major sub-task identified in the draft scope of services, as presented in the proposal.
 - iii. The hourly rates for each person who will be involved in the work, including the rates for any sub-consultants.
 - iv. A separate cost proposal for participation in additional meetings (on a per meeting basis) should be provided. Additional meetings could include an additional LAFCO hearing, additional proponent or community meetings, or revenue neutrality negotiation sessions.
 - v. Costs for any additional services not necessarily included within the scope of the CFA.
- C. An overall project schedule, including the timing of major work tasks, progress or draft reports.
- D. A statement of related experience, with emphasis on recent projects, including references for each such project (including the contact name, address and telephone number). Examples of directly relevant work may be included.
- E. A statement about the firm that describes history, competencies and resumes of the principal and of all professionals who will be involved in the work. This statement should demonstrate the following:
 - i. A management level understanding of how the full range of municipal services are financed and delivered.
 - ii. An understanding of the role and functions of LAFCOs.

- iii. Experience in municipal and county fiscal analysis, preferably involving incorporations.
- iv. Experience in municipal and county organization analysis.
- v. Experience in the presentation and dissemination of public information for review and comment.
- vi. Identification of the lead professional responsible for the project and identification of the professional(s) who will be performing the day-to-day work.
- vii. Identification of any sub-consultants who will be involved. If sub-consultants are proposed, describe the work they will perform and include the same information for each sub-consultant as required for items B and C (budget and schedule) above.
- viii. A statement regarding the availability of all the professionals who will be involved in the work, including any sub-consultants. This should include a disclosure of commitments on other major projects involving the same professionals.
- ix. Disclosure of potential conflicts of interest with local agencies in Placer County or economic interests within the incorporation area.

Budget

Consulting firms should include a detailed project budget for the scope of services. The preparation of the CFA will be managed by LAFCO and the funding will be provided by the proponents of the Olympic Valley Incorporation. Subject to negotiation of a final agreement, it is anticipated that payments will be tied to task completion increments or other milestones. Work will not be authorized beyond what the proponents have deposited with LAFCO at any given time. LAFCO will not be liable for payment beyond the balance of the proponent's deposits.

Tentative Schedule

Timing is a concern to LAFCO because of the provisions in the CKH Act relative to the time sensitivity of the fiscal data. The schedule for this project must be consistent with the overall schedule for project processing and will be negotiated with the firm selected for the work prior to reaching an agreement.

Selection Process

A selection committee will be formed to review responses to this RFP. Written proposals will be evaluated by the selection committee based on the above criteria. Oral interviews of the most qualified applicants may be conducted. LAFCO reserves the right to modify the selection process at any time.

Final selection of the consultant will be based upon the evaluation of responses in the RFP and during the interview process if required. The successful firm will enter into a contract to be awarded by LAFCO covering the scope of services, budget, and schedule.

Evaluation Criteria

If necessary, firms will be selected for further consideration and follow-up interviews based on the following criteria:

- Experience, knowledge, understanding, and qualifications
- Relevant work experience
- Completeness of the responses

- Overall project approaches identified
- Qualification of key project team members
- Reference checks
- Proposed project budget

Conflict of Interest

Proposers warrant and covenant that no official or employee of Placer LAFCO, nor any business entity in which an official of Placer LAFCO has an interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to Placer LAFCO. Proposers will notify LAFCO of any potential conflict of interest regarding other work or third party contracts.

Indemnification

The successful proposer shall be required to enter into an agreement to defend and indemnify Placer LAFCO, its officers, and employees against liability for injury or damage caused by a negligent act or omission of the contractor in the performance of the agreement and shall hold LAFCO harmless from any loss occasioned as a result of the performance of the agreement by the contractor.

Insurance Requirements

The successful proposer shall be required to maintain at all times during the performance of the agreement the following insurance coverage:

Commercial General Liability Insurance with a limit of not less than \$1,000,000 per occurrence combined single limit for bodily injury and property damage, including contractual liability, personal injury, products and completed operations.

Business Automobile Liability for owned, non-owned, or hired automobiles with a combined single limit of not less than \$1,000,000 per occurrence.

Workers Compensation & Employers Liability Insurance

1. Workers Compensation - Statutory Limits
2. Employers Liability Insurance - with a limit of not less than \$100,000 per employee.

Additional Insured Endorsement - The policy or policies providing insurance as required above, with the exception of personal automobile liability, workers compensation, and employer's liability, shall be endorsed to include Placer LAFCO, its directors, officers, employees, and agents as Additional Insured as respects work performed pursuant to or incidental to the Agreement.

Evidence of Insurance - Before commencing any operations under the Agreement, the successful proposer shall furnish the Placer LAFCO with a Certificate of Insurance and copies of all applicable endorsements evidencing compliance with the above insurance requirements and that such insurance will not be canceled or materially changed without thirty (30) days advance written notice.

Duration of Insurance Coverage - All required insurance coverage shall be maintained during the entire term of the Agreement. Insurance coverage written on a claims-made basis shall be maintained during the entire term of the Agreement and further until at least 6 month(s) following termination and acceptance of all work under the Agreement, with the retroactive date of said insurance, concurrent with the commencement of activities pursuant to this Agreement.

Submission Requirements

DUE DATE AND TIME: Wednesday, May 21, 2014 at 4:00 pm

Proposals received after this date will not be considered and will not be returned.

Cost of preparation of proposals shall be borne by the proposers.

NUMBER OF COPIES: 5 original copies and one reproducible copy

DELIVER TO: Kris Berry, AICP
Executive Officer
Placer LAFCO
110 Maple Street
Auburn, CA 95603

If the delivery will be made in person, please contact the Placer LAFCO office in advance at (530) 889-4097 to insure acceptance.

LAFCO reserves the right to reject any or all proposals, to issue addenda to the RFP, to modify or cancel the RFP, to request clarification of any information that is submitted, to request additional information from competitors, and to waive any irregularity in the proposal submission and review process.

Contact Information

Please direct all inquiries regarding the RFP process or proposal submission to:

Kris Berry, AICP
Executive Officer
Placer LAFCO
110 Maple Street
Auburn, CA 95603
kberry@placer.ca.gov

June 11, 2014
Item No. 10

PLACER COUNTY
LOCAL AGENCY FORMATION COMMISSION

110 Maple Street, Auburn California 95603

530-889-4097

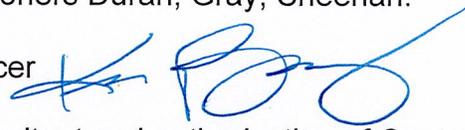
Email: lafco@placer.ca.gov

STAFF REPORT

DATE: June 4, 2014

TO: Chairman Rudd, Commissioners Allen, Barkle, Holmes, Treabess, Ucovich, Weygandt. Alternate Commissioners Duran, Gray, Sheehan.

FROM: Kris Berry, AICP, Executive Officer



SUBJECT: Selection of Environmental Consultant and authorization of Contract to provide on-call consulting services for Placer LAFCO.

RECOMMENDATION:

- 1 Appoint a selection committee to review proposals and select consultant
- 2 Authorize the Executive Officer to execute contracts with the selected consultants.

SUMMARY:

A Request for Proposal for an On-Call environmental Consultant for Placer LAFCO was sent to 26 Environmental Consultants on May 20, 2014. In addition, the RFP was posted on the CALAFCO website, Placer LAFCO website, and directly emailed to all Executive Officers in the state. The deadline for submission of proposals is Tuesday, June 10.

This consultant would be considered an on-call consultant to provide environmental consulting services for Placer LAFCO. These would consist of consulting on environmental determinations review of environmental documents from other agencies, preparation of Initial Studies and Negative Declarations, Environmental Impact Reports and other environmental documents. The majority of the work anticipated to be performed by the selected Consultant would be charged to specific proposals and not have a direct cost impact to our budget. However, occasional review of outside agency documents and other documents or consultations may be at the cost of LAFCO.

Due to time constraints, I am recommending that the Commission appoint a Selection Committee, as was done with the Comprehensive Fiscal Analysis. I do expect, based on the questions and comments I have received from consultants, that we will have a significant amount of bids.

In addition, I would ask the Commission to authorize the Committee to make the final selection of the Consultant and allow the Executive Officer to execute contracts with the Consultants.

Attachments:

Exhibit 1 Scope of Work

PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION

110 Maple Street, Auburn, California 95603 530-889-4097 lafco@placer.ca.gov

COMMISSIONERS: May 20, 2014

Miguel Ucovich
(City) X
Gray Allen
(Special Districts), X
Robert Weygandt
(County) X

Ron Treabess
(Special Districts) RE: Request for Proposals for Environmental Consultant

Jim Holmes
(County) Dear:

E. Howard Rudd
(Public), Chair

Donna Barkle (City)

ALTERNATE
COMMISSIONERS:

Jim Gray
(Public)

Jack Duran
(County)

Dr. William Kirby
(City)

Brian Sheehan
(Special Districts)

STAFF:

Kris Berry
Executive Officer

Linda Wilkie
Clerk to the
Commission

William Wright
LAFCO Counsel

The Placer Local Agency Formation Commission (LAFCO) is soliciting proposals to provide environmental planning services to the Commission on an as needed basis. The environmental consultant will perform complex and specialized planning work in conjunction with a range of LAFCO projects and programs, including but not limited to consulting on environmental determinations, preparation of Initial Studies and Negative Declarations and other environmental documents. Work may include attending LAFCO meetings and various meetings with proponents and agency staff.

Firms interested in being considered for these services should submit a response to the attached Request for Proposals by Monday, June 10th, 2014 by 4:00 p.m. to:

PLACER LOCAL AGENCY FORMATION COMMISSION
110 Maple Street
Auburn, CA 95603

Attention: Kris Berry, Executive Officer

Please submit one reproducible copy and one electronic copy of your proposal. Responses received after the posted date and time will not be considered. Please feel free to contact us with any questions you may have.

REQUEST FOR PROPOSALS for an Environmental Consultant

Placer Local Agency Formation Commission (LAFCO) is soliciting proposals from qualified Consultants for an Environmental Consultant on an as needed basis.

Objective:

The Placer Local Agency Formation Commission (LAFCO) is soliciting proposals to provide environmental planning services to the Commission on an as needed basis. The environmental consultant will perform complex and specialized planning work in conjunction with a range of LAFCO projects and programs, including but not limited to consulting on environmental determinations, preparation of Initial Studies, Negative Declarations, Environmental Impact Reports and other environmental documents. Work may include attending LAFCO meetings and various meeting with proponents and agency staff.

Background:

About LAFCO

LAFCOs were created by State law in 1963 to regulate the boundaries of cities and special districts to discourage urban sprawl, preserve agricultural and open space lands, and encourage orderly growth, governmental boundaries and efficient service areas.

There is a LAFCO in each county in California. LAFCOs are empowered to approve or deny local government changes of organizations, such as city incorporations, annexations to cities and special districts, and consolidations of local agencies. In addition, LAFCOs creates and amends Spheres of Influence (SOI) to guide governmental boundary decisions.

Placer LAFCO is composed of seven voting members: two city mayors chosen by the city selection committee, two county supervisors chosen by the Board of Supervisors, two special district board members chosen by the independent special district selection committee, and a public member chosen by the other LAFCO members. There is an alternate member in each of these four categories.

As a public agency, the Commission conducts business publicly at its regular meetings on the second Wednesday of the month, and periodically at special meetings that are scheduled on an as-needed basis. Commission meetings are typically held at the Placer County Board of Supervisors chambers in Auburn, however because of the vast geography of the county, Meetings are often held in the Tahoe area for proposals located in the Tahoe area. As an independent agency, LAFCO does not report directly to any State, city or county agency, nor can its decisions be appealed to other administrative agencies. LAFCO has a professional staff of two employees at its office in Auburn – an Executive Officer and a Commission Clerk, and contracts on an as-needed basis for a variety of other services including Legal and Municipal Service Review preparation.

LAFCO considers a variety of proposals ranging from out-of-area service agreements and SOI amendments to changes of organization and reorganizations. While some of these applications are routine, others, such as district formations, city incorporations, and consolidations are more complex. Often, proposals are submitted with environmental assessment already prepared by a Lead Agency, usually with LAFCO review as a

Responsible agency. However, often the proposal has not been through a review process with another agency, and therefore LAFCO is required to prepare environmental reviews.

Scope of Services:

Under the direction of the LAFCO Executive Officer, the environmental consultant is expected to provide (but may not be limited to):

- Review of selected Notices of Preparation prepared by Lead Agencies
- Consultation with the Executive Officer on proposals environmental status
- Preparation of Notices of Exemption
- Preparation of Initial Studies
- Preparation of Negative Declarations and Mitigation measures
- Preparation of Scopes of Work for preparation of Environmental Impact Reports.
- Preparation of Environmental Impact Reports
- Attend LAFCO meetings if needed.

Proposal Format:

LAFCO staff will review the proposals within the allotted timeframe and determine completeness. Proposals must contain:

- A. A brief description of the consultant's firm and a statement of the firm's qualifications for providing planning services to LAFCO. In particular, describe your experience in providing environmental services to other municipal agencies, including LAFCOs, if applicable.
- B. A statement indicating the firm's approach in providing consulting services, including a description of the main tasks and assignments to be performed during the term of the agreement; and a summary of the firm's background/expertise in dealing with relevant planning laws, regulations, and considerations (e.g., CEQA, Cortese-Knox-Hertzberg Act, etc.).
- C. A description of how you would fulfill the responsibilities of this contract. If responding as a firm, please provide an organization chart specifying the client team (including subcontractors, if any) that will be assigned to this contract and a brief description of the qualifications and experience of each team member, their titles, length of service with the firm, and resume. Please specify what approximate proportion of the contracted work each team member will perform. If a proposal involves a joint venture or subcontractors, it must identify the firm and describe related experience working on a multi-firm team.
- D. The fees associated with fulfilling the requirements of this RFP and proposed billing system. The cost proposal should include a breakdown of elements of any proposed fees and an itemization of reimbursable expenses. The proposal should identify any proposed cost adjustments based on changes in service requirements. Proposal will remain in effect for ninety (90) days from the designated date for receipt of proposals, unless mutually extended. No compensation will be made to firms for proposal preparation, interviews, or other proposal costs.

- E. A list of current clients, including a contact person, phone number, size of organization, and length of association with each client. Results of reference checks may affect the final award.
- F. Any other information you feel is relevant to the consultant review and selection process.

Proposal Submittal

- A. One reproducible copy and one electronic copy (disk) of the proposal shall be received no later than 4:00 p.m., on Monday, June 10th, 2014, at the office of Placer LAFCO, 110 Maple Street, Auburn, CA 95603, Attn: Executive Officer. Proposals received after the deadline may not be considered.

Selection Process

A selection committee may be formed to review responses to this RFP. Written proposals will be evaluated by the selection committee or the Executive Officer based on the above criteria. Oral interviews of the most qualified applicants may be conducted. LAFCO reserves the right to modify the selection process at any time.

Final selection of the consultant will be based upon the evaluation of responses in the RFP and during the interview process if required. The successful firm will enter into a contract to be awarded by LAFCO covering the scope of services, budget, and schedule.

Evaluation Criteria

If necessary, firms will be selected for further consideration and follow-up interviews based on the following criteria:

- Experience, knowledge, understanding, and qualifications
- Relevant work experience
- Completeness of the responses
- Overall project approaches identified
- Qualification of key project team members
- Reference checks
- Proposed project budget

Conflict of Interest

Proposers warrant and covenant that no official or employee of Placer LAFCO, nor any business entity in which an official of Placer LAFCO has an interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to Placer LAFCO. Proposers will notify LAFCO of any potential conflict of interest regarding other work or third party contracts.

Indemnification

The successful proposer shall be required to enter into an agreement to defend and indemnify Placer LAFCO, its officers, and employees against liability for injury or damage caused by a negligent act or omission of the contractor in the performance of the agreement and shall hold LAFCO harmless from any loss occasioned as a result of the performance of the agreement by the contractor.

Insurance Requirements

The successful proposer shall be required to maintain at all times during the performance of the agreement the following insurance coverage:

Commercial General Liability Insurance with a limit of not less than \$1,000,000 per occurrence combined single limit for bodily injury and property damage, including contractual liability, personal injury, products and completed operations.

Business Automobile Liability for owned, non-owned, or hired automobiles with a combined single limit of not less than \$1,000,000 per occurrence.

Workers Compensation & Employers Liability Insurance

1. Workers Compensation - Statutory Limits
2. Employers Liability Insurance - with a limit of not less than \$100,000 per employee.

Additional Insured Endorsement - The policy or policies providing insurance as required above, with the exception of personal automobile liability, workers compensation, and employer's liability, shall be endorsed to include Placer LAFCO, its directors, officers, employees, and agents as Additional Insured as respects work performed pursuant to or incidental to the Agreement.

Evidence of Insurance - Before commencing any operations under the Agreement, the successful proposer shall furnish the Placer LAFCO with a Certificate of Insurance and copies of all applicable endorsements evidencing compliance with the above insurance requirements and that such insurance will not be canceled or materially changed without thirty (30) days advance written notice.

Duration of Insurance Coverage - All required insurance coverage shall be maintained during the entire term of the Agreement. Insurance coverage written on a claims-made basis shall be maintained during the entire term of the Agreement and further until at least 6 month(s) following termination and acceptance of all work under the Agreement, with the retroactive date of said insurance, concurrent with the commencement of activities pursuant to this Agreement.

Submission Requirements

DUE DATE AND TIME: June 10, 2014 at 4:00 pm

Proposals received after this date will not be considered and will not be returned.

Cost of preparation of proposals shall be borne by the proposers.

NUMBER OF COPIES: 5 original copies and one reproducible copy

DELIVER TO: Kris Berry, AICP

Executive Officer

Placer LAFCO

110 Maple Street

Auburn, CA 95603

If the delivery will be made in person, please contact the Placer LAFCO office in advance at (530) 889-4097 to insure acceptance.

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Contact Information

Please direct all inquiries regarding the RFP process or proposal submission to:

Kris Berry, AICP

Executive Officer

Placer LAFCO

110 Maple Street

Auburn, CA 95603

(530) 889-4097

kberry@placer.ca.gov

June 11, 2014
Item No. 11

**PLACER COUNTY
LOCAL AGENCY FORMATION COMMISSION**

110 Maple Street, Auburn California 95603

530-889-4097

Email: lafco@placer.ca.gov

STAFF REPORT

DATE: June 5, 2014

TO: Chairman Rudd, Commissioners Allen, Barkle, Holmes, Treabess, Ucovich, Weygandt. Alternate Commissioners Duran, Gray, Sheehan.

FROM: Kris Berry, AICP, Executive Officer 

SUBJECT: Legislative Report for pending LAFCO related legislation.

RECOMMENDATION

Staff recommends the Commission review the attached status update on proposed legislation.

BACKGROUND

Attached is a daily legislative report for legislation that CALAFCO is watching. There are several bills which CALAFCO as an organization has taken a support position, and requested support position letter, which were provided pursuant to your action at our April 12th hearing.

I will provide an update on these bills, as well as other legislation at the June 11th hearing. As is the nature of Legislative actions, the status of these bills are changing on a daily basis.

Attachments

CALAFCO daily legislative Report.

CALAFCO Daily Legislative Report as of Thursday, June 05, 2014

 1

AB 453 (Mullin D) Sustainable communities.
Current Text: Amended: 7/3/2013 [pdf](#) [html](#)
Introduced: 2/19/2013

Last Amended: 7/3/2013

Status: 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/12/2013)

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

Summary:

The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

Attachments:
[CALAFCO Support Letter 03 12 13](#)
Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: This would allow LAFcos to apply directly for grants that support the preparation of sustainable community strategies and other planning efforts. CALAFCO has removed its support of the bill given the nature of the amendment and the potential impact to LAFcos.

AB 678 (Gordon D) Health care districts: community health needs assessment.
Current Text: Amended: 4/15/2013 [pdf](#) [html](#)
Introduced: 2/21/2013

Last Amended: 4/15/2013

Status: 8/30/2013-In committee: Held under submission.

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

Summary:

Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

Attachments:
[CALAFCO Letter of support April 17, 2014](#)
Position: Support

Subject: LAFco Administration, Service Reviews/Spheres

CALAFCO Comments: This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFcos to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

AB 1521 (Fox D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.**Current Text:** Introduced: 1/16/2014 [pdf](#) [html](#)**Introduced:** 1/16/2014**Status:** 5/27/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Beginning with the 2004-05 fiscal year, current law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a vehicle license fee property tax compensation fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Attachments:[CALAFCO Support AB 1521 February 2014](#)**Position:** Support**Subject:** Financial Viability of Agencies, Tax Allocation**AB 1527 (Perea D) Public water systems: drinking water.****Current Text:** Amended: 4/9/2014 [pdf](#) [html](#)**Introduced:** 1/17/2014**Last Amended:** 4/9/2014**Status:** 5/28/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would require the State Department of Public Health, in administering programs to fund improvements and expansions of small community water systems and other water systems, as specified, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery, as specified. This bill contains other related provisions and other existing laws.

Attachments:[CALAFCO Support if Amended Letter](#)**Position:** Support if Amended**Subject:** Disadvantaged Communities, Municipal Services, Service Reviews/Spheres, Sustainable Community Plans

CALAFCO Comments: As amended, this bill promotes the consolidation of public water systems when appropriate. The bill would require the DPH to promote service delivery alternatives that improve efficiency, affordability of infrastructure, and service delivery in the administration of their programs funding improvement and expansion of public water systems. It also requires the DPH to consider LAFCo studies as part of their funding and alternative services considerations. Finally, the bill adds LAFCo to the list of eligible entities to receive sustainable community grant funding.

CALAFCO has requested several minor amendments to the current language.

AB 1729 (Logue R) Local government: agricultural land: subvention payments.**Current Text:** Amended: 3/20/2014 [pdf](#) [html](#)**Introduced:** 2/14/2014

Last Amended: 3/20/2014

Status: 3/24/2014-Re-referred to Com. on APPR.

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

Summary:

Would appropriate \$40,000,000 to the Controller from the General Fund for the 2014-15 fiscal year to make subvention payments to counties to reimburse counties for property tax revenues not received as a result of these contracts. The bill would make legislative findings and declarations related to the preservation of agricultural land.

Attachments:

[CALAFCO Letter of Support March 2014](#)

Position: Support

Subject: Ag Preservation - Williamson

CALAFCO Comments: As amended, the bill will appropriate \$40 million from the General Fund in fiscal year 2014/2015 for subvention payments to counties for Williamson Act contracts.

[AB 1961](#) ([Eggman D](#)) Land use: planning: sustainable farmland strategy.

Current Text: Amended: 4/22/2014 [pdf](#) [html](#)

Introduced: 2/19/2014

Last Amended: 4/22/2014

Status: 5/23/2014-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/23/2014)

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

Summary:

Would require each county to develop, on or before January 2, 2018, a sustainable farmland strategy. The bill would require the sustainable farmland strategy to include, among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances, to retain agriculturally zoned land where practical and mitigate the loss of agriculturally zoned land to nonagricultural uses or zones, and a page on the county's Internet Web site with the relevant documentation for the goals, strategies, and related policies and ordinances, as specified.

Position: Watch

Subject: Ag/Open Space Protection, CKH General Procedures, LAFCo Administration

CALAFCO Comments: As amended, the bill requires counties with 4% or more of its land zoned as agricultural to create a sustainable farmland strategy (sfs) effective January 1, 2018, in consultation with cities and LAFCo, and to update the sfs as necessary. The bill also requires OPR to create best practices that support ag land retention and mitigation. The bill creates an unfunded mandate for counties.

[AB 2156](#) ([Achadjian R](#)) Local agency formation commissions: studies.

Current Text: Chaptered: 6/4/2014 [pdf](#) [html](#)

Introduced: 2/20/2014

Last Amended: 3/24/2014

Status: 6/4/2014-Chaptered by Secretary of State - Chapter 21, Statutes of 2014.

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

Summary:

Would include joint powers agencies and joint powers authorities among the entities from which the local agency formation commission is authorized to request land use information, studies, and plans, for purposes of conducting specified studies, and also would include joint powers agreements in the list of items the commission may request

in conducting those studies. The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Attachments:

[CALAFCO Letter of Support March 2014](#)

Position: Support

Subject: CKH General Procedures, LAFCo Administration, Municipal Services, Service Reviews/Spheres

CALAFCO Comments: As amended, the bill will specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (C-K-H), and include joint powers agencies and joint powers authorities (JPAs) among the entities from which a local agency formation commission (LAFCo) is authorized to request information in order to conduct required studies.

AB 2762 (Committee on Local Government) Local government.

Current Text: Amended: 5/6/2014 [pdf](#) [html](#)

Introduced: 3/24/2014

Last Amended: 5/6/2014

Status: 5/23/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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 does not apply to pending proceedings for a change or organization or reorganization for which the application was accepted for filing prior to January 1, 2001, as specified. The act authorizes these pending proceedings to be continued and completed under, and in accordance with, the law under which the proceedings were commenced. This bill would repeal those provisions relating to pending proceedings for a change or organization or reorganization for which an application was accepted for filing prior to January 1, 2001, and make other conforming changes.

Attachments:

[CALAFCO Letter of Support March 2014](#)

Position: Sponsor

Subject: CKH General Procedures

SB 56 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 6/11/2013 [pdf](#) [html](#)

Introduced: 1/7/2013

Last Amended: 6/11/2013

Status: 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

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

Summary:

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee

adjustment amount calculated on the basis of changes in assessed valuation. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of support April 10, 2013](#)

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates revenues through ERAF (backfilled by the state general Fund) for cities incorporating after 2005 and annexations of inhabited territories.

[SB 69](#) ([Roth D](#)) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 5/6/2014 [pdf](#) [html](#)

Introduced: 1/10/2013

Last Amended: 5/6/2014

Status: 5/6/2014-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

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

Summary:

Current property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction shall be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Attachments:

[CALAFCO Support SB 69 Feb 2014](#)

Position: Support

Subject: Tax Allocation

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[AB 1739](#) ([Dickinson D](#)) Groundwater basin management: sustainability.

Current Text: Amended: 4/22/2014 [pdf](#) [html](#)

Introduced: 2/14/2014

Last Amended: 4/22/2014

Status: 5/28/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would require a sustainable groundwater management plan to be adopted, except as provided, for each high or medium priority groundwater basin by any groundwater management agency, defined as a special district authorized to provide water for beneficial uses or with specific authority to conduct groundwater management, a city, a county, a city and county, or certain joint powers authorities. This bill would require a sustainable groundwater management plan to meet certain requirements. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Water**3****AB 543 (Campos D) California Environmental Quality Act: translation.****Current Text:** Amended: 5/24/2013 [pdf](#) [html](#)**Introduced:** 2/20/2013**Last Amended:** 5/24/2013**Status:** 5/19/2014-In committee: Set, second 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							

Calendar:

6/18/2014 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, HILL, Chair

Summary:

Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch**Subject:** CEQA

CALAFCO Comments: As amended, requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

AB 642 (Rendon D) Publication: newspaper of general circulation: Internet Web site.**Current Text:** Introduced: 2/20/2013 [pdf](#) [html](#)**Introduced:** 2/20/2013**Status:** 1/24/2014-Failed Deadline pursuant to Rule 61(b)(2). (Last location was JUD. on 3/11/2013)

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

Summary:

Current law requires that various types of notices are provided in a newspaper of general circulation. Current law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication. This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

Position: Watch**Subject:** LAFCo Administration

CALAFCO Comments: Allows for posting of agendas and meeting material on newspaper websites.

AB 677 (Fox D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.**Current Text:** Amended: 1/6/2014 [pdf](#) [html](#)**Introduced:** 2/21/2013**Last Amended:** 1/6/2014**Status:** 1/17/2014-Failed Deadline pursuant to Rule 61(b)(1). (Last location was L. GOV. on 1/7/2014)

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

Summary:

Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

Position: Watch**Subject:** Financial Viability of Agencies, Tax Allocation**AB 1593 (Dahle R) Public cemetery districts: Auburn Public Cemetery District.****Current Text:** Introduced: 2/3/2014 [pdf](#) [html](#)**Introduced:** 2/3/2014**Status:** 5/9/2014-Failed Deadline pursuant to Rule 61(b)(6). (Last location was L. GOV. on 2/14/2014)

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

Summary:

Would authorize the Auburn Public Cemetery District in Placer County to use their cemeteries for up to a total of 400 interments each, not to exceed 40 interments each per calendar year, to inter nonresidents and nonproperty taxpayers, if specified conditions are met. This bill contains other related provisions.

Position: Watch**Subject:** Other**AB 1897 (Hernández, Roger D) Labor contracting: client liability.****Current Text:** Amended: 5/28/2014 [pdf](#) [html](#)**Introduced:** 2/19/2014**Last Amended:** 5/28/2014**Status:** 5/29/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would require a client employer to share with a labor contractor all civil legal responsibility and civil liability for the payment of wages, the failure to report and pay all required employer contributions, worker contributions, and personal income tax withholdings, and the failure to obtain valid workers' compensation coverage. The bill would define a client employer as a business entity that obtains or is provided workers to perform labor or services within the usual course of business from a labor contractor, except as specified.

Position: Watch**Subject:** LAFCo Administration

AB 1995 (Levine D) Community service districts: covenants, conditions, and restrictions: enforcement.**Current Text:** Introduced: 2/20/2014 [pdf](#) [html](#)**Introduced:** 2/20/2014**Status:** 4/22/2014-Referred to Com. on GOV. & F.

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

Summary:

The Community Services District Law authorizes the establishment of community services districts to provide various services to the geographic area within each district, and further authorizes specified community services districts to enforce covenants, conditions, and restrictions within that district, as provided. This bill would allow the Bel Marin Keys Community Services District to enforce covenants, conditions, and restrictions within that district, as provided. This bill contains other related provisions.

Position: Watch**Subject:** LAFCo Administration, Special District Powers**AB 2453 (Achadjian R) Paso Robles Basin Water District.****Current Text:** Amended: 3/28/2014 [pdf](#) [html](#)**Introduced:** 2/21/2014**Last Amended:** 3/28/2014**Status:** 5/28/2014-In Senate. Read first time. To Com. on RLS. for assignment.

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

Summary:

Would set forth the composition of, and method of election by landowners and registered voters for, the board of directors for the Paso Robles Basin Water District, the boundaries of which shall be established and may be modified by the San Luis Obispo County Local Agency Formation Commission.

Position: Watch**Subject:** Water**AB 2455 (Williams D) The Santa Rita Hills Community Services District.****Current Text:** Amended: 6/2/2014 [pdf](#) [html](#)**Introduced:** 2/21/2014**Last Amended:** 6/2/2014**Status:** 6/2/2014-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:

6/11/2014 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary:

Would authorize, until January 1, 2035, the board of directors of the Santa Rita Hills Community Services District to consist of 3 members, as specified. The bill would also authorize the board, if the number of members is reduced to 3, to adopt a resolution to increase the number of members from 3 to 5, as specified. This bill contains other related provisions.

Position: Watch**Subject:** Special District Principle Acts**CALAFCO Comments:** This bill as amended reduces the size of the governing Board of this district from five to three members.

AB 2480 (Yamada D) Local government finance: cities: annexations.**Current Text:** Amended: 3/28/2014 [pdf](#) [html](#)**Introduced:** 2/21/2014**Last Amended:** 3/28/2014**Status:** 4/23/2014-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:

Would, beginning on January 10, 2015, and on the 10th of each month thereafter, require the Controller to pay to each city that incorporated before August 5, 2004, an amount equal to an amount determined by a specified formula. This bill would continuously appropriate to the Controller an amount sufficient to make those payments from the General Fund.

Position: Watch**Subject:** Financial Viability of Agencies, Tax Allocation**SB 633 (Pavley D) CEQA.****Current Text:** Amended: 8/6/2013 [pdf](#) [html](#)**Introduced:** 2/22/2013**Last Amended:** 8/6/2013**Status:** 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)

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

Summary:

Would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. This bill contains other related provisions and other existing laws.

Position: Watch**Subject:** CEQA**SB 731 (Steinberg D) Environment: California Environmental Quality Act.****Current Text:** Amended: 9/9/2013 [pdf](#) [html](#)**Introduced:** 2/22/2013**Last Amended:** 9/9/2013**Status:** 9/13/2013-Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)

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

Summary:

Would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing

thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

SB 772 (Roth D) Drinking water: County Water Company of Riverside water system: liability.

Current Text: Amended: 1/6/2014 [pdf](#) [html](#)

Introduced: 2/22/2013

Last Amended: 1/6/2014

Status: 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

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

Summary:

Would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for claims by past or existing County Water Company of Riverside customers or those consuming water provided through the County Water Company of Riverside water system concerning the operation and supply of water from the County Water Company of Riverside water system during the interim operation period, as specified, for any good faith, reasonable effort using ordinary care to assume possession of, and to operate and supply water to , the County Water Company of Riverside water system. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter Removing Opposition September 9, 2013](#)

[CALAFCO Letter of Opposition April 10, 2013](#)

Position: Watch

Subject: Water

CALAFCO Comments: As amended, this bill would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for injuries or damages arising out of the delivery of water to County Water Company of Riverside customers, as specified. As amended this bill no longer references Local Agency Formation Commissions (LAFCo) to take on the responsibility of monitoring private water companies. As a result of removing any and all references to LAFCo, CALAFCO has removed its opposition to the bill and now has a Watch position.

SB 831 (Hill D) Political Reform Act of 1974.

Current Text: Amended: 5/27/2014 [pdf](#) [html](#)

Introduced: 1/6/2014

Last Amended: 5/27/2014

Status: 5/27/2014-Read second time and amended. Ordered to third reading.

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

Calendar:

6/5/2014 #26 SENATE SENATE BILLS-THIRD READING FILE

Summary:

Would prohibit an elected officer from requesting that a payment be made, or a person from making a payment, at the behest of the elected officer to a nonprofit organization that the elected officer knows or has reason to know is owned or controlled by that officer or specified family members of the officer, except as specified. The bill would provide that an elected officer is deemed to have complied with that requirement if the Commission determines that the elected officer has made a reasonable effort to ascertain whether a nonprofit organization is owned or controlled by any of the specified persons.

Position: Watch**Subject:** Other**SB 1122 (Pavley D) Sustainable communities: Strategic Growth Council.****Current Text:** Amended: 5/5/2014 [pdf](#) [html](#)**Introduced:** 2/19/2014**Last Amended:** 5/5/2014**Status:** 5/23/2014-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 5/23/2014)

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

Summary:

Current law authorizes moneys from the Greenhouse Gas Reduction Fund to be allocated for the purpose of reducing greenhouse gas emissions in this state through specified investments, including funding to reduce greenhouse gas emissions through strategic planning and development of sustainable infrastructure projects. This bill would additionally authorize the council to manage and award financial assistance for the purpose of supporting the implementation of sustainable communities strategies or alternative planning strategies, to be funded from moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature. The bill would require the council to adopt guidelines for the use of the funds by recipients.

Position: Watch**Subject:** Sustainable Community Plans**SB 1168 (Pavley D) Groundwater management.****Current Text:** Amended: 4/23/2014 [pdf](#) [html](#)**Introduced:** 2/20/2014**Last Amended:** 4/23/2014**Status:** 6/2/2014-Referred to Com. on W.,P. & W.

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

Summary:

Would enact the Sustainable Groundwater Management Act, and would state as the intent of the Legislature that, among other things, all groundwater basins and subbasins shall be managed sustainably by local entities pursuant to an adopted sustainable groundwater management plan. This bill would authorize unspecified entities to develop a sustainable groundwater management plan, defined as a document that describes the activities intended to be included in a groundwater management program, to be developed and adopted to encompass an entire basin or subbasin in an unspecified manner, and according to an unspecified schedule.

Position: Watch**Subject:** Water

Total Measures: 26

Total Tracking Forms: 26

6/5/2014 2:56:15 PM