

# LOCAL AGENCY FORMATION COMMISSION OF YOLO COUNTY

## Regular Meeting AGENDA

**December 4, 2014 - 9:00 a.m.**

### **BOARD OF SUPERVISORS CHAMBERS**

625 COURT STREET, ROOM 206  
WOODLAND, CALIFORNIA 95695

### **COMMISSIONERS**

OLIN WOODS, CHAIR (PUBLIC MEMBER)  
MATT REXROAD, VICE CHAIR (COUNTY MEMBER)  
BILL KRISTOFF (CITY MEMBER)  
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CECILIA AGUIAR-CURRY (CITY MEMBER)

### **ALTERNATE COMMISSIONERS**

ROBERT RAMMING (PUBLIC MEMBER)  
JIM PROVENZA (COUNTY MEMBER)  
ROBB DAVIS (CITY MEMBER)

CHRISTINE CRAWFORD  
EXECUTIVE OFFICER

ERIC MAY  
COMMISSION COUNSEL

### **NOTICE:**

This agenda has been posted at least five (5) calendar days prior to the meeting in a location freely accessible to members of the public, in accordance with the Brown Act and the Cortese Knox Hertzberg Act. The public may subscribe to receive emailed agendas, notices and other updates at [www.yololafco.org/lafco-meetings](http://www.yololafco.org/lafco-meetings).

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCo action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 72 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 10 copies.

### **FPPC - Notice to All Parties and Participants in LAFCo Proceedings**

All parties and participants on a matter to be heard by the Commission that have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months must disclose this fact, either orally or in writing, for the official record as required by Government Code Section 84308.

Any person, or combination of persons, who make expenditures for political purposes of \$1,000 or more in support of, or in opposition to, a matter heard by the Commission must disclose this fact in accordance with the Political Reform Act.

## CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Public Comment: Opportunity for members of the public to address the Yolo County Local Agency Formation Commission (LAFCo) on subjects not otherwise on the agenda relating to LAFCo business. The Commission reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.

## CONSENT AGENDA

4. Approve LAFCo Meeting Minutes of September 25, 2014
5. Correspondence
6. Review information regarding the 2014 CALAFCO Legislative Update
7. Review and file the Fiscal Year (FY) 14-15 First Quarter Financial Update
8. Authorize the Chair to Execute an Agreement for Legal Services with County Counsel's Office.

## PUBLIC HEARINGS

9. Consider and adopt the Municipal Service Review (MSR) and Sphere of Influence (SOI) update for the Knights Landing Community Service District (CSD).

## REGULAR AGENDA

10. Receive a staff presentation on the Draft Yolo Broadband Strategic Plan and discuss LAFCo's next steps to undertake with the cities and County (the Draft Yolo Broadband Strategic Plan will be included in a supplemental packet prior to the meeting).
11. Consider staff's recommended changes to Yolo LAFCo's local policy regarding Out of Agency Services, direct staff to make any desired changes and adopt the updated policy.
12. Consider and adopt the Yolo LAFCo 2015 Meeting Calendar

## EXECUTIVE OFFICER'S REPORT

13. A report by the Executive Officer on recent events relevant to the Commission and an update of Yolo LAFCo staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.
- Shared Services
  - Distribution of RFPs for MSR/SOI:
    - ~ City of Davis and Associated CSAs
    - ~ All Fire Protection Districts
  - LAFCo Alternate - City Selection Committee
  - CALAFCO Conference Synopsis
  - Staff Activity Report - September 22 to November 28, 2014

## COMMISSIONER COMMENTS

14. Opportunity for any Commissioner to comment on issues not listed on the agenda. No action will be taken on off-agenda items unless authorized by law.

## ADJOURNMENT

15. Adjourn in memory of Joseph Francis Aguiar

The next meeting scheduled is January 22, 2015

I declare under penalty of perjury that the foregoing agenda was posted by 5:00 p.m. on November 28, 2014, at the following places:

- On the bulletin board at the east entrance of the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California; and
- On the bulletin board outside the Board of Supervisors Chambers, Room 206 in the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California.
- On the LAFCo website at: [www.yololafco.org](http://www.yololafco.org).

Terri Tuck, Clerk  
Yolo County LAFCo

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Woodland, CA 95695

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Consent 4.

**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Approve LAFCo Meeting Minutes of September 25, 2014

**RECOMMENDED ACTION**

Approve LAFCo Meeting Minutes of September 25, 2014.

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**Attachments**

[Minutes-09/25/14](#)

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 10/29/2014

Started On: 10/29/2014 01:26 PM

# LOCAL AGENCY FORMATION COMMISSION of YOLO COUNTY

## MEETING MINUTES

September 25, 2014

The Local Agency Formation Commission of Yolo County met on the 25<sup>th</sup> day of September 2014, at 9:00 a.m. in the Yolo County Board of Supervisors Chambers, 625 Court Street, Room 206, Woodland CA. Members present were Chair and Public Member Olin Woods, County Members Matt Rexroad and Don Saylor, and City Members Bill Kristoff and Cecilia Aguiar-Curry. Others present were Alternate Public Member Robert Ramming, Executive Officer Christine Crawford, Analyst Tracey Dickinson, Clerk Terri Tuck and Counsel Eric May.

### Items No 1 and 2 Call to Order, Pledge of Allegiance and Roll Call

Chair Woods called the Meeting to order at 9:02 a.m.

LAFCo Interim Counsel Eric May led the Pledge of Allegiance

PRESENT: Aguiar-Curry, Kristoff, Rexroad, Saylor, Woods ABSENT: None

### Item No 3 Public Comments

None

### CONSENT

Item No 4 Approve LAFCo Meeting Minutes of July 24, 2014

Item No 5 Review and File the Summer 2014 CH&W Newsletter by Special Counsel Colantuono, Highsmith & Whatley, PC

Item No 6 Receive and File Update on Budget Adjustments for Other Post Employee Benefits (OPEB) in FY 14/15 Budget

Item No 7 Maintain the Legal Services of the Office of Yolo County Counsel and Appoint Deputy County Counsel Eric May or County Counsel's Designee as LAFCo General Counsel and Direct Staff to Return at the Next Meeting with a Contract for Services

**Minute Order 2014-27:** Approves all recommended actions on Consent.

Approved by the following vote:

MOTION: Aguiar-Curry SECOND: Rexroad

AYES: Aguiar-Curry, Kristoff, Rexroad, Saylor, Woods  
NOES: None  
ABSTAIN: None  
ABSENT: None

**REGULAR**

**Item No 8 Receive an Update Regarding the FY 2014/15 Municipal Service Review and Sphere of Influence (MSR/SOI) Work Plan; Provide Direction regarding the Scopes of Work for the Two MSRs to be Contracted Out this Fiscal Year, Including (1) the Combined City of Davis and Associated County Service Areas Study, and (2) the Combined Fire Protection Districts Study**

**Minute Order 2014-28:** The item was discussed and based on feedback from the Commission staff will be making modifications to the scopes of work for the two MSRs that will be contracted out during this fiscal year. No action was taken.

**Item No 9 Discuss and Comment on the Draft Agenda for the Shared Services Workshop Tentatively Scheduled to Immediately Follow the Regular Commission Meeting on October 23, 2014**

**Minute Order 2014-29:** The recommended action was discussed and the Shared Services Workshop was moved to early 2015.

Approved by the following vote:

MOTION: Aguiar-Curry SECOND: Saylor  
AYES: Aguiar-Curry, Kristoff, Rexroad, Saylor, Woods  
NOES: None  
ABSTAIN: None  
ABSENT: None

**Item No 10 Executive Officer’s Report**

The Commission was given written reports of the Executive Officer’s activities for the period of July 21 through September 19, 2014, and recent events relevant to the Commission; including animal services, broadband, Yolo Leaders, selection of a new LAFCo Alternate City Member, the Cal APA Conference, the CALAFCO Conference and the LAFCo Handbook. Due to questions from the Commission, staff elaborated more on animal services.

It is not known yet if another request for proposal will be sent out. It was stated that the Executive Officer has reached out to and is waiting to hear back from several of the more local non-profit animal service providers to seek feedback on why they did not respond to the Request for Proposal and if there is anything staff could have included in the Proposal that might have changed the outcome.

Additionally, staff was waiting to give the Yolo Manager's Group an opportunity to discuss the matter at its monthly meeting and provide feedback to staff. The manager's did not have time to discuss animal services so staff is in the process of scheduling a special meeting with the managers to discuss next steps for animal services.

One of the issues up for discussion is that the most recent study revealed a number of overhead costs that were not previously being passed through to the cities and County. Also, the existing shelter is in serious disrepair and in need of significant capital improvements. Preliminarily, the County Administrator has indicated that those capital improvement costs will also need to be built into any contracts going forward. Contracts for animal services, which are currently on a two year cycle, are up for negotiations in July 2015.

**Item No 11   Commissioner Comments**

Commissioner Aguiar-Curry indicated that small steps have been made to move the broadband project forward in the City of Winters and thanked staff for all of their support.

**Item No 12   Adjournment**

**Minute Order 2014-30:** By order of the Chair, the meeting was adjourned at 9:42a.m. to the next scheduled meeting on October 23, 2014.

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Olin Woods, Chair  
Local Agency Formation Commission  
County of Yolo, State of California

ATTEST:

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Terri Tuck  
Clerk to the Commission





Consent 5.

**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Correspondence

**RECOMMENDED ACTION**

Receive and file the following correspondence:

- A. Thank you letter from CALAFCO Executive Director Pamela Miller regarding 2014 CALAFCO Conference.
  - B. CALAFCO Sphere Newsletter - October 2014
  - C. CALAFCO 2015 Events Calendar
  - D. CH&W Newsletter by Special Counsel Colantuono, Highsmith & Whatley, PC - Fall 2014
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**Attachments**

[CALAFCO Thank You](#)  
[CALAFCO Sphere Newsletter](#)  
[CALAFCO 2015 Events Calendar](#)  
[CH&W 2014 Fall Newsletter](#)

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 10/30/2014

Started On: 10/30/2014 12:33 PM

RECEIVED

OCT 27 2014

YOLO LAFCO

October 28, 2014

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Yolo LAFCo  
625 Court St., Suite 203  
Woodland, CA 95695

Dear Chair Woods and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and staff the opportunity to attend the CALAFCO 2014 annual conference.

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

Thank you again for your participation in the CALAFCO 2014 annual conference. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,



Pamela Miller  
Executive Director

# The Sphere

October 2014

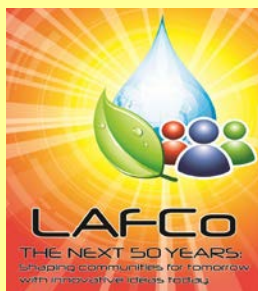
## ANNUAL CONFERENCE EDITION

2014 Report to the  
Membership

Associate Members'  
Corner

Legal Perspectives

Message from the Chair:  
CALAFCO  
Looking to the Future



## CALAFCO Welcomes Tehama LAFCo to the Association

By Pamela Miller, CALAFCO Executive Director

The Association is proud to welcome Tehama LAFCo into the CALAFCO family. Located in the middle of the northern region, Tehama County's population of approximately 63,000 enjoy just under 3,000 square miles of very diverse land. The Sacramento River cuts through the central portion of the county and is one of the largest salmon spawning rivers in the world. With more than 300 miles of trails (including 17 miles of the Pacific Crest Trail) and Lassen Volcanic National Park only forty-five miles to the east, Tehama County offers unlimited recreational opportunities. There are three incorporated cities (Tehama, Corning and Red Bluff), all of which are represented on the LAFCo Commission.

During my visit with Commission Chair Clay Parker (and Councilmember for Red Bluff) and Executive Officer (EO) Sean Moore, AICP, I had the opportunity to drive through Red Bluff's quaint downtown area. Aside from the "at-home" feeling I got, what impressed me the most was there were few vacancies in the stores and buildings lining downtown's main street. I felt like I had taken a step back in time.



Having taken on the responsibility of chairing the Commission as a brand new Commissioner, Clay is now well into his second term as Chair. He enjoys the LAFCo work. "I want to make sure that our decisions don't adversely affect any of our special districts, so we work hard to make sure that nothing falls through the cracks."

As the County's Planning Director, Sean is no newcomer to ag land preservation, which is an experience that benefits him in his role as EO. He says there are strong policies in place to help guide the LAFCo when dealing with significant issues such as water and future growth. When considering any future growth, Sean says, "We make sure we've fully planned ahead, and

*Continued on page 10*

# The Sphere

CALAFCO Journal

October 2014

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

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To submit articles, event announcements, comments or other materials noteworthy to CALAFCO commissioners and staff, please contact the Editor at 916-442-6536 or [info@calafco.org](mailto:info@calafco.org).

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

1215 K Street, Suite 1650  
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916-442-6536

[www.calafco.org](http://www.calafco.org)

## FROM THE CHAIR OF CALAFCO



**Mary Jane Griego**  
Chair of the Board  
CALAFCO

Take a look at the intensity of issues currently facing our state – the lagging economy, scarce resources and a prolonged drought – and the vital mission of CALAFCO becomes increasingly clear. Suffice it to say that the foundational work we accomplished over the past 50 years was crucial but not nearly as important as the work we will do together over the next half a century. So the lessons learned in the past will be useful in molding our approach to the services we provide.

It has been especially great to work with Pamela Miller and glean from her a better understanding of our potential as an organization to assist the 58 counties we represent. She played a huge role in expanding our influence in the halls of the Capitol, as demonstrated by CALAFCO's deep involvement in such landmark issues as the recent groundwater legislation, which will benefit California for decades to come.

Many of our past efforts will likely be seen as good practice for the tasks that lie ahead of us, since we can expect to confront some of the same issues over the coming years. It will again be prudent to work diligently with each standing administration to encourage a focus on steadfast fiscal responsibility and management of budgets that result in strong and secure reserves. On the flipside, we will need to demonstrate a willingness to prioritize our "wants" and take the lead in making tough decisions that preserve the state's safety net.

So, in the same way we devoted last year to reflect upon the previous 50 years of CALAFCO accomplishments, it's now time to shift our gaze to the future and make sure we continue to be an ongoing and reliable influence on the way California is governed. We have positioned our organization as the information hub for California counties, and that makes us a valuable resource to those who form statewide policy. We need

*It's now time to shift our gaze to the future and make sure we continue to be an ongoing and reliable influence on the way California is governed.*

to step up our efforts to be central to each conversation that has a pivotal impact on our counties and make certain we are there to offer up solutions.

Even as we move forward to take on these tasks, I want to pause long enough to express my gratitude for this opportunity to serve as your chair. Given the quality of CALAFCO's staff and the dedication of its board, I have no doubt we will accomplish great things together.

Thank you,

*Mary Jane Griego*



## **Weaving the CALAFCO Blanket with the Threads of Diversity**

I continue to be in awe of the diversity of our state and all of us who live here. The traces of what a melting pot California is are everywhere and undeniable.

One of my goals as the Association's Executive Director is to become and stay connected with all of you, our membership. In doing that, I gain a clearer perspective of the challenges faced in your respective areas and by your LAFCoS, and also to better understand how those challenges are being successfully met.

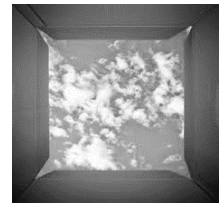
During my first two years, I've been fortunate to visit nine LAFCoS throughout all four regions, attend the Bay Area Executive Officers' meeting and the southern Region meeting, and talk with a number of our Associate Members. What I see and hear at each of these LAFCo meetings is truly representative of the diversity I'm talking about. The commissioners and staff, the people who attend the meetings, the Associate Members who provide services to LAFCoS, and the issues that each LAFCo deals with are unique in their own right, yet connected by the thread of the collective mission of LAFCo and the desire to somehow improve on what is already a pretty good thing – this sometimes wacky and always wonderful state of ours.

Being that melting pot brings its own set of challenges and problems, many of which are dealt with by LAFCoS. Albert Einstein said we cannot solve our problems with the same level of thinking we used when we created them. To solve the issues of today, we can no longer think our way out the same way we thought our way into them.

As we gather in Ontario this year, our conference focuses on shaping communities for tomorrow with innovative ideas today. We face many challenges today in our state – balancing growth with preservation of open space and ag lands; effectively managing our resources including water; providing for low resource communities; creating inclusion for all. Clearly today's issues are more complex than the ones faced in the last

50 years. All the more reason that we must raise our level of thinking for the next 50 years. There is no better way to approach the diverse nature of our challenges than with a more diverse level of thinking. What we need is diversity of thought to face the new challenges. Think about it...the most sustainable solutions come from a composition of diverse perspectives and viewpoints. Often times when there are disagreements on a particular issue and robust discussions occur, the results are creative and innovative solutions – because diversity is a valuable source of innovation and creativity.

This is true *if* we are open to the possibilities and opportunities that can come from this way of thinking. You've no doubt heard the saying, "Think outside the box." I challenge you to ask yourself, "What box? Where is the box?"



The reality is there is no box there. The box is something we have created for ourselves in the patterns of our own thinking. This is what Einstein is talking about – imagine the innovative and creative solutions that can come from totally unconstrained and diverse thinking – untethered by self-imposed constraints of possibilities.

It is that kind of thinking that will generate the solutions for today's problems in creating the kind of communities for tomorrow that we all want. Solutions that will be sustainable and systemic, diverse and inclusive.

I look forward to growing CALAFCO into an even stronger Association, for CALAFCO to be more of an instrument to facilitate the sharing of today's realities and the ideas and solutions for tomorrow. I look forward to visiting more LAFCoS and Associate Members in the coming year and beyond. So remember to leave the light on for me.

*Pamela Miller*

# California Voting Rights Act Applies to Charter Cities, Allows Injunctions for Elections

By Ryan Thomas Dunn

The Los Angeles Court of Appeal recently upheld a preliminary injunction under the California Voting Rights Act (“CVRA”) against the charter City of Palmdale requiring an end to at-large elections for City Council to improve the electoral chances of minority candidates. In doing so, the court held charter cities were subject to the CVRA and even allowed a court to enjoin a regularly scheduled election in enforcing the act. Ironically, the election result to be enjoined produced the City’s first African-American Councilmember.

The plaintiffs in *Jauregui v. City of Palmdale* alleged the city’s at-large elections diluted votes of Latino and African-American residents in violation of the CVRA. Plaintiffs presented statistical evidence from expert witnesses and evidence only one Latino and no African-Americans had served on the Council in a city which is 54% Latino and almost 15% African-American. The trial court found a violation of Elections Code section 14027, which prohibits at-large elections which result in the “dilution or abridgment of the rights of voters who are members of a protected class,” here Latinos and African-Americans. The city did not challenge on appeal the factual findings of vote dilution.

Before a hearing on remedy, the plaintiffs sought to enjoin the city from conducting the November 2013 election on an at-large basis. The trial court granted the injunction, in part, which the Court of Appeal construed to enjoin only certification of election results rather than conducted the election. Palmdale held its election and the Court of Appeal then heard its appeal.

The city asserted two points on appeal: (1) the CVRA does not apply to charter cities; and (2) statute prohibits injunctions that prevent public officials from fulfilling ministerial duties, such as conducting elections.

In rejecting Palmdale’s contentions, the court considered whether the city’s charter provisions could contradict a state statute in this instance. The Court of Appeal agreed with the city that its charter’s at-large provision addressed a municipal affair, but found an actual conflict between the

CVRA and the charter provision because that charter provision, as it applied to Palmdale, impaired the ability of a protected class to select candidates of its choice and thus amounted to illegal vote dilution. The court also held that, the CVRA addressed a matter of statewide concern because preventing vote dilution in any city “goes to the legitimacy of the electoral process.” The CVRA is also narrowly tailored, the court held, because it “can necessarily only interfere with municipal governance when vote dilution is present.”

The court also rejected Palmdale’s argument from state law prohibiting injunctions against performance of official duties, holding the CVRA provision allowing courts to “implement appropriate remedies” to allow the injunction against the City’s certification of the results of the at-large election of November 2013.

The City has sought review in the California Supreme Court. If the Supreme Court does not take the case,

*Jauregui* will stand as strong precedent that charter cities are bound by the CVRA and that trial courts have wide discretion to prevent at-large voting when there is evidence of vote dilution, which in effect could prohibit at-large voting in cities with significant minority populations. It is notable that Palmdale did not challenge the finding of vote dilution on appeal, and the *Jauregui* court made no ruling on that point.

Plaintiffs’ lawyers are bringing cases under the CVRA against cities, school districts and other local governments around the State with significant minority populations to bring an end to at-large elections. Cities with diverse electorates which rely on at-large elections may wish to consult legal counsel about the requirements of the CVRA.

*Ryan Thomas Dunn is an attorney for the law firm Colantuono, Highsmith & Whatley. For more information on this topic, contact Ryan at 213/542-5717 or rdunn@chwlaw.us.*



# The Smoke Has Cleared: How San Bernardino LAFCo Established Fire Protection Service to Baldwin Lake

By San Bernardino LAFCo

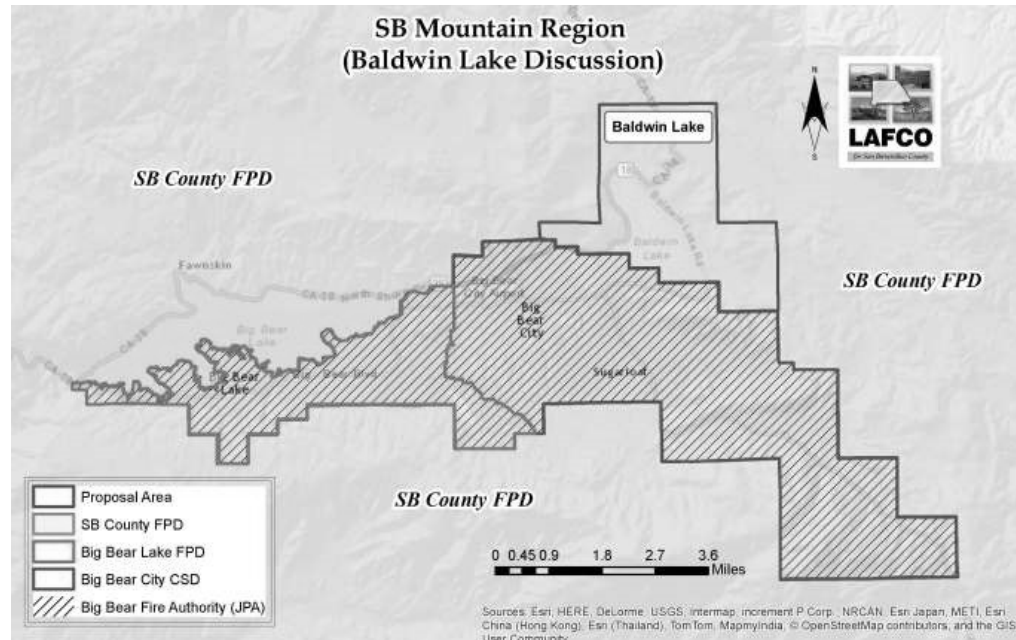
According to the California Department of Forestry and Fire Protection, there have been nearly 1,000 fires this year alone. While California and its firefighters face a perfect storm of hot temperatures and low precipitation, LAFCOs statewide are also facing heated discussions about fire protection. Recently, San Bernardino LAFCO (“SB LAFCO”) successfully processed the annexation of the Baldwin Lake community to the Big Bear City Community Services District (“BBC CSD”). Needless to say this proposal was not a simple annexation. It was a complex reorganization resulting from multiple “sparks” throughout the years. The focus on fire service in the San Bernardino Mountain Region smoldered for over 20 years until the summer of 2014.

## Background

The San Bernardino Mountain Region consists of several communities including the City of Big Bear Lake and the unincorporated communities commonly known as Big Bear City, Baldwin Lake, Erwin Lake, Lake Williams, Fawnskin, Sugarloaf and Moonridge. The overall territory encompasses approximately 65 square miles and within that area five (yes, five) service providers deliver fire service – three special districts, Cal Fire and the U.S. Forest Service.

Since the early 90s, our Commission has conducted meetings and negotiations with the local fire agencies: County Fire, Big Bear Lake Fire Protection, a subsidiary district of the City of Big Bear Lake, and the Big Bear City Community Services District (“BBC CSD”).

Throughout these discussions our staff emphasized the position of State law and SB LAFCO that efforts for change should revolve around simplifying the delivery of fire protection and emergency medical response by moving toward a single fire service provider. It has been a long -- some might even say rigorous -- journey but small victories have been achieved. The 2011 service review of the San Bernardino Mountain Region really put the spotlight on the benefits of a single, regional service provider for these communities. One of the most recent triumphs as a result of the



service review was the creation of the Big Bear Fire Authority (a Joint Powers Authority composed of the Big Bear Lake Fire Protection District and BBC CSD). The 2012 collaborative effort phased in historical feats including the shared use of a fire chief and administrative staff and blending of operations and resources. Yet, with these meetings hitting a dry-spell as of late, a new fire burst onto the scene in the shape of an application to form a new independent fire district.

## Small Mountain Community

Baldwin Lake is a small yet dense mountain community with approximately 2,000 residents. Even though Baldwin Lake was within the service boundary of County Fire, residents wanted to have local control and eventually formed their own non-profit volunteer fire department in 2007. Similar to other local organizations around the state, the economy impacted the small community. The Baldwin Lake Volunteer Fire Department

continued to face depleting revenues - only to be subsidized by a handful of resourceful residents. However, as the financial drought became more prominent and resources dwindled, the volunteer department feared possible reduction in service delivery. The community sought a sustainable government structure, and independence was at the top of the list. In April 2013, six years after the department was initially formed, members of the Baldwin Lake community submitted an application to SB LAFCO to reorganize the delivery of fire protection and emergency medical response within their community by registered voter petition. The original proposal envisioned the creation of a new independent fire protection district for the Baldwin Lake community with an independently-elected board of directors to take over responsibility for the volunteer fire department. More importantly, the reorganization would include detachment from County Fire with a transfer of property taxes and the imposition of a special tax to provide for a consistent revenue stream (i.e. property taxes).

After reviewing the specific formation guidelines adopted by the Commission and discussing staff's recommendations, the Commission modified the proposal to consider annexation to the Big Bear City CSD first and determined that if the annexation to the BBC CSD and its related changes were terminated due to protest, that the Commission would authorize the waiver of the one year filing restriction on a substantially similar proposal (i.e. formation of a new district).

#### **LAFCO Outreach & Community Input**

The Commission's approval to modify the proposal also directed staff to conduct a community meeting and request resident feedback through mailed surveys. Over 60 residents attended the workshop and approximately 50 survey responses were sent back to SB LAFCO. The circulated survey had two simple questions: (1) Which option would you prefer (a) Annexation to the Big Bear City CSD with a cost of approximately \$120 per developed parcel; (b) Formation of the Baldwin Lake Fire Protection District with an estimated cost of \$180 per developed parcel or (c) Status quo under County Fire; and (2) Would you support the creation of a single fire provider within the mountain region – yes or no. In the end, the position taken in response to Question #1 did not provide a clear direction on the question of annexation; however, the support for a single fire provider for the area was

overwhelming with 65% responses in favor of a single fire provider. Historically the communities, most notably Baldwin Lake, opposed inclusion within the BBC CSD.

#### **Final Outcome**

The Commission now possessed all the information available to make a sound decision. Following the June 2014 hearing, the Commission approved the annexation of the Baldwin Lake community to the BBC CSD. As we all know in the LAFCO world, the fun was not over yet. Staff did not receive any new information during the 30-day request for reconsideration but did receive several petitions during the protest period. To the surprise of several status quo proponents and some annexation supporters, only 2.19% of landowners (totaling 1.30% land value) and 1% of registered voters opposed the reorganization: the decision was final. After the smoke cleared, the residents of Baldwin Lake got what they wanted and were now part of a sustainable government entity.

*So why is this important?* The potential formation of another fire district would add only another provider to an already complex situation. Additionally, the residents within the mountain area historically viewed themselves as individual communities and scoffed at merging any sort of service or entity. Yet, for the first time these residents voiced consensus for proper service delivery. In hindsight as communities mature and learn from past experiences, so do we as LAFCOs. While the Commission and staff suit up to battle the next fire, we see this reorganization as a long-awaited success story.

Today the skies are clear.





# An Inconvenient Truth: What CEQA Requires, and Many LAFCo's Ignore, in Preparing SOI Updates

*Author: P. Scott Browne*

Former Vice President Al Gore chose to title his award-winning documentary on global climate change “An Inconvenient Truth.” This title was chosen to reflect his perception that, while the fact of global climate change was clearly established by science, many, particularly in the political field, chose to deny or ignore it because it would require unpopular or expensive remedies. The film proceeds to depict the dire consequences if we continue to deny or ignore the problem of excess CO<sub>2</sub> production.

We, in the small world of LAFCo land, have our own “inconvenient truth.” Though not as cataclysmic as global climate change, it nevertheless is an important issue that is, at least in my experience, being frequently ignored or denied because it would require burdensome expense and staff time, not to mention political will to do the right thing when something less would pass. That truth is that, in many instances, when LAFCo acts as lead agency and adopts a sphere of influence update, it should be preparing an environmental impact report (EIR) or supplemental environmental impact report (SEIR). As I will discuss below, I believe that is what the CEQA statute, CEQA guidelines, and case law frequently require. Yet I see very few EIRs being prepared in connection with sphere updates. The avoidance of EIRs persists because LAFCo sphere CEQA decisions are seldom challenged. Nevertheless, staff and commissioners should be aware that the practice puts your LAFCo at significant risk of losing if its sphere decision is challenged under CEQA in court.

Very few staff and even fewer Commissioners like preparing environmental documents, much less environmental impact reports. We at LAFCo are usually sheltered from the CEQA process by our limited role as a responsible agency of reviewing the environmental document prepared by the lead agency. We are therefore less familiar with the process of actually creating such documents and hesitant to embark on the major task that preparing



an EIR may entail. EIRs are expensive, take significant staff time, delay completion of the project, and are frequently perceived as having limited or no impact on the final action. Therefore, quite understandably, the resistance to preparing such documents is high.

Unfortunately, the Cortese Knox Hertzberg Act (CKH) imposes the responsibility for preparation of sphere updates primarily on LAFCo. Because it is LAFCo's project, LAFCo by law is normally the lead agency for the update under CEQA.<sup>1</sup> So unless a LAFCo can persuade the affected agency to assume that burden, it falls on LAFCo to comply with CEQA when preparing the update.

When faced with the task of acting as a lead agency on an SOI, the tendency is to take the simplest possible route. This usually means attempting to get by with a categorical exemption or negative declaration. I have heard a number of common justifications for this approach: 1) a sphere is just drawing lines on paper—how can that create significant environmental impacts? 2) the environmental impacts of any actual development will be reviewed under CEQA when the project moves forward so we don't have to consider those impacts at this stage; 3) the sphere is hardly changed from the old sphere so we only have to look at the minimal impacts produced by the minor change in

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<sup>1</sup> I certainly have seen LAFCo's shift the responsibility for initial drafting of the SOI and CEQA document back on to the cities and occasionally other agencies. §56425(b) specifically discusses city applications for sphere updates. As long as the proper formalities of an actual application by the City are followed, then LAFCo may be able to properly limit its CEQA role to acting as a responsible agency for a City SOI update. However there is no similar authority for special districts. The only legal authority in CKH for district involvement is through a formal application for a “sphere amendment” pursuant to §56428. Even if that procedure were legally viewed as including a sphere update, few districts are willing to shoulder the burden of preparing their sphere update by initiating it as a sphere amendment.

the sphere line or 4) the impacts have all been addressed in the County/City's general plan and EIR and we can just refer to those documents in our negative declaration.

However inconvenient, the truth is that none of these justifications is, in my humble opinion, supported by the present state of CEQA law for most sphere decisions. If the LAFCo action is challenged, it would be likely be overturned.

Looking at the first justification, yes, in a literal sense, a sphere is a line drawn on a map and involves no direct physical change to the environment. However, the courts have long since dismissed this simplistic argument. As the California Supreme Court noted in the landmark case of *Bozung v LAFCo*, (1975) 13 Cal.3d 263, such "government paper shuffling" can have significant consequences in the real world. Whether a farm is included in a city or sewer district sphere can make the difference between its eventual conversion to McMansions or its preservation for agricultural production. See the *Bozung v. LAFCo* case and *City of Livermore v. LAFCo* (1986) 184 Cal.App.3d 53. About the only situation where this argument almost always makes some sense is spheres for cemetery districts.

The second argument - that CEQA review can be minimal at the SOI stage because any development contemplated in the sphere will be subject to later environmental review - has also been rejected by the courts. The California Supreme Court in *Bozung* noted that CEQA requires that "at every level of government" decision makers take into account the effects on the environment of their decisions. Consequently the courts and CEQA guidelines make it clear that such later CEQA review cannot be used to avoid consideration of the broader impacts at the policy decision embodied in the sphere. This same argument was made with respect to general plan adoption and was strongly rejected by the courts. (*Christward Ministry v. Superior Court* (1986), 184 Cal.App.3d at page 194; see also *Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4th 351, 370-371)

The third justification for avoiding an EIR is to assume that the baseline for environmental evaluation is the existing sphere or general plan

land-use designations. Then the only impacts that need to be considered are those aspects of the new sphere that constitute changes from the old sphere or that alter development contemplated by the general plan. This is frequently the scenario under the SOI "affirmation" approach.

The problem with this approach is that it also is inconsistent with the requirements of CEQA. The required baseline established in the CEQA guidelines §15152 is "the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation for the project is published..." The courts have made it very clear that it is not differences between planning documents that are to be evaluated in the environmental review. It is the difference between the future development permitted by the new or "affirmed" SOI plan with what is currently *on the ground*. (*Environmental Planning & Information Council (EPIC) v. County of El Dorado* (1982) 131 Cal.App.3d 350, 358) Even where land has been designated for urban development for many years and is a part of an existing SOI, if it is still undeveloped and the sphere plan will facilitate its development, then the environmental analysis for the SOI update must consider the impacts of that development. This means that an EIR is almost certainly required where any significant undeveloped land is included in the sphere for cities and for other agencies that are providers of services such as sewer or potable water that are critical for development.

The final refuge from the dreaded EIR is commonly to rely upon or incorporate the applicable city or county general plan EIR into a negative declaration for the sphere environmental analysis. That general plan EIR can presumably take care of all of the indirect growth-inducing impacts facilitated by the service expansion proposed in the sphere since the impacts of that growth were already addressed by the county or city in the EIR. LAFCo can then simply adopt the negative declaration with that incorporation and move on.

This can work in some limited circumstances where the EIR being relied upon is reasonably current and finds that there are no unavoidable significant impacts remaining after mitigation. Such a finding is rare in EIRs for general plans.

Almost every general plan EIR that I have encountered makes a finding that certain impacts - even after mitigation - such as farmland conversion, impact on air quality, impact on wildlife or traffic, are significant and unavoidable. The agency is then required to make an overriding finding under PRC§21083 and 15093 of the CEQA Guidelines. These regulations require a finding of social or economic considerations that justify approval of the project notwithstanding the significant unavoidable impacts that will result.

If a LAFCo wants to rely upon an EIR that does not identify significant and unavoidable environmental impacts from the planned growth, both case law and the statute make clear that such reliance can only be done in the context of another EIR or Supplemental EIR (SEIR), if the subsequent project will contribute to those unavoidable significant impacts. This is because it is only through the EIR process that the LAFCo can make overriding findings to address the unavoidable significant impacts identified in the EIR being relied upon. As the Court of Appeal said in *Communities for a Better Environment v. Resources Agency* (2003) 103 Cal.App.4th 98

*“Even though a prior EIR’s analysis of environmental effects may be subject to being incorporated in a later EIR for a later, more specific project, the responsible public officials must still go on the record and explain specifically why they are approving the later project despite its significant unavoidable impacts.” (id at pg 124-125)*



See also PRC Section 21094 which authorizes tiering off EIRs and specifically Subdivision (a)(2) which

was amended in 2010 to allow agencies to incorporate the overriding findings from a prior EIR in a subsequent tiered EIR or “focused EIR.” This does not allow use of a negative declaration as the base for such findings. See also Guideline

sections 15175 to 15179.5 which authorize tiering off a Master EIR but only allow use of a negative declaration where all impacts can be mitigated below the level of significance and the Master EIR is less than 5 years old.

The good news is that the supplemental EIRs (SEIRs) or focused EIRs required for such SOIs are often much simpler than the massive general plan EIRs that they rely upon. For most impacts, the SEIR or Focused EIR can simply summarize the general plan EIR and repeat their conclusions. Issues arise when the SOI contains territory not covered by the general plan EIR. This may require referring to more than one general plan EIR or supplementing the analysis for the additional territory. Here again, because of the relatively “high level” and broad nature of SOIs, the environmental impacts can be analyzed in a fairly broad fashion.

Another issue arises when the general plan EIR being relied upon was done before greenhouse gas emissions (“GHG”) were required to be analyzed. CEQA Guidelines §15064.4 setting forth the required GHG analysis under CEQA was adopted in 2009, effective in 2010. If the EIR being relied upon was prepared without that analysis, LAFCo would be required to do a GHG analysis of the growth facilitated by the extension of services proposed in the SOI as part of the SEIR.

Notwithstanding these complications, case law and current CEQA guidelines all point to the need to do an EIR or SEIR for most spheres of influence that propose extension of public services to undeveloped areas that will facilitate or induce urban development. We ignore this inconvenient truth at our peril.

*Scott Browne is the Principal of the Law Offices of P. Scott Browne. He is also legal counsel to a number of LAFCOs including Butte, Colusa, Lake, Nevada, Plumas and Solano. He can be reached at [scott@scottbrowne.com](mailto:scott@scottbrowne.com) or 530-272-4250.*



## Welcome Tehama LAFCo

*Continued from cover*

everything is in place to effectively and efficiently handle that growth.”

When asked about the LAFCo’s challenges, Tehama LAFCo is not unlike many others. They are focusing efforts in service reviews and trying to get a clear picture of the spheres and services of their many special districts. Tehama is a small LAFCo that sees few applications; Sean indicates that when they do get one, it is typically an unusual situation.

Both Sean and Clay appreciate the resources available to them as an Association member, especially the EO list serve. For the first time, this year we will welcome Tehama to the Annual Conference as a full LAFCo Member and Voting Delegate; Tehama’s Vice Chair and County Supervisor Bob Williams will participate as a panelist in one of the breakout sessions.

## CALAFCO Associate Member Corner

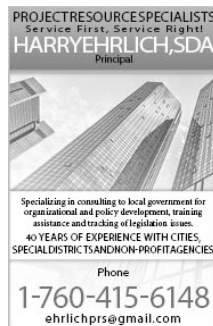
CALAFCO deeply appreciates our Associate Members and, beginning with this Edition, we will highlight several of our Associate Members in each Newsletter.

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

### Gold Associate Member

#### Project Resource Specialists

We want to acknowledge Harry Ehrlich and *Project Resource Specialists*, which recently transitioned from a Silver to Gold Associate Member. *Project Resource Specialists* provides management and legislative support to all levels of local government including Municipal Service Reviews, agency organization, and project management support.



### Silver Associate Members

#### HdL Coren & Cone



HdL Coren & Cone provides property tax services to cities, counties and special districts. They are very familiar with county property allocation systems and redevelopment (and its dissolution). They have property tax data in 40 California counties going back as far as 25 years.

#### Planwest Partners, Inc.



#### Planwest Partners Inc.

provides contract LAFCo staffing services to multiple LAFCos. This includes preparing and conducting Municipal Service Reviews and SOI updates, public noticing, environmental documents, GIS, fiscal and economic studies, website management, application processing, facilitation and training. George Williamson is the Principal at *Planwest Partners*.

#### Regional Government Services Authority (RGS)



*RGS's* model is a perfect fit for new city/district start up or LAFCo seeking alternative commission staffing. They are a JPA providing Interim & Long Term public agency professionals including: HR, Payroll or Finance.

#### SWALE Inc.



*SWALE's* services include efficient analysis of boundaries and districts in MSRs; knowledgeable solutions to water resource issues; collaboration with Commissioners and elected officials; creative and inclusive methods of engaging the public; experienced problem solving for land-use issues; readable maps using GIS; and straightforward fiscal and economic studies; all powered by the *SWALE Inc.* Consulting Team.

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



### Dear CALAFCO Members:

We are proud to report to you that the Association continues as a strong, vibrant educational resource to members and as an advocate for LAFCo and LAFCo principles to statewide decision makers. In 2014 the Association maintained a high level of educational services as well as a healthy agenda of legislative issues. During the year we saw active involvement of LAFCos from around the state and had the pleasure of welcoming Tehama LAFCo into the Association! We remain proud of both the program quality and participation in the Staff Workshop and the CALAFCO U courses. San Bernardino LAFCo and the Annual Conference planning committee have done an outstanding job with the 2014 Conference. Finally, the Association remains on solid financial ground. The 2014/2015 adopted budget maintains member service levels and retains a healthy reserve.

Our achievements continue to be the result of the dedicated efforts of the many volunteer LAFCo staff who contribute their time and expertise. The Board is grateful to the Commissions that support their staff as they serve in the CALAFCO educational and legislative roles on behalf of all LAFCos. We are also grateful to the Associate Members and event sponsors that help underwrite the educational mission of the Association and allow us to keep registration fees as low as possible to encourage more participation.

### EDUCATIONAL SERVICES AND COMMUNICATION

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

#### *Staff Workshop and Annual Conference*

We continued the tradition of quality education programming with the Staff Workshop held in Berkeley in April and the Annual Conference in Ontario in October. The Workshop, hosted by Alameda LAFCo with support from the Bay Area LAFCos, brought together 106 LAFCo staff from around the state for a three-day workshop at the DoubleTree by Hilton in the Berkeley Marina. With 42 LAFCos and 6 associate member organizations represented, it was one of the higher workshop attendances. An exceptionally diverse program centered on the theme "*Building Bridges to the Future: Collaboration and Cooperation.*" This year's program included a range of both technically-oriented

topics and professional development topics, including collaborating and influencing others, creating and delivering more effective staff reports, two sessions on MSRs, and a look back as we walked with LAFCo "dinosaurs". Again this year a special series of sessions was specifically designed by and for clerks. The distinctive mobile workshop was a boat tour of the new span of the Bay Bridge with a very unique and close-up look at the new part of the bridge. The workshop closed with a unique legislative panel consisting of legislative representatives of our sister Associations: League of CA Cities, CSAC, and CSDA. We would like to thank *Steve Lucas* (Butte LAFCo) who chaired the Program Committee, *Mona Palacios* and *Sandy Hou* (Alameda LAFCo), and all who worked to make this an outstanding staff workshop.



Over 200 LAFCo commissioners and staff are expected at the 2014 Conference in Ontario. Hosted by San Bernardino LAFCo, the program centers on the theme "*LAFCo the Next 50 Years: Shaping Communities for Tomorrow With Innovative Ideas Today*" and includes a range of sessions focused on sharing creative and innovative perspectives on facing the challenges of tomorrow. Sessions include a close look at water, in particular groundwater basins and new state legislation governing them, as well as policies and practices for water supply and analysis. Other sessions include using next generation technology, understanding the complex world of cyber security, looking closely at LAFCos' relationships with JPAs and COGs, the protection of our mineral resources, hearing best practices on shared services and conducting SOIs, gaining skills in engaging the public in LAFCo actions, and better understanding how to create staff performance evaluation processes that create value. The conference will open with a "walk with dinosaurs" and close with a powerful legislative update that includes panelists from both the Assembly Local Government Committee (ALGC) and the Senate Governance and Finance Committee, along with a special appearance by Assemblymember Katcho Achadjian, Chair of the ALGC.

For the first time this year, we opened up the LAFCo 101 session for attendance at a deeply discounted rate to those who are not attending the full conference. This allows agencies to send staff and elected officials to this very special 2-hour session on understanding and applying the basics of LAFCo.





We acknowledge and thank San Bernardino LAFCo for hosting the Conference, its Executive and Assistant Executive Officer for all of their hard work: **Kathy Rollings-McDonald** and **Sam Martinez**, the Conference Committee Chair **James Curatalo** (San Bernardino), and all who are working on the Program and Host Committees to make this an outstanding Conference.

### **CALAFCO University**



This year there were four CALAFCO U courses scheduled. The courses allow staff, commissioners and other interested parties to explore in depth LAFCo processes, policies and actions. In February of this year the Association hosted a session in Ontario on *Protest Provisions* which was well attended. The session scheduled for June on *LAFCo Best Practices and Greatest Hits* was cancelled due to a low interest level. In August Sacramento was the spot for the next CALAFCO U on *Ag Preservation*, another very well attended session. The final session for 2014 is set for December 8 in Sacramento and will feature an impressive panel of LAFCo attorneys to guide us through the *Legal Interpretations of CKH*.

The low enrollment of the June session prompted CALAFCO to survey the Executive Officers to better understand their educational needs and how we could better design educational offerings that generated the highest level of value. The results indicated that it would be better if CALAFCO offered fewer sessions and rotated the location of the offerings. The CALAFCO Board received the full report and concurred with staff's recommendation to offer two CALAFCO U sessions per year and add additional offerings as the need arises.

These courses are possible only with the volunteer efforts of LAFCo staff and Associate members. Thank you to all who contributed to the classes. A special thanks to **David Church** (San Luis Obispo LAFCo) who has been the lead in coordinating CALAFCO U this year.

### **Accreditations**

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

### **Web Site**

The CALAFCO web site is a vital resource for both LAFCos and the community with questions about local government in California. The site consistently attracts between 5,500 and 6,500 visits per week. The vast majority of the visits are for the reference and resource materials found on the site and referral information to member LAFCos. This was the second year of the new website, and we faced a number of challenges. It is a priority for the Association to ensure a secure and stable website and email exchange, and this will be a top priority for CALAFCO staff as we close out 2014.

### **List-Serves**

The list-serves maintained by the Association continue to be an important communication and information sharing tool among LAFCo staff. In total, we maintain eight list serves to help members share information, materials, and expertise.

### **Quarterly Updates**

After each Board meeting, the Association's executive director creates and distributes through the list serves a quarterly report on the activities of the Board and Association. These quarterly reports will be enhanced in the coming year as fewer editions of *The Sphere* are created. These bulletins provide informational updates in a timelier manner and at less cost to the Association.

## **LEGISLATIVE PROGRAM**

While CALAFCO sponsored only one bill, this year's legislative session ended up to be a very busy one for CALAFCO. We were involved in the many stakeholder meetings on the groundwater legislation as well as responding to a number of gut and amend bills that impacted LAFCos. The CALAFCO Legislative Committee began work in November and met regularly throughout the year. The top priority of the Legislative Committee was **AB 2762**, the Assembly Local Government Committee Omnibus bill. This year the bill contained eight different changes to Cortese-Knox-Hertzberg such as clarifying several definitions, making changes to obsolete and incorrect code references, and making minor updates to several outdated sections. Perhaps the most substantial change was made to the independent special district selection committee process. CALAFCO worked closely with CSDA for several





months to ensure that these changes were acceptable to their membership. The bill was signed by the Governor on July 9. We are grateful for the efforts of Legislative Committee member *Paul Novak* (Los Angeles LAFCo) and Assembly Local Government Committee associate consultant *Misa Yokoi-Shelton* for their efforts on shepherding this bill.

Highlights of other legislation on which we worked include:

- **AB 1527** (*Perea*) Substantially amended several times, the bill required the State Water Resources Control Board to provide incentives for the consolidation of public water systems based on LAFCo studies, and to adopt a policy handbook. Eliminated from an earlier version of the bills was the provision that LAFCos be added to the list of eligible entities for receiving grant funding from the Strategic Growth Council. However it still acknowledged the importance and usefulness of Municipal Service Reviews at the state level by requiring the Board to use that data in their processes of consolidation incentives. Ultimately the bill was vetoed by the Governor because the new provision would be repealed. As the bill was amended numerous times, CALAFCO's position changed, ultimately ending in a Support.
- **SB 614** (*Wolk*) This was a gut and amend initiated by the League. The bill is intended to provide an incentive to cities to annex disadvantaged unincorporated communities by creating an option for a funding mechanism using a property tax sharing agreement by affected entities and ensuing tax increment. The bill allows LAFCo to consider, as part of the application, the formation of a new district or the reorganization of an existing district, but only if all of the affected agencies are in agreement. Further, the bill allows a consenting local agency to advance funds to the special district for the sole purposes outlined in the annexation development plan (for specific infrastructure upgrades). There is a ten year sunset on the provisions created by this bill. CALAFCO spent over two months working closely with Senator Wolk's staff and the staff of the Senate Governance & Finance committee on amendments to the bill. All of CALAFCO's concerns were eliminated and ultimately CALAFCO's position was one of Support. The bill was signed into law on September 29.
- **AB 1521** (*Fox*) This bill would have reinstated the VLF payment (through ERAF) and changed the way that the growth in the VLF adjustment amount (property tax in lieu of VLF) is calculated starting in FY 2014-15 to include the growth of assessed valuation, including in an annexed area, from FY 2004-05 to FY 2014-15. Beginning in FY 2015-16, the VLF adjustment amount would have been the jurisdiction's annual change in the assessed valuation. Marked as an urgency bill to take effect immediately, the Governor vetoed the bill stating it would not be prudent to authorize legislation that would result in long term costs to the general fund that this bill would occasion. CALAFCO Support.
- **SB 69** (*Roth*) The bill called for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. There were no provisions for back payments for lost revenue, but the bill did reinstate future payments beginning in the 2014/15 year for cities that incorporated between 1-1-2004 and 1-1-2012. The Governor also vetoed this bill for the same reasons as noted for AB 1521. CALAFCO Support.
- **AB 2156** (*Achadjian*) The bill writes Joint Power Authorities into CKH through definition of both, and as entities from which the LAFCo is authorized to request information for studies, and requires the JPA to respond to the request for information. The bill was signed into law on June 4. CALAFCO Support.
- **AB 1739** (*Dickinson*) and **SB 1168** (*Pavley*) CALAFCO engaged in the months of stakeholder meetings on these two pieces of legislation. With a number of concerns about both bills early on, we shared those concerns and were able to get them written out of both bills. In early July the Board had an opportunity to receive a presentation on these landmark bills from Assm. Dickinson's Legislative Director Les Spahn, ACWA Board member Matt Hurley, and participating co-author of AB 1739 Ryan Bezzera. CALAFCO's concerns were once again heard. As a result of those amendments, our concern was removed and no position was taken. Both bills along with a third bill (SB 1319, Pavley) were signed into law September 16.

For a complete list of CALAFCO bills, please visit the CALAFCO website. Information is updated daily.

The Legislative Committee is currently working on several substantial legislative proposals approved by the Board that will likely be introduced in 2015:



- *Protest Provisions, Phase II:* Retaining the existing protest and election statutes and adding new streamlined provisions that can be followed based upon local conditions and circumstances. The goal of this streamlining is to create a clearer, more purposeful and transparent process when making important electoral-related decisions.
- *Strengthening the relationship between LAFCoS and JPAs:* Building on this year's AB 2156 (Achadjian), JPAs would file their agreements with LAFCo and, should the LAFCo desire, be included in MSR studies.
- *Disincorporations:* The current law is antiquated and in dire need of updating, so a working group from the Legislative Committee was formed to look at this issue.

**FINANCIAL POLICIES AND REPORTING**

The Association continues to stand on a strong financial base. The Board maintains policies and current filings which are in compliance with all federal and state requirements for 501(c)(3) organizations. The CALAFCO Policy Manual, IRS Form 990 and other key Association documents are available on the CALAFCO web site. The Association also maintains its records with the national non-profit reporting organization, GuideStar ([www.guidestar.com](http://www.guidestar.com)). In 2014 CALAFCO once again earned the *GuideStar Exchange Gold Seal* in recognition of its transparency and completeness in documentation.

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

**2014-15 Budget**

The Board continues to manage the financial resources of the Association closely. This year LAFCo dues were increased by the CPI as authorized in the Association Bylaws. While only a 1.5% increase, the Board felt it was necessary to keep up with the increasing costs of operating the Association.

The adopted budget for 2014-15 provides only minor changes from the 2013-14 budget. The close of the fiscal year showed a slightly greater year-end balance than anticipated in the adopted budget, allowing the Association to once again avoid the use of reserve. The approved budget is \$368,273, which includes a \$43,970 contingency.

The Board approved several small allowances for the use of contingency funds this fiscal year to include

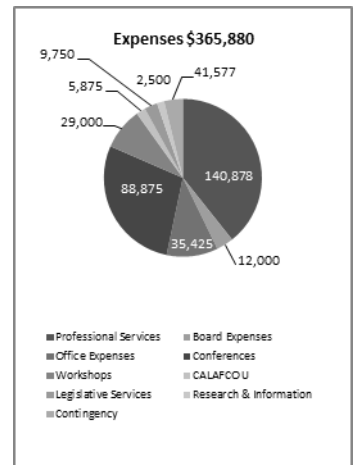
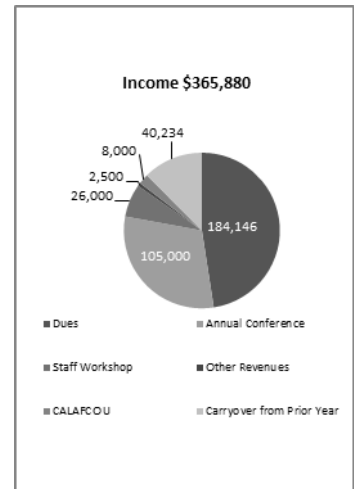
assistance in archiving old Association records, purchasing new office equipment, and the aid of outside legal counsel. In total, the approved funds should not exceed \$5,800 (or 15%) of the total being held in contingency.

For fiscal year 2014-15, there are small increases in rent, professional services, and legislative services expenses in the budget which are offset by increases in revenues from dues and returns from the conference and CALAFCO U as well as a reduction in office and research expenses. The budget is balanced and does not tap any reserve funds.

**Restricted Fund Reserve**

Since 2005 an important goal established by the Board has been to grow and maintain a fund reserve to support member services in uncertain economic times and to avoid the need to tap members for additional funds, as had been done in the past. With an initial goal of 35% of non-conference operating expenses, the reserve balance at the close of the 2013-14 fiscal year was \$150,754, about 62% of the annual operations budget outside of the Conference and Workshop. The reserve is not part of the annual budget and requires a vote of the Board to use its funds. The Association has not used the fund reserve since the early 2000s. CALAFCO maintains its funds with the Local Agency Investment Fund (LAIF). While the interest rate has remained low again this year, we have not lost any of the principal in our savings or investments. This year the Board amended the organization's policy regarding the reserve fund, changing from having a maximum of 25% held in reserves to having a minimum of 25% held in reserves.

Finally we want to recognize the leadership of our executive director **Pamela Miller** and executive officer **Marjorie Blom** (Stanislaus LAFCo). Added to that is our appreciation for all the contributions of executive





assistant *Jeni Tickler* in the CALAFCO office, deputy executive officers *Steve Lucas* (Butte LAFCo), *Sam Martinez* (San Bernardino LAFCo), and *David Church* (San Luis Obispo LAFCo), Legal Counsel *Clark Alsop* (BB&K), and CPA *Jim Gladfelter* (Alta Mesa Group). These people, along with many other volunteers, associate members, and members of the Board have all

worked together this year to bring many achievements and a strong Association to you, our Member LAFCos and Associate Members.

Sincerely Yours,

*The CALAFCO Board of Directors*



## *On the Horizon*



**2014 CALAFCO University**  
***LAFCo & the Law: Avoiding the Legal Pitfalls and Potholes of CKH***  
December 8, 2014  
Sacramento, CA

**2015 STAFF WORKSHOP**  
April 15 – 17, 2015  
Holiday Inn Express and Courtyard Suites  
Grass Valley, CA  
***Hosted by Nevada LAFCo***

**2015 ANNUAL CONFERENCE**  
September 2 – 4, 2015  
Hyatt Regency  
Sacramento, CA  
***Hosted by Sacramento LAFCo***

# The Sphere

CALAFCO Journal

CALIFORNIA ASSOCIATION OF LOCAL AGENCY  
FORMATION COMMISSIONS

1215 K Street, Suite 1650  
Sacramento, CA 95814

www.calafco.org



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

Sharing Information and Resources

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## The Year In Pictures Scenes from CALAFCO Activities

### CALAFCO Annual Conference 2013 Squaw Valley, CA



### CALAFCO Annual Staff Workshop 2014 Berkeley, CA



### LAFCO 50<sup>th</sup> Anniversary Symposium Sacramento, CA

Co-sponsored by CALAFCO and the UC Davis Extension for Land Use & Natural Resources



# 2015 Events Calendar

## JANUARY

- 21-23 California Association of Sanitation Agencies Conference (Palm Springs)
- 23 **CALAFCO Legislative Committee** (Sacramento)
- 29 **CALAFCO Board of Directors Strategic Retreat** (Irvine)
- 30 **CALAFCO Board of Directors Meeting** (Irvine)

## FEBRUARY

- 27 **CALAFCO Legislative Committee** (Conference call)

## MARCH

- 4 Association of CA Water Agencies Legislative Symposium (Sacramento)
- 20-22 Local Government Commission Ahwahnee Conference (Yosemite)
- 20 **CALAFCO Legislative Committee** (Ontario)

## APRIL

- 8-10 Fire District Association Annual Meeting (Napa)
- 15-17 **CALAFCO Staff Workshop** (Grass Valley)
- 27-28 California Assn. of Sanitation Agencies Legislative Policy Forum (Sacramento)
- 29 League of Cities Legislative Day (Sacramento)

## MAY

- 1 **CALAFCO Legislative Committee** (Sacramento)
- 5-8 Association of California Water Agencies Conference (Sacramento)
- 8 **CALAFCO Board of Directors Meeting** (Sacramento)
- 19-20 California Special Districts Assn. Legislative Days (Sacramento)
- 27-28 California State Assn. of Counties Legislative Conference (Sacramento)

## JUNE

- 26 **CALAFCO Legislative Committee** (Conference call)

## JULY

- 24 **CALAFCO Legislative Committee** (Conference call)
- 31 **CALAFCO Board of Directors Meeting** (San Diego)

## AUGUST

- 19-21 California Association of Sanitation Agencies Annual Conference (San Diego)

## SEPTEMBER

- 2-4 **CALAFCO Annual Conference** (Sacramento)
- 4 **CALAFCO Board of Directors Meeting** (Sacramento)
- 21-24 California Special Districts Assn. Annual Conference (Monterey)
- 23-25 Regional Council of Rural Counties Annual Conference (South Lake Tahoe)
- 30 League of California Cities Annual Conference (San Jose)

## OCTOBER

- 1-2 League of California Cities Annual Conference (San Jose)

## NOVEMBER

- 6 **CALAFCO Board of Directors Meeting** (Sacramento)
- 13 **CALAFCO Legislative Committee (2016)** (Conference call)

## DECEMBER

- 1-4 California State Assn. of Counties Annual Conference (Monterey)
- 1-4 Association of California Water Agencies Conference (Indian Wells)
- 11 **CALAFCO Legislative Committee (2016)** (Sacramento)

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# CH&W Newsletter

## Update on Public Law

Los Angeles • Nevada County

Fall 2014

# City Can Control Cell Tower Aesthetics

By Mathew T. Summers

The Ninth Circuit recently affirmed the City of San Diego's denial of conditional use permit applications for three cell towers for which original permits had expired. (*American Tower Corporation v. City of San Diego*). The case confirms cities' and counties' power to deny cell tower permits for aesthetic reasons, if the decision is supported by substantial evidence. The Court also refused to apply the "deemed approved" provision of the Permit Streamlining Act because insufficient notice was given to affected neighbors.

American Tower applied for new permits for three existing towers in San Diego. After hearings before a hearing officer and the Planning Commission, the City denied all three applications, finding American Tower had failed to minimize the towers' visual impacts. San Diego's Municipal Code requires major telecommunications facilities to "be designed to be minimally invasive through the use of architecture, landscape architecture, and siting solutions."

The Ninth Circuit affirmed summary judgment for the City on

American Tower's Federal Telecommunications Act claims. Substantial evidence supported the City's finding that American Tower had not designed the facilities to be "minimally invasive." American Tower proposed only minor modifications to its towers; *i.e.*, painting and additional landscaping; and refused to consider redesign or reduced height. The case builds on previous Ninth Circuit cases affirming cities' rights, when supported by substantial evidence, to regulate wireless facilities on aesthetic grounds under state and federal law. The Court also rejected American Tower's argument the City unreasonably discriminated between providers, holding a city may impose different requirements on its own public safety communications facilities than on towers operated by commercial wireless providers.

Helpfully for cities and counties, the Court stated an applicant arguing a permit denial effectively prohibits provision of wireless service in violation of the Telecommunications Act must show the proposed facility is the least intrusive means to close a significant gap in service. American Tower asserted that point without

evidence. The opinion thus confirms a city or county may require a cell tower applicant to analyze alternative sites, demonstrating its preferred site is the least intrusive means to close a gap in service.

The Court also rejected American Tower's claim its applications had been automatically approved under California's Permit Streamlining Act. Under that Act, if a city or county fails to act on an application within 60 days of determining it exempt from CEQA, the application is deemed approved if required public notice has been given. San Diego did not act timely, but the Court concluded that the city's hearing notice was insufficient under state constitutional due process requirements because it failed to provide both notice and an opportunity for affected property owners to be heard. The opinion thus narrows the Permit Streamlining Act, requiring a city or county to provide notice and a public hearing to affected property owners before an application may be deemed approved.

♦♦♦

For more information on this topic,  
contact Matt at 213/542-5719 or  
[msummers@chwlaw.us](mailto:msummers@chwlaw.us).

## Police Office Records: *Brady* and *Pitchess* Collide

By Michael R. Cobden

In August, the San Francisco Court of Appeal held in *People v. Superior Court* (Case No. A140768) that prosecutors must inspect police personnel records and disclose potentially relevant information to the defense by a motion in court. The Court's stated intention was to harmonize statutory protection of police officers' privacy interest in their personnel records (discoverable only through "*Pitchess* motions"), and prosecutors' constitutional duty to disclose material exculpatory evidence to defendants under *Brady v. Maryland* (1963) 373 U.S. 83. The opinion may be short-lived; a petition for review and a depublication request are pending in the California Supreme Court.

Under *Brady*, a prosecutor has a duty to learn of any exculpatory evidence known to any member of the prosecution team (including the arresting agency), but has no general duty to seek out other evidence that might help the defense. Courts have concluded that a prosecutor is not in "possession" of police personnel files for *Brady* purposes; if the prosecution wants personnel records, it must file a *Pitchess* motion just as a criminal defendant must.

In this case, the San Francisco District Attorney's *Pitchess* motion requested the Court to review the officers' files and disclose to the prosecution any *Brady* material so they could make it known to the defendant. Perhaps daunted (at

a time of deep cuts to court budgets) by the burden of regularly conducting such reviews, the Court denied the motion and ordered the DA to review the files for *Brady* material. The Court of Appeal agreed: the DA may review the files without violating officers' privacy rights.

In attempting to harmonize *Pitchess* and *Brady*, the Court of Appeal may have created new problems. For example, "good cause" for disclosure under *Pitchess* includes anything **relevant** to a proposed defense in the case. In contrast, under *Brady*, the standard for disclosure is **materiality** to a fair trial, a higher standard.

Further, *Brady* disclosure is broader than *Pitchess* discovery, as *Pitchess* statutes requires the trial court to exclude records more than five years old and *Brady* has no such limit. Finally, most courts limit *Pitchess* disclosure to the names and addresses of persons who have complained against the officers involved in a case; *Brady* disclosure is broader and can include training notes, internal discipline records, or anything else which may affect a fair trial.

If the Supreme Court allows this decision to stand, we predict many *Pitchess* motions — filed by prosecutors. The Court may review or depublish the case, so stay tuned!

♦♦♦

For more information on this topic, contact Michael at 530/798-2416 or [mcobden@chwlaw.us](mailto:mcobden@chwlaw.us).

### Welcome, Charlie LaPlante!

Charlie LaPlante joins us as Senior Counsel in our LA office and as a member of our litigation group. His work covers a broad range of disputes, including rate-making, taxation, and land use. He also advises governments on compliance with constitutional requirements for raising revenue. Current assignments include defending a city against claims by an investor which foreclosed on a development project and then disputed the scope of the rights it had acquired; a petition for review in the California Supreme Court in a dispute involving inverse condemnation liability for damage caused by a street tree toppled by a windstorm; and defense of a county fire suppression benefit assessment.

Before joining CH&W, Charlie represented lenders and loan servicers in litigation arising from disputes with borrowers, in class actions and other cases. He handled matters from the pleading stage through appeal, including a satisfactory result in an argument to the LA Court of Appeal.

Before moving to LA, Charlie was an associate in the Minneapolis office of Dorsey & Whitney LLP, where his practice included complex commercial litigation, securities law, intellectual property disputes, wage-and-hour law, the federal Administrative Procedure Act, and Indian law.

Charlie received his law degree from the University of Virginia School of Law in 2008, where he was a member of the editorial board of the **Virginia Law Review**. Charlie also worked as a research assistant for Professor Michael Klarman on projects concerning the Warren Court and the history of school desegregation. In 2005, Charlie graduated cum laude from Miami University in Oxford, Ohio, where he served as a research assistant in Professor Samir Bali's optics laboratory and earned a B.S. in Physics with minors in Mathematics and Political Science.

Welcome, Charlie!

## Fee Litigation on the Upswing

By Michael G. Colantuono

Suits challenging local government fees are increasing for many reasons. First, our Supreme Court's decisions in *Ardon v. Los Angeles* (2011) and *McWilliams v. Long Beach* (2013) to allow class action challenges to local government revenues is gaining attention in the plaintiff's bar — including some of the best-known and most resourceful firms in California. Second, the Court's *Bighorn* (2006) decision to apply Prop. 218 to utility charges based on metered consumption is still generating uncertainty and litigation, primarily as to water rates. Third, the 2010 approval of Prop. 26 extended cost-of-service limits to electric and wholesale water rates. The fee-making authority granted by new groundwater management statutes will generate controversies, too.

Charges by existing **groundwater management** agencies have been understood to be governed by Prop. 218 since the 2007 *Pajaro* decision. The Court of Appeal upheld Pajaro's new rates in the *Griffith* decision last fall, explaining how agencies can adopt rates in compliance with Prop. 218. Nevertheless, groundwater rate litigation is pending in San Jose, Ventura, and Los Angeles. Issues include whether Prop. 218 allows preferences for agriculture, whether groundwater charges should be subject to Prop. 26 instead, and whether an agency can give notice and protests to property owners rather than to well operators (water retailers) who pay the fees. While the San Jose case has been awaiting argument for nearly three years, the Ventura case will be decided soon, with post-argument briefs due November 3rd. Although the Superior Court invalidated the Water Replenishment District of

Southern California's rates almost three years ago, its case remains in LA Superior Court.

Retail water agencies are beginning to challenge **wholesale rates**. We successfully challenged rates imposed on Newhall County Water District by Castaic Lake Water Agency under Prop. 26. CLWA's appeal is pending in LA. CLWA based rates on its retailers' total water use, including use of local groundwater and other non-CLWA sources, effectively (in our view) taxing Newhall's use of groundwater. The San Diego County Water Authority has persuaded the San Francisco Superior Court that the Metropolitan Water District violated Prop. 26 in setting rates to carry water to San Diego from the Imperial Valley. The case is in the trial court.

Much attention has been paid to **tiered or "conservation block" water rates** after the 2011 *Palmdale* decision setting aside a water district's rates as insufficiently justified by its record. The Orange County Superior Court reached a similar conclusion as to San Juan Capistrano's rates in a case we are defending. Argument to the Orange County Court of Appeal had been set for November 21st, but the Court recently deferred argument to January and invited supplemental briefing. This case also involves funding of new recycled water service. The plaintiffs' lawyer in that case has sent a pre-litigation public records request to another large Southern California city and we will defend that matter, too.

We are also defending a class action in Santa Barbara County t challenging **discounted agricultural rates** for retail service that can be interrupted in drought.

Several large Southern California

cities have faced suits challenging **transfers from water funds** to general funds and to **surcharges on water customers outside city limits**. Such practices are most easily defended if supported by a cost-of-service study showing the value of general fund services to the utility or additional costs to serve out-of-city customers, respectively.

Gas and electric rates are exempt from Prop. 218, but not Prop. 26. Last year's *Brooktrails* case holds Prop. 26 is not retroactive as to local government, but this is being tested as to Redding's payment in lieu of taxes (PILOT) from its electric utility. We argued the case to the Sacramento Court of Appeal in September, but persuaded the Court to allow post-argument briefing, so the matter will not be submitted until November 6th. Decision is due 90 days after that. Electric utilities are well advised to consult counsel before setting rates to ensure they protect pre-2010 practices such as PILOTS, general fund transfers, low-income discounts, etc.

A.B. 2403 (Rendon, D-So. Gate) expands the statutory definition of "water" to include water "from any source". This means water supplies from storm and waste water can be funded by water rates and sewer rates may fund use of treated wastewater to recharge groundwater.

Plainly, a lot is going on under Props. 218 and 26. Rate-makers are advised to get good counsel in this very litigious environment. Change is coming quickly. As always, we'll keep you posted.

♦♦♦

For more information on this subject, contact Michael at 530/432-7357 or [mcolantuono@chwlaw.us](mailto:mcolantuono@chwlaw.us).

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The contents of this newsletter do not constitute legal advice. You should seek the opinion of qualified counsel regarding your specific situation before acting on the information provided here.

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**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Review information regarding the 2014 CALAFCO Legislative Update

**RECOMMENDED ACTION**

Review the 2014 CALAFCO Legislative Update

**FISCAL IMPACT**

None.

**REASONS FOR RECOMMENDED ACTION**

CALAFCO has a Legislative Committee that tracks all state legislation that affects LAFCos throughout the state and lobbies for any legislative changes put forward by CALAFCO itself. At the 2014 CALAFCO Annual Conference, attendees were updated on the outcomes of all bills after the close of the legislative session that would have affected LAFCos either directly or indirectly.

**BACKGROUND**

There were no bills passed in this last legislative session that is anticipated to have a significant effect on how Yolo LAFCo does business. There are three general issue areas of legislation that relate to LAFCo: groundwater, vehicle license fee (VLF) revenue and post-redevelopment infrastructure finance districts.

Groundwater (AB 1739, SB 1168 and SB 1319)

There has been much discussion regarding the new groundwater legislation which requires designating a local "groundwater sustainability agency" to prepare and implement a groundwater sustainability plan (see 2014 Groundwater Legislation attachment). The tentative strategy is that Yolo County may utilize its existing Water Resources Association for this purpose which would not require LAFCo to form any new agencies.

VLF (AB 1521 and SB 69)

Legislation reinstating vehicle license fee revenue that was diverted away from cities that incorporated after January 1, 2004 was vetoed by the Governor.

Infrastructure Finance Districts (AB 229, AB 471, SB 614, and SB 628)

Senator Wolk sponsored a bill (SB 614) that allows a local agency to use tax increment financing to fund infrastructure improvements in disadvantaged unincorporated communities (DUCs). There is another bill SB 628 (Beall) that allows local agencies to create enhanced infrastructure financing districts for specified infrastructure projects and facilities. LAFCo could potentially be involved to form or reorganize a district for this purpose, however, its unclear yet whether any of our local agencies would use this tool.

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**Attachments**

CALAFCO LegUpdate  
2014 GroundwaterLegislation

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**Form Review**

**Inbox**

Christine Crawford  
Form Started By: Christine Crawford  
Final Approval Date: 11/17/2014

**Reviewed By**

Christine Crawford

**Date**

11/17/2014 02:38 PM  
Started On: 11/10/2014 02:04 PM



**LEGISLATIVE UPDATE FROM SACRAMENTO**  
**2014 CALAFCO ANNUAL CONFERENCE**  
**October 17, 2014**

Groundwater

- AB 1729 (Dickinson) – Requires, together with SB 1168 (Pavley), that in all basins and subbasins designated high and medium priority by the Department of Water Resources that a locally-formed groundwater sustainability agency adopt a groundwater sustainability plan (GSP) unless the basin or subbasin is adjudicated or otherwise being sustainably managed. Requires adoption of a GSP by January 31, 2020, if the basin or subbasin is in a critical condition of overdraft, or by January 31, 2022, for all other high and medium priority basins or subbasins. **SIGNED – Chapter 347, Statutes of 2014.**
- AB 2453 (Achadjian) – Authorizes, under the California Water District Law, the governing board structure and powers of the Paso Robles Basin Water District in San Luis Obispo County, with the District’s boundaries to be established by the San Luis Obispo County Local Agency Formation Commission. **SIGNED – Chapter 350, Statutes of 2014.**
- SB 757 (Berryhill) – Would have required local agencies in high and medium priority basins that are in a condition of long-term overdraft to form a groundwater management agency (GMA) or group of GMAs by January 1, 2018, and to self-certify a groundwater management plan (GMP) or set of GMPs for the basin by January 31, 2020. Would have compelled counties to assume groundwater management duties if no other local agency steps forward in an area. **DIED IN ASSEMBLY RULES.**
- SB 1168 (Pavley) – Requires adoption of a sustainable GSP by January 31, 2020, for all high or medium priority basins that are subject to critical conditions of overdraft and by January 31, 2022, for all other high and medium priority basins unless the basin is legally adjudicated or the local agency establishes it is otherwise being sustainably managed. **SIGNED – Chapter 346, Statutes of 2014.**
- SB 1319 (Pavley) – Amends AB 1739 (Dickinson) of the current legislative session which, together with SB 1168 (Pavley) of the current legislative session, form the Sustainable Groundwater Management Act (Act) and related provisions. **SIGNED – Chapter 348, Statutes of 2014.**

## LAFCO-Related Bills

- AB 1521 (Fox) – Would have modified the amount of property tax in lieu of vehicle license fees allocated to counties and cities to include changes in the assessed valuation within annexed areas. **VETOED.**
- AB 1527 (Perea) – Would have required the State Water Resources Control Board to provide incentives for the consolidation of public water systems for funding under the Safe Drinking Water State Revolving Fund based upon a service review developed by a local agency formation commission. **VETOED.**
- AB 2156 (Achadjian) – Adds joint powers agencies and joint powers authorities to the existing list of governmental agencies a local agency formation commission may request information from in order to conduct its studies. **SIGNED – Chapter 21, Statutes of 2014.**
- AB 2480 (Yamada) – Would have required the Controller to appropriate from the General Fund money to a city incorporated before August 4, 2004, based on a specified formula to remedy the loss in vehicle license fee revenue for annexations that had pre-existing residential development. **NEVER HEARD IN ASSEMBLY LOCAL GOVERNMENT COMMITTEE.**
- AB 2762 (Assembly Local Government Committee) – Annual Assembly Local Government Committee Omnibus bill that makes several minor noncontroversial changes to the Cortese-Knox-Hertzberg Act. **SIGNED - Chapter 112, Statutes of 2014.**
- SB 69 (Roth) - Would have provided a city incorporating after January 1, 2004, and on or before January 1, 2012, with property tax in lieu of vehicle license fees. **VETOED.**
- SB 614 (Wolk) – Allows a local agency, until January 1, 2025, to use tax increment financing in a newly formed or reorganized district to fund infrastructure improvements in disadvantaged unincorporated communities. **SIGNED – Chapter 784, Statutes of 2014.**

## Agricultural Land and Urban Farming

- AB 1961 (Eggman) – Would have required counties to develop a sustainable farmland strategy, and required the Governor's Office of Planning and Research to include best practices that support agricultural land retention and mitigation in its next update of the general plan guidelines. **DIED IN ASSEMBLY APPROPRIATIONS COMMITTEE.**
- AB 2241 (Eggman) – Changes, until January 1, 2020, the rescission fee charged by a city or county when land under the Williamson Act contract or land designated as a

farmland security zone enters into a solar-use easement, to 10% of the fair market value of the property, and requires 50% of the rescission fees collected to be deposited in the state General Fund. **SIGNED - Chapter 582, Statutes of 2014.**

- AB 2561 (Bradford) – Would have limited the ability of local governments, landlords, and homeowners' associations to restrict the growing of edible plant crops, except as specified. **DIED IN ASSEMBLY APPROPRIATIONS COMMITTEE.**

### **Life After Redevelopment – Infrastructure Financing Districts (IFDs)**

- AB 229 (Assembly Speaker Perez) – Creates infrastructure and revitalization financing districts (modeled after infrastructure financing districts in existing law), authorizes a military base reuse authority to form a district, and allows these districts to finance a broader range of projects and facilities to clean up and develop former military bases. **SIGNED - Chapter 775, Statutes of 2014.**
- AB 471 (Atkins) – Allows infrastructure financing districts to include portions of former redevelopment project areas and amends several statutes governing the dissolution of redevelopment agencies. **SIGNED - Chapter 1, Statutes of 2014.**
- AB 1450 (Garcia) – Would have enacted provisions that would have allowed revenues from a voter-approved pension property tax to be allocated to the city or county whose voters approved the tax, in specified conditions. **VETOED.**
- AB 1582 (Mullin) – Would have increased, from six months to 12 months, the fiscal period covered by a redevelopment successor agency's recognized obligation payment schedule (ROPS). **DIED IN SENATE RULES COMMITTEE.**
- AB 2280 (Alejo) – Would have allowed local governments to establish a Community Revitalization and Investment Authority in a disadvantaged community to fund specified activities and would have allowed the Authority to collect tax increment. **VETOED.**
- SB 628 (Beall) – Allows local agencies to create enhanced infrastructure financing districts to finance specified infrastructure projects and facilities, using tax increment financing. **SIGNED - Chapter 785, Statutes of 2014.**

### **Issues on Deck for Next Session**

- Municipal Bankruptcy
- Mutual Water Companies

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**CONTACT INFORMATION:**

**Assembly Local Government Committee – (916) 319-3958**

Misa Yokoi-Shelton, [misa.yokoi-shelton@asm.ca.gov](mailto:misa.yokoi-shelton@asm.ca.gov)

**Senate Governance and Finance Committee – (916) 651-4119**

Brian Weinberger, [brian.weinberger@sen.ca.gov](mailto:brian.weinberger@sen.ca.gov)

Maritza Urquiza, [maritza.urquiza@sen.ca.gov](mailto:maritza.urquiza@sen.ca.gov)

**2014 Groundwater Legislation  
(AB 1739, SB 1168 and SB 1319 pending with Governor)**

1. Any local agency or combination of agencies can be a groundwater sustainability agency
  - A. If an area within a basin is not covered by another agency, the applicable county is presumed to be the groundwater sustainability agency unless it withdraws
  - B. If the county withdraws, then pumping in the uncovered area generally has to be reported to the State Water Resources Control Board (SWRCB) beginning July 1, 2017
  - C. Multiple agencies can have a unified plan or multiple plans under a legally binding agreement
2. For a high or medium priority basin that is not in critical overdraft, a groundwater sustainability plan covering the whole basin is required by January 31, 2022
  - A. For basins identified by the Department of Water Resources (DWR) as being in critical overdraft, a plan is required by January 31, 2020
  - B. A plan's purpose is to meet the "sustainability goal," which is to operate within the basin's "sustainable yield"
  - C. If approved by DWR, a basin can have a functional alternative to a plan that shows that the basin has operated within its sustainable yield for at least 10 years, as shown by a technical report
3. The SWRCB can intervene in a basin under several conditions
  - A. After June 30, 2017, if no local agency has elected to be the groundwater sustainability agency
  - B. After January 31, 2020, in a critically overdrafted basin, if DWR determines the groundwater sustainability plan is inadequate or that the program under the plan is not likely to achieve the sustainability goal
  - C. After January 31, 2022, if there is no plan that covers the whole basin (after January 31, 2020 in a critically overdrafted basin)
  - D. After January 31, 2022, if DWR finds a plan is inadequate and the SWRCB finds the basin is in long-term overdraft
  - E. After January 31, 2025, if DWR finds a plan is inadequate and the SWRCB finds that groundwater pumping results in significant depletions in interconnected surface waters
  - F. Where the SWRCB intervenes, it will adopt an interim plan that can limit groundwater pumping and include "principles and guidelines for the administration of rights to surface waters that are connected to the basin"



**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Review and file the Fiscal Year (FY) 14-15 First Quarter Financial Update

**RECOMMENDED ACTION**

Review and file the Fiscal Year (FY) 14-15 First Quarter Financial Update

**FISCAL IMPACT**

None

**REASONS FOR RECOMMENDED ACTION**

The intent of the quarterly financial report is to provide the Commission with an update on how LAFCo performed financially in the previous quarter as compared to the adopted budget and to discuss any issues as appropriate. The practice was recommended during our most recent audit as an additional safeguard to ensure sound financial management, given the small size of the LAFCo staff.

**BACKGROUND**

The LAFCo FY 2014/15 budget was adopted on May 22, 2014, and during the first quarter LAFCo has remained largely on track with regards to both revenues and expenditures.

LAFCo had received 84.3 percent of its expected revenues for FY 14/15 at the end of the first financial quarter. LAFCo's most significant revenue source comes from government agency payments, and at the close of the first financial quarter LAFCo had received all payments with the exception of the \$59,792 payment from the City of Woodland (which was received in October). The only portion of LAFCo's revenues that have not yet been collected are attributed to investment earnings and fees for services, which constitute a very small portion of revenues, and may still be collected in the remaining three quarters of the fiscal year.

During the first quarter of FY 14/15 LAFCo expended less than expected, and has only reached 17.5 percent of its annual budgeted costs. LAFCo has expended 22.7 percent of the Salary and Benefits appropriation, 9.1 percent of the Services and Supplies appropriation, and 14 percent of its Shared Services Initiative appropriation.

In the second quarter of FY 14/15 staff expects that LAFCo's spending will remain on (or under) budget, and staff is not recommending any adjustments to the adopted budget at this time.

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**Attachments**

[2014/15 1st QTR Financials](#)

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**Form Review**

**Inbox**

Tracey Dickinson LAFCO  
Christine Crawford  
Form Started By: Tracey Dickinson  
Final Approval Date: 10/28/2014

**Reviewed By**

Tracey Dickinson  
Christine Crawford

**Date**

10/27/2014 11:29 AM  
10/27/2014 02:03 PM  
Started On: 10/27/2014 09:53 AM

ATT A - Revenue/Expense Summary

					<b>Expenditure Budget Status through 9/30/14</b>					
<b>Fund</b>	<b>BU</b>	<b>CC</b>	<b>Acct</b>	<b>Account Name</b>	<b>Adopted Appropriation</b>	<b>Adjusted Appropriation</b>	<b>Expenditures</b>	<b>Outstanding Encumbrance</b>	<b>Unencumbered Balance</b>	<b>Percent Approp Used</b>
368	3681		861101	REGULAR EMPLOYEES	\$193,000.00	\$193,000.00	\$41,715.64	\$0.00	\$151,284.36	22%
368	3681		861201	RETIREMENT	\$39,677.00	\$39,677.00	\$8,575.89	\$0.00	\$31,101.11	22%
368	3681		861202	O A S D I	\$13,871.00	\$13,871.00	\$3,265.03	\$0.00	\$10,605.97	24%
368	3681		861203	FICA/MEDICARE	\$3,403.00	\$3,403.00	\$763.60	\$0.00	\$2,639.40	22%
368	3681		861400	UNEMPLOYMENT INSURANCE	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0%
368	3681		861500	WORKERS COMPENSATION INSURANCE	\$1,500.00	\$1,500.00	\$500.00	\$0.00	\$1,000.00	33%
368	3681		861600	CO CONT-OTHER FRINGE BENEFITS	\$61,362.00	\$61,362.00	\$15,084.82	\$0.00	\$46,277.18	25%
368	3681		861999	SALARIES ALLOC/ADJ	(\$10,227.00)	(\$10,227.00)	(\$852.26)	\$0.00	(\$9,374.74)	8%
<b>368</b>	<b>3681</b>	<b>8610</b>		<b>Total SALARIES AND EMPLOYEE BENEFITS</b>	<b>\$304,086.00</b>	<b>\$304,086.00</b>	<b>\$69,052.72</b>	<b>\$0.00</b>	<b>\$235,033.28</b>	<b>22.7%</b>
368	3681		862090	COMMUNICATIONS	\$3,000.00	\$3,000.00	\$425.09	\$0.00	\$2,574.91	14%
368	3681		862130	FOOD	\$350.00	\$350.00	\$0.00	\$0.00	\$350.00	0%
368	3681		862202	INSURANCE-PUBLIC LIABILITY	\$1,000.00	\$1,000.00	\$500.00	\$0.00	\$500.00	50%
368	3681		862271	MAINT-EQUIPMENT	\$500.00	\$500.00	\$168.91	\$400.00	(\$68.91)	114%
368	3681		862330	MEMBERSHIPS	\$3,100.00	\$3,100.00	\$2,335.00	\$0.00	\$765.00	75%
368	3681		862360	MISCELLANEOUS EXPENSE	\$250.00	\$250.00	\$0.00	\$0.00	\$250.00	0%
368	3681		862390	OFFICE EXPENSE	\$750.00	\$750.00	\$15.50	\$74.50	\$660.00	12%
368	3681		862391	OFFICE EXP-POSTAGE (OPTIONAL)	\$500.00	\$500.00	\$0.00	\$0.00	\$500.00	0%
368	3681		862392	OFFICE EXP-PRINTING (OPTIONAL)	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0%
368	3681		862417	IT SERVICES-DPT SYS MAINT	\$1,048.00	\$1,048.00	\$0.00	\$0.00	\$1,048.00	0%
368	3681		862418	IT SERVICES-ERP	\$1,354.00	\$1,354.00	\$338.50	\$0.00	\$1,015.50	25%
368	3681		862419	IT SERVICES-CONNECTIVITY	\$3,000.00	\$3,000.00	\$654.75	\$0.00	\$2,345.25	22%
368	3681		862421	AUDITING & FISCAL SERVICES	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$6,000.00	0%
368	3681		862422	INFORMATION TECHNOLOGY SERVICE	\$400.00	\$400.00	\$0.00	\$0.00	\$400.00	0%
368	3681		862423	LEGAL SERVICES	\$7,500.00	\$7,500.00	\$0.00	\$0.00	\$7,500.00	0%
368	3681		862429	PROFESSIONAL & SPECIALIZED SRV	\$80,000.00	\$80,000.00	\$0.00	\$1,000.00	\$79,000.00	1%
368	3681		862460	PUBLICATIONS & LEGAL NOTICES	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0%
368	3681		862491	RENTS & LEASES-EQUIPMENT	\$1,500.00	\$1,500.00	\$162.44	\$1,133.65	\$203.91	86%
368	3681		862495	RECORDS STORAGE "ARCHIVES"	\$400.00	\$400.00	\$0.00	\$0.00	\$400.00	0%
368	3681		862548	TRAINING EXPENSE	\$12,000.00	\$12,000.00	\$4,315.90	\$0.00	\$7,684.10	36%
368	3681		862610	TRANSPORTATION & TRAVEL	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0%
<b>368</b>	<b>3681</b>	<b>8620</b>		<b>Total SERVICES AND SUPPLIES</b>	<b>\$127,152.00</b>	<b>\$127,152.00</b>	<b>\$8,916.09</b>	<b>\$2,608.15</b>	<b>\$115,627.76</b>	<b>9.1%</b>
368	3681		863102	PAYMENTS TO OTH GOVT INSTIT	\$1,000.00	\$1,000.00	\$50.00	\$0.00	\$950.00	5%

ATT A - Revenue/Expense Summary

368	3681		8630	<b>Total OTHER CHARGES</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>	<b>\$50.00</b>	<b>\$0.00</b>	<b>\$950.00</b>	<b>5.0%</b>
368	3681		866110	OPER TRANS OUT-EQUIP PRE-FUND	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$1,200.00	0%
368	3681		8660	<b>Total OPERATING TRANSFERS OUT</b>	<b>\$1,200.00</b>	<b>\$1,200.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,200.00</b>	<b>0.0%</b>
368	3681		869900	APPROP FOR CONTINGENCY	\$22,672.00	\$22,672.00	\$0.00	\$0.00	\$22,672.00	0%
368	3681		8690	<b>Total PROVISIONS FOR CONTINGENCIES</b>	<b>\$22,672.00</b>	<b>\$22,672.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$22,672.00</b>	<b>0.0%</b>
368	3681			<b>CC Total NONE</b>	<b>\$456,110.00</b>	<b>\$456,110.00</b>	<b>\$78,018.81</b>	<b>\$2,608.15</b>	<b>\$375,483.04</b>	<b>17.7%</b>
368	3681	SSP	862429	PROFESSIONAL & SPECIALIZED SRV	\$20,000.00	\$20,000.00	\$2,800.00	\$0.00	\$17,200.00	14%
368	3681	SSP	8620	<b>Total SERVICES AND SUPPLIES</b>	<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$2,800.00</b>	<b>\$0.00</b>	<b>\$17,200.00</b>	<b>14.0%</b>
368	3681	SSP		<b>CC Total SHARED SERVICES INITIATIVE</b>	<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$2,800.00</b>	<b>\$0.00</b>	<b>\$17,200.00</b>	<b>14.0%</b>
368	3681			<b>BU Total LOCAL AGENCY FORMATION COMM</b>	<b>\$476,110.00</b>	<b>\$476,110.00</b>	<b>\$80,818.81</b>	<b>\$2,608.15</b>	<b>\$392,683.04</b>	<b>17.5%</b>
368				<b>FD Total LOCAL AGENCY FORMATION COMM</b>	<b>\$476,110.00</b>	<b>\$476,110.00</b>	<b>\$80,818.81</b>	<b>\$2,608.15</b>	<b>\$392,683.04</b>	<b>17.5%</b>



ATT A - Revenue/Expense Summary

					Revenue Budget Status through 9/30/14					
Fund	BU	CC	Account	Account Name	Adopted Estimated Revenue	Adjusted Estimated Revenue	Revenue Realized	Unrealized	Percent Revenues Realized	
368	3681		824100	INVESTMENT EARNINGS	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00	0%	
<b>368</b>	<b>3681</b>		<b>8240</b>	<b>Total REVENUE FR USE OF MONEY &amp; PROP</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$0.00</b>	<b>\$1,500.00</b>	<b>0.0%</b>	
368	3681		825820	OTHER GOVT AGENCY-OTH CO- CITYS	\$202,767.00	\$202,767.00	(\$202,767.00)	\$0.00	100%	
368	3681		825821	OTHER GOVT AGENCY-WEST SAC	\$67,728.00	\$67,728.00	(\$67,728.00)	\$0.00	100%	
368	3681		825822	OTHER GOVT AGCY-WOODLAND	\$59,792.00	\$59,792.00	\$0.00	\$59,792.00	0%	
368	3681		825823	OTHER GOVT AGCY-WINTERS	\$6,509.00	\$6,509.00	(\$6,509.00)	\$0.00	100%	
368	3681		825824	OTHER GOVT AGCY-DAVIS	\$68,737.00	\$68,737.00	(\$68,737.00)	\$0.00	100%	
<b>368</b>	<b>3681</b>		<b>8252</b>	<b>Total INTERGOVT REV-OTHER</b>	<b>\$405,533.00</b>	<b>\$405,533.00</b>	<b>(\$345,741.00)</b>	<b>\$59,792.00</b>	<b>85.3%</b>	
368	3681		826225	LAFCO FEES	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	0%	
<b>368</b>	<b>3681</b>		<b>8260</b>	<b>Total CHARGES FOR SERVICES</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>	<b>\$0.00</b>	<b>\$3,000.00</b>	<b>0.0%</b>	
<b>368</b>	<b>3681</b>			<b>CC Total NONE</b>	<b>\$410,033.00</b>	<b>\$410,033.00</b>	<b>(\$345,741.00)</b>	<b>\$64,292.00</b>	<b>84.3%</b>	
<b>368</b>	<b>3681</b>			<b>BU Total LOCAL AGENCY FORMATION COMM</b>	<b>\$410,033.00</b>	<b>\$410,033.00</b>	<b>(\$345,741.00)</b>	<b>\$64,292.00</b>	<b>84.3%</b>	
<b>368</b>				<b>FD Total LOCAL AGENCY FORMATION COMM</b>	<b>\$410,033.00</b>	<b>\$410,033.00</b>	<b>(\$345,741.00)</b>	<b>\$64,292.00</b>	<b>84.3%</b>	

General Ledger July 1 - July 31, 2014							
Account	Date	Program	Description	Document	Debit	Credit	Balance
01-0000	07/01/2014	*****	CASH IN TREASURY		\$0.00	\$0.00	\$213,313.43
01-0000	07/01/2014		RECLASS 6/30/14 AP WARRANTS	JE000949	\$0.00	\$4,996.68	\$208,316.75
01-0000	07/02/2014		WARRANTS	WA070214	\$0.00	\$2,335.00	\$205,981.75
01-0000	07/03/2014		06/28/14 Payroll	PR000004	\$0.00	\$11,256.49	\$194,725.26
01-0000	07/10/2014		14/15 CITY OF WINTERS	DP209996	\$6,509.00	\$0.00	\$201,234.26
01-0000	07/10/2014		YCPARMIA INV#6047/6087 FY14/15	JE000112	\$0.00	\$1,000.00	\$200,234.26
01-0000	07/14/2014		RECEIVED-CITY OF W. SACRAMENTO	DP210058	\$67,728.00	\$0.00	\$267,962.26
01-0000	07/16/2014		WARRANTS	WA071614	\$0.00	\$168.91	\$267,793.35
01-0000	07/18/2014		166-1 14/15 COUNTY CONTRIB	JE000204	\$202,767.00	\$0.00	\$470,560.35
01-0000	07/18/2014		07/12/14 Payroll	PR000009	\$0.00	\$12,175.02	\$458,385.33
01-0000	07/21/2014		RECEIVED OF CITY OF DAVIS FOR	DP210145	\$68,737.00	\$0.00	\$527,122.33
01-0000	07/23/2014		WARRANTS	WA072314	\$0.00	\$116.65	\$527,005.68
01-0000	07/24/2014		CACHEVILLE CSD MSR/SOI-NOE	IB150022	\$0.00	\$50.00	\$526,955.68
01-0000	07/28/2014		07/14 CAL CARD LAFCO-TTUCK	JE000332	\$0.00	\$869.00	\$526,086.68
01-0000	07/30/2014		WARRANTS	WA073014	\$0.00	\$2,450.00	\$523,636.68
01-0000	07/31/2014		185-1 07/14 INTERNAL TELEPHONE	JE000428	\$0.00	\$132.22	\$523,504.46
01-0000	07/31/2014		185-1 07/14 INTERNAL TELEPHONE	JE000814	\$0.00	\$8.50	\$523,495.96
			<b>Ending Balance:</b>		<b>\$345,741.00</b>	<b>\$35,558.47</b>	<b>\$523,495.96</b>
04-0000	07/01/2014	*****	RESTR CASH-OPEB		\$0.00	\$0.00	\$50,034.65
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$50,034.65</b>
04-0001	07/01/2014	*****	RESTR CASH-PC REPLACEMENT		\$0.00	\$0.00	\$2,400.00
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,400.00</b>
40-0500	07/01/2014	*****	FUTURE LONG TERM DEBT REQUIRE		\$0.00	\$0.00	\$8,489.00
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$8,489.00</b>
51-0000	07/01/2014	*****	ACCRUED PAYROLL		\$0.00	\$0.00	(\$12,474.00)
51-0000	07/01/2014		0615-0628 PAYROLL ACCRUAL	JE000063	\$11,256.49	\$0.00	(\$1,217.51)
51-0000	07/01/2014		0629-0630 PAYROLL ACCRUAL	JE000208	\$1,217.51	\$0.00	\$0.00
			<b>Ending Balance:</b>		<b>\$12,474.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
52-0000	07/01/2014	*****	ACCOUNTS PAYABLE		\$0.00	\$0.00	(\$5,165.59)
52-0000	07/01/2014		RECLASS 6/30/14 AP WARRANTS	JE000949	\$4,996.68	\$0.00	(\$168.91)
52-0000	07/01/2014		CO-PO CLM 7-23 INLAND	JE000984	\$168.91	\$0.00	\$0.00
			<b>Ending Balance:</b>		<b>\$5,165.59</b>	<b>\$0.00</b>	<b>\$0.00</b>
60-0600	07/01/2014	*****	ACCRUED COMPENSATION ABSENCES		\$0.00	\$0.00	(\$8,489.00)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$8,489.00)</b>
71-0000	07/31/2014	*****	RESERVE FOR ENCUMBRANCES		\$0.00	\$0.00	(\$1,838.35)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$1,838.35)</b>
74-0001	07/01/2014	*****	COMMITTED-OPEB		\$0.00	\$0.00	(\$50,034.65)

General Ledger July 1 - July 31, 2014							
Account	Date	Program	Description	Document	Debit	Credit	Balance
			Ending Balance:		\$0.00	\$0.00	(\$50,034.65)
74-0501	07/01/2014	*****	ASSIGNED-CAPITAL ASSET REPL		\$0.00	\$0.00	(\$2,400.00)
			Ending Balance:		\$0.00	\$0.00	(\$2,400.00)
75-0000	07/01/2014	*****	FUND BALANCE AVAILABLE		\$0.00	\$0.00	(\$195,673.84)
75-0000	07/01/2014		APPROPRIATION	JE000002	\$476,110.00	\$0.00	\$280,436.16
75-0000	07/01/2014		ESTIMATED REVENUE	JE000003	\$0.00	\$410,033.00	(\$129,596.84)
			Ending Balance:		\$476,110.00	\$410,033.00	(\$129,596.84)
82-0000	07/31/2014	*****	REVENUE		\$0.00	\$0.00	(\$345,741.00)
			Ending Balance:		\$0.00	\$0.00	(\$345,741.00)
86-0000	07/31/2014	*****	EXPENDITURES		\$0.00	\$0.00	\$17,918.88
			Ending Balance:		\$0.00	\$0.00	\$17,918.88
91-0000	07/31/2014	*****	ESTIMATED REVENUES		\$0.00	\$0.00	\$410,033.00
			Ending Balance:		\$0.00	\$0.00	\$410,033.00
93-0000	07/31/2014	*****	APPROPRIATIONS		\$0.00	\$0.00	(\$476,110.00)
			Ending Balance:		\$0.00	\$0.00	(\$476,110.00)
95-0000	07/31/2014	*****	ENCUMBRANCES		\$0.00	\$0.00	\$1,838.35
			Ending Balance:		\$0.00	\$0.00	\$1,838.35

General Ledger August 1 - 31, 2014								
Account	Date	Program	Description	Document	Debit	Credit	Balance	
01-0000	08/01/2014	*****	CASH IN TREASURY		\$0.00	\$0.00	\$523,495.96	
01-0000	08/01/2014		07/26/14 Payroll	PR000015	\$0.00	\$11,718.99	\$511,776.97	
01-0000	08/06/2014		WARRANTS	WA080614	\$0.00	\$3,330.00	\$508,446.97	
01-0000	08/08/2014		PPE 7/12/14 T DICKINSON	JE000520	\$426.13	\$0.00	\$508,873.10	
01-0000	08/08/2014		PPE 7/26/14 T DICKINSON	JE000521	\$426.13	\$0.00	\$509,299.23	
01-0000	08/15/2014		08/09/14 Payroll	PR000018	\$0.00	\$11,718.99	\$497,580.24	
01-0000	08/20/2014		WARRANTS	WA082014	\$0.00	\$116.65	\$497,463.59	
01-0000	08/29/2014		08/23/14 Payroll	PR000033	\$0.00	\$11,719.00	\$485,744.59	
01-0000	08/31/2014		185-1 08/14 INTERNAL TELEPHONE	JE001083	\$0.00	\$128.37	\$485,616.22	
			<b>Ending Balance:</b>		<b>\$852.26</b>	<b>\$38,732.00</b>	<b>\$485,616.22</b>	
04-0000	08/01/2014	*****	RESTR CASH-OPEB		\$0.00	\$0.00	\$50,034.65	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$50,034.65</b>	
04-0001	08/01/2014	*****	RESTR CASH-PC REPLACEMENT		\$0.00	\$0.00	\$2,400.00	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,400.00</b>	
40-0500	08/01/2014	*****	FUTURE LONG TERM DEBT REQUIRE		\$0.00	\$0.00	\$8,489.00	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$8,489.00</b>	
60-0600	08/01/2014	*****	ACCRUED COMPENSATION ABSENCES		\$0.00	\$0.00	(\$8,489.00)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$8,489.00)</b>	
71-0000	08/31/2014	*****	RESERVE FOR ENCUMBRANCES		\$0.00	\$0.00	(\$1,721.70)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$1,721.70)</b>	
74-0001	08/01/2014	*****	COMMITTED-OPEB		\$0.00	\$0.00	(\$50,034.65)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$50,034.65)</b>	
74-0501	08/01/2014	*****	ASSIGNED-CAPITAL ASSET REPL		\$0.00	\$0.00	(\$2,400.00)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$2,400.00)</b>	
75-0000	08/01/2014	*****	FUND BALANCE AVAILABLE		\$0.00	\$0.00	(\$129,596.84)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$129,596.84)</b>	
82-0000	08/31/2014	*****	REVENUE		\$0.00	\$0.00	(\$345,741.00)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$345,741.00)</b>	
86-0000	08/31/2014	*****	EXPENDITURES		\$0.00	\$0.00	\$55,798.62	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$55,798.62</b>	
91-0000	08/31/2014	*****	ESTIMATED REVENUES		\$0.00	\$0.00	\$410,033.00	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$410,033.00</b>	
93-0000	08/31/2014	*****	APPROPRIATIONS		\$0.00	\$0.00	(\$476,110.00)	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$476,110.00)</b>	
95-0000	08/31/2014	*****	ENCUMBRANCES		\$0.00	\$0.00	\$1,721.70	
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,721.70</b>	

General Ledger September 1 - 30, 2014							
Account	Date	Program	Description	Document	Debit	Credit	Balance
01-0000	09/01/2014	*****	CASH IN TREASURY		\$0.00	\$0.00	\$485,616.22
01-0000	09/03/2014		08/14 CAL CARD LAFCO-TTUCK	JE001078	\$0.00	\$284.40	\$485,331.82
01-0000	09/03/2014		08/14 CAL CARD LAFCO-CCRAWFORD	JE001078	\$0.00	\$182.50	\$485,149.32
01-0000	09/12/2014		09/06/14 Payroll	PR000036	\$0.00	\$11,719.00	\$473,430.32
01-0000	09/17/2014		1ST QTR CONNECTIVITY-NGEN	JE001308	\$0.00	\$654.75	\$472,775.57
01-0000	09/17/2014		1ST QTR ERP NGEN	JE001308	\$0.00	\$338.50	\$472,437.07
01-0000	09/17/2014		WARRANTS	WA091714	\$0.00	\$8.10	\$472,428.97
01-0000	09/24/2014		WARRANTS	WA092414	\$0.00	\$105.45	\$472,323.52
01-0000	09/26/2014		09/20/14 Payroll	PR000040	\$0.00	\$11,718.99	\$460,604.53
01-0000	09/30/2014		185-1 08/14 INTERNAL TELEPHONE	JE001500	\$0.00	\$8.50	\$460,596.03
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$25,020.19</b>	<b>\$460,596.03</b>
04-0000	09/01/2014	*****	RESTR CASH-OPEB		\$0.00	\$0.00	\$50,034.65
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$50,034.65</b>
04-0001	09/01/2014	*****	RESTR CASH-PC REPLACEMENT		\$0.00	\$0.00	\$2,400.00
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,400.00</b>
40-0500	09/01/2014	*****	FUTURE LONG TERM DEBT REQUIRE		\$0.00	\$0.00	\$8,489.00
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$8,489.00</b>
60-0600	09/01/2014	*****	ACCRUED COMPENSATION ABSENCES		\$0.00	\$0.00	(\$8,489.00)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$8,489.00)</b>
71-0000	09/30/2014	*****	RESERVE FOR ENCUMBRANCES		\$0.00	\$0.00	(\$1,608.15)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$1,608.15)</b>
74-0001	09/01/2014	*****	COMMITTED-OPEB		\$0.00	\$0.00	(\$50,034.65)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$50,034.65)</b>
74-0501	09/01/2014	*****	ASSIGNED-CAPITAL ASSET REPL		\$0.00	\$0.00	(\$2,400.00)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$2,400.00)</b>
75-0000	09/01/2014	*****	FUND BALANCE AVAILABLE		\$0.00	\$0.00	(\$129,596.84)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$129,596.84)</b>
82-0000	09/30/2014	*****	REVENUE		\$0.00	\$0.00	(\$345,741.00)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$345,741.00)</b>
86-0000	09/30/2014	*****	EXPENDITURES		\$0.00	\$0.00	\$80,818.81
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$80,818.81</b>
91-0000	09/30/2014	*****	ESTIMATED REVENUES		\$0.00	\$0.00	\$410,033.00
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$410,033.00</b>
93-0000	09/30/2014	*****	APPROPRIATIONS		\$0.00	\$0.00	(\$476,110.00)
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$476,110.00)</b>
95-0000	09/30/2014	*****	ENCUMBRANCES		\$0.00	\$0.00	\$1,608.15
			<b>Ending Balance:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,608.15</b>

<b>Revenue Detail July 1 - September 30, 2014</b>										
Date	FD	B/U	C/C	Account	Program	Vendor Name	Description	Warrant Number	DOC #	Amount
07/18/2014	368	3681		825820		UNASSIGNED VENDOR	166-1 14/15 COUNTY CONTRIB		JE000204	(\$202,767.00)
07/14/2014	368	3681		825821		UNASSIGNED VENDOR	FY14/15 WEST SACRAMENTO		DP210058	(\$67,728.00)
07/10/2014	368	3681		825823		UNASSIGNED VENDOR	FY 14/15 WINTERS		DP209996	(\$6,509.00)
07/21/2014	368	3681		825824		UNASSIGNED VENDOR	FY14/15 DAVIS		DP210145	(\$68,737.00)
										<b>(\$345,741.00)</b>

ATT D - Expense Detail by Date

Expenditure Detail by Date July 1 - September 30, 2014											
Date	FD	BU	CC	ACCT	PROG	Vendor	Vendor Name	Description	WT #	DOC #	Amount
07/01/14	368	3681		861101		99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$6,734.26)
07/01/14	368	3681		861101		99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$737.19)
07/01/14	368	3681		861201		99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$1,283.76)
07/01/14	368	3681		861201		99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$151.55)
07/01/14	368	3681		861202		99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$532.25)
07/01/14	368	3681		861202		99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$57.21)
07/01/14	368	3681		861203		99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$124.47)
07/01/14	368	3681		861203		99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$13.38)
07/01/14	368	3681		861600		99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$2,556.75)
07/01/14	368	3681		861600		99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$255.68)
07/01/14	368	3681		862090		99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$25.00)
07/01/14	368	3681		862090		99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$2.50)
07/01/14	368	3681		862491		0	UNASSIGNED VENDOR	CO-PO CLM 7-23 INLAND	00000001	JE000984	(\$168.91)
07/02/14	368	3681		862330		6029	CALIFORNIA ASSOCIATION FOR	FY14/15 CALAFCO MEMBER DUES	09428363	CL105082	\$2,335.00
07/03/14	368	3681		861101		99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$6,734.26
07/03/14	368	3681		861201		99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$1,283.76
07/03/14	368	3681		861202		99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$532.25
07/03/14	368	3681		861203		99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$124.47
07/03/14	368	3681		861600		99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$2,556.75
07/03/14	368	3681		862090		99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$25.00
07/10/14	368	3681		861500		2449	YCPARMIA	YCPARMIA INV#6047 WORKERS COMP	00000001	JE000112	\$500.00
07/10/14	368	3681		862202		2449	YCPARMIA	YCPARMIA INV#6087 GEN LIAB	00000001	JE000112	\$500.00
07/16/14	368	3681		862271		3351	INLAND BUSINESS SYSTEMS INC	INV#07A968 1 07/11/14 PO140124	09429178	PO140124	\$168.91
07/18/14	368	3681		861101		99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$7,371.88
07/18/14	368	3681		861201		99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$1,515.50
07/18/14	368	3681		861202		99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$572.09
07/18/14	368	3681		861203		99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$133.80
07/18/14	368	3681		861600		99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$2,556.75
07/18/14	368	3681		862090		99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$25.00
07/23/14	368	3681		862390		29920	DSW HOLDINGS INC	INV 9951047 071014 7/10/14 PO1	09429555	PO150133	\$6.20
07/23/14	368	3681		862491		29920	DSW HOLDINGS INC	INV 9951047 071014 7/10/14 PO1	09429555	PO150133	\$5.00
07/23/14	368	3681		862491		33922	LYON FINANCIAL SVC UNDERWRITER	INV 257601344 07/13/14 PO15012	09429562	PO150122	\$105.45
07/24/14	368	3681		863102		0	UNASSIGNED VENDOR	CACHEVILLE CSD MSR/SOI-NOE	00000001	IB150022	\$50.00
07/28/14	368	3681		862548		0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$53.00

ATT D - Expense Detail by Date

Expenditure Detail by Date July 1 - September 30, 2014											
Date	FD	BU	CC	ACCT	PROG	Vendor	Vendor Name	Description	WT #	DOC #	Amount
07/28/14	368	3681		862548		0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$53.00
07/28/14	368	3681		862548		0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$168.50
07/28/14	368	3681		862548		0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$168.50
07/28/14	368	3681		862548		0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$184.50
07/28/14	368	3681		862548		0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$241.50
07/30/14	368	3681		862548		6029	CALIFORNIA ASSOCIATION FOR	CALAFCO CONF REGISTRATION	09430007	CL106410	\$2,375.00
07/30/14	368	3681		862548		6029	CALIFORNIA ASSOCIATION FOR	CALAFCO U COURSE-CAGUIAR-CURRY	09430008	CL106193	\$75.00
07/31/14	368	3681		862090		0	UNASSIGNED VENDOR	185-1 07/14 INTERNAL TELEPHONE	00000001	JE000428	\$132.22
07/31/14	368	3681		862090		0	UNASSIGNED VENDOR	185-1 07/14 INTERNAL TELEPHONE	00000001	JE000814	\$8.50
08/01/14	368	3681		861101		99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$7,016.19
08/01/14	368	3681		861201		99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$1,442.39
08/01/14	368	3681		861202		99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$550.03
08/01/14	368	3681		861203		99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$128.63
08/01/14	368	3681		861600		99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$2,556.75
08/01/14	368	3681		862090		99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$25.00
08/06/14	368	3681		862548		6029	CALIFORNIA ASSOCIATION FOR	CALAFCO CONF REGISTRATION	09430383	CL106592	\$455.00
08/06/14	368	3681		862548		6029	CALIFORNIA ASSOCIATION FOR	CALAFCO U COURSE-ERIC MAY	09430384	CL106591	\$75.00
08/06/14	368	3681	SSP	862429		38211	MAGELLAN ADVISORS, LLC	INV MA08011411 08/01/14	09430385	CL106731	\$2,800.00
08/08/14	368	3681		861999		0	UNASSIGNED VENDOR	PPE 7/12/14 T DICKINSON	00000001	JE000520	(\$426.13)
08/08/14	368	3681		861999		0	UNASSIGNED VENDOR	PPE 7/26/14 T DICKINSON	00000001	JE000521	(\$426.13)
08/15/14	368	3681		861101		99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$7,016.19
08/15/14	368	3681		861201		99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$1,442.39
08/15/14	368	3681		861202		99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$550.02
08/15/14	368	3681		861203		99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$128.64
08/15/14	368	3681		861600		99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$2,556.75
08/15/14	368	3681		862090		99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$25.00
08/20/14	368	3681		862390		29920	DSW HOLDINGS INC	INV 9951047 080714 8/7/14 PO15	09431285	PO150133	\$6.20
08/20/14	368	3681		862491		29920	DSW HOLDINGS INC	INV 9951047 080714 8/7/14 PO15	09431285	PO150133	\$5.00
08/20/14	368	3681		862491		33922	LYON FINANCIAL SVC UNDERWRITER	INV 259699510 08/13/14 PO15012	09431307	PO150122	\$105.45
08/29/14	368	3681		861101		99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$7,016.19
08/29/14	368	3681		861201		99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$1,442.39



ATT D - Expense Detail by Date

<b>Expenditure Detail by Date July 1 - September 30, 2014</b>											
<b>Date</b>	<b>FD</b>	<b>BU</b>	<b>CC</b>	<b>ACCT</b>	<b>PROG</b>	<b>Vendor</b>	<b>Vendor Name</b>	<b>Description</b>	<b>WT #</b>	<b>DOC #</b>	<b>Amount</b>
08/29/14	368	3681		861202		99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$550.03
08/29/14	368	3681		861203		99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$128.64
08/29/14	368	3681		861600		99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$2,556.75
08/29/14	368	3681		862090		99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$25.00
08/31/14	368	3681		862090		0	UNASSIGNED VENDOR	185-1 08/14 INTERNAL TELEPHONE	00000001	JE001083	\$128.37
09/03/14	368	3681		862548		0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-CCRAWFORD	00000001	JE001078	\$12.50
09/03/14	368	3681		862548		0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-CCRAWFORD	00000001	JE001078	\$21.00
09/03/14	368	3681		862548		0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-CCRAWFORD	00000001	JE001078	\$149.00
09/03/14	368	3681		862548		0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-TTUCK	00000001	JE001078	\$109.70
09/03/14	368	3681		862548		0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-TTUCK	00000001	JE001078	\$174.70
09/12/14	368	3681		861101		99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$7,016.19
09/12/14	368	3681		861201		99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$1,442.38
09/12/14	368	3681		861202		99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$550.04
09/12/14	368	3681		861203		99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$128.64
09/12/14	368	3681		861600		99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$2,556.75
09/12/14	368	3681		862090		99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$25.00
09/17/14	368	3681		862390		29920	DSW HOLDINGS INC	INV 9951047 090414 09/04/14 PO	09432936	PO150133	\$3.10
09/17/14	368	3681		862418		0	UNASSIGNED VENDOR	1ST QTR ERP-LAFCO	00000001	JE001308	\$338.50
09/17/14	368	3681		862419		0	UNASSIGNED VENDOR	1ST QTR CONNECTIVITY-LAFCO	00000001	JE001308	\$654.75
09/17/14	368	3681		862491		29920	DSW HOLDINGS INC	INV 9951047 090414 09/04/14 PO	09432936	PO150133	\$5.00
09/24/14	368	3681		862491		33922	LYON FINANCIAL SVC UNDERWRITER	INV 261783625 09/12/14 PO15012	09433360	PO150122	\$105.45
09/26/14	368	3681		861101		99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$7,016.19
09/26/14	368	3681		861201		99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$1,442.39
09/26/14	368	3681		861202		99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$550.03
09/26/14	368	3681		861203		99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$128.63
09/26/14	368	3681		861600		99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$2,556.75
09/26/14	368	3681		862090		99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$25.00
09/30/14	368	3681		862090		0	UNASSIGNED VENDOR	185-1 08/14 INTERNAL TELEPHONE	00000001	JE001500	\$8.50
								<b>Total Budget Year Expenditures:</b>			<b>\$80,818.81</b>
								<b>Grand Total:</b>			<b>\$80,818.81</b>

Expenditure Detail by Account July 1 - September 30, 2014										
Date	FD	BU	CC	Acct	Vendor	Vendor Name	Description	WT #	DOC #	Amount
07/01/14	368	3681		861101	99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$6,734.26)
07/01/14	368	3681		861101	99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$737.19)
07/03/14	368	3681		861101	99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$6,734.26
07/18/14	368	3681		861101	99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$7,371.88
08/01/14	368	3681		861101	99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$7,016.19
08/15/14	368	3681		861101	99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$7,016.19
08/29/14	368	3681		861101	99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$7,016.19
09/12/14	368	3681		861101	99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$7,016.19
09/26/14	368	3681		861101	99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$7,016.19
							<b>Account 3683681 861101</b>		<b>Total:</b>	<b>\$41,715.64</b>
07/01/14	368	3681		861201	99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$1,283.76)
07/01/14	368	3681		861201	99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$151.55)
07/03/14	368	3681		861201	99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$1,283.76
07/18/14	368	3681		861201	99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$1,515.50
08/01/14	368	3681		861201	99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$1,442.39
08/15/14	368	3681		861201	99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$1,442.39
08/29/14	368	3681		861201	99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$1,442.39
09/12/14	368	3681		861201	99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$1,442.38
09/26/14	368	3681		861201	99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$1,442.39
							<b>Account 3683681 861201</b>		<b>Total:</b>	<b>\$8,575.89</b>
07/01/14	368	3681		861202	99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$532.25)
07/01/14	368	3681		861202	99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$57.21)
07/03/14	368	3681		861202	99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$532.25
07/18/14	368	3681		861202	99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$572.09
08/01/14	368	3681		861202	99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$550.03
08/15/14	368	3681		861202	99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$550.02
08/29/14	368	3681		861202	99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$550.03
09/12/14	368	3681		861202	99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$550.04
09/26/14	368	3681		861202	99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$550.03
							<b>Account 3683681 861202</b>		<b>Total:</b>	<b>\$3,265.03</b>
07/01/14	368	3681		861203	99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$124.47)
07/01/14	368	3681		861203	99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$13.38)
07/03/14	368	3681		861203	99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$124.47
07/18/14	368	3681		861203	99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$133.80
08/01/14	368	3681		861203	99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$128.63
08/15/14	368	3681		861203	99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$128.64

Expenditure Detail by Account July 1 - September 30, 2014										
Date	FD	BU	CC	Acct	Vendor	Vendor Name	Description	WT #	DOC #	Amount
08/29/14	368	3681		861203	99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$128.64
09/12/14	368	3681		861203	99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$128.64
09/26/14	368	3681		861203	99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$128.63
							<b>Account 3683681 861203</b>		<b>Total:</b>	<b>\$763.60</b>
07/10/14	368	3681		861500	2449	YCPARMIA	YCPARMIA INV#6047 WORKERS COMP	00000001	JE000112	\$500.00
							<b>Account 3683681 861500</b>		<b>Total:</b>	<b>\$500.00</b>
07/01/14	368	3681		861600	99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$2,556.75)
07/01/14	368	3681		861600	99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$255.68)
07/03/14	368	3681		861600	99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$2,556.75
07/18/14	368	3681		861600	99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$2,556.75
08/01/14	368	3681		861600	99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$2,556.75
08/15/14	368	3681		861600	99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$2,556.75
08/29/14	368	3681		861600	99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$2,556.75
09/12/14	368	3681		861600	99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$2,556.75
09/26/14	368	3681		861600	99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$2,556.75
							<b>Account 3683681 861600</b>		<b>Total:</b>	<b>\$15,084.82</b>
08/08/14	368	3681		861999	0	UNASSIGNED VENDOR	PPE 7/12/14 T DICKINSON	00000001	JE000520	(\$426.13)
08/08/14	368	3681		861999	0	UNASSIGNED VENDOR	PPE 7/26/14 T DICKINSON	00000001	JE000521	(\$426.13)
							<b>Account 3683681 861999</b>		<b>Total:</b>	<b>(\$852.26)</b>
07/01/14	368	3681		862090	99999	VARIOUS VENDORS	0615-0628 PAYROLL ACCRUAL	00000001	JE000063	(\$25.00)
07/01/14	368	3681		862090	99999	VARIOUS VENDORS	0629-0630 PAYROLL ACCRUAL	00000001	JE000208	(\$2.50)
07/03/14	368	3681		862090	99999	VARIOUS VENDORS	06/28/14 Payroll	00000003	PR000004	\$25.00
07/18/14	368	3681		862090	99999	VARIOUS VENDORS	07/12/14 Payroll	00000003	PR000009	\$25.00
07/31/14	368	3681		862090	0	UNASSIGNED VENDOR	185-1 07/14 INTERNAL TELEPHONE	00000001	JE000428	\$132.22
07/31/14	368	3681		862090	0	UNASSIGNED VENDOR	185-1 07/14 INTERNAL TELEPHONE	00000001	JE000814	\$8.50
08/01/14	368	3681		862090	99999	VARIOUS VENDORS	07/26/14 Payroll	00000003	PR000015	\$25.00
08/15/14	368	3681		862090	99999	VARIOUS VENDORS	08/09/14 Payroll	00000003	PR000018	\$25.00
08/29/14	368	3681		862090	99999	VARIOUS VENDORS	08/23/14 Payroll	00000003	PR000033	\$25.00
08/31/14	368	3681		862090	0	UNASSIGNED VENDOR	185-1 08/14 INTERNAL TELEPHONE	00000001	JE001083	\$128.37
09/12/14	368	3681		862090	99999	VARIOUS VENDORS	09/06/14 Payroll	00000003	PR000036	\$25.00
09/26/14	368	3681		862090	99999	VARIOUS VENDORS	09/20/14 Payroll	00000003	PR000040	\$25.00
09/30/14	368	3681		862090	0	UNASSIGNED VENDOR	185-1 08/14 INTERNAL TELEPHONE	00000001	JE001500	\$8.50
							<b>Account 3683681 862090</b>		<b>Total:</b>	<b>\$425.09</b>
07/10/14	368	3681		862202	2449	YCPARMIA	YCPARMIA INV#6087 GEN LIAB	00000001	JE000112	\$500.00
							<b>Account 3683681 862202</b>		<b>Total:</b>	<b>\$500.00</b>
07/16/14	368	3681		862271	3351	INLAND BUSINESS SYSTEMS INC	INV#07A968 1 07/11/14 PO140124	09429178	PO140124	\$168.91

Expenditure Detail by Account July 1 - September 30, 2014										
Date	FD	BU	CC	Acct	Vendor	Vendor Name	Description	WT #	DOC #	Amount
							Account 3683681 862271		Total:	\$168.91
07/02/14	368	3681		862330	6029	CALIFORNIA ASSOCIATION FOR	FY14/15 CALAFCO MEMBER DUES	09428363	CL105082	\$2,335.00
							Account 3683681 862330		Total:	\$2,335.00
07/23/14	368	3681		862390	29920	DSW HOLDINGS INC	INV 9951047 071014 7/10/14 PO1	09429555	PO150133	\$6.20
08/20/14	368	3681		862390	29920	DSW HOLDINGS INC	INV 9951047 080714 8/7/14 PO15	09431285	PO150133	\$6.20
09/17/14	368	3681		862390	29920	DSW HOLDINGS INC	INV 9951047 090414 09/04/14 PO	09432936	PO150133	\$3.10
							Account 3683681 862390		Total:	\$15.50
09/17/14	368	3681		862418	0	UNASSIGNED VENDOR	1ST QTR ERP-LAFCO	00000001	JE001308	\$338.50
							Account 3683681 862418		Total:	\$338.50
09/17/14	368	3681		862419	0	UNASSIGNED VENDOR	1ST QTR CONNECTIVITY-LAFCO	00000001	JE001308	\$654.75
							Account 3683681 862419		Total:	\$654.75
07/01/14	368	3681		862491	0	UNASSIGNED VENDOR	CO-PO CLM 7-23 INLAND	00000001	JE000984	(\$168.91)
07/23/14	368	3681		862491	29920	DSW HOLDINGS INC	INV 9951047 071014 7/10/14 PO1	09429555	PO150133	\$5.00
07/23/14	368	3681		862491	33922	LYON FINANCIAL SVC UNDERWRITER	INV 257601344 07/13/14 PO15012	09429562	PO150122	\$105.45
08/20/14	368	3681		862491	29920	DSW HOLDINGS INC	INV 9951047 080714 8/7/14 PO15	09431285	PO150133	\$5.00
08/20/14	368	3681		862491	33922	LYON FINANCIAL SVC UNDERWRITER	INV 259699510 08/13/14 PO15012	09431307	PO150122	\$105.45
09/17/14	368	3681		862491	29920	DSW HOLDINGS INC	INV 9951047 090414 09/04/14 PO	09432936	PO150133	\$5.00
09/24/14	368	3681		862491	33922	LYON FINANCIAL SVC UNDERWRITER	INV 261783625 09/12/14 PO15012	09433360	PO150122	\$105.45
							Account 3683681 862491		Total:	\$162.44
07/28/14	368	3681		862548	0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$53.00
07/28/14	368	3681		862548	0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$53.00
07/28/14	368	3681		862548	0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$168.50
07/28/14	368	3681		862548	0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$168.50
07/28/14	368	3681		862548	0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$184.50
07/28/14	368	3681		862548	0	UNASSIGNED VENDOR	07/14 CAL CARD LAFCO-TTUCK	00000001	JE000332	\$241.50
07/30/14	368	3681		862548	6029	CALIFORNIA ASSOCIATION FOR	CALAFCO CONF REGISTRATION	09430007	CL106410	\$2,375.00
07/30/14	368	3681		862548	6029	CALIFORNIA ASSOCIATION FOR	CALAFCO U COURSE-CAGUIAR-CURRY	09430008	CL106193	\$75.00
08/06/14	368	3681		862548	6029	CALIFORNIA ASSOCIATION FOR	CALAFCO CONF REGISTRATION	09430383	CL106592	\$455.00
08/06/14	368	3681		862548	6029	CALIFORNIA ASSOCIATION FOR	CALAFCO U COURSE-ERIC MAY	09430384	CL106591	\$75.00
09/03/14	368	3681		862548	0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-CCRAWFORD	00000001	JE001078	\$12.50
09/03/14	368	3681		862548	0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-CCRAWFORD	00000001	JE001078	\$21.00
09/03/14	368	3681		862548	0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-CCRAWFORD	00000001	JE001078	\$149.00
09/03/14	368	3681		862548	0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-TTUCK	00000001	JE001078	\$109.70
09/03/14	368	3681		862548	0	UNASSIGNED VENDOR	08/14 CAL CARD LAFCO-TTUCK	00000001	JE001078	\$174.70

ATT E - Expense Detail by Account

Expenditure Detail by Account July 1 - September 30, 2014										
Date	FD	BU	CC	Acct	Vendor	Vendor Name	Description	WT #	DOC #	Amount
							Account 3683681 862548		Total:	\$4,315.90
07/24/14	368	3681		863102	0	UNASSIGNED VENDOR	CACHEVILLE CSD MSR/SOI-NOE	00000001	IB150022	\$50.00
							Account 3683681 863102		Total:	\$50.00
08/06/14	368	3681	SSP	862429	38211	MAGELLAN ADVISORS, LLC	INV MA08011411 08/01/14	09430385	CL106731	\$2,800.00
							Account 3683681SSP 862429		Total:	\$2,800.00
									Total Budget Year Expenditures:	\$80,818.81
									Grand Total:	\$80,818.81



**LAFCo**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Authorize the Chair to Execute an Agreement for Legal Services with County Counsel's Office.

**RECOMMENDED ACTION**

Authorize the Chair to Execute an Agreement for Legal Services with County Counsel's Office.

**FISCAL IMPACT**

The Yolo LAFCo Budget has adequate appropriations for general counsel as well as intermittent special counsel. In cases of litigation, there are emergency contingency funds available. The 2014/15 LAFCo budget has \$7,500 allocated for legal services. The fee for service by County Counsel staff is \$143.85 per hour.

**REASONS FOR RECOMMENDED ACTION**

LAFCo Administrative Policies and Procedures states that the Commission shall appoint legal counsel to advise it. With the August 2014 departure of County Counsel Robyn Truitt Drivon, and concurrently, Commission Counsel, it was necessary to appoint general LAFCo counsel. At the September 25, 2014 meeting, the Commission decided to maintain the legal services of the office of Yolo County Counsel, appointed Deputy County Counsel Eric May and directed staff to return at the next meeting with a contract for legal services.

**BACKGROUND**

The Commission appointed Ms. Drivon interim Commission Counsel on September 22, 2008 upon the retirement of former Deputy County Counsel and long-term Commission Counsel Stephen Nocita. In January 2009, the Commission selected three legal firms for services for special situations that LAFCo may encounter and conflict of interest support to LAFCo general counsel. Ms. Drivon was then appointed Commission Counsel in February 2009.

Over the years during the evolution of LAFCo as an independent agency, County Counsel has performed services on an "interdepartmental" basis. However, staff recommends that at this time it would be appropriate to have a formal agreement for services. The attached contract is a relatively straightforward time and materials contract for legal services. It does not preclude LAFCo from hiring specialty counsel should the need ever arise.

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**Attachments**

[Counsel AGR 2014-07](#)

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**Form Review**

**Inbox**

Christine Crawford

Form Started By: Christine Crawford

Final Approval Date: 11/17/2014

**Reviewed By**

Christine Crawford

**Date**

11/17/2014 01:54 PM

Started On: 11/17/2014 01:30 PM

AGREEMENT NO. 2014-07  
(Agreement for Legal Services)

THIS AGREEMENT is made this 4th day of December, 2014, by and between the Local Agency Formation Commission of Yolo County ("LAFCo") and the County of Yolo by and through its County Counsel's Office ("COUNTY"), who agree as follows:

**TERMS**

1) **Services To Be Provided By The County of Yolo.** The Office of the County Counsel will serve as legal counsel to LAFCo, including its Executive Officer and staff in their official capacities. As such, the Office of the County Counsel will provide such legal advice, advocacy, and opinions as requested by the Executive Officer, or his/her designee, and the Board of Commissioners. The Office of the County Counsel shall undertake all legal services in a professional, responsible, and competent manner. Nothing herein shall preclude LAFCo from retaining outside counsel, as needed.

The maximum amount of time to be spent by the attorneys of the Office of the County Counsel on legal services pursuant to this Agreement shall not be limited. The County Counsel will provide to LAFCo an accounting of time spent on legal services pursuant to this Agreement with its quarterly invoice, and at any other time upon request. In providing these services, the Office of the County Counsel shall not be an employee of LAFCo, but shall be an employee of the County. The County shall be responsible for all required taxes and other obligations for itself and the employees of the County Counsel's Office, including applicable withholding taxes, unemployment insurance, federal social security, and workers' compensation insurance coverage.

2) **Compensation and Expenses To Be Paid By LAFCo.** For the legal services provided during the term of this Agreement, County Counsel shall bill LAFCo at an hourly rate of \$143.85. The hourly fee is subject to change by approval of the County Board of Supervisors. All overhead (A-87) costs and expenses are included in this amount. The County Counsel's Office will bill additional expenses separately. The County Counsel's Office shall invoice LAFCo at least on a quarterly basis, unless the parties mutually agree otherwise. Within fifteen (15) days at the end of each quarter, County Counsel shall submit an invoice to LAFCo for services rendered under the Agreement.

The invoice submitted pursuant to this Paragraph shall show the number of hours worked by each person who performed services during the billing period, the hourly rate of pay for each person who performed services, the dates on which the services were performed, a description of the services performed, actual out-of-pocket expenses incurred in the performance of the services, and such other information as LAFCo may reasonably require.

The LAFCo Executive Officer shall either authorize payment within thirty (30) calendar days of receipt of the invoice, or advise the County Counsel's Office in writing of any concerns or any need for further documentation. LAFCo reserves the right to withhold payments in the event of County Counsel's Office's performance being materially non-compliant with the Agreement.

3) **Applicable Laws.** In the performance of the services set forth herein, the County of Yolo and the Office of the County Counsel shall comply with all applicable laws.

4) **Termination of Agreement.** This Agreement may be terminated by either party at any time for convenience by giving the other party sixty (60) calendar days advance written notice; provided,

however, that the services of the Office of the County Counsel shall not be deemed terminated until the County Counsel's Office has obtained leave of court to withdraw from any court or administrative tribunal proceeding in which County Counsel is the attorney of record for LAFCo. The County of Yolo, the Office of the County Counsel and LAFCo each agree to sign any documents reasonably necessary to complete the County Counsel's Office's discharge or withdrawal.

5) **Notice.** During the term of this Agreement, all notices shall be made in writing and either served personally, sent by first class mail, or sent by facsimile, provided confirmation of delivery is obtained at the time of facsimile transmission.

6) **Assignment.** This Agreement shall not be assigned by the County of Yolo without the express written consent of LAFCo.

7) **Governing Law.** This Agreement shall be deemed to be executed within the State of California and construed in accordance with and governed by laws of the State of California. Any action or proceeding arising out of this Agreement shall be filed and resolved in a court of competent jurisdiction located in Woodland, California.

8) **Severability.** If any provision of this Agreement is adjudicated by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect.

9) **Amendment.** This Agreement may only be amended in writing signed by both parties, and any other purported amendment shall be of no force or effect.

10) **Entire Agreement.** This Agreement constitutes the entire agreement between the County of Yolo and LAFCo regarding the provision of legal services, and supersedes all prior negotiations, representations, or agreements, whether written or oral.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above by affixing their signatures hereafter.

**LOCAL AGENCY FORMATION  
COMMISSION OF YOLO COUNTY**

**COUNTY OF YOLO**

By \_\_\_\_\_  
Olin Woods, Chair  
LAFCo

By \_\_\_\_\_  
Philip Pogledich,  
County Counsel

Attest:  
Terri Tuck, Clerk  
LAFCo

By \_\_\_\_\_  
Commission Clerk (Seal)

Approved as to Form:

\_\_\_\_\_  
Eric May, Deputy County Counsel /  
Commission Counsel



**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Consider and adopt the Municipal Service Review (MSR) and Sphere of Influence (SOI) update for the Knights Landing Community Service District (CSD).

**RECOMMENDED ACTION**

1. Receive staff presentation on the Knights Landing CSD MSR/SOI.
2. Open the Public Hearing for public comments on this item.
3. Close the Public Hearing.
4. Consider the information presented in the staff report and during the Public Hearing. Discuss and direct staff to make any necessary changes.
5. Find that the project is exempt from environmental review pursuant to Section 15262.
6. Adopt the Municipal Service Review and Sphere of Influence update for the Knights Landing Community Service District.

**FISCAL IMPACT**

No fiscal impact.

**REASONS FOR RECOMMENDED ACTION**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), is LAFCo's governing law and outlines the requirements for preparing periodic Municipal Service Reviews (MSRs) and Sphere of Influence (SOI) updates. MSRs and SOIs are tools created to empower LAFCo to satisfy its legislative charge of "discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances".

An MSR is conducted prior to, or in conjunction with, the update of an SOI. LAFCos are required to review an agency's Sphere of Influence every five years. An MSR evaluates the structure and operations of district services and includes a discussion of the capability and capacity of the district to ensure the provision of municipal services to the existing service area and any future growth of the district's boundaries. The SOI indicates the probable future physical boundaries and service area of a district and lays the groundwork for potential future annexations.

Yolo LAFCo staff utilizes a checklist format for MSRs that allows staff to streamline the assessment of each district's municipal services. Based on the findings of the MSR checklist staff can recommend whether a SOI update is warranted. Staff conducted a MSR for the Knights Landing CSD (attached), and recommends that the Commission adopt the revised SOI as described in the MSR/SOI.

**BACKGROUND**

**District Profile and Background**

The Knights Landing Community Service District (CSD) was established in May 1968 to provide water, wastewater treatment, street lighting, and parks and recreation services to the community of Knights Landing. The CSD received LAFCo approval to add storm drainage services to its list of powers in 2007. The Knights Landing CSD is governed by a five-member Board of Directors. Board members are appointed by the Yolo County Board of Supervisors in lieu of election. The District has two full-time staff, including one superintendent and one bookkeeper.

The community of Knights Landing is located on State Highway 113 adjacent to the Sacramento River. The community is bounded on the north by the Sacramento River, on the west by the Colusa Basin Drainage Canal and on the south by the Knights Landing Ridge Cut. The community extends a short distance beyond the abandoned Southern Pacific Railroad embankment to the east. The current boundaries for the Knights Landing CSD roughly correspond to the perimeter of the developed areas in the community of Knights landing, with the addition of a few agricultural parcels immediately adjacent to the community. The most recent MSR/SOI for the District was completed in 2006.

**Municipal Service Overview**

MSRs are designed to equip LAFCo with information to guide decision making regarding agency boundaries and the provision of efficient government services. LAFCo has broad discretion regarding the scope of the study including determining the geographic or agency focus of the report and identifying alternatives for improving the efficiency, cost-effectiveness, accountability and reliability of public services.

Overall, the MSR finds that the Knights Landing CSD is performing its municipal service responsibilities adequately. However, the District is struggling with several internal issues that limit its ability to provide effective and efficient services. Most notably, the District does not have sufficient revenues to fund the municipal services it provides. The District has generally managed to support its ongoing service provision on its existing revenues, but has been unable to place funding aside in a reserve, and is not financially prepared to respond to some of the upcoming infrastructure maintenance and repair needs that it expects. Additionally, the Board has struggled with recruiting and maintaining members for its Board of Directors. Without a strong and stable leadership body the District may be less prepared to address its financial issues. The MSR determines that there is no expected growth in the community that might impact service delivery; there are no issues with disadvantaged unincorporated communities being passed over for essential municipal services; and the District provides adequate municipal services.

The report does identify several issues pertaining to financial management, recruiting board members, and the capacity and infrastructure needs of the current water and wastewater systems. The District appears to be aware of these issues, and recommendations regarding how these issues can be further addressed are included in the MSR determinations below.

### **Municipal Service Determinations**

The CKH Act requires that MSRs make written determinations on seven topics. Of these seven study areas, LAFCo identified four (Capacity and Adequacy; Financial Ability; Shared Services; and Accountability) that might indicate the need for additional action, such as changes in CSD policy, practices, or organizational structure. The Knights Landing CSD MSR determinations are listed below. A more in-depth discussion on each topic can be found in the attached MSR.

#### **1. Growth and Population**

Although the County of Yolo 2030 Countywide General Plan currently designates land outside of the District's existing boundaries for future development, there are no development plans at this time. In 2010, FEMA re-classified the community as being inside the 100-year floodplain, which significantly increases development costs. Therefore, Knights Landing is not expected to experience any significant development or population growth that might impact the District's ability to deliver water, wastewater, street lighting, or parks and recreation services.

#### **2. Disadvantaged Unincorporated Communities**

For the purposes of SB 244, Knights Landing qualifies as a "disadvantaged unincorporated community" (DUC). However, since the Knights Landing CSD already provides municipal water and wastewater services and the Knights Landing Fire Protection District provides fire protection services to the community, no changes or extensions in service are needed in accordance with SB 244. Water, sewer and structural fire protection services are not bypassing Knights Landing due to its DUC status.

#### **3. Capacity and Adequacy of Public Facilities and Services**

Knights Landing CSD provides five municipal services to the community of Knights Landing, including domestic water, wastewater, street lighting, storm drainage and parks and recreation. LAFCo staff has no concerns regarding the adequacy of the services provided by the CSD, and does not anticipate any significant growth that would affect the CSD's service capacity.

With regards to capacity, both the water and wastewater systems have sufficient capacity to meet current demands, although larger diameter pipes need to be installed in order to meet state mandated fire flow requirements. The CSD's water system requires several significant near-term improvements, which involves upsizing of the 4-inch and 6-inch water mains to improve fire flows. The District has also indicated an interest in adding a tank and booster pump to the system, as well as replacing Well 3 (which is over 40 years old). The CSD's wastewater system requires only minor upgrades, such as a cleaning and video inspection of the sewer lines.

#### **Recommendations:**

- LAFCo encourages the District to implement the necessary improvements to the water and wastewater systems (including upsizing of the 4-inch and 6-inch water mains, adding a tank and booster pump to the water system, replacing Well 3, and conducting a cleaning and video inspection of the sewer lines) as funding allows.
- LAFCo encourages the District to continue working with the Central Valley Regional Water Quality Control Board to address its Notice of Violation regarding monitoring and reporting issues.

#### **4. Financial Ability**

The Knights Landing CSD is currently struggling financially, due to a rate structure that is insufficient to fund the ongoing and long-term maintenance needs of its water and wastewater systems. The District's recent attempt at raising rates through a Proposition 218 election failed, leaving the District uncertain of how it will fund several significant upcoming infrastructure replacement projects. Additionally, the District has very little reserve available to help protect it from unexpected events. The District's financial stability would benefit greatly from a rate increase, and the adoption of financial policies to assist the Board of Directors in making decisions. The District does engage in several strong financial practices, such as commissioning regular audits and maintaining its debt at a manageable level.

#### **Recommendations:**

- LAFCo recommends that the District begin to build up its reserve, so it can address significant infrastructure upgrades when they become necessary. Additionally, the District may wish to consider including a temporary capital reserve fee in its next Proposition 218 election, to aid in building up the CSD's total reserve.

- The District should attempt another Proposition 218 election to raise its rates, and conduct extensive public outreach prior to the vote to educate residents on the need for higher rates.
- The District might consider developing a long-term infrastructure plan that identifies all potential future repair needs in order to prioritize which repairs to make and how to expend the District's limited resources.
- LAFCo encourages the District to develop financial policies, which are helpful in ensuring the financial stability of an organization. At a minimum, the District should adopt financial policies regarding its budget preparation process, reserve and contingency practices, and debt management practices.

## **5. Shared Services and Facilities**

The Knights Landing CSD has several potential opportunities to increase efficiency through shared services or governance restructure. The District might pursue functional consolidation with the Knights Landing Fire Protection District and/or the Knights Landing Cemetery District, to share administrative functions, staffing, leadership or infrastructure and equipment. The CSD might also pursue a full consolidation with either the KLFPD and/or the KL Cemetery District to reduce the demand for special district leadership and staff in the small community, though LAFCo staff believes the benefits are unlikely to outweigh the significant challenges of consolidating districts with vastly different boundaries.

### Recommendations:

- The CSD should request that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District, FPD and CSD Boards to gauge their overall willingness to explore opportunities for shared services or shared administrative functions. LAFCo staff is also willing to participate in the meeting.

## **6. Accountability, Structure and Efficiencies**

The Knights Landing Community Service District has publicly accessible meetings that are well publicized in accordance with the Brown Act. The District adopts annual budgets and completes annual audit reports, and there are no overlapping boundaries that cause service inefficiencies. However, the CSD does have several opportunities to increase efficiency through shared services or governance restructure. The District might pursue functional consolidation with the Knights Landing Fire Protection District and/or the Knights Landing Cemetery District, to share administrative functions, staffing, leadership or infrastructure and equipment.

### Recommendation:

- The CSD should request that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District, FPD and CSD Boards to gauge their overall willingness to explore opportunities for shared services, shared administrative functions or overlapping board memberships. LAFCo staff is also willing to participate in the meeting.
- LAFCo staff recommends that the District consider developing a website, as time and funding allow, to increase the accessibility of information regarding the Districts services and finances. If developed, the website should contain adopted budgets, third party financial audits, and Board of Directors meeting agendas and minutes.

## **7. Other Issues**

LAFCo has not identified any additional issues related to effective or efficient service delivery that might be resolved in this MSR.

## **Sphere of Influence**

Spheres of Influence are intended to indicate the probable physical boundaries and service area of a district, as well as to define any areas where future annexations may occur. During the MSR process LAFCo staff identified several mapping errors in the existing Knights Landing CSD boundary maps. This SOI study proposes that the SOI for the Knights Landing CSD be revised to correct these issues. No substantive changes are being recommended, but adopting the revised maps as suggested in the SOI will clarify several points of confusion regarding the existing maps.

## **Sphere of Influence Determinations**

The CKH Act requires that LAFCo provide written determinations regarding five topic areas prior to updating a district's SOI. Of these five study areas, staff identified two (Capacity and Adequacy; Social/Economic Communities of Interest) that might have potentially significant findings. However, neither of the issues raised during the process are prohibitive to revising the CSD's maps. The Knights Landing CSD SOI determinations are listed below.

### **1. Present and Planned Land Uses**

The proposed changes to the SOI map are intended to clarify boundaries without making any substantive changes. Additionally, the proposed SOI only affects parcels that are directly adjacent to the existing boundaries of the CSD, and are already zoned for residential or industrial use by the County General Plan. The proposed SOI will not conflict with orderly patterns of development, SACOG planning efforts, existing community identities, a reasonable service area, preservation of prime agriculture lands or Census boundaries.

### **2. Need for Public Facilities and Services**

The proposed SOI includes territory that has already been designated as residential or industrial in the 2030 Countywide General Plan. The proposed SOI will reflect a plan for the probable physical boundaries and service area for the CSD, but does not have any impact on actual land use designations. The proposed SOI would not be better served by another agency or city, does not induce premature growth or the conversion of agricultural lands, does not conflict with the Regional Housing Needs Analysis (RHNA) or SACOG growth projections, and no agency commitments have been predicated on the proposed SOI expansion. No areas of the existing or proposed SOI should be removed, and the proposed SOI does not conflict with the goal of providing services within a framework of controlled growth.

### **3. Capacity and Adequacy of Provided Services**

The Knights Landing CSD has the capacity to provide water, wastewater, and street lighting services to its existing service area, and the expanded area as proposed in the SOI. However, the CSD's water system is currently not capable of meeting State fire

flow requirements, which may become a concern for LAFCo if the District chooses to expand its service area. LAFCo staff is not aware of any adequacy issues that might impact the proposed SOI, and the District has expressed that it is willing to extend services into an expanded area as needed.

#### **4. Social or Economic Opportunities of Interest**

The community of Knights Landing is considered a disadvantaged unincorporated community (DUC) according to the requirements of SB 244. However, the Knights Landing CSD provides domestic water, wastewater and street lighting services to the community of Knights Landing. Therefore, Knights Landing is not being passed over for public services by this Sphere of Influence.

#### **5. Disadvantaged Unincorporated Communities**

The community of Knights Landing is fully served with municipal services despite its status as a disadvantaged unincorporated community. The community receives domestic water and wastewater services from the Knights Landing CSD, and fire protection services from the Knights Landing Fire Protection District.

#### **Public/Agency Involvement**

LAFCo staff has taken several steps to allow for public and stakeholder involvement in the MSR/SOI process for the Knights Landing Community Service District. While researching the MSR, staff conducted outreach with several stakeholders including the CSD District's Board of Directors, staff, and the District 5 Board of Supervisors Office. The CSD staff reviewed and commented on our administrative draft MSR/SOI prior to its release to the public.

On October 29, 2014 a "Notice of Availability of Draft MSR/SOI and Public Hearing" was released by LAFCo and published in the Daily Democrat, which requested written comments from the public and stakeholders. In addition, notices were sent to every "affected agency", meaning all other agencies and schools with overlapping service areas that include the town of Knights Landing.

As of the date this staff report was published, no comments on the Knights Landing CSD MSR/SOI have been received. Any subsequent correspondence will be provided to the Commission in a supplemental packet.

#### **CEQA**

Adopting an SOI could potentially be considered a discretionary action subject to CEQA. However, in this case LAFCo is considering adoption of a revised SOI as a clean up item, and no substantive changes are being recommended. Therefore, staff recommends that this project is exempt under the general rule that indicates where it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse environmental effect that the project is exempt per CEQA Guidelines Section 15061(b)(3).

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#### **Attachments**

[KLCSO MSR/SOI Reso2014-06](#)

[KLCSO Final MSR/SOI](#)

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#### **Form Review**

##### **Inbox**

Christine Crawford

Form Started By: Christine Crawford

Final Approval Date: 11/18/2014

##### **Reviewed By**

Christine Crawford

##### **Date**

11/18/2014 12:48 PM

Started On: 11/18/2014 11:12 AM

**LOCAL AGENCY FORMATION COMMISSION OF YOLO COUNTY**

**Resolution № 2014-06**

**A Resolution Approving the Municipal Service Review and Sphere of Influence Update for the Knights Landing Community Services District  
LAFCo Proceeding S-042**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 set forth in Government Code Sections 56000 et seq. governs the organization and reorganization of cities and special districts by local agency formation commissions established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and,

**WHEREAS**, Section 56425 et seq. provides that the local agency formation commission in each county shall develop and determine the sphere of influence of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the spheres of influence, as more fully specified in Sections 56425 et seq.; and,

**WHEREAS**, Section 56430 requires that local agency formation commissions conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update a sphere of influence (SOI) in accordance with Sections 56076 and 56425; and,

**WHEREAS**, in 2014, the Yolo County Local Agency Formation Commission (LAFCo) conducted a review of the municipal services and sphere of influence of the Knights Landing Community Services District; and,

**WHEREAS**, based on the results of the MSR, staff has determined that an SOI update for the Knights Landing Community Services District is necessary to clarify the existing boundary and SOI maps; and,

**WHEREAS**, staff has reviewed the Municipal Service Review and Sphere of Influence Update pursuant to the California Environmental Quality Act (CEQA) and determined that while adopting an expanded SOI boundary is a discretionary action subject to CEQA, in this case the purpose of the updated SOI is merely to reflect the correct boundary and sphere of influence as they already exist, rather than making any substantive changes. Therefore, staff has determined that this project is exempt under the general rule that indicates when it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse environmental effect that the project is exempt per CEQA Guidelines Section 15061(b)(3); and, based thereon, the Executive Officer prepared a Notice of Exemption; and,

**WHEREAS**, the Executive Officer set a public hearing for December 4, 2014 for consideration of the environmental review, the draft Municipal Service Review, and

Sphere of Influence Study and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and,

**WHEREAS**, on December 4, 2014, the draft Municipal Service Review came on regularly for hearing before LAFCo, at the time and place specified in the Notice of Public Hearing; and,

**WHEREAS**, at said hearing, LAFCo reviewed and considered the CEQA exemption, the draft Municipal Service Review and Sphere of Influence Study, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Sections 56430 et seq.; LAFCo's Guidelines and Methodology for the Preparation and Determination of Municipal Service Reviews and Spheres of Influence; and all other matters presented as prescribed by law; and,

**WHEREAS**, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and,

**WHEREAS**, the Commission received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendations, the environmental determinations and the service review.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Yolo County Local Agency Formation Commission hereby:

1. States that each of the foregoing recitals is true and correct.
2. Determines that the project is exempt from CEQA pursuant to Section 15061(b)(3) which indicates that where it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse environmental effect that the project is exempt under CEQA; and directs the Executive Officer to file a Notice of Exemption with the County Recorder, subject to the findings below.
3. Adopts Resolution 2014-06 approving the Municipal Service Review and Sphere of Influence Study for the Knights Landing Community Services District (Exhibit A) and approving the updated Sphere of Influence map (Map 1) attached to this resolution, subject to the following findings and recommendations:

## **FINDINGS**

1. Finding: It can be seen with certainty that there is no possibility that the activity in question may have a significant adverse environmental effect. Accordingly, the project is exempt under CEQA. See CEQA Guidelines § 15061(b)(3). A Notice of Exemption will be filed with the County Recorder.

Evidence: In this case the purpose of the updated SOI is merely to reflect the correct boundary and sphere of influence as they already exist, rather than making any substantive changes. The 2006 SOI boundary map was created by hand and in some portions didn't align to existing parcel boundaries. The new SOI map resolves these discrepancies and reduces the overall footprint of the Knights Landing CSD boundary and SOI.

2. Finding: Approval of the Municipal Service Review and Sphere of Influence Update is consistent with all applicable state laws and local LAFCo policies.

Evidence: The project was prepared consistent with the requirements in the Cortese-Knox-Hertzberg Act for a MSR/SOI and all applicable Yolo LAFCo policies and adopted Standards for Evaluation. The MSR includes written determinations as required by Section 56430 of the Cortese Knox Hertzberg Local Government Act.

## **RECOMMENDATIONS**

1. LAFCo encourages the District to implement the necessary improvements to the water and wastewater systems (including upsizing of the 4-inch and 6-inch water mains, adding a tank and booster pump to the water system, replacing Well 3, and conducting a cleaning and video inspection of the sewer lines) as funding allows.
2. LAFCo encourages the District to continue working with the Central Valley Regional Water Quality Control Board to address its Notice of Violation regarding monitoring and reporting issues.
3. LAFCo recommends that the District begin to build up its financial reserves, so it can address significant infrastructure upgrades when they become necessary. Additionally, the District may wish to consider including a temporary capital reserve assessment/fee in its next Proposition 218 election, to aid in building up the CSD's total reserve.
4. The District should attempt another Proposition 218 election to raise its rates, and conduct extensive public outreach prior to the vote to educate residents on the need for higher rates.
5. The District might consider developing a long-term infrastructure plan that identifies all potential future repair needs in order to prioritize which repairs to make and how to expend the District's limited resources.
6. LAFCo encourages the District to develop financial policies, which are helpful in ensuring the financial stability of an organization. At a minimum, the District should adopt financial policies regarding its budget preparation process, reserve and contingency practices, and debt management practices.
7. The District should request that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District, FPD and CSD Boards to



gauge their overall willingness to explore opportunities for shared services or shared administrative functions. LAFCo staff is also willing to participate in the meeting.

8. LAFCo staff recommends that the District consider developing a website or uploading content to the County's website, as time and funding allow, to increase the accessibility of information regarding the District's services and finances. If developed, the website should contain adopted budgets, third party financial audits, and Board of Directors meeting agendas and minutes.

**PASSED AND ADOPTED** by the Local Agency Formation Commission, County of Yolo, State of California, this 4<sup>th</sup> day of December, 2014, by the following vote:

Ayes:  
Noes:  
Abstentions:  
Absent:

---

Olin Woods, Chair  
Yolo County Local Agency Formation Commission

Attest:

---

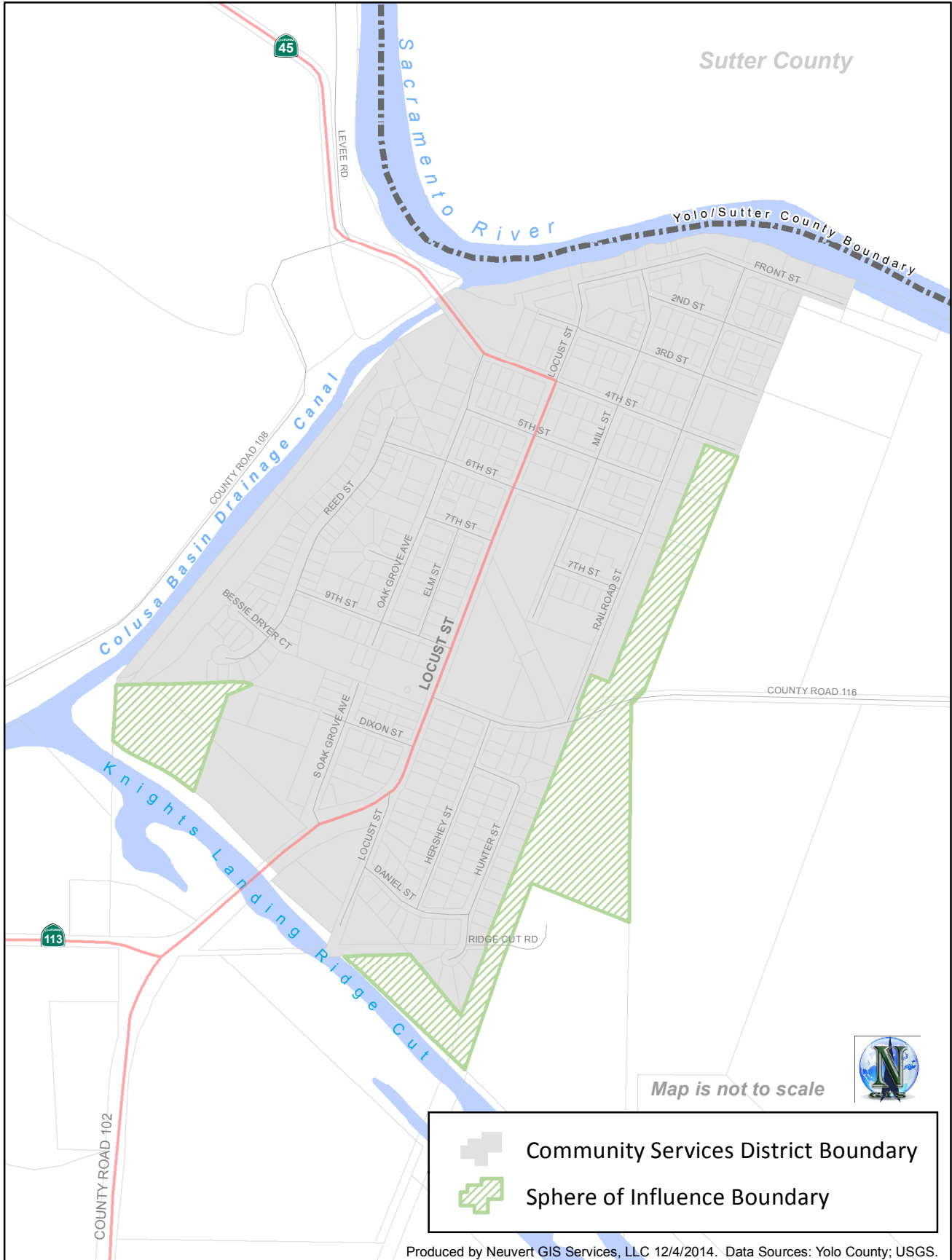
Christine Crawford, Executive Officer  
Yolo County Local Agency Formation Commission

Approved as to form:

By: \_\_\_\_\_  
Eric May, Commission Counsel

# Knights Landing Community Services District Boundary and Sphere of Influence

Map 1



Adopted by Yolo LAFCo December 4, 2014

2014

Exhibit A

FINAL

MUNICIPAL SERVICE REVIEW AND  
SPHERE OF INFLUENCE STUDY  
FOR THE

Knights Landing  
Community Services District (CSD)



**Project Name:** MSR/SOI for the Knights Landing Community Services District

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**LAFCo Project No.** S-042

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**Conducted By:** Yolo Local Agency Formation Commission  
625 Court Street, Suite 203  
Woodland, CA 95695

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**Date Adopted:** December 4, 2014

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**Subject Agency:** Knights Landing Community Services District

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**Agency Address:** P.O. Box 548  
Knights Landing, CA 95645

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**Agency Contact Person:** Vickie Chavarria (*Secretary*)

---

**Phone Number:** (530) 207-9101

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**Date of Last MSR/SOI Adopted by LAFCo** September 25, 2006

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**MSR/SOI BACKGROUND**

**ROLE AND RESPONSIBILITY OF LAFCO**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended (“CKH Act”) (California Government Code §§56000 et seq.), is LAFCo’s governing law and outlines the requirements for preparing Municipal Service Reviews (MSRs) for periodic Sphere of Influence (SOI) updates. MSRs and SOIs are tools created to empower LAFCo to satisfy its legislative charge of “discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (§56301). CKH Act Section 56301 further establishes that “one of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.”

Based on that legislative charge, LAFCo serves as an arm of the State; preparing and reviewing studies and analyzing independent data to make informed, quasi-legislative decisions that guide the physical and economic development of the state (including agricultural uses) and the efficient, cost-effective, and reliable delivery of services to residents, landowners, and businesses. While SOIs are required to be updated every five years, they are not time-bound as planning tools by the statute, but are meant to address the “probable physical boundaries and service area of a local agency” (§56076). SOIs therefore guide both the near-term and long-term physical and economic development of local agencies their broader county area, and MSRs provide the near-term and long-term time-relevant data to inform LAFCo’s SOI determinations.

**PURPOSE OF A MUNICIPAL SERVICE REVIEW**

As described above, MSRs are designed to equip LAFCo with relevant information and data necessary for the Commission to make informed decisions on SOIs. The CKH Act, however, gives LAFCo broad discretion in deciding how to conduct MSRs, including geographic focus, scope of study, and the identification of alternatives for improving the efficiency, cost-effectiveness, accountability, and reliability of public services. The purpose of a Municipal Services Review (MSR) in general is to provide a comprehensive inventory and analysis of the services provided by local municipalities, service areas, and special districts. A MSR evaluates the structure and operation of the local municipalities, service areas, and special districts and discusses possible areas for improvement and coordination. The MSR is intended to provide information and analysis to support a sphere of influence update. A written statement of the study’s determinations must be made in the following areas:

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

The MSR is organized according to these determinations listed above. Information regarding each of the above issue areas is provided in this document.

## **PURPOSE OF A SPHERE OF INFLUENCE**

In 1972, LAFcos were given the power to establish SOIs for all local agencies under their jurisdiction. As defined by the CKH Act, "‘sphere of influence’ means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission" (§56076). SOIs are designed to both proactively guide and respond to the need for the extension of infrastructure and delivery of municipal services to areas of emerging growth and development. Likewise, they are also designed to discourage urban sprawl and the premature conversion of agricultural and open space resources to urbanized uses.

The role of SOIs in guiding the State’s growth and development was validated and strengthened in 2000 when the Legislature passed Assembly Bill ("AB") 2838 (Chapter 761, Statutes of 2000), which was the result of two years of labor by the Commission on Local Governance for the 21<sup>st</sup> Century, which traveled up and down the State taking testimony from a variety of local government stakeholders and assembled an extensive set of recommendations to the Legislature to strengthen the powers and tools of LAFcos to promote logical and orderly growth and development, and the efficient, cost-effective, and reliable delivery of public services to California’s residents, businesses, landowners, and visitors. The requirement for LAFcos to conduct MSRs was established by AB 2838 as an acknowledgment of the importance of SOIs and recognition that regular periodic updates of SOIs should be conducted on a five-year basis (§56425(g)) with the benefit of better information and data through MSRs (§56430(a)).

Pursuant to Yolo County LAFCO policy an SOI includes an area adjacent to a jurisdiction where development might be reasonably expected to occur in the next 20 years. A MSR is conducted prior to, or in conjunction with, the update of a SOI and provides the foundation for updating it. In Yolo County, a SOI generally has two planning lines. One is the 10-year boundary which includes the area that may likely be annexed within 10 years, while the 20-year boundary is anticipated to accommodate boundary expansions over a 20-year horizon.

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that address the following (§56425(c)):

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 an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

### ***DISADVANTAGED UNINCORPORATED COMMUNITIES***

SB 244 (Chapter 513, Statutes of 2011) made changes to the CKH Act related to “disadvantaged unincorporated communities,” including the addition of SOI determination #5 listed above. Disadvantaged unincorporated communities, or “DUCs”, are inhabited territories (containing 12 or more registered voters) where the annual median household income is less than 80 percent of the statewide annual median household income.

On March 26, 2012, LAFCo adopted a “Policy for the Definition of ‘Inhabited Territory’ for the Implementation of SB 244 Regarding Disadvantaged Unincorporated Communities”, which identified 21 inhabited unincorporated communities for purposes of implementing SB 244.

CKH Act Section 56375(a)(8)(A) prohibits LAFCo from approving a city annexation of more than 10 acres if a DUC is contiguous to the annexation territory but not included in the proposal, unless an application to annex the DUC has been filed with LAFCo. The legislative intent is to prohibit “cherry picking” by cities of tax-generating land uses while leaving out under-served, inhabited areas with infrastructure deficiencies and lack of access to reliable potable water and wastewater services. DUCs are recognized as social and economic communities of interest for purposes of recommending SOI determinations pursuant to Section 56425(c).

### ***ORGANIZATION OF MSR/SOI STUDY***

This report has been organized in a checklist format to focus the information and discussion on key issues that may be particularly relevant to the subject agency while providing required LAFCo’s MSR and SOI determinations. The checklist questions are based on the Cortese-Knox-Hertzberg Act, the LAFCo MSR Guidelines prepared by the Governor’s Office of Planning and Research and adopted Yolo LAFCo local policies and procedures. This report provides the following:

- Provides a description of the subject agency;



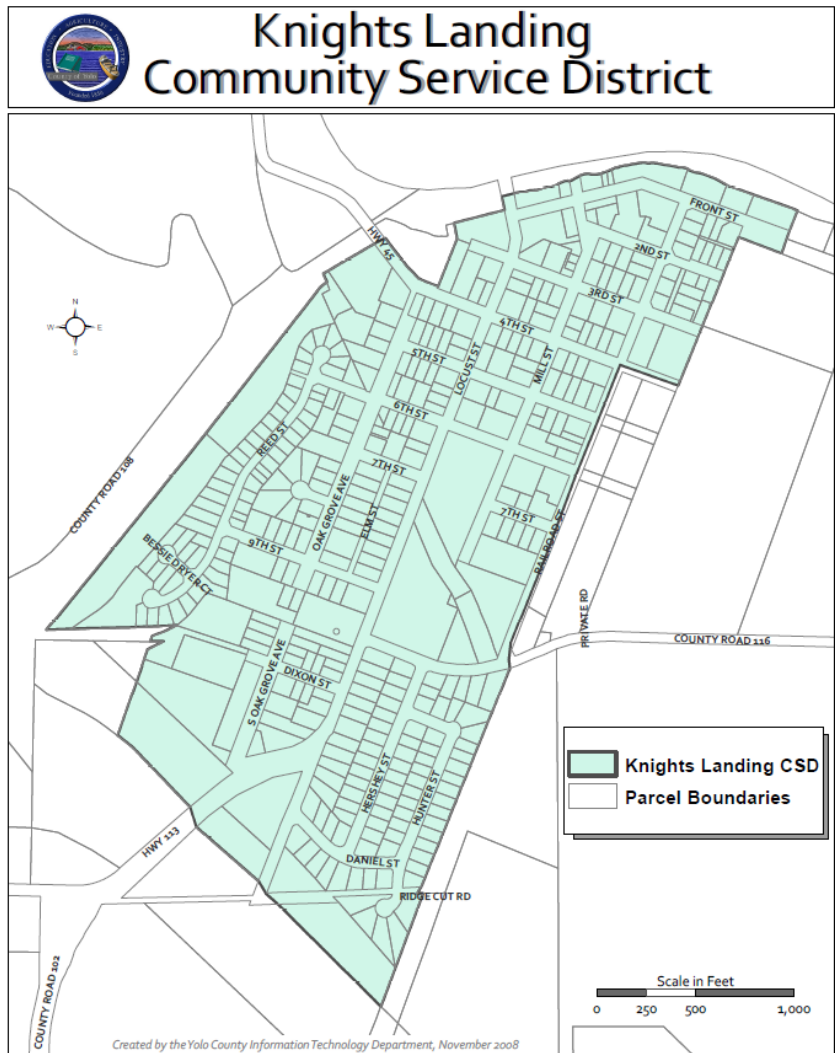
- Provides any new information since the last MSR and a determination regarding the need to update the SOI;
- Provides MSR and SOI draft determinations for public and Commission review; and
- Identifies any other issues that the Commission should consider in the MSR/SOI.

**AGENCY PROFILE**

The Knights Landing Community Services District (CSD) was established in May 1968 to provide water, wastewater treatment, street lighting, and parks and recreation services to the community of Knights Landing. The CSD received LAFCo approval to add storm drainage services to its list of powers in 2007.

**Structure and Governance**

The Knights Landing CSD is governed by a five-member Board of Directors. Board members are appointed by the Yolo County Board of Supervisors in lieu of election. The District has two full-time staff, including one superintendent and one bookkeeper.



**Location**

The community of Knights Landing is located on State Highway 113 adjacent to the Sacramento River. The community is bounded on the north by the Sacramento River, on the west by the Colusa Basin Drainage Canal and on the south by the Knights Landing Ridge Cut. The community extends a short distance beyond the abandoned Southern Pacific Railroad embankment to the east. The current boundaries for the Knights Landing CSD roughly correspond to the perimeter of the developed areas in the community of Knights Landing, with the addition of a few agricultural parcels immediately

adjacent to the community. See the map for more details.

## **AFFECTED AGENCIES**

Per Government Code Section 56427, a public hearing is required to adopt, amend, or revise a sphere of influence. Notice shall be provided at least 21 days in advance and mailed notice shall be provided to each affected local agency or affected County, and to any interested party who has filed a written request for notice with the executive officer. Per Government Code Section 56014, an affected local agency means any local agency that overlaps with any portion of the subject agency boundary or SOI (included proposed changes to the SOI).

The affected local agencies for this MSR/SOI are:

### **County/Cities:**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo

### **County Service Areas (CSAs)**

- Dunnigan, El Macero, Garcia Bend, Madison-Esparto Regional CSA (MERCESA), North Davis Meadows, **Snowball**, Wild Wings, and Willowbank

### **School Districts:**

- Davis Joint Unified
- Esparto Unified
- Pierce Joint Unified
- River Delta Unified
- Washington Unified
- Winters Joint Unified
- Woodland Joint Unified
- Los Rios Community College District
- Solano Community College District
- Woodland Community College District
- Yuba Community College District

**Special Districts:**

- Cemetery District – Capay, Cottonwood, Davis, **Knight’s Landing**, Mary’s, Winters
- Community Services District – Cacheville, Esparto, **Knight’s Landing**, Madison
- Fire Protection District – Capay, Clarksburg, Dunnigan, East Davis, Elkhorn, Esparto, **Knights Landing**, Madison, No Man’s Land, Springlake, West Plainfield, Willow Oak, Winters, Yolo, Zamora
- Sacramento-Yolo Port District
- Reclamation District – 150, 307, 537, **730**, 765, 785, 787, 827, 900, 999, 1600, 2035, 2076, 2120
- Yolo County Resource Conservation District
- Water District – Dunnigan, **Knight’s Landing Ridge Drainage**, YCFCWCD, Yolo-Zamora

**Multi-County Districts:**

- Reclamation District – 108 (Colusa), 2068 (Solano), 2093 (Solano)
- Water District – Colusa Basin Drainage
- Sacramento-Yolo Mosquito Vector Control District

**MUNICIPAL SERVICE REVIEW**

**POTENTIALLY SIGNIFICANT MSR DETERMINATIONS**

The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that a MSR update is not warranted.

- Growth and Population
- Disadvantaged Unincorporated Communities
- Capacity, Adequacy & Infrastructure to Provide Services
- Financial Ability
- Shared Services
- Accountability
- Other

**1. GROWTH AND POPULATION**

Growth and population projections for the affected area. **YES** **MAYBE** **NO**

a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have an impact on the subject agency’s service needs and demands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency’s service boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-c) Knights Landing is a small community with a mixture of commercial, residential and industrial land uses. According to the United States Census (2012) the population in the community of Knights Landing was 902 in 2012, with residents living in a total of 380 units on 11 developed acres.

Yolo County’s 2030 Countywide General Plan projects significant growth in the area, with a total of 1,793 allowable units on 60.4 designated acres. However, in June of 2010 the Federal Emergency Management Agency (FEMA) updated its 100-year floodplain maps, and re-classified the entire

community of Knights Landing as being inside the 100-year floodplain. Any development in the area will now require costly work that elevates buildings so that the lowest floor is above the Base Flood Elevation level. Due to the change in the community's flood status any near-term development in the community is unlikely, and LAFCo has not assumed any growth for the purposes of this MSR.

**Growth and Population MSR Determination**

Although the County of Yolo 2030 Countywide General Plan currently designates land outside of the District's existing boundaries for future development, there are no development plans at this time. In 2010, FEMA re-classified the community as being inside the 100-year floodplain, which significantly increases development costs. Therefore, Knights Landing is not expected to experience any significant development or population growth that might impact the District's ability to deliver water, wastewater, street lighting, or parks and recreation services.

**2. DISADVANTAGED UNINCORPORATED COMMUNITIES**

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

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The Knights Landing CSD provides domestic water and wastewater services to the community of Knights Landing, both services of which may trigger the provisions of SB 244.
- b) The term "Inhabited Unincorporated Communities" is defined per Commission adopted policy as those areas on the County of Yolo 2030 General Plan Land Use Map (see Figures LU-1B through LU-1H) that contain land use designations that are categorized as Residential by Table LU-6. The communities of Rumsey and West Kentucky are also included in this definition (even though the

current land use designations are Agriculture (AG) and Commercial Local (CL), respectively) because their existing uses are residential. These communities are as follows:

Binning Farms	Guinda	Rumsey
Capay	<b>Knights Landing</b>	West Kentucky
Clarksburg	Madison	West Plainfield
Dunnigan	Monument Hills	Willow Oak
El Macero	North Davis Meadows	Willowbank
El Rio Villa	Patwin Road	Yolo
Esparto	Royal Oak	Zamora

The Knights Landing CSD serves the community of Knights Landing, which is considered an inhabited unincorporated community based on the list above. According to the US Census Bureau (2010), Knights Landing has a median household income of \$43,417, which is only 71 percent of the statewide median household income of \$61,400. Therefore, the community of Knights Landing is considered a disadvantaged unincorporated community (DUC) according to the requirements of SB 244.

- c) The community of Knights Landing is fully served with municipal services despite its DUC status. The community receives domestic water and wastewater services from the Knights Landing CSD, and fire protection services from the Knights Landing Fire Protection District.

**Disadvantaged Unincorporated Communities MSR Determination**

For the purposes of SB 244, Knights Landing qualifies as a “disadvantaged unincorporated community” (DUC). However, since the Knights Landing CSD already provides municipal water and wastewater services and the Knights Landing Fire Protection District provides fire protection services to the community, no changes or extensions in service are needed in accordance with SB 244. Water, sewer and structural fire protection services are not bypassing Knights Landing due to its DUC status.

**3. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND 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.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Are there any issues regarding the agency’s capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-d) The Knights Landing Community Services District is empowered to provide five municipal services (domestic water, wastewater, storm drainage, street lighting, and parks and recreation) to the residents of Knights Landing.

**WATER:** The Knights Landing CSD owns, operates and maintains the water system serving the community of Knights Landing. According to the County of Yolo Final Facility Master Plan (2011), the system was constructed in the 1970's, and the system's infrastructure includes:

- Three (3) wells- the School Yard/Railroad Street Well (Well 3), Ridge Cut Well (Well 4), and Third Street Well (Well 5)
- 4, 6, and 8-inch diameter pipes
- Back-up generator at Well 3

Water Adequacy: LAFCo staff is not aware of any adequacy issues with the CSD's water system. The CSD did report that the system tested positive for coliform, but the sampling tap was replaced in July 2013 and there have been no additional issues since that time.

Water Capacity: The 2011 Facility Master Plan reports that the calculated average day use for the District's water system is 204 gpm, with a peak demand of 695 gpm. Well 3 (constructed in 1971 with a depth of 332 feet) has a capacity of 500 gpm, Well 4 (constructed in 1981 with a depth of 342 feet) has a capacity of 1,000 gpm and Well 5 (constructed in 1999 with a depth of 402 feet) has a capacity of 1,500 gpm. The combined pumping capacity of the three wells should allow the system to meet fire flow requirements (1,500 gpm residential and 2,500 gpm commercial). However, the 4-inch and 6-inch diameter piping throughout the system constrains the delivery of flows, and the pipes are in need of expansion to provide adequate pressure for fire flows.

In summary, the District's water system has the capacity to meet the community's existing water supply needs, but cannot meet fire flow requirements without improvements. If community build-out were to occur as envisioned in the General Plan, the system would require significant improvements, including adding a transmission main loop, water supply well, and water storage tank. However, as determined in Section 1, this MSR anticipates no development in the foreseeable future in Knights

Landing in part due to FEMA's reclassification of the community as being inside the 100-year floodplain.

Water System Infrastructure Needs: The Facility Master Plan reports that the only major near-term improvement required by the District's water system is upsizing of the 4 inch and 6-inch water mains to improve fire flows, which is an extremely costly upgrade. The District has also indicated that it is pursuing possible funding sources for adding a tank and booster pump to the system, as well as replacing Well 3 (which is over 40 years old).

**WASTEWATER:** The Knights Landing CSD owns and operates the wastewater collection and treatment system that serves the residents of Knights Landing. According to the 2011 Facility Master Plan, wastewater is sent to the treatment facilities through a collection system consisting of:

- 4-inch diameter service laterals
- 6,8 and 10-inch diameter vitrified clay pipe mains
- 12-inch diameter trunk sewer
- Sewer lift station
- Emergency alarm at the lift station

Once it reaches the collection system, wastewater drains by gravity to the treatment facility, which consists of:

- 10 facultive ponds
- Spreading area that serves as an emergency holding area during heavy flooding

The system was originally constructed in 1977, and has reached its current configuration in stages over the years.

Wastewater Adequacy: LAFCo staff is not aware of any issues with adequacy in the CSDs wastewater system.

However, the District did receive a Notice of Violation from the Central Valley Regional Water Quality Control Board on June 30, 2014, due to compliance issues with its monitoring and reporting requirements. Specifically, the Water Quality Control Board cited the CSD for several monitoring and reporting issues between January 2012 and April 2014 that involved monitoring being completed incorrectly, reports being submitted late, and reporting documents being filled out incorrectly. The Board requested that the CSD take several actions to satisfy its Notice of Violation, including (1) updating its monitoring report template to ensure that all required data is reported, (2) submitting a report describing the steps it will take to ensure that future monitoring and reporting requirements will be met, (3) submitting a facility expansion report that documents the construction of Ponds 9 and 10, and (4) providing regular groundwater sampling for several monitoring wells located near Ponds 9 and 10.

The CSD has been actively engaged in addressing this Notice of Violation, and has already completed several of the steps requested by the Water Quality Control Board.

Wastewater Capacity: According to the Facility Master Plan, the existing wastewater system has the capacity to meet the current need, and could also accommodate some additional build out. The CSD does have issues with infiltration of ground water and inflow of storm water in the collection system, which can place additional burden on the system.



If full build out were to occur as envisioned in the General Plan, the system would require a significant expansion including upsizing the existing 12-inch sewer and treatment pond headworks, adding a network of gravity collector pipes, and replacement of the lift station. However, as determined in Section 1, this MSR anticipates no development in the foreseeable future in Knights Landing due in part to FEMA's reclassification of the community as being inside the 100-year floodplain.

Wastewater System Infrastructure Needs: According to the Facility Master Plan, very few near-term improvements are necessary for the District's wastewater system. The District should continue to investigate the source of infiltration in the collection system, and address issues as needed. Additionally, CSD staff has indicated that the system requires a cleaning and video inspection of the sewer lines. The CSD planned to conduct this work using additional revenues earned from raising its rates, but the rate increase failed, and the CSD will need to develop another plan for funding the work.

**STORM DRAINAGE:** The CSD provides storm drainage services to the White Subdivision, which is an area of recent development in the Knights Landing community. This service was added to the District's list of powers by LAFCo in 2007, at the time the subdivision was developed.

Storm Drainage Adequacy, Capacity and Infrastructure Needs: LAFCo staff is not aware of any concerns with adequacy, capacity or infrastructure of the CSD's storm drainage services.

**STREET LIGHTING:** The CSD owns the street lighting system in Knights Landing, with streetlights on every street corner in the urbanized area of the community. The District contracts with Pacific Gas & Electric (PG&E) for street lighting services and maintenance of the system. The District largely functions as a pass through agency, collecting fees from residents to pay the PG&E bills.

Street Lighting Adequacy, Capacity and Infrastructure Needs: LAFCo staff is not aware of any concerns with adequacy, capacity or infrastructure of the CSD's street lighting service.

**PARKS AND RECREATION:** In 1968, when the CSD was formed, it was authorized to provide parks and recreation services. At one time the District had an agreement to provide community park services and maintenance on the adjacent Grafton Elementary School property. However, the school has since taken over its own maintenance, and the CSD no longer provides any park and recreation services.

Parks and Recreation Adequacy, Capacity and Infrastructure Needs: The CSD no longer provides any park and recreation services.

- e) The California Department of Public Health (CDPH) recently adopted a hexavalent chromium maximum contamination level (MCL) of 0.010 mg/l for drinking water, which went into effect on July 1, 2014 (CDPH, 2014). The regulations require that all applicable public water systems initiate monitoring for hexavalent chromium by January 1, 2015, and a result exceeding the MCL could trigger quarterly monitoring requirements. District staff has indicated that the CSD will be uncertain of the impact of this legislation on its water system until the first test has been completed, prior to January 1<sup>st</sup>.
- f) As discussed in the Disadvantaged Unincorporated Communities section (determination #2), the community of Knights Landing is considered a DUC, but it is fully served with municipal services, including water, wastewater and fire protection.

**Capacity and Adequacy of Public Facilities and Services MSR Determination**

Knights Landing CSD provides five municipal services to the community of Knights Landing, including domestic water, wastewater, street lighting, storm drainage and parks and recreation. LAFCo staff has no concerns regarding the adequacy of the four services provided by the CSD, and does not anticipate any significant growth that would affect the CSD’s service capacity.

With regards to capacity, both the water and wastewater systems have sufficient capacity to meet current demands, although larger diameter pipes need to be installed in order to meet state mandated fire flow requirements. The CSD’s water system requires several significant near-term improvements, which involves upsizing of the 4-inch and 6-inch water mains to improve fire flows. The District has also indicated an interest in adding a tank and booster pump to the system, as well as replacing Well 3 (which is over 40 years old). The CSD’s wastewater system requires only minor upgrades, such as a cleaning and video inspection of the sewer lines.

Recommendations:

- LAFCo encourages the District to implement the necessary improvements to the water and wastewater systems (including upsizing of the 4-inch and 6-inch water mains, adding a tank and booster pump to the water system, replacing Well 3, and conducting a cleaning and video inspection of the sewer lines) as funding allows.
- LAFCo encourages the District to continue working with the Central Valley Regional Water Quality Control Board to address its Notice of Violation regarding monitoring and reporting issues.

**4. FINANCIAL ABILITY**

Financial ability of agencies to provide services.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Is the organization’s rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Is the organization lacking financial policies that ensure its continued financial accountability and stability?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- f) Is the organization's debt at an unmanageable level?

**Discussion:**

- a) The Knights Landing CSD routinely adopts and operates an annual budget with a budget cycle of July 1 through June 30. The annual budget is prepared by the district bookkeeper, and then presented to the Board of Directors for consideration.

The table below provides a summary of the District's budgets from Fiscal Year (FY) 09/10 to 13/14. The CSD's most significant source of income is charges for services, although it does also receive some revenues through taxes and investment earnings. As demonstrated in the table, the District's revenues have remained relatively stable (between \$220,000 and \$250,000) over the past five years, with the exception of FY 10/11, in which the District received an additional \$261,000 through development fees.

The District's major expenditure categories include salaries/benefits, services/supplies and fixed assets. The District's expenditures have remained relatively stable in recent years (between \$200,000 and \$250,000), with the exception of FY 13/14, in which the CSD experienced an unexpected spike in fixed asset costs and other charges.

The District has maintained budgets with a positive net balance in three of the previous five FYs.

<b>Knights Landing Community Service District Budgets</b>					
	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>
<b>Revenues:</b>					
Taxes	11,689.40	11,428.56	11,490.50	11,190.64	11,164.96
Development Fees	0.00	261,092.68	0.00	0.00	0.00
Investment Earnings	3,294.26	3,625.45	3,004.34	1,519.03	1,755.14
Intergovernmental Revenue	755.99	398.12	382.26	377.00	361.51
Charges for Services	203,279.69	202,330.91	206,265.04	233,139.23	215,598.14
Other Revenues	0.00	4,500.00	0.00	0.00	21,614.32
<b>TOTAL REVENUES</b>	<b>219,019.34</b>	<b>483,375.72</b>	<b>221,142.14</b>	<b>246,225.90</b>	<b>250,494.07</b>
<b>Expenditures:</b>					
Salaries and Benefits	55,281.04	55,175.48	56,572.77	56,418.05	56,070.75
Services and Supplies	142,256.52	155,693.50	138,932.44	141,366.10	131,354.33
Other Charges	23,306.20	10,300.00	9,120.00	13,741.56	95,682.98
Fixed Assets	29,740.00	0.00	0.00	0.00	50,399.32
<b>TOTAL EXPENDITURES</b>	<b>250,583.76</b>	<b>221,168.98</b>	<b>204,625.21</b>	<b>211,525.71</b>	<b>333,507.38</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>-31,564.42</b>	<b>262,206.74</b>	<b>16,516.93</b>	<b>34,700.19</b>	<b>-83,013.31</b>
SOURCE: County of Yolo Budget and Revenue Status Reports					

- b) The District bookkeeper reported that the CSD has a reserve of approximately \$17,000. This is small for an organization that is responsible for maintaining two significant infrastructure systems, and limits the District’s ability to respond to unexpected issues. This is especially concerning given that the District requires several expensive upgrades to both the water and wastewater systems in the coming years. LAFCo recommends that the District begin to build up its reserve, so it can address significant infrastructure upgrades when they become necessary. Additionally, the District may wish to consider including a temporary capital reserve fee in its next Proposition 218 election, to aid in building up the CSD’s total reserve.
- c) The table below provides a description of the District’s current fee schedule for water and wastewater services, which provides the majority of the District’s revenues. The District also charges a flat bi-monthly rate of \$6/customer for street lighting services. CSD staff reports that the existing water and wastewater rate schedules are insufficient to fund the ongoing and long-term maintenance and infrastructure needs of the water and wastewater system. The District proposed raising rates by 35%, and held a Proposition 218 election in June 2014 that proposed raising rates incrementally over a five year period until the 35% increase had been achieved. However, local residents voted no on the rate increase, and the District is currently unable to collect sufficient rates.

District staff has stated that the CSD is planning to attempt another Proposition 218 election, and the Board of Directors will first hold informational meeting in the community to educate the residents regarding why a raise in rates is necessary.

<b>Knights Landing Community Services District- Rate Schedule</b>		
	<b>Water</b>	<b>Wastewater</b>
<b><i>Flat Bi-Monthly Rate</i></b>		
<b>Residential</b>	\$41.50/Unit	\$41.50/Unit
<b>Commercial</b>	\$41.50	\$41.50
<b>Commercial- Boat Club</b> <i>(4 Trailers @ \$13.30 each)</i>	\$52.80	\$52.80
<b>Commercial- Trailer Park</b>	\$33/Unit	\$30/Unit
<b><i>Flat Monthly Rate</i></b>		
<b>Schools</b>	\$220/Service	\$110/Service

Water Rates: The CSD charges its water customers a flat rate ranging from \$33-\$53 on a bi-monthly basis. This is significantly lower than any other special district providing water services in Yolo County, which generally have higher rates that are collected on a monthly basis. Using residential units as an example, Cacheville CSD charges \$55/month, Esparto CSD charges \$52/month, Madison CSD charges \$33/month, and Wild Wings CSA charges \$74/month. If charged on a monthly basis, the Knights Landing CSD rate would only be \$20.75 for residential units.

Wastewater Rates: The CSD charges its wastewater customers a flat rate ranging from \$30-\$53 on a bi-monthly basis. This is lower than most other special district providing wastewater services in Yolo County. Using residential units as an example, Esparto CSD charges \$40.5/unit/month and Madison CSD charges \$46/unit/month, while the Knights Landing CSD rate would only be \$20.75 if charged on a monthly basis.

Street Lighting Rates: Knights Landing CSD charges a higher rate for street lighting services than many other special districts. Knights Landing residents pay \$36 annually for street lighting, as compared to Dunnigan (\$19 annually) and Madison (\$24 annually). This is the only service for which the CSD is collecting sufficient funds to provide the service.

- d) The CSD does not have an established long-term infrastructure replacement plan. District staff indicated that if their rate increase were approved they would begin building up a reserve for upcoming infrastructure replacement projects. However, the Prop 218 was not successful, and the District does not currently have the funds necessary to pay for some of the larger upcoming infrastructure projects discussed in Section 3.

The District might consider developing a long-term infrastructure plan that identifies all potential future repair needs in order to prioritize which repairs to make and how to expend the District's limited resources.

- e) The Knights Landing CSD staff has not adopted financial policies to guide its financial management practices. LAFCo encourages the District to develop financial policies, which are helpful in ensuring the financial stability of an organization. At a minimum, the District should adopt financial policies regarding its budget preparation process, reserve and contingency practices, and debt management practices.
- f) The District owes \$50,399 due to the purchase of a tractor about two years ago. The terms of the loan require a monthly payment of approximately \$900 over a period of five years. This is a manageable level of debt for the CSD.

### **Financial Ability MSR Determination**

The Knights Landing CSD is currently struggling financially, due to a rate structure that is insufficient to fund the ongoing and long-term maintenance needs of its water and wastewater systems. The District's recent attempt at raising rates through a Proposition 218 election failed, leaving the District uncertain of how it will fund several significant upcoming infrastructure replacement projects. Additionally, the District has very little reserve available to help protect it from unexpected events. The District's financial stability would benefit greatly from a rate increase, and the adoption of financial policies to assist the Board of Directors in making decisions. The District does engage in several strong financial practices, such as commissioning regular audits and maintaining its debt at a manageable level.

#### Recommendations:

- LAFCo recommends that the District begin to build up its reserve, so it can address significant infrastructure upgrades when they become necessary. Additionally, the District may wish to consider including a temporary capital reserve fee in its next Proposition 218 election, to aid in building up the CSD's total reserve.
- The District should attempt another Proposition 218 election to raise its rates, and conduct extensive public outreach prior to the vote to educate residents on the need for higher rates.
- The District might consider developing a long-term infrastructure plan that identifies all potential future repair needs in order to prioritize which repairs to make and how to expend the District's limited resources.
- LAFCo encourages the District to develop financial policies, which are helpful in ensuring the financial stability of an organization. At a minimum, the District should adopt financial policies

regarding its budget preparation process, reserve and contingency practices, and debt management practices.

**5. SHARED SERVICES AND FACILITIES**

Status of, and opportunities for, shared facilities.

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Is the agency currently sharing services or facilities with other organizations? If so, describe the status of such efforts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a) The Knights Landing CSD receives minimal services with the County of Yolo, most significantly using the Auditor-Controller’s Office to collect and hold its funds. The CSD also partners with Reclamation District (RD) 730 to provide storm drainage protection to Knights Landing residents. The CSD maintains the drainage systems within the community of Knights Landing, and the RD provides drain water pumping services just east of Knights Landing.
- b) The District overlaps with several local agencies, including the Knights Landing Cemetery District, Snowball County Service Area, the Knights Landing Ridge Drainage District, and the Knights Landing Fire Protection District (FPD). Most of these organizations serve areas much greater than the service area of the CSD, and provide different services.

LAFCo believes there may be some opportunities for “functional consolidation” with neighboring or overlapping districts, in which multiple district’s choose to share administrative functions (such as staff, leadership or infrastructure and equipment) to achieve cost savings, while still maintaining separate boards. In particular, the Knights Landing CSD, Cemetery District and potentially even the FPD may benefit from exploring opportunities for functional consolidation. For instance, LAFCo is aware that several of these districts employ a part-time secretary or bookkeeper. It may be beneficial for the districts to explore sharing one full-time administrative staff member.

Additionally, the Knights Landing special districts may wish to consider exploring shared leadership opportunities. The Knights Landing districts often struggle with recruiting and maintaining board

members, as the community has to recruit a range of board members from a very small pool of residents. LAFCo staff believes that a potential solution to these ongoing issues with board recruitment may be to appoint overlapping board members to the various special districts, in order to reduce the total demand for board members in the community. This idea is discussed in greater detail in Section 6.

To move forward with the idea of functional consolidation, LAFCo staff suggests that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District, FPD and CSD boards to gauge their overall willingness to use this approach and determine potential opportunities for shared services. LAFCo staff is also willing to participate in the meeting if needed.

- c-d) Another governance option that the Knights Landing community might consider is the consolidation of two or more of the local special districts, in order to accomplish similar efficiencies as those discussed in Section 5b. It would be possible for the CSD to take on responsibility for cemetery and fire protection services under California law, leaving the community with fewer special districts to manage and staff, and consolidated property taxes that could be used more flexibly.

However, the boundaries of the CSD, FPD and Cemetery District are vastly different, which would cause potential problems in a consolidation. Changes to the FPD or Cemetery District boundaries would also necessitate changes in the boundaries of adjacent FPDs and Cemetery Districts. These issues are not insurmountable; however, the issues involved in consolidation may not be worth the small amount of property tax revenues that would be consolidated and the efficiencies that would be created.

#### **Shared Services MSR Determination**

The Knights Landing CSD has several potential opportunities to increase efficiency through shared services or governance restructure. The District might pursue functional consolidation with the Knights Landing Fire Protection District and/or the Knights Landing Cemetery District, to share administrative functions, staffing, leadership or infrastructure and equipment. The CSD might also pursue a full consolidation with either the KLFPD and/or the KL Cemetery District to reduce the demand for special district leadership and staff in the small community, though LAFCo staff believes the benefits are unlikely to outweigh the significant challenges of consolidating districts with vastly different boundaries.

#### *Recommendations:*

- The CSD should request that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District, FPD and CSD Boards to gauge their overall willingness to explore opportunities for shared services or shared administrative functions. LAFCo staff is also willing to participate in the meeting.

**6. ACCOUNTABILITY, STRUCTURE AND EFFICIENCIES**

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

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Are there any issues with operational efficiencies such as budget development, staff turnover or decision-making processes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) The Knights Landing CSD is governed by a five-member Board of Directors, which meets on the third Tuesday of every month at 7:00pm in the Knights Landing Community Center. The District complies with all Brown Act requirements in publicly noticing its meetings.
- b) The Knights Landing CSD has recently struggled with recruiting and maintaining members for its Board of Directors. The 5-member Board currently has one vacancy, which has remained vacant for several months. Additionally, one of the active members had a term that expired on December 6, 2013, and has not yet been formally re-appointed. California election code regarding CSDs (section 61042.a.) indicates that after a term expires, members of the Board remain active until such time as their successor qualifies and takes office. The member with the expired term is technically still able to vote, but has gone nearly a year without being re-appointed by the Board of Supervisors. The District 5 Board of Supervisors Office has been working with the CSD on filling its Board, but reports that



recruiting members has been an ongoing challenge. The Knights Landing community is very small, and has several special districts attempting to recruit board members from a very small pool of residents.

LAFCo staff believes that a potential solution to these ongoing issues with board recruitment may be to appoint overlapping board members to the various special districts, in order to reduce the total demand for board members in the community. For instance, the Knights Landing Cemetery District maintains a three-member Board of Directors, and has also struggled with recruitment issues in the past. As vacancies occur, the District 5 Board of Supervisors Office might consider appointing strong and active board members from the Knights Landing Cemetery District to the Knights Landing CSD, or vice versa. To make the double board membership easier for those willing to take on the additional responsibility, meetings could be scheduled at adjacent times on the same evening. One board could meet, and after adjourning, the next meeting could begin. LAFCo staff discussed this concept with the existing Knights Landing CSD board members, who expressed a willingness to explore the idea, though they did express a few concerns. Specifically, the CSD board was concerned about the responsibility of training new members without relevant experience. To move forward with this idea, LAFCo staff suggests that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District and CSD Boards to gauge their overall willingness to use this approach, and determine whether the overlap of these two boards would be a good fit. LAFCo staff is also willing to participate in the meeting, if needed.

- c) LAFCo is not aware of any issues with operational efficiencies that can be resolved in this MSR.
- d) The Knights Landing CSD complies with all laws regarding regular audits and adopted budgets. If requested residents can gain access to these documents from District staff, as well as attending Board of Directors meetings in which these times are discussed. District staff has indicated that it also communicated with customers by occasionally sending out information on the water and wastewater systems with the bills.

LAFCo staff recommends that the District consider developing a website, as time and funding allow, to increase the accessibility of information regarding the Districts services and finances. If developed, the website should contain adopted budgets, third party financial audits, and Board of Directors meeting agendas and minutes.

- e-f) As discussed in Section 5, the CSD has several opportunities to increase efficiency through shared services or governance restructure. The District might pursue functional consolidation with the Knights Landing Fire Protection District and/or the Knights Landing Cemetery District, to share administrative functions, staffing, leadership or infrastructure and equipment.
- g) LAFCo is not aware of any overlapping boundary issues that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues or undermine good planning practices. The Knights Landing CSD does have overlapping boundaries with several other special districts, but none offer similar services that could cause potential confusion or conflict.

**Accountability, Structure and Efficiencies MSR Determination**

The Knights Landing Community Services District has publicly accessible meetings that are well publicized in accordance with the Brown Act. The District adopts annual budgets and completes annual audit reports, and there are no overlapping boundaries that cause service inefficiencies. However, the CSD does have

several opportunities to increase efficiency through shared services or governance restructure. The District might pursue functional consolidation with the Knights Landing Fire Protection District and/or the Knights Landing Cemetery District, to share administrative functions, staffing, leadership or infrastructure and equipment.

Recommendation:

- The CSD should request that the Board of Supervisors District 5 Office facilitate a meeting between the Cemetery District, FPD and CSD Boards to gauge their overall willingness to explore opportunities for shared services, shared administrative functions or overlapping board memberships. LAFCo staff is also willing to participate in the meeting.
- LAFCo staff recommends that the District consider developing a website, as time and funding allow, to increase the accessibility of information regarding the Districts services and finances. If developed, the website should contain adopted budgets, third party financial audits, and Board of Directors meeting agendas and minutes.

## **7. OTHER ISSUES**

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

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) LAFCo staff conducted outreach to several Knights Landing CSD stakeholders while researching this MSR, including District staff, the District Board of Directors, the office of the District 5 County Supervisor, and the Clerk of the Board. None of these parties identified additional service delivery issues that need to be resolved in this MSR.

**Other Issues MSR Determination**

LAFCo has not identified any additional issues related to effective or efficient service delivery that might be resolved in this MSR.

**SPHERE OF INFLUENCE STUDY**

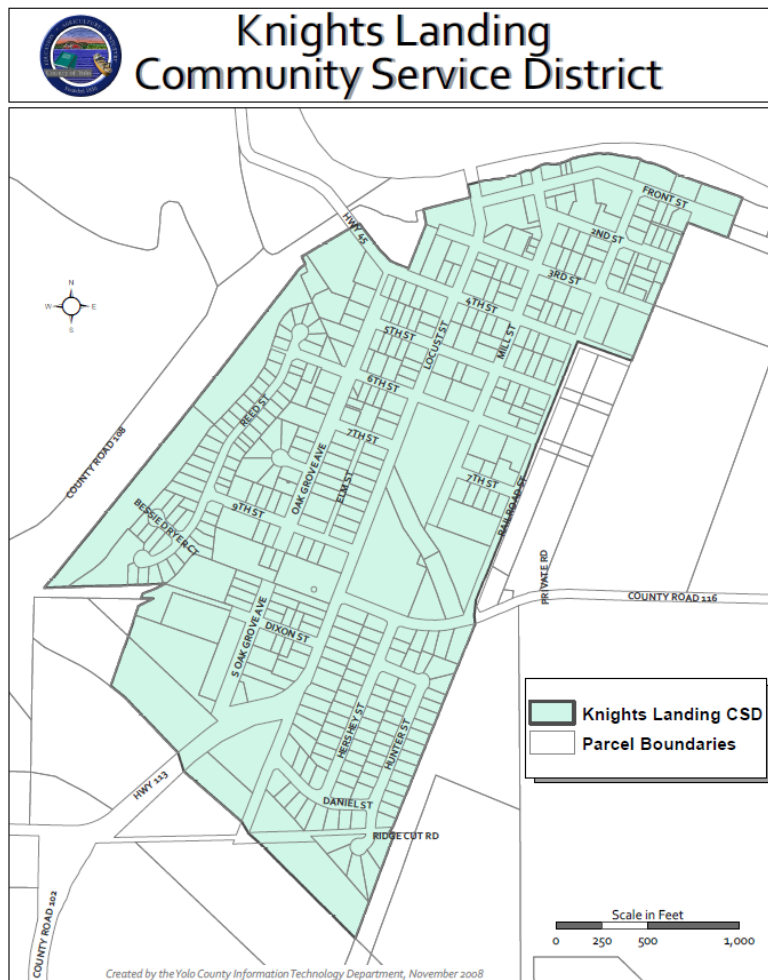
On the basis of the Municipal Service Review:

- Staff has reviewed the agency’s Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency’s SOI is recommended and SOI determinations HAVE NOT been made.
- Staff has reviewed the agency’s Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency’s SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

**SPHERE OF INFLUENCE MAP(S)**

**Existing Sphere**

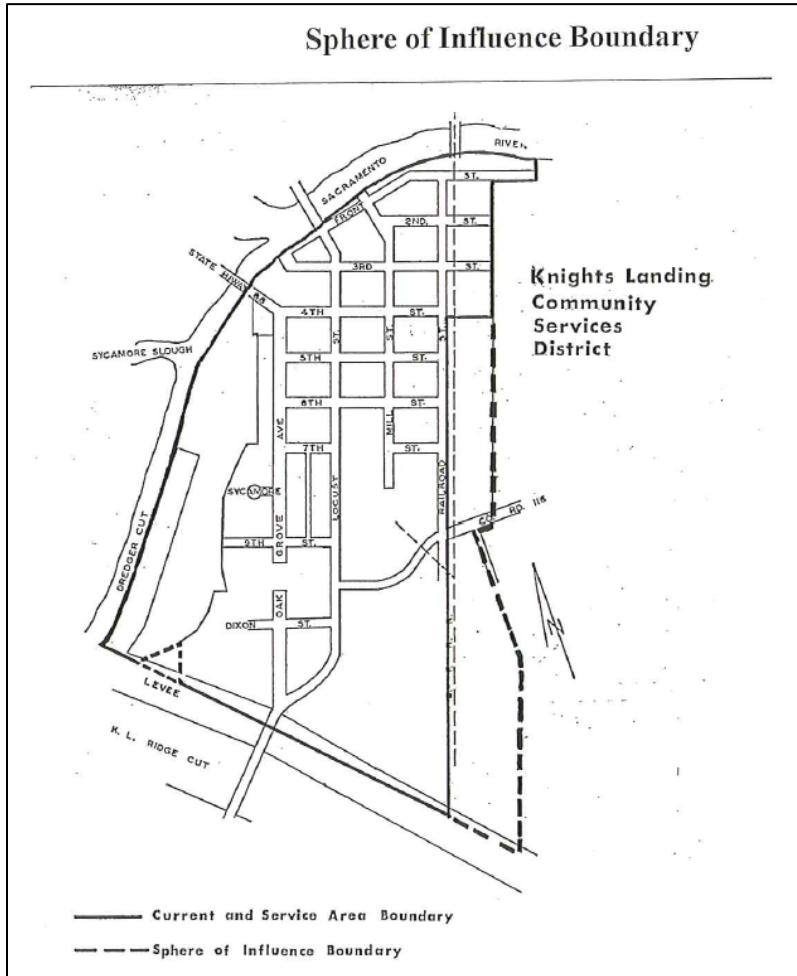
The current boundaries for the Knights Landing CSD are shown in the map below. However, LAFCo staff believes there are several mapping errors that should be corrected during this SOI process.



- There is a strip of property along the East edge of the District, running parallel to Railroad Street, which was annexed into the District in 2007 but is not reflected on LAFCo’s maps. Staff recommends adding this strip of property into the CSD boundary map to be adopted by the Commission.

- There is a parcel at the bottom Southeast corner of the District, below Ridge Cut Road, that staff believes does not belong in the CSD boundaries although it is shown as being included in the current map. The property is not included in the same tax rate area, and likely was mistakenly included in the boundary map. Staff recommends removing the parcel from the boundaries, but leaving it in the District’s sphere of influence.

There is also some confusion regarding the District’s existing sphere of influence. The map below provides

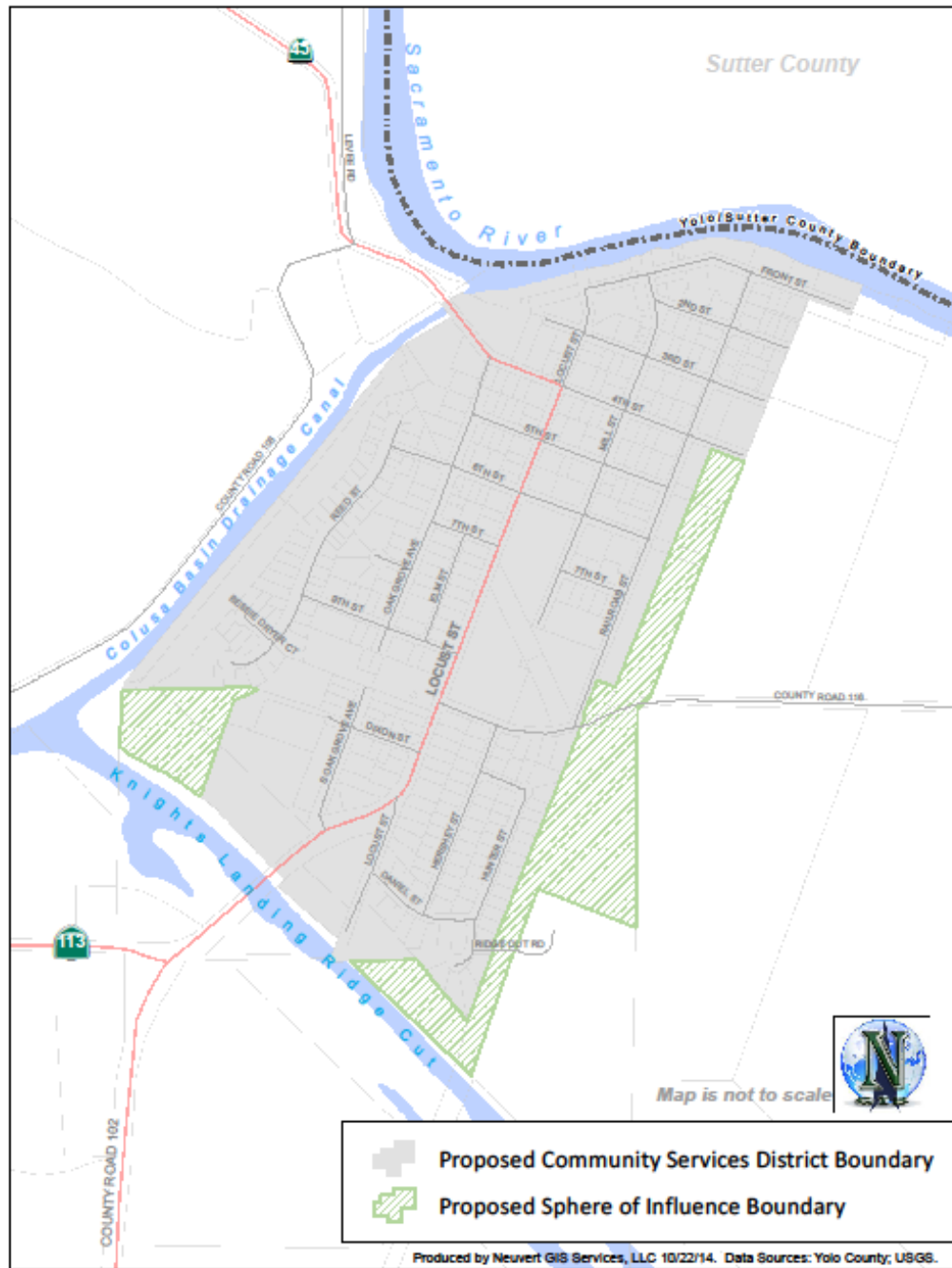


the most recent record of the District’s SOI. The map does not accurately reflect the size and shape of the parcels included in the SOI, and LAFCo staff are not entirely certain of which parcels were intended to be included in the sphere when this map was created. Staff recommends cleaning up the District’s SOI map to avoid future confusion.

**Proposed Boundaries and Sphere**

This SOI study proposes that LAFCo’s Knights Landing CSD map be adjusted to reflect the boundaries and sphere of influence shown in the map below. No substantive changes are being recommended by staff, but the revised map will clarify several points of confusion regarding the existing maps, as identified in the section above.

### Knights Landing Community Services District Proposed Boundary and Sphere of Influence



**POTENTIALLY SIGNIFICANT SOI DETERMINATIONS**

The SOI determinations below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages.

- Present and Planned Land Uses
- Need for Public Facilities and Services
- Capacity and Adequacy of Provide Services
- Social or Economic Communities of Interest
- Disadvantaged Unincorporated Communities

**1. PRESENT AND PLANNED LAND USES**

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

	YES	MAYBE	NO
a) Are there any present or planned land uses in the area that would create the need for an expanded service area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the SOI conflict with planned, orderly and efficient patterns of urban development?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is there a conflict with the adopted SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Would the SOI result in the loss of prime agricultural land or open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Would the SOI impact the identity of any existing communities; e.g. would it conflict with existing postal zones, school, library, sewer, water census, fire, parks and recreation boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any natural or man-made obstructions that would impact where services can reasonably be extended or should otherwise be used as a logical SOI boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- g) Would the proposed SOI conflict with a Census boundary, such that it would compromise the ability to obtain discrete data?

**Discussion:**

- a) As discussed in Section 1 of this MSR, the community of Knights Landing is not projected to experience any significant development or population growth that would create the need for an expanded service area. The County of Yolo 2030 Countywide General Plan does currently designate land outside of the District's existing boundaries for potential development, but there are no development plans at this time due to FEMA's re-classification of the community as being inside the 100-year floodplains, This MSR assumes no development in the foreseeable future.
- b-g) The proposed changes to the SOI map simply clean up sphere of influence lines that were previously unclear, without making any substantive changes. Additionally, the proposed SOI only impacts parcels that are directly adjacent to the existing boundaries of the CSD, and are already zoned for residential or industrial use by the County General Plan. The proposed SOI will not conflict with orderly patterns of development, SACOG planning efforts, existing community identities, a reasonable service area, preservation of prime agriculture lands or Census boundaries.

**Present and Planned Land Uses SOI Determination**

The proposed changes to the SOI map are intended to clarify boundaries without making any substantive changes. Additionally, the proposed SOI only affects parcels that are directly adjacent to the existing boundaries of the CSD, and are already zoned for residential or industrial use by the County General Plan. The proposed SOI will not conflict with orderly patterns of development, SACOG planning efforts, existing community identities, a reasonable service area, preservation of prime agriculture lands or Census boundaries.

**2. NEED FOR PUBLIC FACILITIES AND SERVICES**

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

	<b>YES</b>	<b>MAYBE</b>	<b>NO</b>
a) Would the SOI conflict with the Commission's goal to increase efficiency and conservation of resources by providing essential services within a framework of controlled growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the SOI expand services that could be better provided by a city or another agency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the SOI represent premature inducement of growth or facilitate conversion of agriculture or open space lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Does the SOI conflict with the Regional Housing Needs Analysis (RHNA) or other SACOG growth projections?

e) Are there any areas that should be removed from the SOI because existing circumstances make development unlikely, there is not sufficient demand to support it or important open space/prime agricultural land should be removed from urbanization?

f) Have any agency commitments been predicated on expanding the agency's SOI such as roadway projects, shopping centers, educational facilities, economic development or acquisition of parks and open space?

**Discussion:**

- a) The proposed SOI includes territory that has been designated as residential or industrial in the 2030 Countywide General Plan. The proposed SOI will reflect a plan for the probable physical boundaries and service area for the CSD, but does not have any impact on actual land use designations. Updating the SOI will not conflict with the goal of providing service within a framework of controlled growth.
- b) No city of agency providing similar services is within a reasonable proximity to the community of Knights Landing, and therefore, no other existing city or agency could provide service to the proposed SOI territory.
- c) The proposed SOI does not represent premature inducement of growth or facilitate conversion of agriculture lands. The SOI will have no impact on the land use designation or preservation of agricultural lands in the area, as the land use authority in unincorporated Yolo County remains with the Yolo County Board of Supervisors. The proposed SOI simply reflects a plan for a reasonable boundary and service area for the Knights Landing CSD.
- d) The proposed SOI does not conflict with the RHNA or SACOG growth projections.
- e) No areas of the existing or proposed SOI should be removed. The proposed SOI contains only a few parcels within close proximity to the existing boundaries of the CSD, and all parcels contain land use designations that make them appropriate to remain within the SOI.
- f) No agency commitments have been predicated on the proposed expansion of the agency's SOI.

**Need for Public Facilities and Services SOI Determination**

The proposed SOI includes territory that has already been designated as residential or industrial in the 2030 Countywide General Plan. The proposed SOI will reflect a plan for the probable physical boundaries and service area for the CSD, but does not have any impact on actual land use designations. The proposed SOI would not be better served by another agency or city, does not induce premature growth or the conversion of agricultural lands, does not conflict with the Regional Housing Needs Analysis (RHNA) or SACOG growth projections, and no agency commitments have been predicated on the proposed SOI expansion. No areas of the existing or proposed SOI should be removed, and the proposed SOI does not conflict with the goal of providing services within a framework of controlled growth.



**3. CAPACITY AND ADEQUACY OF PROVIDED SERVICES**

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

	YES	MAYBE	NO
a) Are there any issues regarding water availability and sewer capacity for the proposed SOI territory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Are there any issues regarding the agency's willingness and ability to extend services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with the agency's ability to maintain an adequate level of service currently and/or with future extension of services per the proposed SOI?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) As established in Section 3 of the MSR, LAFCo staff does not have any concerns regarding the Knights Landing CSD's capacity to provide existing or expanded wastewater or street lighting services. However, while the District's water system has the capacity to meet the water needs for the expanded area, it would require improvements to meet fire flow requirements.
- b) The Knights Landing CSD Board of Directors has expressed a willingness to extend services to better utilize their unused capacity, and LAFCo staff believes they are able to provide expanded services as long as the fire flow issues get resolved.
- c) There are no issues with the District's ability to provide adequate services presently or in proposed SOI territory, as long as the fire flow issues described above are resolved before service is extended. The District staff has expressed an interest in addressing the fire flow issues, but is currently restricted by lack of funding.

**Capacity and Adequacy of Provided Services SOI Determination**

The Knights Landing CSD has the capacity to provide water, wastewater, and street lighting services to its existing service area, and the expanded area as proposed in the SOI. However, the CSD's water system is currently not capable of meeting State fire flow requirements, which may become a concern for LAFCo if the District chooses to expand its service area. LAFCo staff is not aware of any adequacy issues that might impact the proposed SOI, and the District has expressed that it is willing to extend services into an expanded area as needed.

**4. SOCIAL OR ECONOMIC 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.

	YES	MAYBE	NO
a) Are there any "inhabited unincorporated communities" (per adopted Commission policy) within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (same as MSR checklist question 2b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a) As established in Section 2 of the MSR, the Knights Landing CSD serves the community of Knights Landing, which is a considered an inhabited unincorporated community. According to the US Census Bureau (2010), Knights Landing has a median household income of \$43,417, which is only 71 percent of the statewide median household income of \$61,400. Therefore, the community of Knights Landing is considered a disadvantaged unincorporated community (DUC) according to the requirements of SB 244.

**Social or Economic Communities of Interest SOI Determination**

The community of Knights Landing is considered a disadvantaged unincorporated community (DUC) according to the requirements of SB 244. However, the Knights Landing CSD provides domestic water, wastewater and street lighting services to the community of Knights Landing. Therefore, Knights Landing is not being passed over for public services by this Sphere of Influence.

**5. DISADVANTAGED UNINCORPORATED COMMUNITIES**

For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

	YES	MAYBE	NO
a) Does the subject agency provide public services related to sewers, municipal and industrial water or structural fire protection (same as MSR checklist question 2a)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) If yes, does the proposed SOI exclude any disadvantaged unincorporated community (per MSR checklist question 2b) where it either may be feasible to extend services or it is required under SB 244 to be included?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a) As established in Section 2 of the MSR, the Knights Landing CSD provides domestic water and wastewater services to the community of Knights Landing.
- b) There is no need to extend the CSD’s services beyond the proposed SOI under the provisions of SB 244, as the community of Knights Landing is fully served with municipal services despite its DUC status. The community receives domestic water and wastewater services from the Knights Landing CSD, and fire protection services from the Knights Landing Fire Protection District.

**Disadvantaged Unincorporated Communities SOI Determination**

The community of Knights Landing is fully served with municipal services despite its status as a disadvantaged unincorporated community. The community receives domestic water and wastewater services from the Knights Landing CSD, and fire protection services from the Knights Landing Fire Protection District.

**REFERENCES**

- Board of Directors. Knights Landing CSD. *Personal Communication*.
- Chavarria, V. (2014). Knights Landing CSD. *Personal Communication*.
- County of Yolo. (2009). *2030 Countywide General Plan*.
- County of Yolo. (2011). *Knights Landing CSD: Final Facility Master Plan Report*.
- Dachtler, J. (2014). Yolo County Clerk of the Board. *Personal Communication*.
- Tommeraason, T. (2014). Knights Landing CSD. *Personal Communication*.

- United States Census Bureau. (2010). *Knights Landing CDP, California*.  
[http://factfinder2.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](http://factfinder2.census.gov/faces/nav/jsf/pages/community_facts.xhtml)
- Valenzuela, P. (2014). Deputy Supervisor for Yolo County Board of Supervisors District 5. *Personal Communication*.

## ATTACHMENTS

*Notice of violation letter from CVRWQCB*

**KNIGHTS LANDING SERVICE DISTRICT**  
**P.O. BOX 548**  
**KNIGHTS LANDING, CA 95645**

July 21, 2014

Mr. Brendan Kenny  
Central Valley Regional Water Quality Control Board  
11620 Sun Center Drive, #200  
Rancho Cordova, CA 95670-6114

**Re: Knights Landing Services District – Notice of Violation Response**

Dear Mr. Kenny:

This letter is in response to the Notice of Violation the Knights Landing Service District (District) received from the Regional Water Quality Control Board (Regional Board) dated June 30, 2014. As cited in the Notice of Violation, the Board has determined that the District violated several monitoring and reporting requirements for the Knights Landing Wastewater Treatment Facility, which is regulated by Waste Discharge Requirements (WDRs) Order R5-2007-0149 and Revised Monitoring and Reporting Program (MRP) R5-2007-0149-01.

To address the monitoring and reporting violations, the Regional Board has ordered the District to take the following actions:

1. By July 30, 2014, the District shall update its monitoring report template to ensure that all required data is reported. The District must submit a report describing the steps that will be taken to ensure that all monitoring and reporting will be completed as required by the WDRs.
2. By August 30, 2014, the District shall submit a Facility Expansion Report that documents the construction of Ponds 9 and 10, and shall submit a request to the Board to allow its flow limitation be increased as allowed by the WDRs upon the completion of Ponds 9 and 10. Upon approval, the allowable average daily dry weather flow would be increased from 80,000 gallons per day (gpd) to 105,000 gpd.
3. As required by the MRP, discharge to Ponds 9 and 10 and/or the land spreading area triggers the requirement for groundwater sampling and analysis for monitoring wells MW-6, MW-7, and MW-8.

This letter is submitted to the Regional Board for the primary purpose of fulfilling Item 1 above, a description of the steps that will be taken to ensure that all monitoring and reporting will be completed as required by the WDRs. The first step that the District will take is to adopt the report template provided by the Regional Board, attached for reference, for the reporting of all future monitoring. Completed report templates will be submitted with the cover sheet template provided by the Regional Board. Reports that have been completed before this letter but not yet submitted to the Regional Board



Regular 10.

**LAFCO**

**Meeting Date:** 12/04/2014

---

**Information**

**SUBJECT**

Receive a staff presentation on the Draft Yolo Broadband Strategic Plan and discuss LAFCo's next steps to undertake with the cities and County (the Draft Yolo Broadband Strategic Plan will be included in a supplemental packet prior to the meeting).

**RECOMMENDED ACTION**

Receive a staff presentation on the Draft Yolo Broadband Strategic Plan and discuss LAFCo's next steps to undertake with the cities and County.

**FISCAL IMPACT**

The contract with Magellan Advisors, LLC to prepare the Strategic Plan was \$42,600. However, the scope of work does not include presentations for the cities and County. Depending on what is desired regarding presentations/next steps by each agency, an amended scope of work with additional budget may be required. The contract allows for the Executive Officer to authorize additional tasks not to exceed 10% of the overall contract amount. If additional costs exceed 10%, staff will need to schedule an item for Commission consideration.

**REASONS FOR RECOMMENDED ACTION**

The Draft Yolo Broadband Strategic Plan has been completed and is being presented to the Commission prior to presentations before each city and the County. The purpose of this presentation is to announce the release of the Draft Yolo Broadband Strategic Plan for public review and comment. Staff does not expect the Commission to read the entire Plan prior to the December 4th meeting. The Plan will not be finalized until early February 2015.

On October 24, 2013 LAFCo approved the contract with Magellan Advisors, LLC to prepare the Yolo Broadband Strategic Plan. LAFCo commissioned this Plan on behalf of the cities and County as part of LAFCo's mission to provide information to promote efficient government services. One of the objects of the Commission is to make studies and to furnish information which will shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.

**BACKGROUND**

The Yolo Broadband Strategic Plan has been guided in its process by a working group comprised of various representatives from each city, the County and Valley Vision (who manages our four-county broadband consortia). The representatives come from city management, economic development, analyst, planning, IT and library backgrounds, which illustrates the far reaching impact of this technology.

Because the agenda packets are being delivered early due to the Thanksgiving holiday, the Draft Plan is in its final review stages with the working group and is not quite ready yet for inclusion. Staff anticipates the Draft Plan will be distributed the week of December 1st as early in the week as possible.

The Strategic Plan goals and tasks from the RFP are listed below.

Strategic Plan Goals

- To educate the community at large on the benefits of broadband and issues for broadband improvements and expansion;
- To positively affect how broadband infrastructure and services are likely to develop county wide over the next 10 years;
- To plan for optimal adoption and deployment of broadband in Yolo County;
- To identify key short (3 years), mid (7 years) and long-term (10 years) broadband policies and initiatives that agencies county wide can develop to facilitate a unified technology policy direction;
- To positively impact the policies, actions and directions of the cities in Yolo County, the County and other agencies and

stakeholders relative to technology policy direction;

- To identify key strategic broadband investments that could strengthen existing business capacity or attract new businesses;
- To identify broadband capacity, equity, access and affordability gaps with a goal of achieving consistent broadband service access for all businesses, residents and visitors; and
- To communicate capabilities to stakeholders and to encourage full use of their potential.

#### Tasks Identified in the RFP

Task 1: Refine Project Goals and Purpose – working with Yolo Broadband Steering Committee

Task 2: Community Profiles (i.e. Davis, West Sacramento, Winters, Woodland, Yocha Dehe Wintun Nation/Capay Valley, unincorporated areas of Yolo County) including targeted outreach to representatives from various business and other user sectors:

- a. Inventory of Existing Broadband Assets
- b. Needs Assessment – identify Broadband Gaps
- c. Identify Broadband Demand – goals for economic development, agriculture, social justice, etc.

Task 3: Validate/Correct CPUC Coverage Map

Task 4: Identify Key Issues for Broadband Expansion – for each community in Yolo identified above

Task 5: Outline and Prioritize Community Strategies: – including “middle mile” and “last mile” access

Task 6: Organization and Network Operation Options – a comprehensive presentation of the possible organizational/ownership structures for proposed broadband infrastructure networks – including but not limited to owner/operator, public private partnerships, lease-hold agreements.

Task 7: Action Plan and Resources – Consultant will identify a “road map” for each community’s next steps for planning, funding, grants and other resources to implement identified strategies. Prioritize existing resources that can be leveraged. Provide information on the availability and relevance of potential funding sources for any future projects that arise from the recommendations in the Plan. This includes governmental sources, foundations, and private resources.

#### Strategic Plan Overview

The Strategic Plan includes background on what broadband is, why it is so important and an overall discussion regarding the state of broadband countywide. The County is divided into 5 communities (one for each city and unincorporated areas) and each profile includes a discussion regarding the unique issues in each jurisdiction, concluding with a list of recommended strategies and action items for each agency to implement. The action items include some strategies common to all agencies, plus several that are unique to each agency’s particular situation.

The strategies common to all agencies include General Plan Amendments to create a policy framework to promote broadband deployment in public and private projects by incorporating broadband into local policies, codes and standards as a public utility. Strategies also include coordination with other local agencies to leverage opportunities for joint projects, reducing individual agency costs.

Each agency has somewhat unique issues as well. In West Sacramento and Woodland, both cities have segments of city owned fiber already that can be potentially extended to help areas with poor internet speeds. In Davis, there is an existing franchise agreement with Comcast that currently provides free fiber to the city, public schools and county buildings that is set to expire in 2018, which creates issues that need to be addressed. Winters is interested in assessing the feasibility of financing and constructing a city-owned fiber network. Yolo County has a network that links many of the county buildings, but more infrastructure is needed. Many communities in the County could potentially qualify for grant funding as well.

#### Next Steps

LAFCo staff will coordinate with the working group representatives from each city and the County to determine how each agency would like to have a presentation and/or discussion regarding the Plan’s recommendations and proposed action items. Whether that will occur at a city council/BOS meeting or a committee meeting is yet to be determined. Staff’s goal is to conduct these presentations during the December 2014 to early February 2015 timeframe, and then finalize the Strategic Plan based on the feedback and comments received. LAFCo could potentially have an ongoing role with creating policy templates for agency adoption and/or coordinating grant opportunities, to be determined and authorized by the Commission.

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### **Attachments**

Draft Yolo Broadband Strategic Plan

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### **Form Review**

Inbox

Reviewed By

Date

Christine Crawford  
Form Started By: Christine Crawford  
Final Approval Date: 11/20/2014

Christine Crawford

11/20/2014 12:15 PM  
Started On: 11/19/2014 03:09 PM



# Yolo Broadband Strategic Plan

Version: 0.1 (Draft)  
Release Date: December 3, 2014

Prepared by: Magellan Advisors, LLC  
999 18<sup>th</sup> Street, Suite 3000  
Denver, CO 80202



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# 1. Executive Summary

## A. A Broadband Plan is Critical for Yolo

Broadband is a term used to identify high-speed data transfer and access on the Internet. Broadband allows Internet users to access a variety of information using a range of technologies. Broadband is essential for such activities as online video, streaming media, voice over Internet phone service, interactive websites and secure business applications. Broadband differs from dial-up Internet access in speed, capacity and the ability to provide uninterrupted service when in use. It supports a wide variety of online applications in business, education, healthcare, public safety, government and entertainment which has made access to these broadband services important **as part of daily life**.

Broadband is a vital element of Yolo's economic sustainability that will keep our community competitive, locally and globally. Where our road systems provide the infrastructure necessary to connect our communities physically, broadband provides the digital infrastructure necessary to connect our communities virtually to the rest of the electronic world. As more of our everyday lives are lived online, broadband has become a fundamental need for our homes, businesses, and communities. Broadband reaches many facets of everyday life by improving the delivery of healthcare services, enriching the educational experiences of children and adults, aiding in the management and conservation of energy resources, assisting public safety personnel in the performance of their duties, and facilitating citizen interaction with our government agencies. Broadband is a driving force behind the competitiveness of our businesses, fostering innovation, productivity and access to the global economy. Affordable, available access to broadband **means the difference between thriving in the new economy and becoming obsolete**.

### *Objectives of the Yolo Broadband Strategic Plan*

- 1. Identify short, mid and long-term broadband policies and initiatives that agencies countywide can develop to facilitate a unified broadband policy and direction*
- 2. Identify broadband capacity, equity, access and affordability gaps with a goal of achieving consistent broadband services for all businesses, residents and visitors*
- 3. Positively affect how broadband infrastructure and services are likely to develop countywide over the next 10 years*
- 4. Positively impact the adoption of broadband services across our communities*
- 5. Identify key strategic broadband investments that could improve our communities' access to and competitiveness in the digital economy*

The Yolo Broadband Strategic Plan provides a roadmap to understand our local broadband environment and forge strategies that will ensure our communities are prepared to thrive in the digital economy. In 2012, about 70% of Yolo households maintained some type of broadband connection, 6%

lower than California's statewide average of 76%. The fundamental goal of this Strategic Plan is to increase access, availability and adoption of broadband to support our community's long-term prosperity, including our residents, our businesses, our agriculture, our schools, our hospitals and our overall quality of life. This Plan provides an action oriented roadmap to meet broadband needs based on an understanding of each community and how our local government organizations can utilize effective public policy, strategic partnerships and key investments to positively influence broadband in Yolo. The Plan sets forth achievable short, mid and long-term strategies for Yolo County and each city to achieve in order to meet the broadband requirements of their communities.

Broadband's Impact on Yolo's Critical Community Functions	
Economic Development	<ul style="list-style-type: none"> <li>• Businesses are more reliant on broadband to maintain competitiveness, productivity and efficiency</li> <li>• High-quality, affordable broadband is becoming increasingly critical to attract new business and retain existing business</li> </ul>
Agriculture	<ul style="list-style-type: none"> <li>• Seed technology and farming are utilizing more broadband on a widespread basis</li> <li>• Agricultural organizations access global data to support locally-grown products</li> </ul>
Education & Training	<ul style="list-style-type: none"> <li>• A quality education is increasingly reliant on access to the Internet and online applications</li> <li>• Modern educational technologies depend on high-quality broadband services, at school and at home</li> </ul>
Digital Literacy & Equity	<ul style="list-style-type: none"> <li>• Increasing broadband adoption will improve the competitiveness of the workforce</li> <li>• Access to broadband increases opportunities for non-English speaking residents</li> </ul>
Healthcare	<ul style="list-style-type: none"> <li>• The quality of patient care is directly tied to the sufficiency of broadband services</li> <li>• Healthcare organizations increasingly need to connect with patients virtually; broadband is critical for these organizations and at home</li> </ul>
Public Safety	<ul style="list-style-type: none"> <li>• First responders rely on high-quality, reliable access to reduce response times during emergencies</li> <li>• Mobile and fixed broadband are key to delivering the right information to the right personnel</li> </ul>
Government Services	<ul style="list-style-type: none"> <li>• Broadband improves capabilities, increases security and reduces cost for public organizations</li> <li>• Increasing access provides more opportunities to interact with citizens</li> </ul>

## B. Broadband Issues Facing Yolo's Communities

Yolo contains a mix of urban, rural, and remote communities across a diverse demographic profile and varied geographic terrain. Due to these features, broadband supply and demand varies widely across the County. Some communities are well served with more modern infrastructure and multiple providers while others do not currently have any broadband services available and are forced to use satellite or dial-up to receive their Internet services.

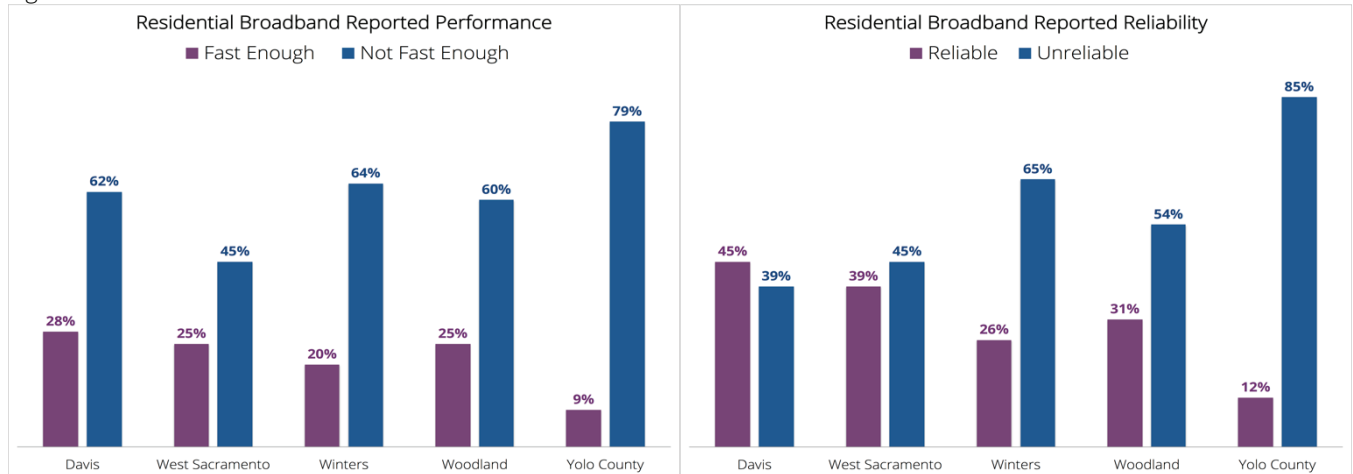
In rural and remote communities, a serious lack of broadband availability exists. Within the unincorporated county, residents are generally limited to low-speed connections that prevent these users from accessing the majority of online content. Using the Internet for anything but simple web browsing is a challenge in these communities, limiting their access to most modern Internet applications. Watching YouTube videos, making Skype calls or participating in online education is a significant challenge in these communities. The lack of broadband impedes home-based businesses from accessing their files and healthcare clinics from treating patients. Broadband adoption is also low in the rural communities, which may be attributable to affordability, the relevancy of broadband to specific users or a combination of both.

Yolo's agricultural populations are challenged as well, particularly in the farming and seed technology areas. Farms, which represent both residential and business subscribers, cannot gain access to suitable broadband services to meet their needs. With the technological revolution occurring in agriculture, these users need reliable broadband to connect their local farms with global data that helps them achieve greater productivity, and better management of their natural resources.

Yolo's cities generally have greater broadband availability and choice of providers. They don't face the critical infrastructure issues as the rural communities, and broadband providers maintain networks that provide coverage to the vast majority of residential and business addresses in each city. The challenge in each city is that in some cases, current services are not keeping up with subscriber demand. In many cases, residents and businesses need greater speeds and more reliability at prices they can afford.

Fifty four percent of Yolo's residents who participated in a recent countywide survey reported having at least 5 devices at home connecting to the Internet such as including laptops, phones and tablets. Each of these consumes a portion of the home Internet connection; a particularly large portion when they are streaming video such as Netflix, YouTube, and Hulu. However, home Internet services are used for more than entertainment; they support home-based businesses, videoconferencing and home security services. And, as more devices access more applications, residential demand for bandwidth will continue to grow. Figure 1.1 shows satisfaction levels with current residential broadband services as reported by approximately 900 residents across the 4 cities and unincorporated Yolo County. Many of Yolo's communities reported performance and reliability issues with their current services.

Figure 1.1: Broadband Satisfaction Levels in Yolo Communities



Small and medium businesses across the cities have significant need for expanded broadband services. In most cases, they utilize the same cable and DSL services that are provided to residents; however, providers generally offer greater support and performance in these “business class” packages. Across each city, these businesses report the need for higher speed and greater reliability. Larger businesses have procured fiber-optic services from local providers, however; the costs of these services are prohibitively expensive for the majority of Yolo’s business community. In most cases, a significant pricing gap exists between the services they currently have and the services they need.

Community anchors across Yolo are mixed in terms of their broadband issues. Yolo’s schools must meet the State’s Common Core<sup>1</sup> criteria for online testing and curricula, which mean that they will need additional broadband capabilities to meet these requirements. Yolo Office of Education and the individual School Districts are concerned that students in low-income neighborhoods will not have adequate Internet services at home to support the transition to more online education. Healthcare organizations also experience broadband availability issues. CommuniCare facilities need expanded access to telehealth services to serve patient needs. Winters Healthcare Foundation cannot treat patients when their Internet is down, which has occurred frequently. Improved access to these services is critical for these organizations as more healthcare services are carried out online.

## C. Strategies to Resolve Broadband Issues

The County and the cities have the opportunity to positively impact the availability, affordability and adoption of broadband in their region. Doing so involves a multi-faceted approach that will be carried out over different timescales; however, positively changing Yolo’s broadband environment will take time. The process begins now and there are immediate steps laid out for the County and each city to take to shape how broadband will progress in Yolo. A summary of the Action Items for each community follows.

<sup>1</sup> Educational standards describe what students should know and be able to do in each subject in each grade. In California, the State Board of Education decides on the standards for all students, from kindergarten through high school. [www.cde.ca.gov/re/cc/](http://www.cde.ca.gov/re/cc/)

## City of Davis Action Items:

**Recommendation 1:** Pursue viable options to mitigate the impending expiration of the Comcast I-Net agreement and additional costs the City may incur:

- a) Identify potential partnerships with other broadband providers that may provide a means to replace the current I-Net agreement and support stakeholder needs for broadband;
- b) Consider conducting a feasibility study to develop the business case for a community broadband network. This feasibility study should include:
  - (1) What organizations and service providers are anticipated to use the network;
  - (2) An engineering design for the network;
  - (3) An estimated timeline for construction of the network
  - (4) Cost estimates, financial plan and financing options for the network;
  - (5) A plan for managing the network's operations and maintenance; and
  - (6) Community benefits to be gained from a network; and,
- c) Should the City seek renegotiation of the expiring Comcast agreement, ensure that negotiations are not delayed such that it jeopardizes the City's strategic options.

**Timing:** The City should agree on the terms of the renegotiation with Comcast or plan to utilize another network (which may include building its own community broadband network) no later than September of 2016.

## Common Action Items

**Recommendation 2:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;



- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 3:** Coordinate with other agencies with facilities in the City (i.e. Davis Joint Unified School District, UC Davis, Unitrans, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and,
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

### *City of West Sacramento Action Items:*

**Recommendation 1:** The City should continue to develop its broadband infrastructure to reduce internal costs, expand capabilities and protect against future cost increases by:

- a) Developing a GIS-based map that identifies the City locations that should be interconnected including the City's current infrastructure;
- b) Installing conduit with all public projects;
- c) Expanding the City's capability in negotiating agreements for private providers to utilize the City's infrastructure for public benefit; and,

- d) Coordinating with other local public agencies (i.e. WUSD, Los Rios Community College District, Yolo County Transportation District, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) as potential users of the City's infrastructure.

**Timing:** The City should begin the process of identifying areas for direct and joint investment in broadband infrastructure with other public agencies over the next 12 months.

**Recommendation 2:** The City needs to work with local broadband providers to ensure business corridors are equipped with the necessary broadband services to support the City's economic development needs as follows:

- a) Actively market and make any City-owned infrastructure available for use by broadband providers;
- b) Equip business corridors with City-owned broadband infrastructure in the areas identified in the Demand Areas for Expanded Broadband Services, as detailed in the West Sacramento Community Profile;
  - (1) Developing relationships with broadband providers who will utilize City-owned infrastructure; and,
  - (2) Making this infrastructure available to broadband providers on a non-discriminatory basis.

**Timing:** The City should work internally to institute the processes to incorporate broadband infrastructure into its planning over the next 12 months.

### Common Action Items

**Recommendation 3:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;

- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 4:** Coordinate with other agencies with facilities in the City (i.e. WUSD, Los Rios Community College District, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and,
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

### *City of Winters Action Items:*

**Recommendation 1:** Conduct a study to determine the feasibility of constructing a citywide broadband network that can serve the needs of Winters' residents, businesses and community anchors. The feasibility study should:

- a) Determine the physical network required to serve the City's needs;
- b) Identify the best business model for Winters to utilize to meet the broadband needs of the community, retail, wholesale or infrastructure-only;
- c) Incorporate the broadband needs of other public agencies that have offices in Winters into the study;

- d) Determine the role local service providers will play in the development of this network, including potential public-private partnerships;
- e) Assess the financial feasibility and funding requirements for the network, including potential federal and State grant opportunities; and,
- f) Develop an action plan and timeline for buildout of the network.

**Timing:** The City should consider conducting the feasibility study within the next 12 months and implement any action plan per its timelines.

**Recommendation 2:** To improve local broadband conditions, the City needs to help key community anchors get the broadband services they need, by:

- a) Focusing on community anchors described in the Winters Community Profile that are currently not receiving adequate broadband service;
- b) Developing a broadband construction fund (via Development Impact Fees or other mechanism) that will allow the City to jointly fund construction of broadband infrastructure to these anchors, in cooperation with local service providers;
  - i) Finance the upfront costs for “last mile” connection fees to get community anchors the services they need; and,
  - ii) Work with local providers to jointly build this infrastructure and ensure that the City maintains rights to install additional conduit and fiber-optic cable in these projects.

**Timing:** Ongoing until broadband has been extended throughout the community.

### Common Action Items

**Recommendation 3:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;

- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 4:** Coordinate with other agencies with facilities in the City (i.e. WJUSD, Yolo County, Yolo County Housing, Yolo County Office of Education, PG&E, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and,
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

### *City of Woodland Action Items:*

**Recommendation 1:** The City should continue to develop its broadband infrastructure to reduce internal costs, expand capabilities and protect against future cost increases by:

- e) Developing a GIS-based map that identifies the City locations that should be interconnected including the City's current infrastructure;
- f) Installing conduit with all public projects;

- g) Expanding the City's capability in negotiating agreements for private providers to utilize the City's infrastructure for public benefit; and,
- h) Coordinating with other local public agencies (i.e. WJUSD, Woodland Community College, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) as potential users of the City's infrastructure.

**Timing:** The City should begin the process of identifying areas for direct and joint investment in broadband infrastructure with other public agencies over the next 12 months.

**Recommendation 2:** The City needs to work with local broadband providers to ensure business corridors are equipped with the necessary broadband services to support the City's economic development needs as follows:

- a) Actively market and make any City-owned infrastructure available for use by broadband providers;
- b) Coordinate with Yolo County to identify infrastructure to serve agricultural businesses surrounding Woodland, potentially using wireless to reach these organizations;
- c) Equip business corridors with City-owned broadband infrastructure in the areas identified in the Demand Areas for Expanded Broadband Services, as detailed in the Woodland Community Profile;
  - (1) Developing relationships with broadband providers who will utilize City-owned infrastructure; and,
  - (2) Making this infrastructure available to broadband providers on a non-discriminatory basis.

**Timing:** The City should work internally to institute the processes to incorporate broadband infrastructure into its planning over the next 12 months.

### Common Action Items

**Recommendation 3:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);

- b) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and,
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 4:** Coordinate with other agencies with facilities in the City (i.e. WJUSD, Woodland Community College, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and,
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

### *Yolo County Action Items:*

**Recommendation 1:** The County should continue to develop its broadband infrastructure to reduce internal costs, expand capabilities and protect against future cost increases by:

- a) Developing a GIS-based map that identifies the County locations that should be interconnected including the County's current infrastructure;
- b) Installing conduit with all public projects;
- c) Expanding the County's capability in negotiating agreements for private providers to utilize the County's infrastructure for public benefit; and,
- d) Coordinating with other local public agencies (i.e. cities, school districts, UC Davis, YCTD, Yolo County Housing, YCFWCD, Yolo County Office of Education, etc.) as potential users of the County's infrastructure.

**Timing:** The County should begin the process of identifying areas for direct and joint investment in broadband infrastructure with other public agencies over the next 12 months.

**Recommendation 2:** The County needs to develop additional broadband infrastructure in cooperation with cities, other local agencies and local broadband providers by:

- a) Working with each County and other public agencies to build a map of locations where these organizations jointly need broadband connectivity by:
  - i) Developing a GIS-based map illustrating these locations by utilizing the existing Yolo GIS Cooperative;
  - ii) Incorporating County and County CIP projects onto this map to identify the companion projects and joint build opportunities;
  - iii) Sharing maps and data between organizations; and,
  - iv) Making sure the maps are updated at least annually.
- b) Coordinating with broadband providers on specific broadband infrastructure projects in communities described in the Critical Unserved and Underserved Communities in Yolo County's Community Profile:
  - i) Identifying infrastructure routes that the County needs;
  - ii) Identifying infrastructure routes that the broadband providers need;
  - iii) Sharing information between organizations for joint build opportunities;
  - iv) Developing a joint build agreement with local broadband providers that allows each organization to install their own broadband infrastructure in these projects; and,
  - v) Identifying resources that would be available to fund these projects, including internal County funds and/or available grant or loan programs as described in Recommendation 3.
- c) Coordinating with public agencies and private broadband providers to use broadband infrastructure, towers and other resources to expand wireless coverage into agricultural areas, by:



- i) Working with broadband wireless providers to make access available to County-owned tower infrastructure, ground space at the base of towers and rooftops, ensuring compliance with legislative and security requirements governing access to these resources;
  - ii) Collaborating with other agencies with physical assets in the rural areas such as Yolo County Flood Control and Water Conservation District, Yolo County Transportation District, Yolo County Housing and UC Davis to leverage joint opportunities to expand wireless access in the rural areas of the county;
  - iii) Developing agreements for lease or in-kind exchange of these County-owned assets by broadband wireless providers; and,
  - iv) Where feasible, interconnecting County-owned fiber-optic networks with these assets to provide fiber backhaul to broadband wireless providers.
- d) Developing agreements with each County and broadband providers for joint use of broadband infrastructure by:
- i) Strengthening the current MOU to include joint use agreements that allow sharing of infrastructure between the County and the cities;
  - ii) Actively marketing and identifying opportunities to expand infrastructure with broadband providers.

**Timing:** The County should accelerate the process of coordinating with other public agencies and broadband providers over the next 12 months and identify opportunities to leverage public broadband infrastructure continuously as a County-level initiative.

**Recommendation 3:** Target specific State and federal grant and loan programs that will provide funding for Yolo County's unserved and underserved communities by:

- a) Through the Tactical Plan, designating a resource at the County that will develop, apply for and manage broadband grants;
- b) Building on the initial grant analysis completed in this Plan for the County to pursue CASF funding (and other programs defined in Appendix D) for these communities;
- c) Developing relationships with broadband providers that define how grant funds will be received and managed and how broadband services will be provided to these communities; and,
- d) Applying for CASF grant funding to expand wireless and broadband services in Yolo County Public Housing facilities;

**Timing:** The County should immediately identify an internal resource to manage the broadband grant efforts on behalf of the County.

### Common Action Items

**Recommendation 4:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the County's specific needs and adopt them into the Tactical Plan, local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the County's Development Impact Fee program and Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the County builds out its network, maintaining broadband infrastructure in the County's GIS system, requiring GIS-based as-builts, and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and,
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The County should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 5:** Coordinate with other agencies with facilities in the County (i.e. cities, school districts, UC Davis, YCTD, Yolo County Housing, YCFCWCD, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and,

- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The County should develop these collaborative programs with other public agencies over the next 3 months.

## 2. Introduction

Broadband is a term used to identify high-speed data transfer and access on the Internet. Broadband allows Internet users to access a variety of information using a range of technologies. Broadband is essential for such activities as online video, streaming media, voice over Internet phone service, interactive websites and secure business applications. Broadband differs from dial-up Internet access in speed, capacity and the ability to provide uninterrupted service when in use. It supports a wide variety of online applications in business, education, healthcare, public safety, government and entertainment which has access to high-quality broadband services important as part of daily life.

Broadband is a vital element of economic sustainability that has only begun to take shape in the early 21<sup>st</sup> century. Where our road systems provide the infrastructure necessary to connect our communities physically, broadband provides the digital infrastructure necessary to connect our communities virtually to the rest of the electronic world. As more of our everyday lives are lived online, broadband has become increasingly important, for our homes, businesses, and communities. Broadband reaches many facets of everyday life by improving the delivery of healthcare services, enriching the educational experiences of children and adults, aiding in the management and conservation of energy resources, assisting public safety personnel in the performance of their duties, and facilitating citizen interaction with government agencies. For businesses, broadband has become a driving force behind competitiveness, innovation, and efficiency. Affordable, available access to broadband means the difference between thriving in the new economy<sup>2</sup> and becoming obsolete.

*Business, education, healthcare, agriculture, public safety, and government are reliant on broadband services as more of their functions are enhanced through the Internet*



Broadband is a transformational infrastructure that transcends physical limitations of more traditional infrastructure, such as road systems and electric grids. Rather than connecting one community to another, it connects a community to the entire electronic world and global marketplace. This is a key reason why broadband is so important to the future of communities. Communities that have access to high-speed broadband will continue to take advantage of all of the opportunities the global

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<sup>2</sup> A coined term describing new, high-growth industries that are on the cutting edge of technology and are the driving force of economic growth. The new economy is commonly believed to have started in the late 1990s, as high tech tools, such as the internet, and increasingly powerful computers, began penetrating the consumer and business marketplace.

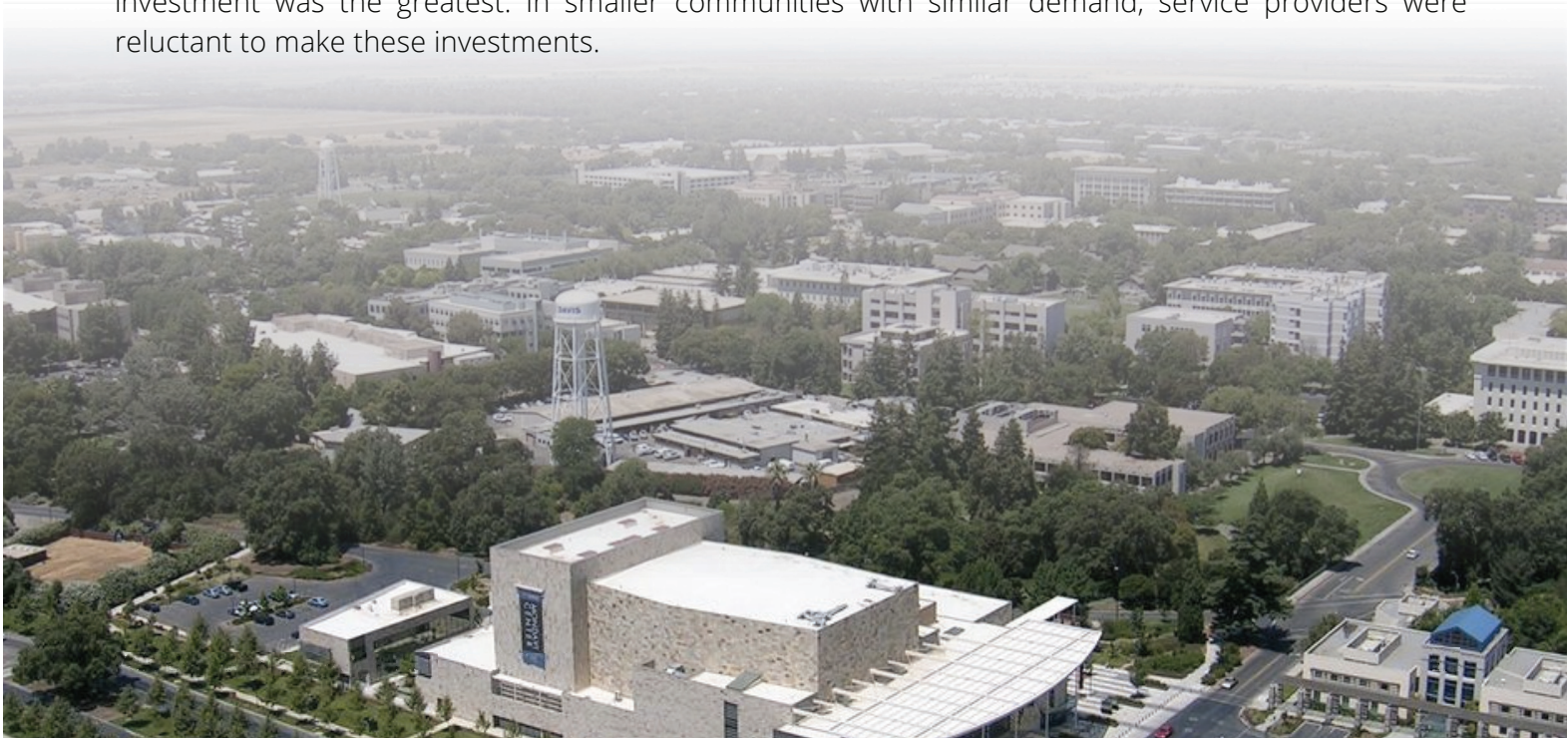
marketplace affords them in business, education, healthcare, entertainment, and general well-being. Communities that lack access to this infrastructure or do not have ubiquitous access to it will be less equipped to thrive in the digital economy.

## A. Broadband is a Local Issue for Yolo

For Yolo's communities, affordable access to broadband services is a critical aspect to support long-term needs of its residents, businesses, and anchor institutions. Yolo's diverse mix of demographics among rural and urban centers results in an uneven distribution of broadband services and as a result, some users receive satisfactory broadband services while others don't have access to or cannot afford the services they need. Urban areas, such as Davis and West Sacramento receive higher speeds and reliability generally, whereas rural areas such as Esparto and Knight's Landing have no broadband services available to them.

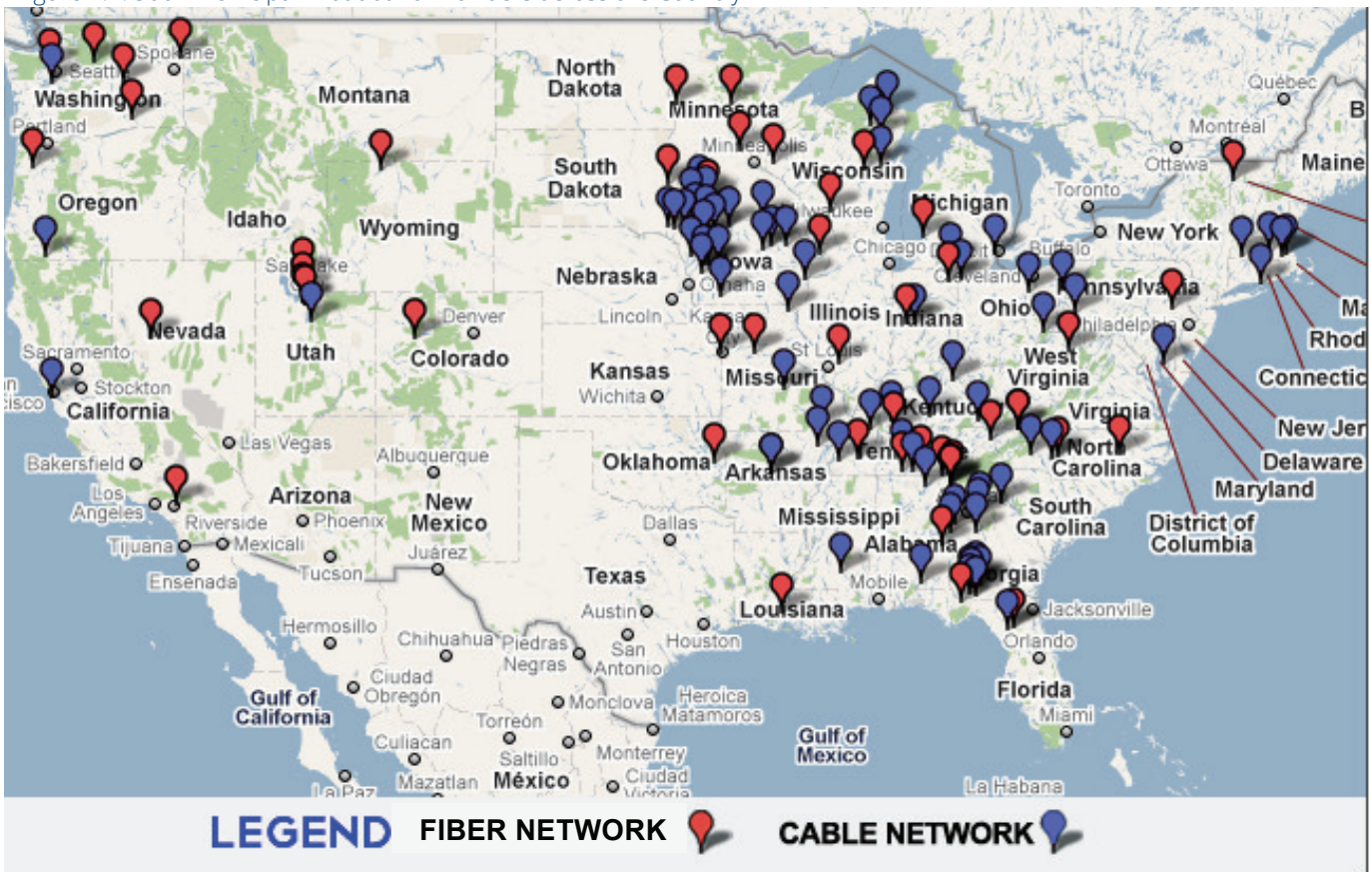
As broadband demand and Internet penetration grows among these communities, it is important for Yolo to take an active role in ensuring end users are receiving the services they need. In cases where they are not, Yolo County and the cities have the opportunity to take action by utilizing reasonable measures to improve services across their communities. Using a combination of broadband-friendly public policy initiatives that accelerate the deployment of broadband and strategic investments in broadband infrastructure, Yolo County and the cities have opportunities to help ensure their communities have the services they need to succeed in the digital economy.

Traditionally, broadband providers have been solely responsible for the development of broadband services in communities. In the mid-1990s, local governments began to take notice of a developing trend within their communities; demand for broadband services was growing. Businesses needed more bandwidth. Schools, hospitals, and government organizations were shifting more of their operations online. Residents were accessing more applications. As this pace accelerated, broadband supply was not keeping up with broadband demand. To meet the demand, service providers began upgrading their networks in the largest cities where density was the highest and where return on investment was the greatest. In smaller communities with similar demand, service providers were reluctant to make these investments.



This trend has become more pronounced as communities' demand for bandwidth has increased exponentially. Over the past 15 years, many local governments have taken an active role in ensuring their communities are equipped with the broadband services they need. It has become a local issue for many communities as broadband has become a public necessity. It has also become a local issue because the infrastructure that powers broadband services is local itself; installed in underground conduits or on poles within the community. Communities that believe it is a public necessity have taken an active role in ensuring their citizens and businesses have access to affordable broadband services. They have done so by using broadband-enhancing public policy and strategic investments in broadband infrastructure to complement the networks of private broadband providers. In most cases they have developed public-private partnerships with these providers to utilize their public broadband infrastructure. These networks have significantly improved broadband access and affordability in their local communities. In addition, these networks have become platforms of innovation to fulfill and enhance other community needs.

Figure 2.1: 500+ Municipal Broadband Providers across the Country



For Yolo County and its cities, strategic initiatives such as broadband-enhancing public policy and strategic investments in broadband infrastructure, will directly impact the accessibility and affordability of broadband services in local communities. However, this infrastructure is capable of much more than just providing broadband services. It can provide a publicly owned communications infrastructure that can be used for additional public benefits, including enhanced municipal utilities, new e-government applications, technology collaboration, and infrastructure sharing programs. In addition, a community-

owned broadband infrastructure for Yolo will provide a platform for long-term innovation of Smart Community technologies and applications, ranging from smart homes to energy conservation and management to green building programs. While the initial goal of this infrastructure is to enhance local broadband services, it will become a long-term asset to support Smart Community programs that increase efficiency, lower cost, reduce environmental impact, and enhance quality of life.

## Reasons Why Local Governments Are Investing in Broadband Infrastructure

### Broadband Services

- Common backbone for all anchors
  - County & City
  - Schools
  - Libraries
  - Hospitals
  - Clinics
  - Public Safety
  - Community Support
- Interconnection with service providers
- WiFi in public centers

### IT Collaboration

- E-Government applications
- Bulk Internet purchasing
- Application sharing
- Disaster recovery
- EOC communications

### Public Safety Applications

- Video monitoring
- First responder support
- Collaboration with State & Federal agencies
- FirstNET preparedness

### Future Energy & Utility Management

- Smart Grid & Demand Response
- Automated Meter Reading
- Advanced Metering Infrastructure
- SCADA communications and control



## B. The Yolo Broadband Strategic Plan

Yolo communities want to ensure that affordable broadband is available to its citizens, businesses, and anchor organizations across urban and rural populations. These services support Yolo's educational institutions to expand online programs and blended learning while ensuring school districts meet their electronic testing requirements with the State of California. They support Yolo's hospitals and clinics by enabling electronic health records and telehealth applications. They support Yolo's public safety organizations ensuring vital communications are available for fire, police, and emergency responders. They support the local government applications and how these organizations interface with citizens. They are also essential to enhance Yolo's economic development strategies, support local businesses, and attract new industries. They also support technology transfer<sup>3</sup> programs from the University of California Davis that result in new startups within the community.



*Broadband is a fundamental requirement for Yolo County's citizens, businesses, and anchors to ensure they have access to all of the opportunities the Internet has to offer.*

Public organizations in Yolo have the opportunity to positively influence the deployment of broadband services for the benefit of the community. Yolo County and the cities of Davis, West Sacramento, Winters, and Woodland can positively impact the accessibility and affordability of broadband services by utilizing a combination of public policy tools, education and adoption programs, and public investment in broadband infrastructure. The Yolo County Broadband Strategic Plan provides the strategies that Yolo County and the cities can utilize to improve access and affordability of broadband across their communities. It provides a roadmap for broadband development based on an understanding of each community's needs and how the Yolo's local government organizations can utilize public policy and new investment to ensure their needs are met. The Plan sets forth achievable short, mid, and long-term initiatives for Yolo County and the cities to achieve in order to meet the broadband requirements of their communities. The Plan includes the recommendations, action plans, and timelines for Yolo County and the cities to utilize to implement broadband-friendly public policy, develop strategic partnerships and fund key investments in broadband infrastructure.

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<sup>3</sup> Technology Transfer, also called Transfer of Technology (TOT), is the process of transferring skills, knowledge, technologies, methods of manufacturing, samples of manufacturing and facilities among governments or universities and other institutions to ensure that scientific and technological developments are accessible to a wider range of users who can then further develop and exploit the technology into new products, processes, applications, materials or services.



*Yolo's Communities Must Have Affordable Access to High-Speed, Reliable Broadband Services to Compete, Innovate, and Thrive in the 21<sup>st</sup> Century Economy.*



## C. Project Background & Methodology

### i. Overview

In September of 2013, the Local Agency Formation Commission of Yolo County issued a Request for Proposals seeking a qualified consultant to develop a Yolo Broadband Strategic Plan. The goals of the RFP were focused on how Yolo's public organizations could participate in the development of broadband within the County through the utilization of public policy tools, grant opportunities, public-private partnerships and potential public investment in broadband infrastructure. A Broadband Working Group composed of representatives from the LAFCo, Yolo County, and member cities was assembled to conduct the evaluation and selection of the consultant. Magellan Advisors was selected through a competitive procurement to assist the Broadband Working Group and LAFCo develop the Yolo Broadband Strategic Plan. Magellan specializes in developing broadband strategies that local governments can use to foster the development of affordable, high-speed broadband services, in conjunction with local service providers, community anchors, businesses, and residents.

Magellan and the Working Group began the project in October of 2013 and through a 9-month planning process developed the Yolo Broadband Strategic Plan. The project began with a thorough needs assessment for Yolo. Magellan conducted significant outreach with Yolo's stakeholders across business, agriculture, education, healthcare, local government, public safety, and community support organizations. This process also included city and county economic and community development initiatives to ensure that the Strategic Plan accounted for each community's long-range planning needs. The needs assessment conducted a series of interviews and group meetings that helped gain an understanding of how these organizations utilized broadband, sufficiency of their current services, issues, and future needs. This information was analyzed by Magellan and the Broadband Working Group to determine common themes around how broadband was currently used by Yolo's organizations and some of the key issues they faced in receiving adequate services.

In addition to the stakeholder outreach, an online survey was conducted of residential and business broadband subscribers in Yolo. The surveys provided insight on residential and business broadband penetration in Yolo, including:

- Types of services and providers
- Pricing for services
- Issues with services
- How services were utilized

The survey was posted in late 2013 and was presented to residents and businesses through the outreach efforts, which included distribution through city and county agencies, libraries and community groups. Over the 9-month period, 919 unique residents and 131 unique businesses responded to the survey. A listing of the relevant survey questions and response summaries are provided in Appendices B and C. Raw response data is provided in an attached Excel file that accompanies this report, named Yolo Survey Response Data.xlsx.

Magellan also conducted a countywide market analysis that evaluated the current broadband environment in Yolo and documented the services, pricing, providers, and availability of broadband services. Recent FCC, CPUC and information collected from the business and residential surveys was utilized to build broadband availability and penetration maps across Yolo. These maps provided indications of current broadband penetration, speeds and coverage gaps. CPUC broadband data and corresponding broadband maps were also reviewed for their accuracy in reporting broadband availability in Yolo. CPUC broadband availability data was cross-referenced against local data collected through survey information and through FCC Form 477 data to identify any discrepancies that misrepresented broadband speeds and availability. This analysis was not able to precisely identify discrepancies between CPUC data and the project data in every case; however, it did provide indications of errors in CPUC data in certain cases. In these cases, Yolo can work further with the CPUC to refine the CPUC's maps to more accurately represent broadband speed and availability in Yolo. The accuracy of these maps is important to support State and federal public policy initiatives such as broadband grants for Yolo's communities.

Information in the needs assessment, surveys and market analysis was utilized to identify key issues facing Yolo, focused on availability and access to broadband services in its communities. An analysis was conducted comparing the current availability and pricing for services against the needs of the community stakeholders. This analysis evaluated the gaps in availability and affordability of broadband services within each community. Based on the gaps that were identified, strategies for each city and Yolo County were developed that would aid in bridging these gaps over short, mid and long-term periods. These community strategies focused on initiatives that Yolo County and cities could undertake to positively influence the affordability, availability, and expansion of broadband services in Yolo. Finally, a list of action items was developed for Yolo County and each of the cities to begin implementing in their communities to achieve these goals.

## ii. Broadband Working Group

The Broadband Working Group was established to engage in the development of the Broadband Strategic Plan in conjunction with Magellan Advisors as the prime consultant on the project to Yolo LAFCo. The Broadband Working Group is composed of representatives from Yolo County and the Cities. Over the 9-month span of the project, the Broadband Working Group has worked with LAFCo and Magellan Advisors to engage stakeholders in the strategic planning process, coordinate local resources, provide input on organizational needs for broadband and provide guidance on the development of the Plan. Members of the Broadband Working Group include:

Name	Position	Organization
Rob White	Chief Innovation Officer	City of Davis
Sarah Worley	Deputy Innovation Officer	City of Davis
Diane Richards	Economic Development Director	City of West Sacramento
John Donlevy	City Manager	City of Winters
Lynn Johnson	Senior Management Analyst	City of Woodland
Wendy Ross	Economic Development Manager	City of Woodland
Ken Hiatt	Community Development Director	City of Woodland
Kevin Yarris	Director, Dept of General Services	Yolo County
Patty Wong	County Librarian	Yolo County
Christine Crawford	Executive Officer, LAFCo	Yolo LAFCo
Tracey Dickinson	Associate Management Analyst	Yolo LAFCo

### iii. Detailed Stakeholder & Community Outreach

In the needs assessment process, LAFCo, the Broadband Working Group and Magellan Advisors conducted significant stakeholder and community outreach across the County to understand current and future broadband needs. The information collected included the current inventory of current broadband infrastructure assets from organizations including Yolo County, the Cities of Davis, West Sacramento, Winters and Woodland, UC Davis, the Yolo Flood Control District and Yolo Transportation District. This information was utilized to build a comprehensive broadband map of public infrastructure in Yolo. In addition, each organization included in the outreach process provided anecdotal information about their current broadband penetration, future needs and the technologies that are driving those needs. Magellan utilized this information to compile both the Countywide needs assessment and the individual Community Profiles within this Plan.

Summarizing the findings of the outreach resulted in several common themes that were consistent across the entire County. In each case, users cited a growing requirement for reliable, high-speed broadband services to support the business requirements of their organizations. Businesses, schools, hospitals and government organizations all noted the same trend that more of their operations were being transitioned online, requiring robust broadband Internet connections to support these applications.

Overall, local government connectivity needs are rather similar in that more bandwidth is required between sites, connectivity for cameras and wireless is required throughout areas of each city and more collaboration across city boundaries is deemed beneficial to the region. The County and Cities have worked to establish a collaborative approach to building infrastructure through an interlocal MOU, but have acknowledged that this process needs improvement to be effective at a Countywide level.

Small and medium businesses Countywide reported general dissatisfaction with their current broadband Internet services, citing issues with speed, reliability, and consistency. The majority of the businesses interviewed utilized cable or DSL services with a few of the larger businesses connected via fiber-optic. A few businesses also utilized wireless connectivity for their Internet services.

Economic development agencies all viewed reliable, affordable broadband as a key issue facing Yolo's ability to attract and retain businesses. Agencies realized that Yolo competes with Sacramento County for businesses, and that Yolo is currently not as well supplied with broadband as Sacramento County, which has a negative impact on business recruitment.

A more detailed account of the key needs of each sector, across Yolo County and each city can be found in the individual Community Profiles within this Plan.

### Stakeholder Meetings – January 28 – 31, 2014

- California Telehealth Network
- City of Woodland IT Department
- Yolo County IT Department
- UC Davis IT Department
- Woodland Small & Medium Businesses
- West Sacramento Chamber of Commerce
- City of Davis IT Department
- Winters Broadband
- Winters Healthcare Foundation
- "West of 505" Community Meeting
- CPUC & CA Department of Technology
- Yolo County Office of Education
- Yocha Dehe Wintun Nation
- West Sacramento City and IT Departments
- Davis Small & Medium Businesses
- California Emerging Technology Fund
- Om Networks
- CommuniCare
- Yolo County Housing

Magellan Advisors' first site visit in Yolo County took place between January 28 - 31, 2014. The Yolo LAFCo team scheduled meetings with a diverse group of stakeholders throughout the region from government, healthcare, education, and business sectors. In nearly each instance, the need for high-speed connectivity was deemed necessary within the region and each city.

The Magellan team met with each city in Yolo and Yolo County IT Departments to discuss the government organizations' needs around connectivity. Several organizations currently operate fiber optic networks throughout their territory in addition to services provided by local service providers. The County owns and operates a fairly extensive network throughout the City of Woodland and greater

Yolo County. The County has taken advantage of opportunities to jointly build their fiber network on the backs of other service provider and capital improvement initiatives. The County has also led an effort to develop an MOU for joint trenching throughout the region, however it doesn't appear as though all parties have embraced this concept. Each of the Cities currently depend on service providers to provide a major portion of their local connectivity requirements. Each constructs conduit and fiber infrastructure as opportunities present themselves, however, it doesn't appear to be a coordinated effort, even within each local organization. The City of Davis currently operates a dark fiber I-NET (Institutional Network) provided by Comcast through the City's cable franchise agreement. The franchise agreement ends in the coming years, and it has been noted that there is a good chance that Comcast will not honor the I-NET going forward. Overall, the Cities connectivity needs are rather similar in that more bandwidth is required between sites, connectivity for cameras and wireless are required throughout areas of each city and more collaboration across city boundaries is deemed beneficial to the region.

During our meeting with the California Telehealth Network (CTN) it was discovered that CTN started in 2007 through the business incubator at UC Davis. CTN is charged with increasing access to healthcare through the innovative use of technology, including telehealth, telemedicine and health information exchange. Their mission is to promote advanced information technologies and services to improve access to high quality healthcare focusing on medically underserved and rural Californians. CTN secured a \$22 million grant from the Rural Health Pilot Program and is currently serving 265 healthcare facilities throughout California with an additional 30 sites pending connection.

UC Davis has significant high-speed connectivity requirements to support its research initiatives. It has built fiber infrastructure throughout sections of the City of Davis where high-speed connectivity is required and utilizes commercial carriers in other instances. The University also maintains high-speed connectivity to the CENIC network (4 – 10Gb connections), National Lambda Rail, Internet 2, and Digital California. UC Davis has a requirement for 6 facilities within the city to be connected to fiber and would welcome faster service to commercial apartments and house rentals throughout the area, as this impacts the student's and faculty's ability to interact with the University off campus.

During business group meetings in Woodland and Davis, our team had the ability to hear first hand from business and local users. In numerous instances we heard that businesses have issues getting access to the services they need and that speed and reliability are both major concerns that impact businesses throughout the region. While DSL and Cable services are widely available in the cities, fiber access is more difficult to come by and when available is very expensive. Economic Development is stating that "one of the first things companies are asking for is telecommunications availability," the problem is that this data is not readily available. During our meeting with the "West of the 505" group, the Mayor of Winters communicated her concerns for the rural areas. She is very concerned that children in the area are required to sit at the library till all hours to access Internet service. Many of the rural areas are either underserved or the families simply lack the ability to pay for Internet based services.

While visiting the City of Winters, our team had the opportunity to meet with the Winters' Healthcare Foundation, a local clinic. The clinic just switched to Wave Broadband when it was made available and are currently reviewing options to connect to the California Telehealth Network. The medical records system is in the cloud, therefore high-speed, reliable connectivity is key to the operation. Winters' Healthcare Foundation is unable to service the community when its connections are down as all applications and records depend on connectivity, nothing is stored locally.

The Yolo County Office of Education provides fiscal oversight for the County while each City has its own District. During this meeting the Office of Education, Davis School District, Woodland School District, West Sacramento School District and the Washington School District were present. The Winters School District was unavailable. Every district manages E-Rate independently. The Districts procure and maintain their own connectivity between facilities and each District has a connection back to the Office of Education to access shared services. The Districts bandwidth requirements are expected to grow as state mandated online testing comes online and to support BYOD and 1 to 1 initiatives. The Office of Education and the Districts are concerned about the low-income neighborhoods and children on the free and reduced lunch program. A few districts provide wireless air-card services to children, and other partner with providers such as Comcast for lifeline Internet programs.

The Yolo County Housing Authority operates water, sewer, and electric utilities in many areas of the region, primarily supporting the thousands of housing units under their control. The Housing Authority has developed a strategy to implement community Wi-Fi hotspots at various locations under their management and has had discussion to expand this service. The Authority has done quite a bit of research into various technologies that could be used to expand its services and has spoken with numerous providers. California AB 1299 allows the California Advanced Services Fund to spend money on broadband in public-housing projects. The Housing Authority is considering making application for funds to expand its service capability.

### Stakeholder Meetings – March 19 – 21, 2014

- Clark Pacific
- Yolo County Flood Control and Water Conservation District
- Nugget Markets
- Woodland Community College
- City of Winters/PG&E
- Pacific Coast Producers
- Yolo Transportation District
- Woodland Memorial Hospital
- UC Davis Real Estate
- Marrone Bio Innovations
- FMC/Shilling Robotics
- DMG Mori
- Old Sugar Mill
- City/County Managers
- Los Rios Community College
- Nippon Shokken
- West Sacramento Economic Commission
- J Burton & Associates

The second site visit to Yolo was from March 19 – 21, 2014. The plan for this visit was to continue to meet with project stakeholders as well as key businesses throughout the region and more specifically in the cities of Woodland, Davis, Winters and West Sacramento. These meetings provided additional data in support of the need for highly available fiber based broadband services in these areas.

The meeting with the Yolo County Flood Control and Water Conservation District provided great insight into the SCADA (Supervisory Control and Data Acquisition) systems utilized throughout the district for monitoring, and control of the various water resources and structures managed by the agency. Staff also detailed the extensive wireless network utilized to provide access to dozens of sites throughout and outside of Yolo County. While the wireless network cannot be utilized as an asset in the Yolo Broadband planning process, there is potential for collaboration on tower sites, which are required to provide basic wireless connectivity for the districts systems. District staff may provide a “towers” layer in GIS outlining the current tower infrastructure, pending management approval.

Meetings with Woodland Community College and Los Rios Community College proved to be interesting in that the need for broadband access between these two organizations were at polar opposites. Woodland Community College uses CENIC (Corporation for Education Network Initiatives in California) and has access to the bandwidth and services needed to support current operations. Los Rios Community College in West Sacramento also uses CENIC where possible; however, connectivity between the remote campuses is provided over AT&T Optiman fiber service. Los Rios reported that data needs for the college continues to increase exponentially and current bandwidth levels are insufficient and are currently constrained due to cost of services. Los Rios would welcome new cost effective methods for providing connectivity to its various sites.

During Magellan’s visit with the Yolo Transportation District, staff provided us with the “vision” for technology infrastructure as it relates to the transportation services provided throughout Yolo County. There are several plans for digital signage at bus stops, wireless networks on the buses as well as advanced communications between the vehicles and headquarters. Currently, the district relies heavily on 3G/4G mobile devices which currently only provide enough bandwidth to provide AVL (Automatic Vehicle Location) services. Higher speed wireless and connectivity at bus stop locations would be valuable to the district in support of these organizational goals.

UC Davis Real Estate handles all architectural, construction/project management and real estate development services for UC Davis. During our discussions with staff, and review of infrastructure maps, we learned the extent of the University’s fiber network. The entire campus, as well as a few off campus locations, is served by the University’s network. This could potentially be a valuable asset for the Yolo Broadband project as the fiber passes through several business/industry parks located around the UC Davis campus. Additionally, the University maintains facilities in downtown Davis, which are not currently served by fiber. There could be opportunities for fiber sharing/swapping agreements in the future.

The additional meetings included a number of businesses in the region, mainly large/medium size organizations. These meetings reinforced a number of the issues we’ve heard regarding the local



broadband offerings, primarily around the concepts of a lack of local access and non-existent service. Some businesses have the services they require because they were lucky to have fiber infrastructure nearby, some stated service was in the area but costs to connect were too great, while others learned to “work with what they have” because services are not available in their area. A few businesses we met within Davis stated they currently have fiber-based access primarily because they were fortunate to be able to afford the \$30,000+ capital construction fees to connect. These construction fees are normally collected upfront to offset the costs the provider must bear in order to connect the customer. These can typically be paid upfront or in some cases, rolled into the monthly recurring charge (MRC). During another meeting, a company representative explained to us how his company recently invested \$30 million to build a manufacturing plant located in Southport Industrial Park in West Sacramento. During the completion of the site, a T-1 (1.554 Mbps) circuit was installed at the site, and later upgraded to bonded (2) T-1 circuits capable of delivering 3 Mbps of bandwidth to the site. The business has stated it would take a fiber-based service as soon as one is made available, as the current connection is inadequate to support the North American operation.

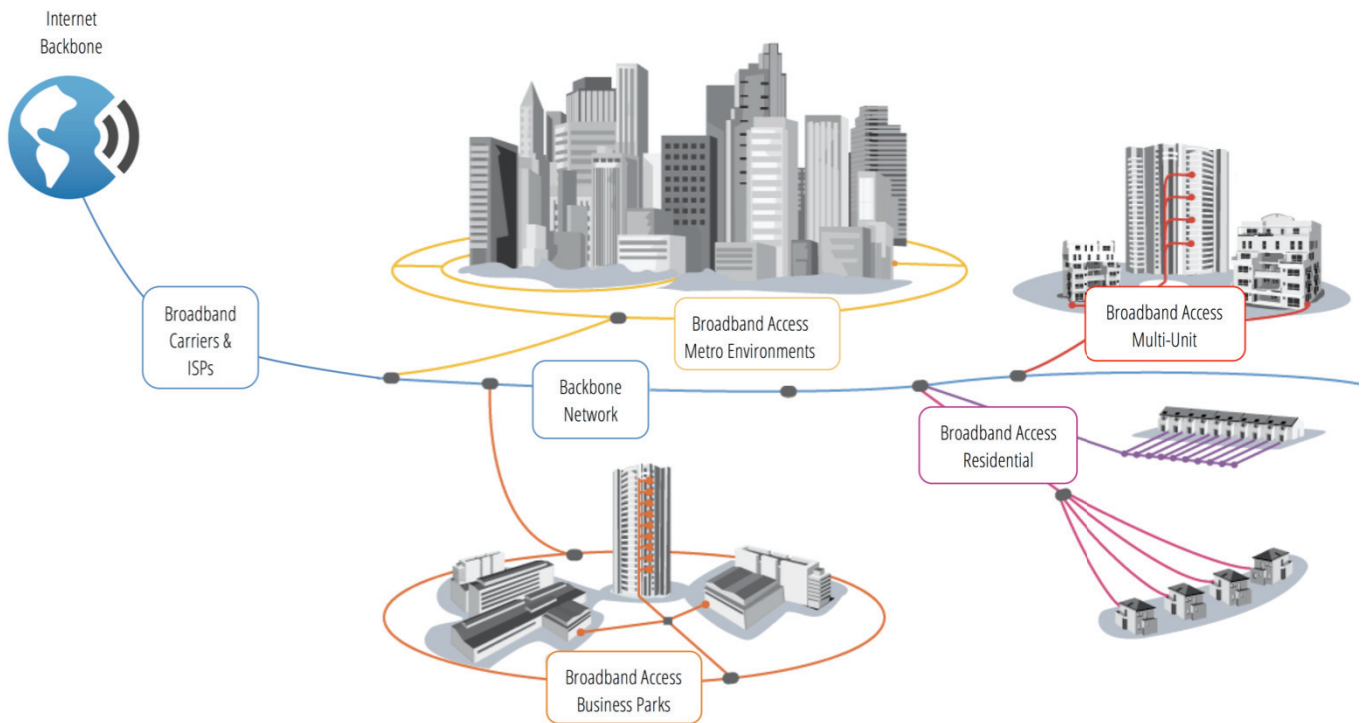
This last instance is really the worst-case scenario for broadband access in an industrial park, which is highly marketed, and core to the City of West Sacramento’s Economic Development strategy. This is a prime example of a situation where any high-tech company moving to the area would most likely pass on choosing a site in this industrial park because of a lack of broadband access.

## D. Overview of Broadband Technologies

Broadband is deployed throughout communities as wired and wireless infrastructure that carries digital signal between end users and the content they want to access. The content comes in many forms and from many locations across the world in the networks that connect the local community to the Internet backbone. Websites, television, streaming video, videoconferencing, cloud services, and even telephone service are just a few types of content that are delivered across local broadband networks. Access to this content is made available through the type of infrastructure and kinds of connections available in the local network. Robust local infrastructure results in faster, more reliable access to content. Conversely, local infrastructure that is aging and built on older technologies results in slower, less reliable access to content.

Broadband bandwidth, or speed, is commonly measured in megabits per second. “Meg” or “Mbps” are generally used to describe the rate of data transfer through a broadband connection. Broadband connections have a download rate, the rate that data is transferred to the subscriber from the broadband network, and upload rate, the rate that data is transferred from the subscriber to the broadband network. The greater the bandwidth, the faster a subscriber is able to access information over the network, such as Internet web pages. Greater bandwidth also allows subscribers to utilize real-time applications, such as Internet video services such as Netflix and Hulu. Without sufficient bandwidth, these applications do not function because the subscriber is not able to access this content at a fast enough rate through the broadband connection, which results in these applications not functioning correctly and the subscriber experiencing “freezing” or “buffering” conditions when trying to view online content such as web pages, images, and videos.

Figure 2.2: How Broadband Connects Our Communities



The majority of America still utilizes copper-based broadband infrastructure to transmit information from a user to the Internet; this media includes twisted-pair copper telephone and coaxial cable lines. Most of this infrastructure was installed years ago but in many areas of the country, it is still being installed in new communities today. As time has progressed, broadband providers have continued to upgrade equipment in their networks to make these lines faster and more reliable, however; several fundamental issues exist with underlying copper infrastructure:

- Broadband signals degrade significantly as distances increase in copper-based networks.
- Broadband signals are susceptible to electrical interference and signal degradation in copper-based networks, particularly as they depreciate.
- Copper-based networks delivering broadband services generally utilize shared bandwidth among pools of users that results in an uneven distribution of speed to these users.

The limitations of local copper-based networks are overcome by deployment of new technologies such as fiber-optic infrastructure. The old standard of copper in local broadband networks is transitioning to fiber-optic, however; the pace of this transition is slow. Costs for deployment of fiber-optic infrastructure are extremely high, particularly in areas where no fiber-optic infrastructure exists. Providers understand that fiber-optic broadband provides the only long-term solution to the ever-growing bandwidth needs of homes, businesses, and community anchors. Fiber-optic broadband connectivity is considerably different than its copper-based predecessor, in the following ways:

- Fiber optic technology converts broadband data signals to light and sends the light through transparent glass fibers about the diameter of a human hair. Fiber transmits data at speeds far exceeding current DSL or cable modem speeds, typically by tens or even hundreds of Meg.
- Actual speeds are always dependent on the services provisioned by the service provider who operates the system, however; speeds generally range from 10Mbps to 100Gbps
- Telecommunications providers sometimes offer fiber broadband in limited areas and have announced plans to expand their fiber networks and offer bundled voice, Internet access, and video services.
- Variations of the technology run the fiber all the way to the customer’s home or business, to the curb outside, or to a location somewhere between the provider’s facilities and the customer

Figure 2.3 compares traditional broadband technologies such as DSL, cable, and wireless to fiber-based next-generation broadband. Whereas traditional broadband technologies have an upper limit of 150Mbps, next-generation broadband surpasses these limitations and can provide 1Gbps and greater.<sup>4</sup>

*Figure 2.3: The Evolution of Broadband Speeds Across Technologies*

**Dial-Up – 56Kbps**

- Legacy technology
- Shared Technology

**ADSL – 10Meg**

- First Generation of DSL
- Shared Technology

**ADSL2 – 24Meg**

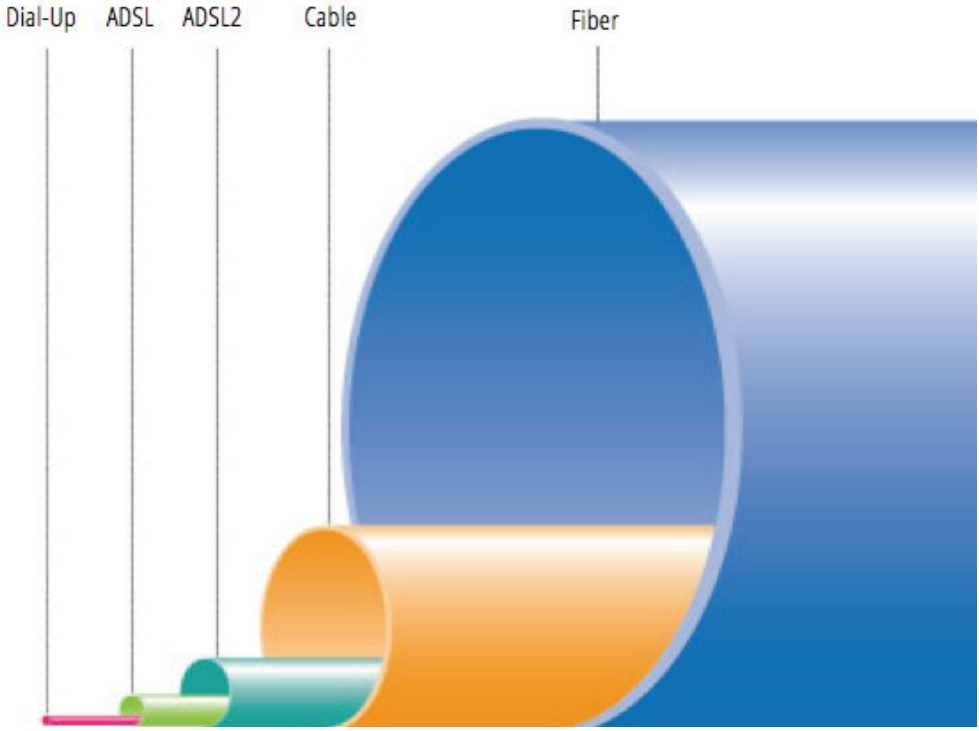
- Second Generation DSL
- Shared Technology

**Cable – 150Meg**

- DOCSIS 3.0
- Shared Technology

**Fiber – 1Gbps**

- PON, Active Ethernet
- Shared and
- Dedicated Technology

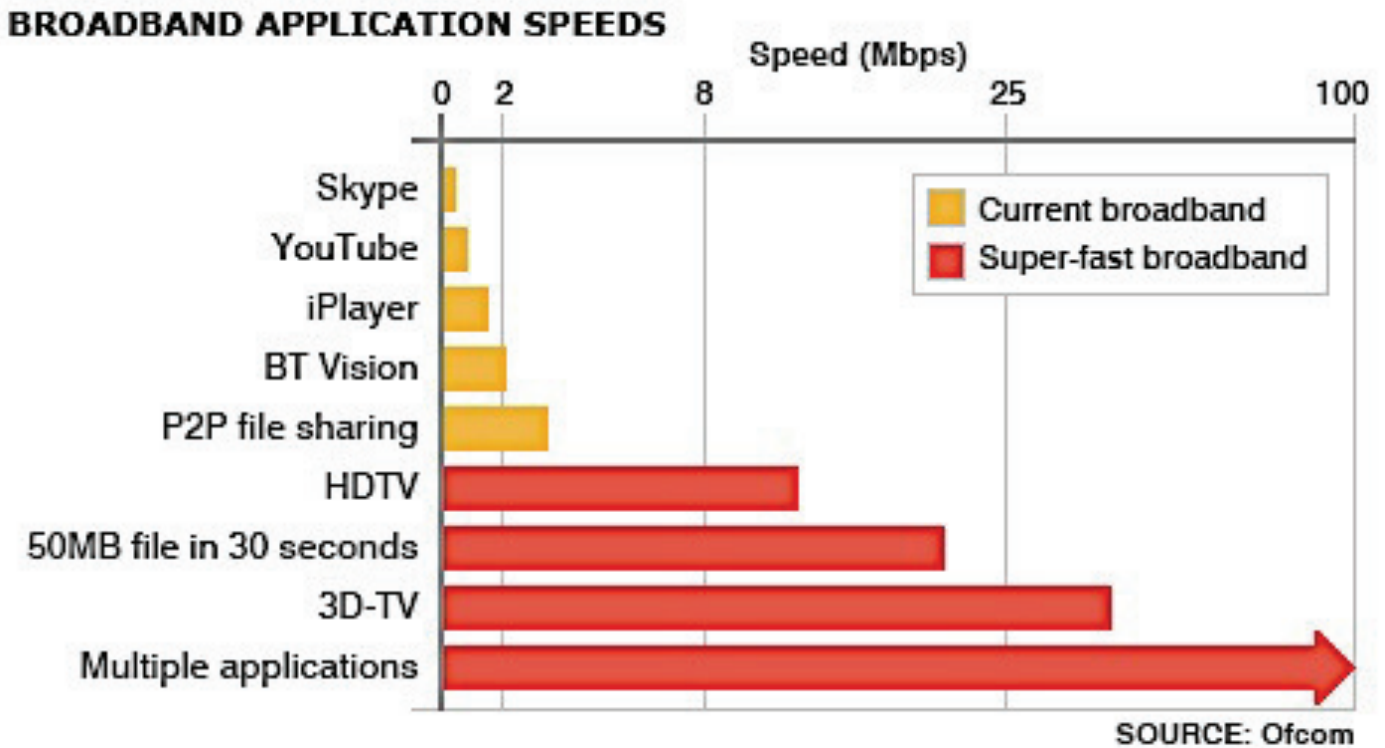


<sup>4</sup> Actual speed and quality of service will depend on the specific service contracted by the end user, whether using a traditional broadband service or a next-generation broadband service.

## E. What is Driving Broadband Demand?

Broadband technologies have evolved to carry more and more data because of the advancements in online applications. Every application requires a certain amount of bandwidth on a broadband connection to function properly. As time has progressed, we have witnessed significantly more applications and significantly more bandwidth used by those applications. Figure 2.4 illustrates the bandwidth requirements of common applications and the impact of multiple applications running across a broadband connection.

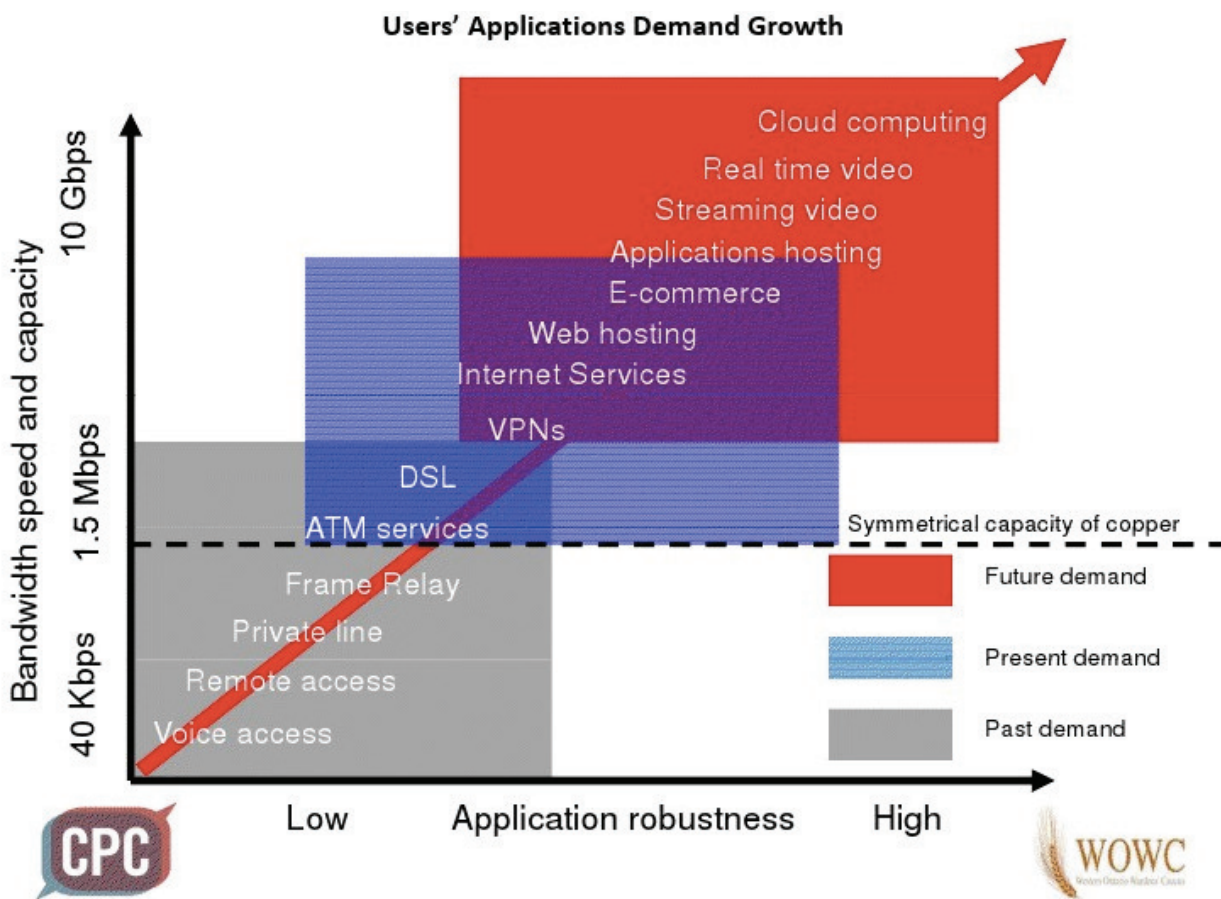
Figure 2.4: Broadband Application Speeds and The Impact of Multiple Applications



Today, broadband subscribers across every user class are utilizing more and more online applications and particularly those that consume larger amounts of high-quality bandwidth. Figures 2.4 and 2.5 illustrate user demands for applications today and the increases in broadband that are necessary to accommodate this demand. Currently, broadband subscribers make heavy use of the core Internet functions, consisting of Internet browsing, web hosting, e-commerce, virtual private network connectivity and voice services. However, subscribers are beginning to consume more real time video and streaming applications, which require significant bandwidth, reliability and performance out of their broadband connections. We are still early in the lifecycle of Internet video applications and these are expected to grow significantly over the next 10 years, replacing much of the text-based Internet.

In addition, the myriad of cloud services is driving the need for more symmetrical<sup>5</sup> broadband as real time and cloud applications require additional bandwidth, both in download speed and upload speed. As more of these applications are deployed and replace traditional PC-based software, broadband connections will need to accommodate the increased bandwidth load. Many times these applications synchronize in real time, meaning that they are always consuming bandwidth at a constant rate rather than only when the user is actively engaging the application.

Figure 2.5: User Demands for Applications Over Broadband Connections



### Broadband and Education

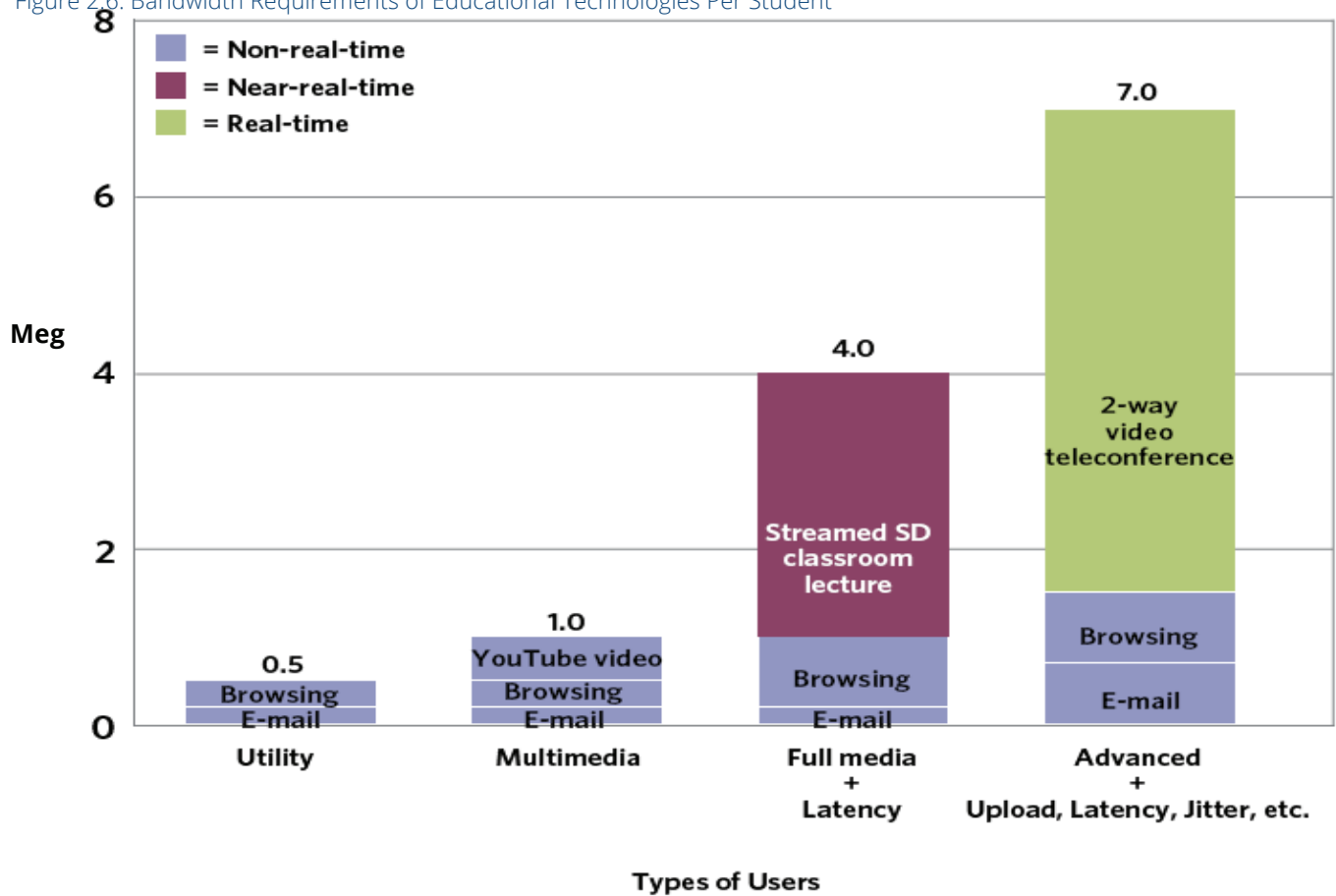
Some of the largest users of broadband services in our communities come from educational organizations and their needs continue to grow, including K-12 schools, community colleges and higher education. Online applications used by these organizations require not only high-bandwidth broadband, but also services that meet strict quality and performance requirements to support real-time video and voice applications such as distance learning and teleconferencing. In addition,

<sup>5</sup> Symmetrical broadband connections provide equal download and upload speeds, such as 10 Meg down, 10 Meg up, instead of traditional asymmetrical broadband services that provide unequal speeds, such as 10 Meg down and 2 Meg up.

educational institutions are utilizing more online content to support their curricula, from sources such as YouTube, Vimeo and Facebook.

Figure 2.6 illustrates the bandwidth requirements per student for common educational applications and the quality and performance requirements of these applications. Basic educational tools, such as web browsing and YouTube, consume up to about 1 Meg per student. However, moving up to more advanced educational technologies such as streamed classroom lectures and 2-way video teleconferences, use significantly more bandwidth per student, 4 Meg and 7 Meg, when combined with the basic educational tools. In addition, these advanced tools require not only more bandwidth but also strict broadband quality metrics that allow them to function properly, such as low latency and higher upload speeds.

Figure 2.6: Bandwidth Requirements of Educational Technologies Per Student<sup>6</sup>

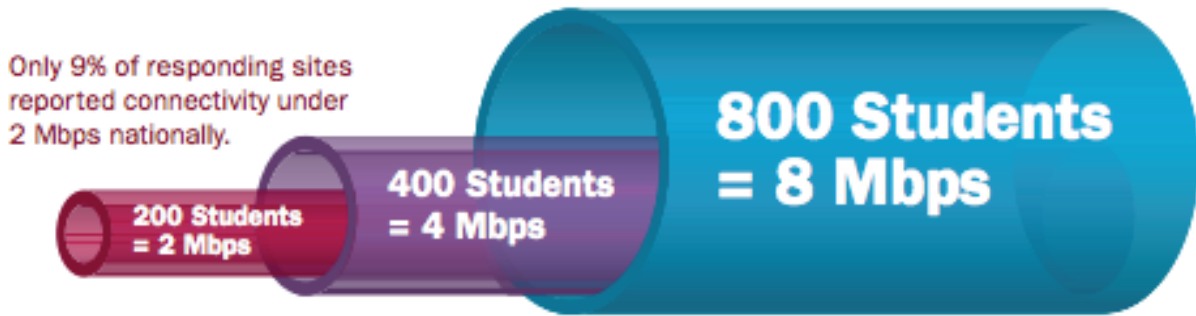


Many States have instituted requirements for online testing or are in the process of doing so. California's Common Core State Standards take effect in 2014, and districts will be moving into this program this 2014-2015 school year. These tests require approximately 20Kbps per student, and school districts will be required to dimension their broadband services to accommodate online testing.

<sup>6</sup> National Broadband Plan. "Current State of the Ecosystem" <http://www.broadband.gov/plan/3-current-state-of-the-ecosystem/>. Accessed June 2014.

For example, a school with 800 students may require up to 8 Meg of bandwidth to ensure its online testing is completed successfully. This 8 Meg is in addition to the school's existing broadband consumption, which for some schools may be a challenge, particularly because online testing may be competing for bandwidth with other online educational content that the school is using.

Figure 2.7: Bandwidth Requirements for Online Assessments<sup>7</sup>



Educational institutions continue to integrate online applications into their curricula, particularly emphasizing more video, including distance learning and online collaboration.

### Broadband and Healthcare

Healthcare technology is rapidly evolving and in order to support these major advances in medical science, broadband infrastructure needs to be in place to allow effective management of medical data and facilitate communication between doctors and patients. Doctors are now using very advanced diagnostic imaging systems that require large amounts of storage and bandwidth to work efficiently. Patients rely on the Internet for the ability to interconnect with their healthcare providers virtually instead of making in-person visits; what traditionally required an office visit in the past can now be done virtually in many cases.

Additionally, by virtue of having high-speed, reliable broadband, healthcare organizations such as hospitals, doctor's offices, urgent care centers, and emergency first responders can all be connected to the same system, enabling virtual collaboration (in real time), remote patient diagnoses and monitoring, and other telemedicine applications. With the advancement of electronic health records, broadband infrastructure will become one of the most critical infrastructure needs for healthcare professionals and organizations. Currently, to support the use of electronic health records, the FCC recommends the following minimum bandwidth speeds:

<sup>7</sup> Smarter Balanced Assessment Consortium. "The Smarter Balanced Technology Framework and Testing Device Requirement", [http://www.smarterbalanced.org/wordpress/wpcontent/uploads/2011/12/Tech\\_Framework\\_Device\\_Requirements\\_11-1-13.pdf](http://www.smarterbalanced.org/wordpress/wpcontent/uploads/2011/12/Tech_Framework_Device_Requirements_11-1-13.pdf), Accessed July 2014.

Single Physician Practice – 4 megabits per second (Mbps)

- Supports practice management functions, email, and web browsing
- Allows simultaneous use of electronic health record (EHR) and high-quality video consultations
- Enables non real-time image downloads
- Enables remote monitoring

Small Physician Practice (2-4 physicians) – 10 Mbps

- Supports practice management functions, email, and web browsing
- Allows simultaneous use of EHR and high-quality video consultations
- Enables non real-time image downloads
- Enables remote monitoring
- Makes possible use of HD video consultations

Nursing home – 10 Mbps

- Supports facility management functions, email, and web browsing
- Allows simultaneous use of EHR and high-quality video consultations
- Enables non real-time image downloads
- Enables remote monitoring
- Makes possible use of HD video consultations

Rural Health Clinic (approximately 5 physicians) – 10 Mbps

- Supports clinic management functions, email, and web browsing
- Allows simultaneous use of EHR and high-quality video consultations
- Enables non real-time image downloads
- Enables remote monitoring
- Makes possible use of HD video consultations

Clinic/Large Physician Practice (5-25 physicians) – 25 Mbps

- Supports clinic management functions, email, and web browsing
- Allows simultaneous use of EHR and high-quality video consultations
- Enables real-time image transfer
- Enables remote monitoring
- Makes possible use of HD video consultations

Hospital – 100 Mbps

- Supports hospital management functions, email, and web browsing
- Allows simultaneous use of EHR and high-quality video consultations
- Enables real-time image transfer
- Enables continuous remote monitoring
- Makes possible use of HD video consultations

Academic/Large Medical Center – 1,000 Mbps

- Supports hospital management functions, email, and web browsing
- Allows simultaneous use of EHR and high-quality video consultations
- Enables real-time image transfer
- Enables continuous remote monitoring
- Makes possible use of HD video consultations



## Broadband and Public Safety

We live in a changing world where public safety agencies must address new threats and challenges both natural and man-made. It's no longer enough for first responders to rely on a push-to-talk (PTT) network for situational awareness. Police, fire, and emergency medical services (EMS) play the central roles in emergency response. Mobile technology capable of sending and receiving bandwidth-intensive information can help first responders do their jobs much more effectively and safely. These emergency response organizations need broadband networks that let them share streaming real-time video, detailed maps and blueprints, high resolution photographs, and other files that today's public safety and commercial wireless networks cannot handle, especially during major events or catastrophes.

Broadband technology and infrastructure is critical to the success of our first responders because it provides them with enhanced situational awareness in emergency situations. By leveraging broadband networks, public safety organizations can gain access to site information, video surveillance data, medical information or patient records, and other information that would be useful in an emergency situation. These networks also support and improve 9-1-1 Public Safety Answering Points (PSAPs) response time and efficiency by establishing a foundation for transmission of voice, data, or video to the responding entity.

New broadband technologies give first responders new tools to save lives. These tools include:

- Next-Generation Radio Systems
- Advanced Security Camera Systems
- Gunshot Detection Systems
- Chemical, Biological, Radiological, Nuclear, and Explosives Sensor Systems
- Body-Worn Cameras
- Next-Generation Wireless Data Systems

## Broadband and Local Government

Broadband networks become key drivers of efficiency as more and more municipal applications are enabled online. As they expand online services broadband will become an even more critical component of the daily operations to serve communities. Applications migrated to a community network enjoy greater availability and increased bandwidths over what has traditionally been available; creating a more effective and efficient municipal organization. High-speed, reliable broadband enables these organizations to:

- Improve operational efficiencies
- Reduce direct and indirect costs
- Enable new interactions with citizens and businesses
- Respond more quickly to the local community
- Ensure better preparedness in times of emergency
- Provide enhancements to public safety
- Provide more information to citizens and businesses

## Broadband and Community Support

In order for a community to thrive and grow, community support organizations must be in place. Organizations such as local chambers of commerce, human services organizations, churches, and other organizations that help connect people to the services they need in the community. These organizations traditionally access the needs and resources available in the community and collect the data necessary to help fill the gaps in services and investigate opportunities to solve community problems and issues.

Broadband plays a vital role in helping these types of organizations fulfill their missions. Whether it is as simple as a community church streaming their weekly service or the local chamber of commerce advertising their latest event through their web presence and email, broadband equips these organizations with one of the most critical communication tools necessary to ensure they are successful in their support roles.

Broadband availability inspires these organizations to be innovative in their use of technology and brings a higher level of welfare to the communities they serve. Take for example All Saints Church in rural Norfolk County, UK. The church is utilizing its spire (the tallest structure in the area) to deliver wireless Internet service to the surrounding community. Now, in a community that was lucky to see speeds up to 1 Mbps, speeds of over 8 Mbps are not uncommon. This community support organization has brought broadband service into an area that was previously underserved and is helping to bridge the digital divide that plagues many communities around the globe.

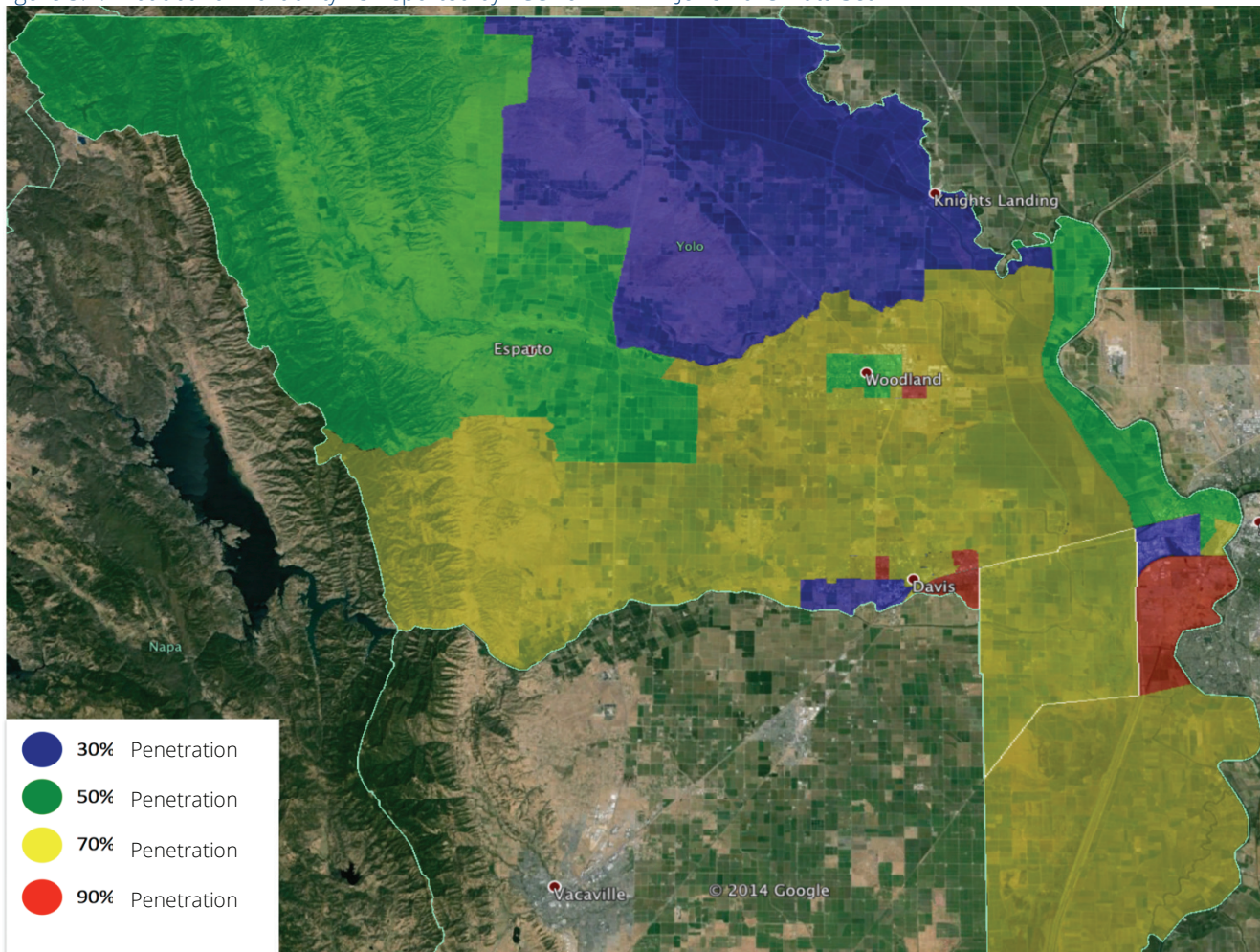
### 3. Current Broadband Conditions in Yolo

#### A. Broadband Penetration & Availability in Yolo

##### Broadband Penetration in Yolo Per FCC Data

Figure 3.1 illustrates the most recent residential broadband penetration data, as reported in FCC Form 477 by providers that serve Yolo County. Data is reported per census tract for every census tract in the County. Census tracts are shaded below to illustrate the average broadband penetration. Penetration means that amount of residential households that have subscribed to a wireline broadband service such as cable or DSL Internet service. Tracts shaded in blue exhibit 30% average penetration, tracts shaded in green exhibit 50% average penetration, census tracts in yellow exhibit 70% average penetration and census tracts in red exhibit 90% average penetration. Cities exhibit significantly higher broadband penetration whereas rural areas exhibit lower rates. The predominant reason why broadband penetration is lower in rural census tracts is due to a lack of broadband availability in these areas. The FCC data reports actual broadband lines connected, not availability of broadband services.

Figure 3.1: Broadband Availability As Reported by FCC Form 477 – June 2013 Data Set



High (90% average) broadband penetration is found in portions of the urbanized areas of Woodland, West Sacramento and Davis, which exhibit the greatest population centers and the most density in the County. Census tracts that cover rural portions of the County maintain significantly lower penetration, particularly those in the Northern portion of the County covering the Capay Valley, Esparto, Dunnigan, Knight’s Landing and Yolo. In cases where few or no households exist within a census tract, these tracts will exhibit low penetration. For example, pockets of low penetration occur in urbanized census tracts within Davis and West Sacramento (shown in Blue and centrally located in these Cities), due to the fact that these tracts contain mainly commercial parcels and few households.

Magellan calculates the actual users subscribing to broadband in these communities by multiplying the average availability in each census tract by the occupied households data provided by the 2010 census via American FactFinder. This data provides an indication of the total number of residential households served by wireline broadband such as cable or DSL in each census tract and in unincorporated Yolo. Based on this data, 66.8% of Yolo households subscribe to a wireline broadband service. Figure 3.2 illustrates these results broken down by City and unincorporated Yolo.

Figure 3.2: Households Subscribing to Wireline Broadband in Yolo Communities

Community	Households with Broadband	Wireline Broadband Penetration
Davis	18,375	77.3%
West Sacramento	10,233	64.2%
Winters	1,464	56.2%
Woodland	12,609	61.9%
Yolo County (Unincorporated)	4,003	55.9%
Countywide	46,684	66.8%

### Broadband Availability in Yolo Per CPUC Data

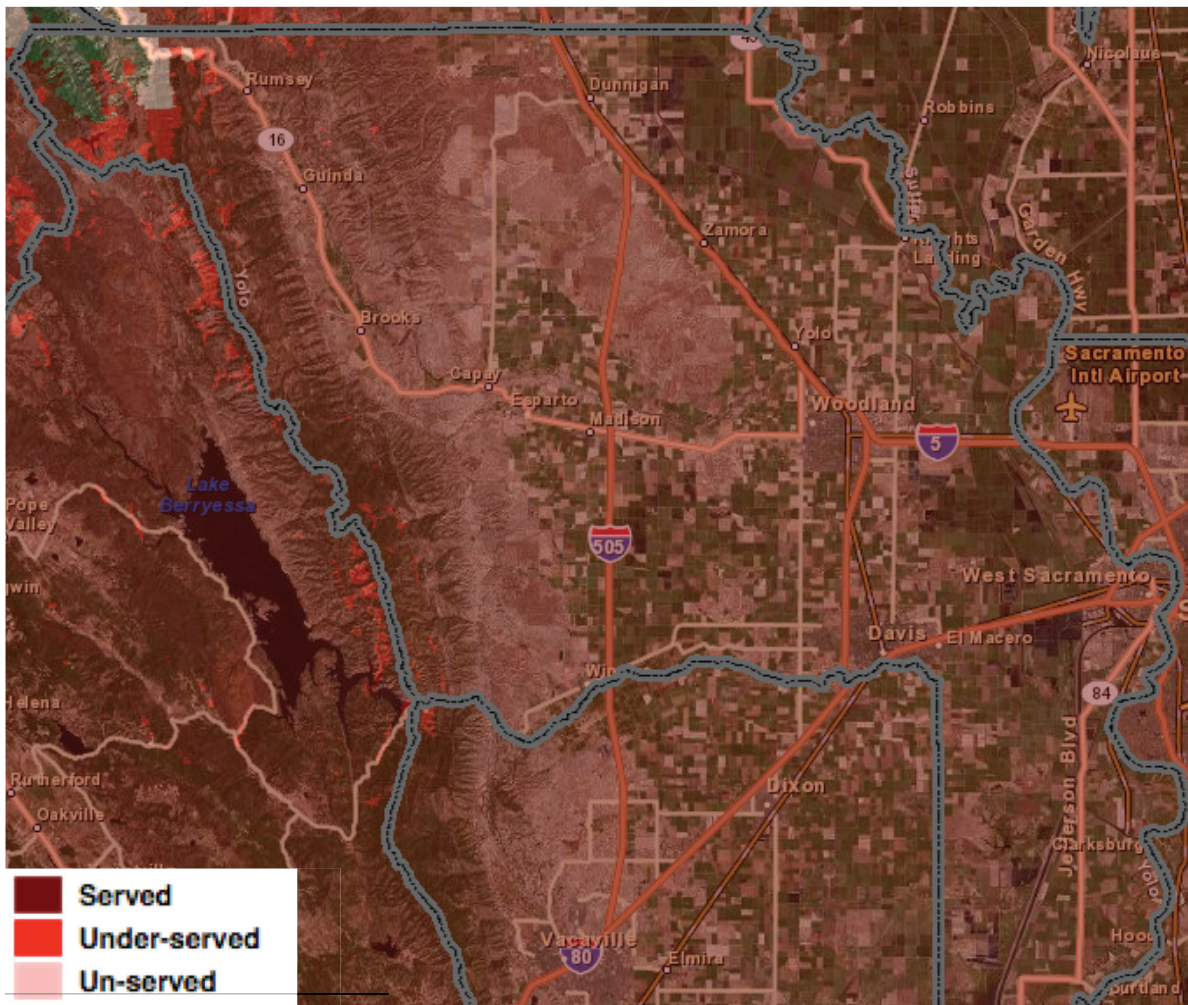
Current CPUC maps provide availability, services and provider information across Yolo County. The most current report released by the CPUC entitled “State of California Fixed Broadband Availability”<sup>8</sup> dated June 16, 2014 states that 100% of Yolo County’s households have access to broadband services of at least 6 Meg download and 1.5 Meg upload. The report lists a total of 70,699 of 70,716 households for which this speed of broadband is available.

On closer inspection of the data, it is important to analyze the actual services that exist in Yolo to which households have access and a “real-world” sense of the availability of broadband in Yolo. The 100% availability reported by the CPUC includes both wireline and fixed wireless broadband services. An area (census block) is considered served if at least 1 provider with either of these technologies serves the area. Wireline broadband services include such technologies as DSL, cable and fiber-optic services. In

<sup>8</sup> <ftp://ftp.cpuc.ca.gov/telco/BB%20Mapping/Round%209/R9%20Dec%202013%20Availability%20by%20County-Alphabetical.pdf>

Yolo, DSL and cable technologies were found to be available to households in the majority of the county. No Fiber To The Home (“FTTH”) services were found in Yolo County. Although many of the service providers’ networks employ fiber-optic services to interconnect their service areas to one another, no fiber-optic services extend directly to individual homes. Fixed-wireless broadband services include both licensed<sup>9</sup> and unlicensed<sup>10</sup> wireless broadband that can be delivered to households. When comparing the CPUC’s availability maps for wireline and wireless services, a significant discrepancy was found between the two. The wireline broadband maps illustrated coverage for a significantly lower percentage of total households whereas the fixed wireless broadband maps illustrated wireless coverage for 100% of Yolo. In reviewing broadband availability map for Yolo, as shown in Figure 3.3, 100% availability is shown in by red shaded area across nearly the entire county, except for the northeast corner, east of Rumsey, there is a lack of coverage. This would indicate that every household in Yolo is served by either a wireline broadband technology or a fixed wireless broadband technology, capable of providing 6 Meg download and 1.5 Meg upload.

Figure 3.3: Yolo Wireline and Wireless Broadband Availability Map

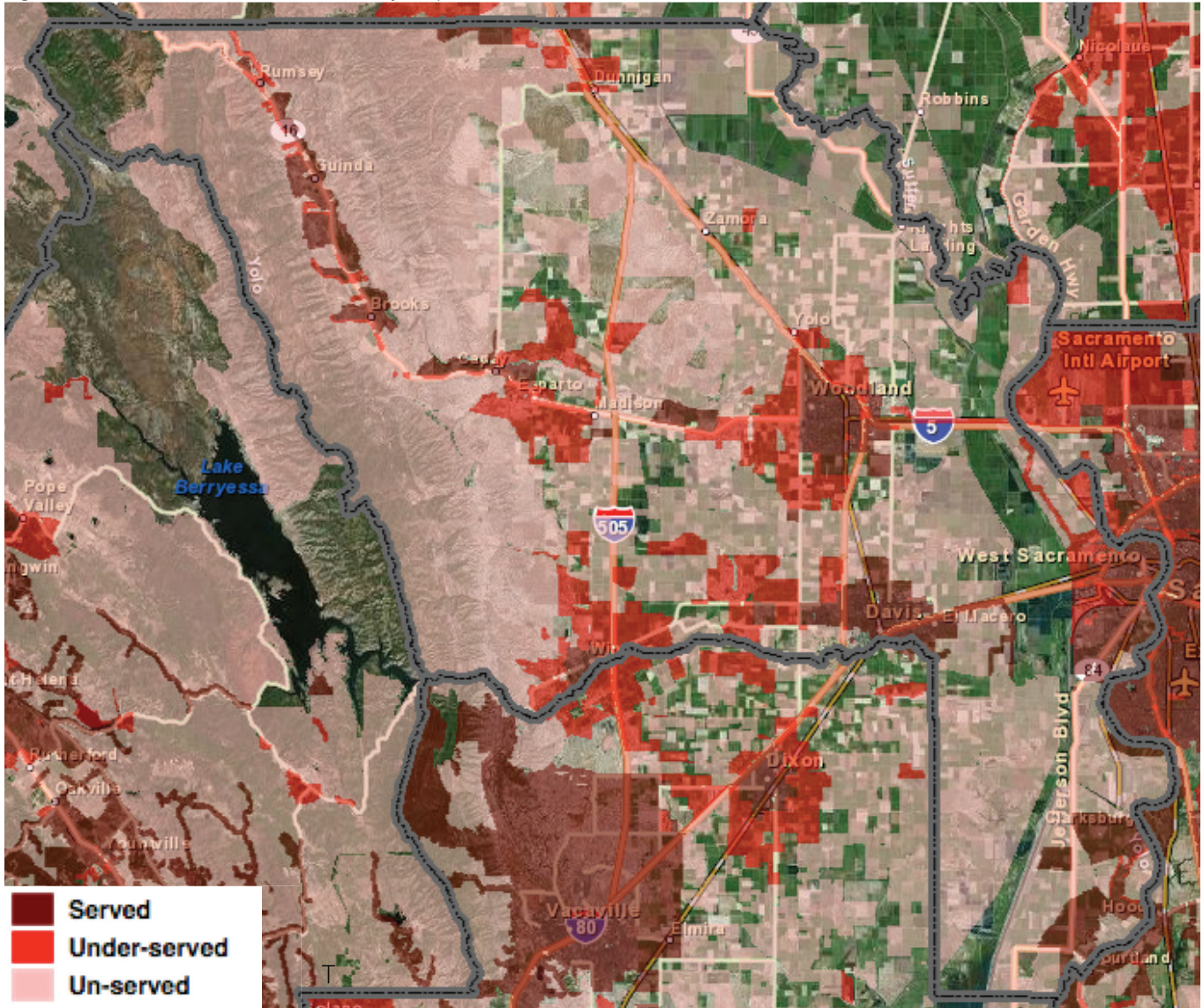


<sup>9</sup> In the US, licensed fixed wireless connections use a private [spectrum](#) the user has secured rights to from the [Federal Communications Commission](#) (FCC).

<sup>10</sup> In the US, unlicensed fixed wireless connections utilized shared public spectrum for communications which may result in interference within the wireless signal when multiple unlicensed wireless connections exist in an area.

However, when reviewing only the wireline broadband availability map for Yolo, the availability is significantly less, as shown in Figure 3.4 below. Areas in pink and bright red illustrate unserved and underserved regions of the county while areas in dark red illustrate served areas of the county.

Figure 3.4: Wireline Broadband Availability Map



The source of the discrepancy results from two fixed wireless providers reporting significant coverage in the county. Internet Free Planet claims to covers 99% of all households in Yolo County. RuralNet Wireless, LLC claimed that they did not provide services in Yolo County. Internet Free Planet was contacted but did not provide a response. Digital Path, Inc. also claims to provide wireless services in certain areas of Yolo County, namely Dunnigan, Knight’s Landing, and Yolo. Based on the information gained on these providers, Yolo County should not be considered to have 100% broadband availability and RuralNet Wireless, LLC and Internet Free Planet should be removed from the list of available

providers that cover Yolo County until it can be determined that they adequately provide service in the area.

Yolo must also ensure that the broadband speeds reported by providers to the CPUC are in fact what residents receive in Yolo's communities. Accurately estimating and tracking broadband speeds is a significant challenge because of the various factors that affect the speed of the broadband service. Providers reporting the download and upload speeds associated with their broadband services often utilize the "Maximum Advertised Speed," which is the top speed that a subscriber in a pre-defined service area can expect to receive. In most broadband networks, including DSL and Cable, these speeds are rarely achieved for a variety of factors, which include:

- Specific type and condition of the network
- Distance from the telecom central office or cable headend
- Number of concurrent users utilizing the service simultaneously
- Amount of traffic being transmitted over the network

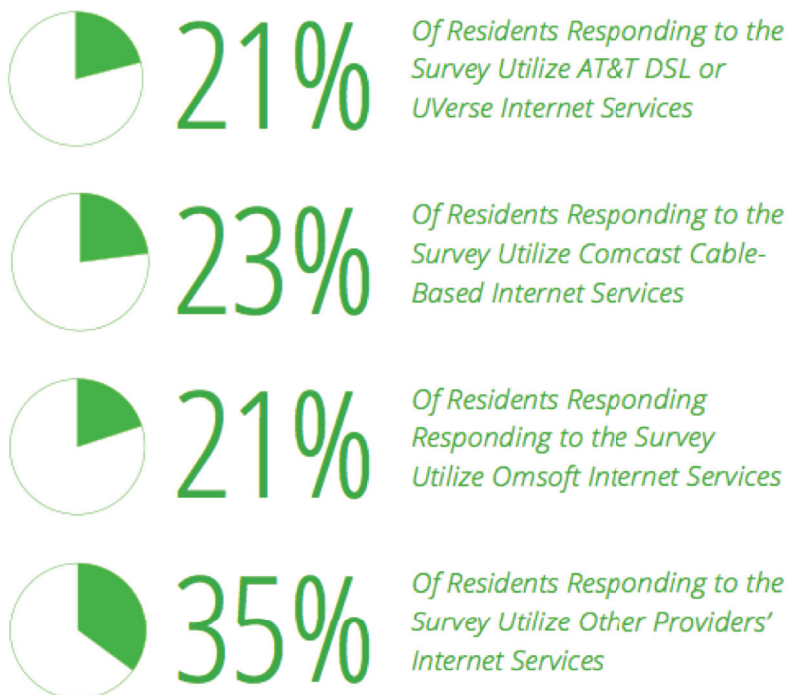
Subscribers routinely experience significantly lower speeds from those advertised; this is especially true with DSL and cable Internet services. However, actual speeds should somewhat correspond to those reported by broadband providers to the CPUC. This Plan has utilized broadband speed testing to gain understanding of the actual broadband speeds that residents and businesses in Yolo experience. The speed testing provides insight into the types of services that residents and businesses subscribe to in Yolo compared with the actual speeds that they receive.

# 4. Broadband Community Profiles Davis



## A. Residential

The residential broadband market in Davis is served by multiple providers including AT&T of California, Comcast, Omsoft, and Davis Community Network. Fixed wireless providers also have coverage in Davis including DigitalPath and Winters Broadband. Of 290 respondents, 65% of residential subscribers utilize three providers for their broadband Internet services. Approximately 35% of respondents utilize fixed wireless, satellite, and other competitive providers. From the research conducted, wireline residential broadband services are generally provided via copper broadband infrastructure either through copper cable plant owned by the local exchange carrier or coaxial cable plant owned by the local cable company. Wireless services are provided through terrestrial fixed wireless systems and 3G and 4G mobile wireless carriers<sup>11</sup>.



Broadband Internet download and upload speeds reported by the majority of residents surveyed were satisfactory for some but a significant amount of respondents noted issues with their current services. Some 39% of respondents reported download speeds greater than 10Meg. These speeds were generally reported in the most urbanized areas that had a high density of single-family or multi-dwelling units. Some 44% of respondents reported download speeds less than 6Meg. Upload speeds were found to be considerably lower than download speeds; consistent with asymmetrical DSL and cable

<sup>11</sup> AT&T Mobility, Verizon Wireless, T-Mobile, MetroPCS and Sprint



broadband services. Some 58% of respondents reported speeds of less than 1.5Meg. This was unexpectedly high given the 39% of download speeds above 10Meg. In general, higher upload speeds should correspond to higher download speeds, but in the case of these respondents, there was little positive correlation between higher download speeds and higher upload speeds. A significant number of respondents reported issues with their broadband services. Key issues included speeds that were inconsistent, speeds that never achieved their stated bandwidth tiers with service providers and reliability issues with residents' current services. A total of 41% of the respondents reported that their services were moderately to highly reliable while 30% felt that their services had sufficient speed. Some 30% reported that services were unreliable and 60% reported that they did not have sufficient speed.

Measuring the pricing for services against the speeds of services that residents received indicated that there was a direct correlation between the price paid for services and the amount of bandwidth ("speed") received by residents. The following chart illustrates the price of services subscribers in Davis pay and the realized download and upload speeds they experience. The general trend was that higher prices equaled faster speeds and at the highest price tier, residents were receiving up to 20Meg downloads and 5.77Meg uploads for between \$100 and \$124 per month. These prices are significant for residential Internet services and although Davis prices are competitive to similar communities, the realized speeds are much lower than communities where fiber broadband services have been deployed.

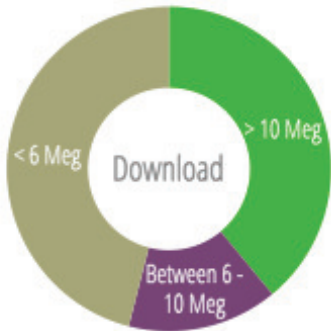
Actual speeds recorded may be different from the speeds residents purchase from service providers in the area. In general, DSL and cable broadband services are sold with speed increments that define a maximum speed for the service such as "Up to 10 megabits down and up to 1.5 megabits up." Actual speeds vary depending on the physical location of the service and how many subscribers are concurrently on the system. The "maximum advertised speed" should not be construed to mean a sustained maximum but instead the top speed of the service which may be considerably lower over long periods of time. However, there is a relationship between the price Davis residents pay for their services and the speeds they realize, as demonstrated through this data.

Analysis of the services available in the area indicates that providers are offering packages in some areas of up to 105Meg download and 20Meg upload on cable-based networks, and 45Meg download and 5Meg upload on DSL based networks. Broadband coverage data also shows this availability. Through deeper analysis into Davis' neighborhoods, these services were found to be available in some communities while others lacked access to these services. In addition, some residents reported upgrading to these higher speed services but did not feel that they were getting the speeds advertised. Results of the survey data validated speeds up to 57Meg in areas reported where these services were offered however, the majority of survey respondents recorded significantly lower speeds. Even at the highest price point paid by the subscribers the median speed was 80% less than the advertised speed.

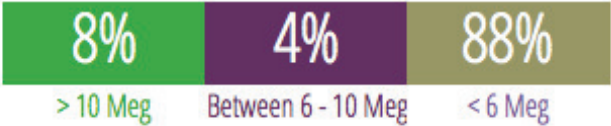
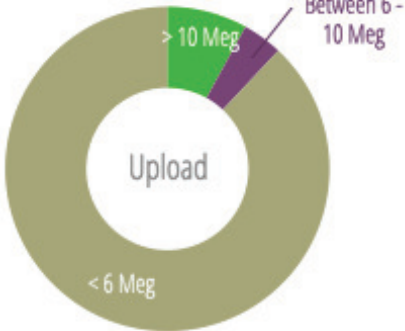
*Even at the highest price point paid by residential subscribers, median speeds were 80% less than advertised speeds, which generally indicates highly oversubscribed services*

# Residential Broadband Services - Davis Survey Data

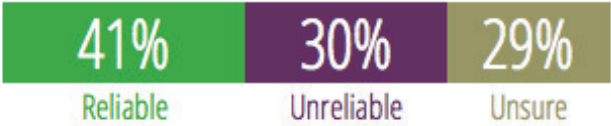
Residential Broadband Download Speed Test Results



Residential Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services

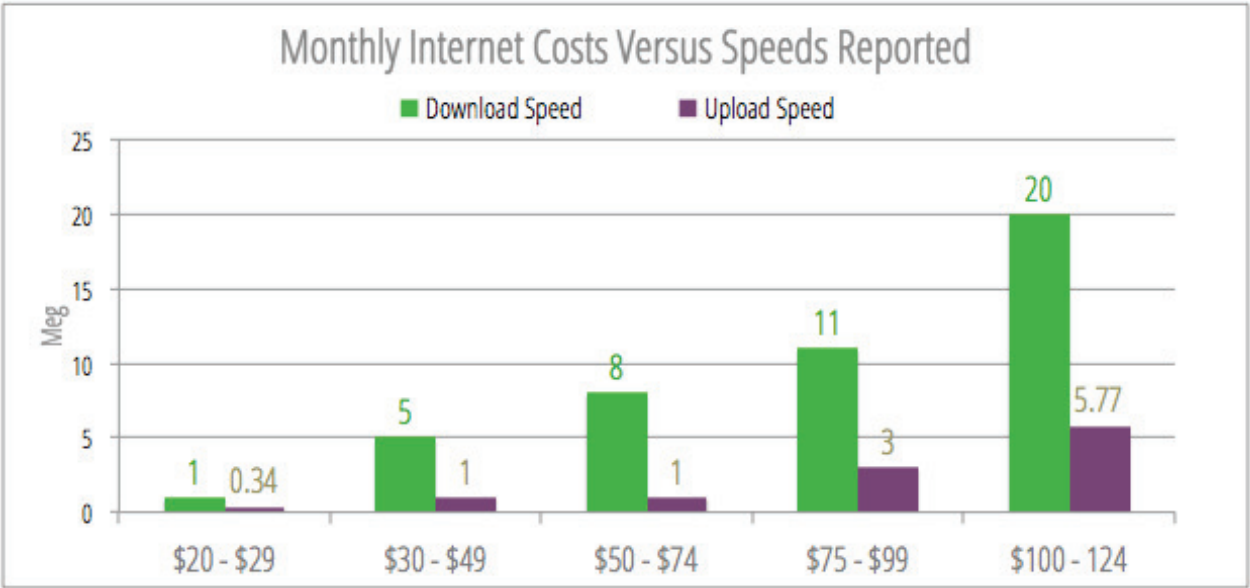


Figure 4.1: Residential Broadband Coverage in Davis (Download Speeds Only)

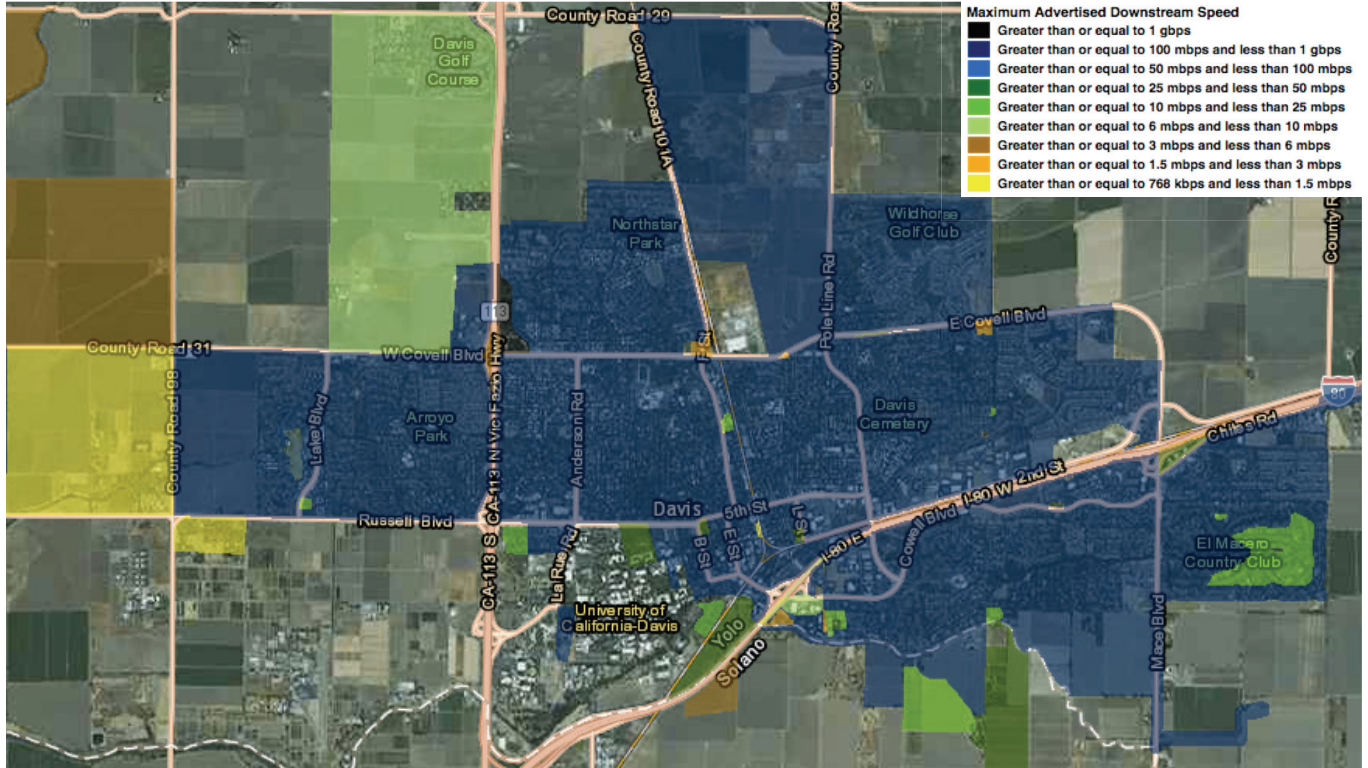
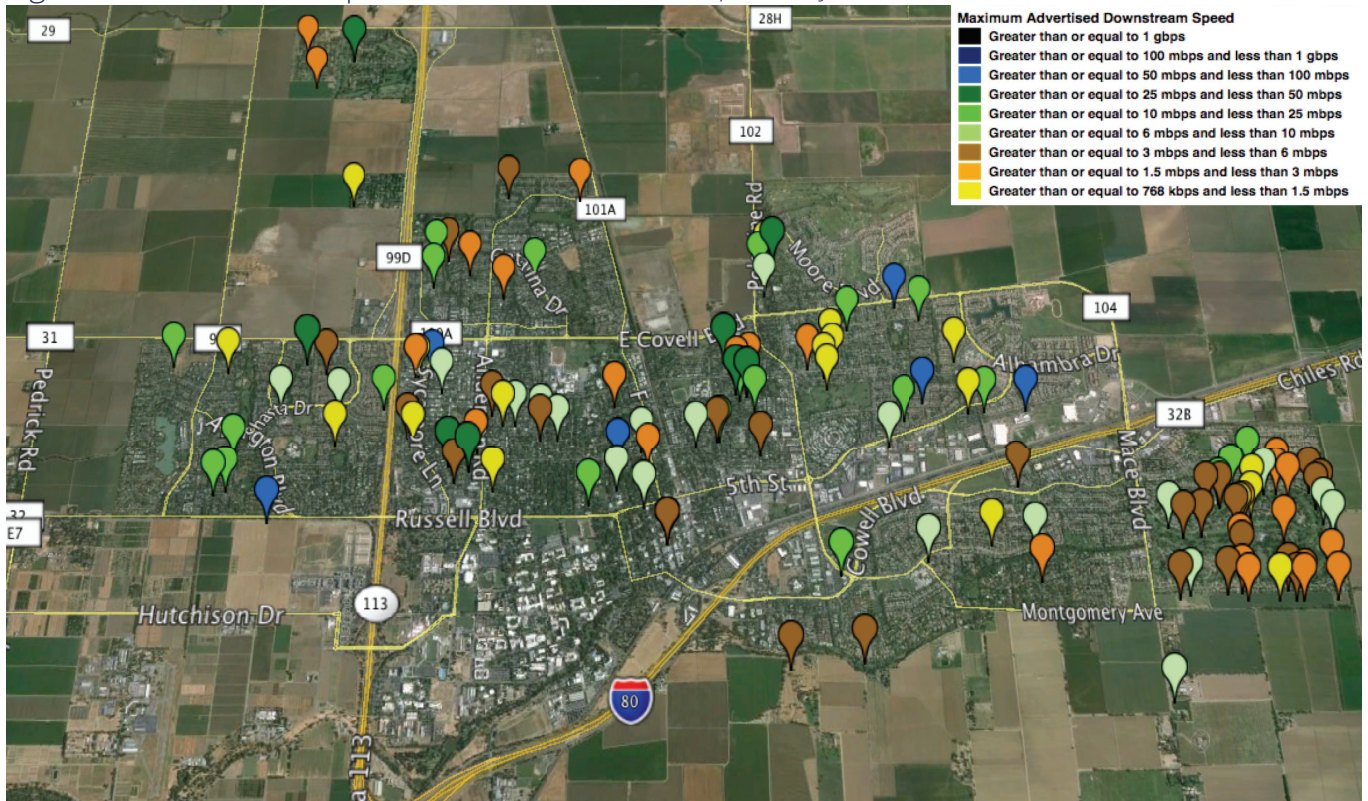
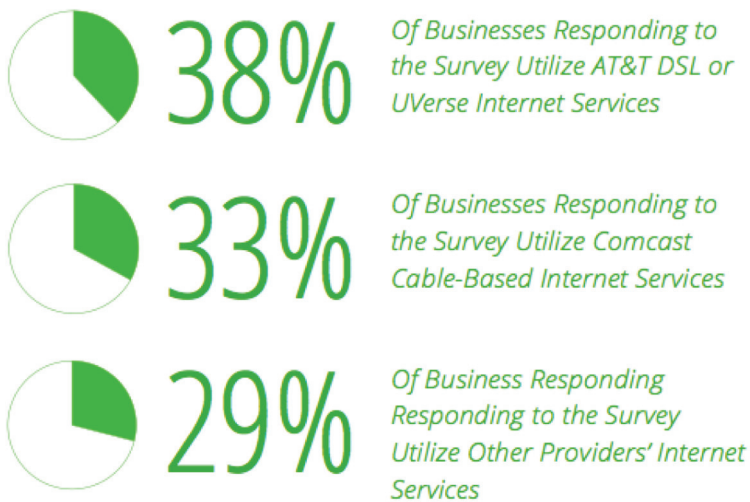


Figure 4.2: Residential Speedtest Results (Download Speeds Only)



## B. Business

46 businesses in Davis responded to the business survey. Businesses in Davis subscribe to a mix of wireline providers and resellers including AT&T of California, Comcast, and Omsoft. A few businesses also reported utilizing fixed wireless providers including DigitalPath, Inc. and Succeed.net. In general, these services are branded as “business class” and come with a higher quality of service that prioritizes business services over residential services that run across the same physical infrastructure. Pricing for DSL and cable based services were found to range from \$39.99 for the lowest speed service to \$249.99 for the highest speed service.



For businesses included in the assessment, 62% reported receiving download speeds of 10Meg or above. Some 24% reported download speeds of less than 6Meg. Upload speeds were commensurate with DSL and cable broadband services with the majority of businesses, 66%, reporting less than 3Meg upload. Businesses reported moderate issues with their current broadband Internet services as 33% of respondents indicated that their current services were not sufficient to meet their business needs. Another 33% reported that they were unsure whether their Internet services were sufficient for their needs.

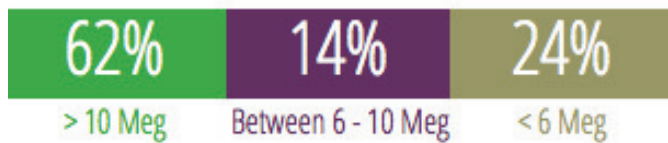
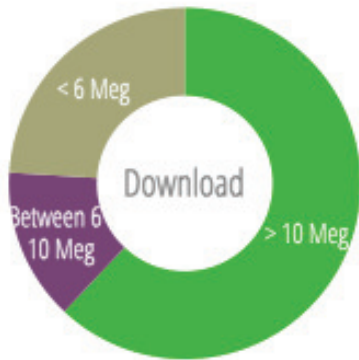
Local businesses cited numerous examples of the issues they faced with their existing broadband services. Big Data companies provided evidence of how their broadband services were inadequate to process the large amounts of data needed to run their operations. Some businesses have considered relocating to other cities that have affordable next-generation broadband; several companies have already done so. Many companies are small in terms of employees but have large data needs since they utilize significantly more bandwidth than larger companies in other industries. The University also spawns a significant amount of new startups in Davis. As these startups move from the University setting to “off campus,” they encounter a significant reduction in broadband capabilities. For these small businesses, three options exist: (1) live with the issues, (2) pay significantly higher costs for next-generation broadband or, (3) relocate to a community where these services are available and affordable.

Only two business reported utilizing a fiber-optic broadband connection in Davis, Breyta, Inc. and an anonymous response. These businesses received direct fiber connectivity providing speeds in range from 20 Meg to 100Mbps. Breyta, Inc. reported that the reliability was low and the price was too high. The vast majority of businesses responding to the survey utilized DSL and cable services because they

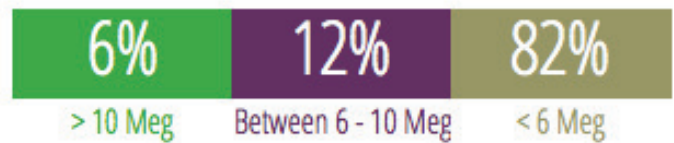
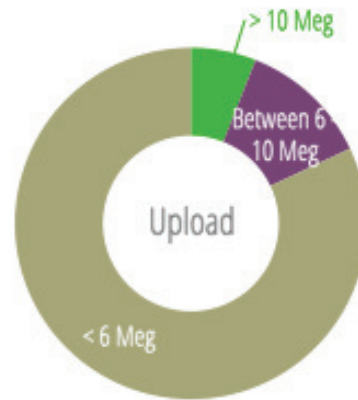
could not afford other services or the services were not available in the area. Apart from these few organizations, use of fiber-optic broadband was not reported by Davis' businesses. One potential reason for these high prices is the lack of available distribution of fiber infrastructure in the Davis area. In many communities, providers are beginning to equip business and residential areas with fiber-to-the-premise infrastructure by overbuilding their existing DSL and cable infrastructure. This fiber distribution infrastructure is specifically designed to deliver high-speed, reliable fiber broadband services to residents and businesses at lower costs than are available today. This study did not find any fiber distribution infrastructure in the Davis area that was available to business customers.

## Business Broadband Services - Davis Survey Data

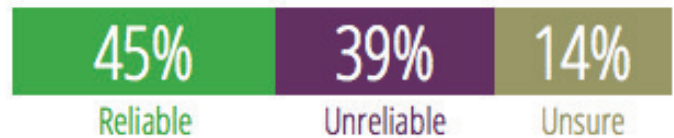
Business Broadband Download Speed Test Results



Business Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services



Why Haven't Businesses Upgraded



One third of the businesses surveyed had not upgraded their services because of cost and 30% had not upgraded because services were not available in their area. Demand for higher speed, higher reliability service necessitates a less costly, more accessible solution for Davis' businesses. New businesses that are cultivated require these services to become mature. Davis' high-tech focus, thriving Seed Tech industry and high concentration of startups need a foundation of next-generation broadband to grow. Big Data driven companies that may be small in employee size but large in their broadband needs must have access to affordable, scalable broadband services that exceed the capabilities of traditional the traditional small business DSL and cable broadband services.

Small companies that have an international presence also require affordable, enhanced broadband services to connect to international branch offices and partners. General businesses would also benefit from these services as they begin to utilize more online applications that improve productivity and competitiveness. Davis should implement a broadband strategy that includes both the heavy users of broadband services but also those that do not have such high demand for bandwidth, but instead need reliable, stable broadband. Many of Davis' small businesses need consistent broadband service, regardless of the amount of bandwidth.

*Comments from Businesses in Davis:*

*Home-Based Web Development Firm – “Must have guaranteed bandwidth. Only way to achieve this was through expensive bonded T-1's which theoretically should provide 3Meg but need much higher speed...”*

*Property Management Company – “Frequent drop-outs and slowdowns even though we clocked a fast speedtest.”*

*Small Tech Business – “We are forced to use the University's connectivity for our online data processing research, our office connection is way too slow”*

## C. Community Anchors

### Education

The Davis Unified School District is supplied with fiber-optic connectivity via the local I-Net that was provisioned as part of the City of Davis Franchise Renewal Agreement with Comcast of California Inc. The I-Net enables high-bandwidth interconnection between schools. Internet connectivity is supplied through a second fiber connection to the Board of Education that provides 250Meg of Internet to the district's schools in the area. The majority of the District's schools are connected however there are several smaller sites that receive lower speed access; particularly with Fairfield Elementary School and those in south Davis where schools maintain 1.5Mbp T1 services for their broadband needs. As online education grows for school districts, the importance of their broadband services becomes even more important to deliver a blended curriculum to their students. As new testing requirements from California's Common Core State Standards take effect this year, districts will rely on their broadband connectivity for more advanced online testing programs. Therefore, the long-term broadband needs of the Davis Joint Unified School District should be considered as a part of Davis' broadband development efforts.

University of California at Davis has significant broadband capabilities on campus and to some of the University's off-campus locations within the city. 10Gbps connections to the Internet, research, and education networks all provide immense connectivity to students, faculty, and staff, however; there are some off-campus locations for which Davis does not currently have high-speed connectivity. In addition, several off-campus housing facilities could potentially benefit from expanded broadband services, enabling students to maintain the same quality and speed as when they are on-campus. Furthermore, the University's needs for expanded broadband reach into the residential areas of Davis and greater Yolo County. Faculty, staff, and students all live in the vicinity of the University and need high-speed, reliable connections back to the University.

Los Rios Community College maintains a presence on the UC Davis Campus. Los Rios reported that data needs for the college continues to increase exponentially and current bandwidth levels are insufficient and are currently constrained due to cost of services. Los Rios would welcome new cost effective methods for providing connectivity to its various sites.

### Healthcare

Healthcare organizations in Davis could derive significant benefit from expanded broadband capabilities. Several organizations have expressed issues with existing broadband connectivity and are looking for solutions to "keep up" with the latest electronic health technologies. These organizations serve Davis and its surrounding communities. They need broadband connectivity between one another that allows them to use the latest technologies to deliver quality patient care. CommuniCare locations across Yolo County (Davis Community Clinic) still utilize T1 technology to interconnect with the California Telehealth Network, which delivers a suite of Telehealth, telemedicine, and health information exchange services. A T1 connection for these services is barely enough bandwidth to enable these facilities to take advantage of new electronic health services that will be transported

across these connections. CommuniCare is looking for options to upgrade these current T-1 services to fiber in order to have access to more online telehealth applications.

## Local Government

The City currently maintains fiber-optic connectivity between its major sites as part of its renewed cable services Franchise Agreement with Comcast, Davis' local cable provider. The franchise agreement was renewed on October 1, 2005 and expires on September 30, 2018 (13 years). The Franchise Agreement details the services, terms, conditions and payments that will be made between the City of Davis and Comcast. As part of the negotiated agreement, Comcast has provided 6-strands of fiber to 22 "Major Facilities" throughout the city. It also connects three Yolo County facilities that are within the City of Davis, which provides interconnection with the greater Yolo County fiber network. The Comcast network, known as the "I-Net" or Institutional Network, enables the city to provide connectivity for municipal operations, utilities, public safety, and general administration. The I-Net also serves 17 schools with fiber connectivity. Covenants in the Franchise Agreement limit the use of this network for institutional purposes only. The City is prohibited from any "non-commercial applications and purposes and shall not lease, resell or grant access privileges to I-Net capacity or services to a third party."<sup>12</sup>

Although this agreement will remain in force for the next several years, the City should begin considering the implications of a potential non-renewal of this agreement. Cable television franchising has been migrated to the State of California, managed by the California Public Utilities Commission by way of the Digital Infrastructure and Video Competition Act of 2006 (DIVCA). Prior to DIVCA, cable television franchises were issued by cities and counties individually. DIVCA replaces the local franchising system with one in which video franchises are now issued by the CPUC, rather than these local entities. In many cases, this has negatively affected local municipal power to negotiate favorable terms and conditions of service in their communities. As a result, many I-Nets and municipal networks that were negotiated between municipalities and cable companies have been threatened and cable companies have either discontinued municipal use of these networks or have charged prohibitively high fees for continued access.

For Davis, this is an issue that could have significant financial impacts to the City, County and Davis Joint Unified School District (DJUSD) beginning in 2018. If Davis is unsuccessful in renegotiating similar terms of use of the I-Net, it could mean an ongoing operational cost for the City, County, UC Davis and DJUSD, as all entities utilize the I-Net for fiber connectivity. Based on the original Franchise Agreement (dated Oct. 1, 2005) 39 sites were to be connected to the I-Net dark fiber network as follows:

- City of Davis Sites: 16
- Yolo County Sites: 3
- Davis Joint Unified School District Sites: 17
- UC Davis Sites: 1

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<sup>12</sup> Franchise Renewal Agreement Between The City of Davis and Comcast of California X, Inc. Accessed June 2014.



## D. Strategies & Action Items

**Recommendation 1:** Pursue viable options to mitigate the impending expiration of the Comcast I-Net agreement and additional costs the City may incur:

- a) Identify potential partnerships with other broadband providers that may provide a means to replace the current I-Net agreement and support stakeholder needs for broadband;
- b) Consider conducting a feasibility study to develop the business case for a community broadband network. This feasibility study should include:
  - (1) What organizations and service providers are anticipated to use the network;
  - (2) An engineering design for the network;
  - (3) An estimated timeline for construction of the network;
  - (4) Cost estimates, financial plan and financing options for the network;
  - (5) A plan for managing the network's operations and maintenance; and
  - (6) Community benefits to be gained from a network; and,
- c) Should the City seek renegotiation of the expiring Comcast agreement, ensure that negotiations are not delayed such that it jeopardizes the City's strategic options

**Timing:** The City should agree on the terms of the renegotiation with Comcast or plan to utilize another network (which may include building its own community broadband network) no later than September of 2016.

### Common Action Items

**Recommendation 2:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;

- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 3:** Coordinate with other agencies with facilities in the City (i.e. DJUSD, UC Davis, Unitrans, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

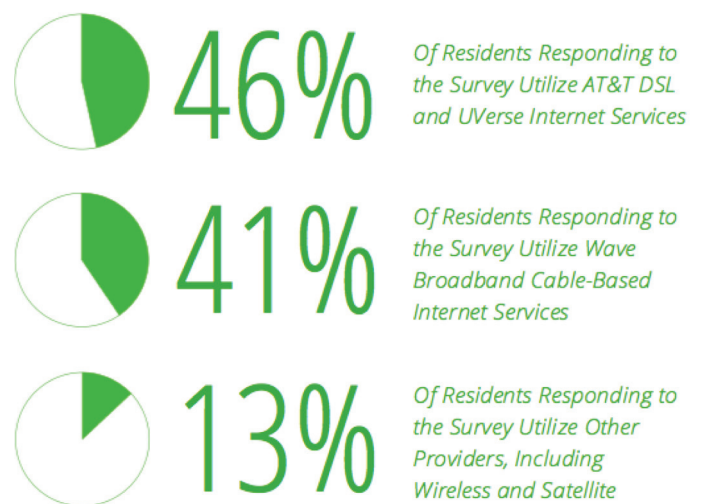
# 5. Broadband Community Profiles West Sacramento



## A. Residential

The residential broadband market in West Sacramento is served by two primary providers, AT&T of California, the incumbent local exchange carrier and Wave Broadband, the local cable provider. Fixed wireless providers also provide coverage in West Sacramento, including DigitalPath and Succeed.Net. Initial data collected from surveys indicates that 80% - 90% of residential customers utilize either the local exchange carrier or the cable company for their broadband Internet services. Approximately 10% of residential customers utilize fixed wireless, satellite and other competitive providers. From the research conducted, wireline residential broadband services are provided via copper broadband infrastructure, either through copper cable plant owned by the local exchange carrier or coaxial cable plant owned by the local cable company. No fiber-to-the-home providers were identified in West Sacramento. Wireless services are provided through terrestrial fixed wireless systems and 3G and 4G mobile wireless carriers such as AT&T, Verizon and Sprint.

Broadband Internet download and upload speeds reported by the majority of residents surveyed were commensurate with cable and DSL services in the region. Samples were collected from 198 residential broadband subscribers across West Sacramento. Some 57% of respondents reported download speeds greater than 10Meg. These speeds were generally reported in the most urbanized areas that had a high density of single-family or multi-dwelling units. A total of 33% of respondents reported download speeds less than 6Meg. Upload speeds were found to be considerably lower than download speeds, consistent with asymmetrical DSL and cable broadband services. Only 6% of respondents received upload speeds of over 10Meg while 2% received between 6Meg and 10Meg and

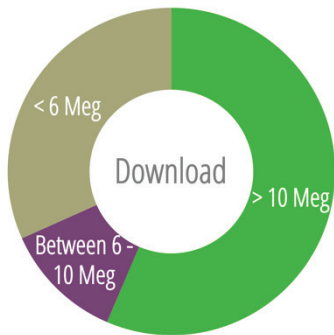


92% received less than 6Meg. Respondents reported general satisfaction with the speed and reliability of their broadband Internet services. Some 80% responded that their services were moderately to highly reliable while 67% felt that their services had sufficient speed.

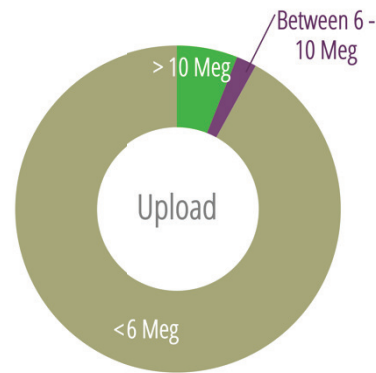
Measuring the pricing for services against the speeds of services that residents received indicated that there was a direct correlation between the prices paid for services and the amount of bandwidth (“speed”) received by residents. The chart below illustrates the price of services residents in West Sacramento pay for services and the realized download and upload speeds for these services. It is important to note that the speeds reported are actual speeds recorded, which may be different from the speeds residents purchase from service providers in the area. In general, DSL and cable broadband services are sold with speed increments that define a maximum speed for the service, such as “Up to 10 megabits down and up to 1.5 megabits up.” Actual speeds vary depending on the physical location of the service and how many subscribers are concurrently on the system.

# Residential Broadband Services - West Sacramento Survey Data

Residential Broadband Download Speed Test Results



Residential Broadband Upload Speed Test Results



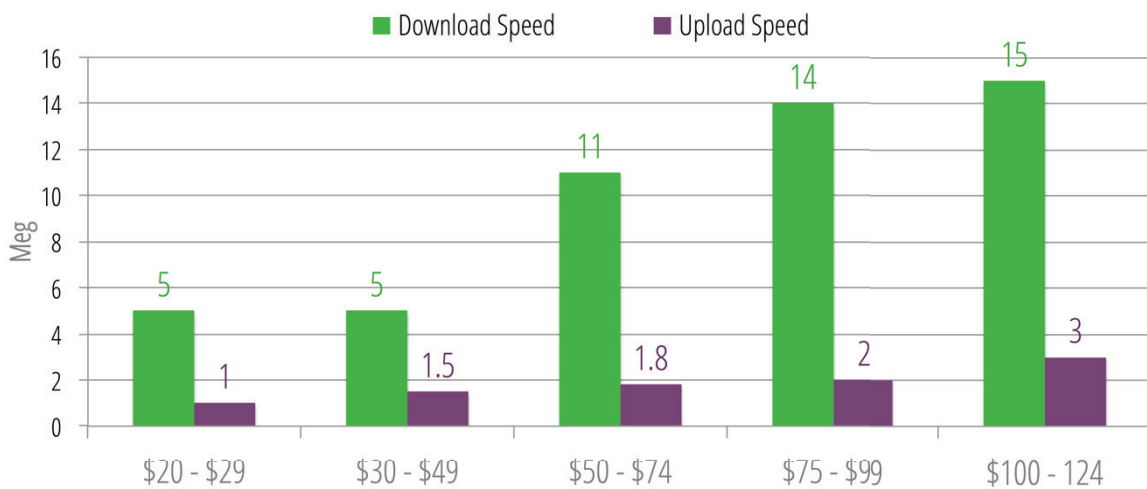
Reliability of Current Broadband Services



Speed of Current Broadband Services



## Monthly Internet Costs Versus Speeds Reported



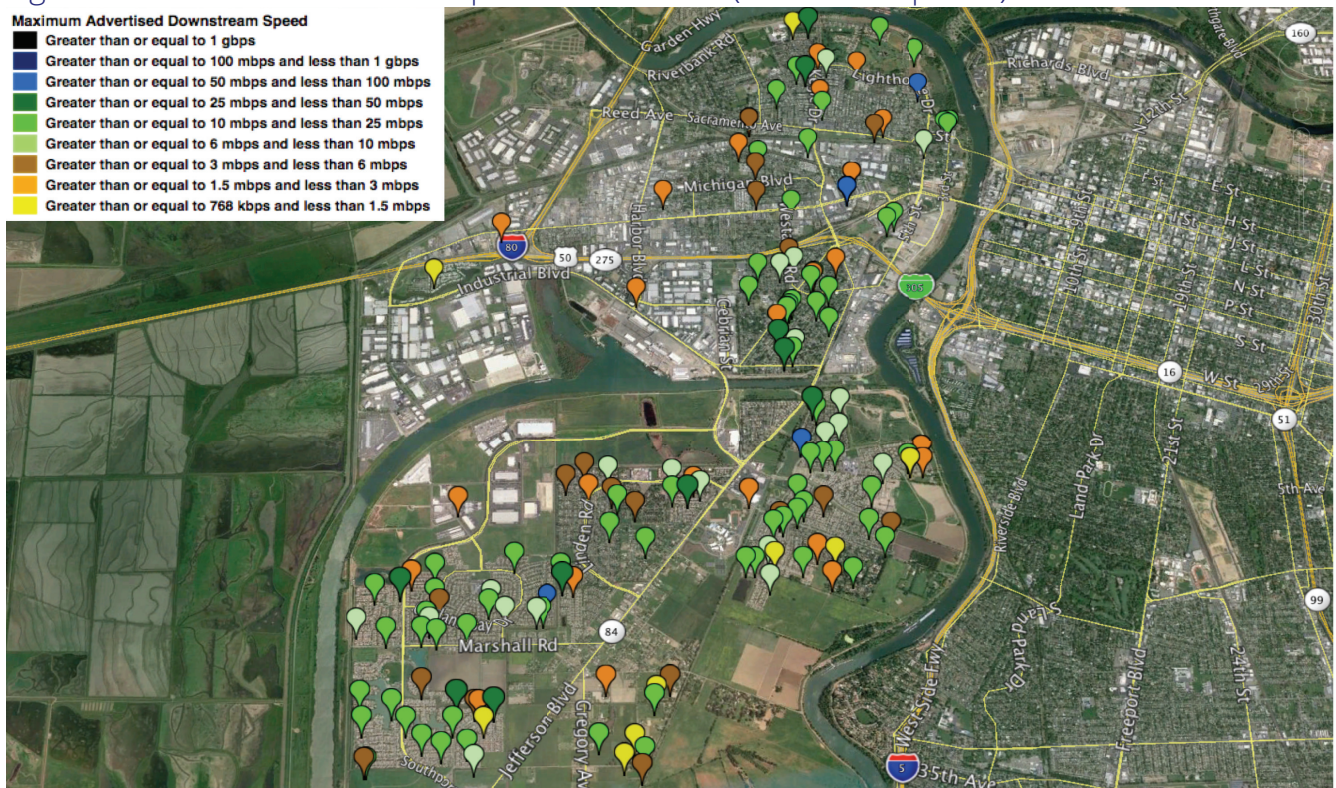
Business Broadband Download Speed Test Results

Business Broadband Upload Speed Test Results

Figure 5.1: Residential Wireline Broadband Availability By Speed (Download Speeds)

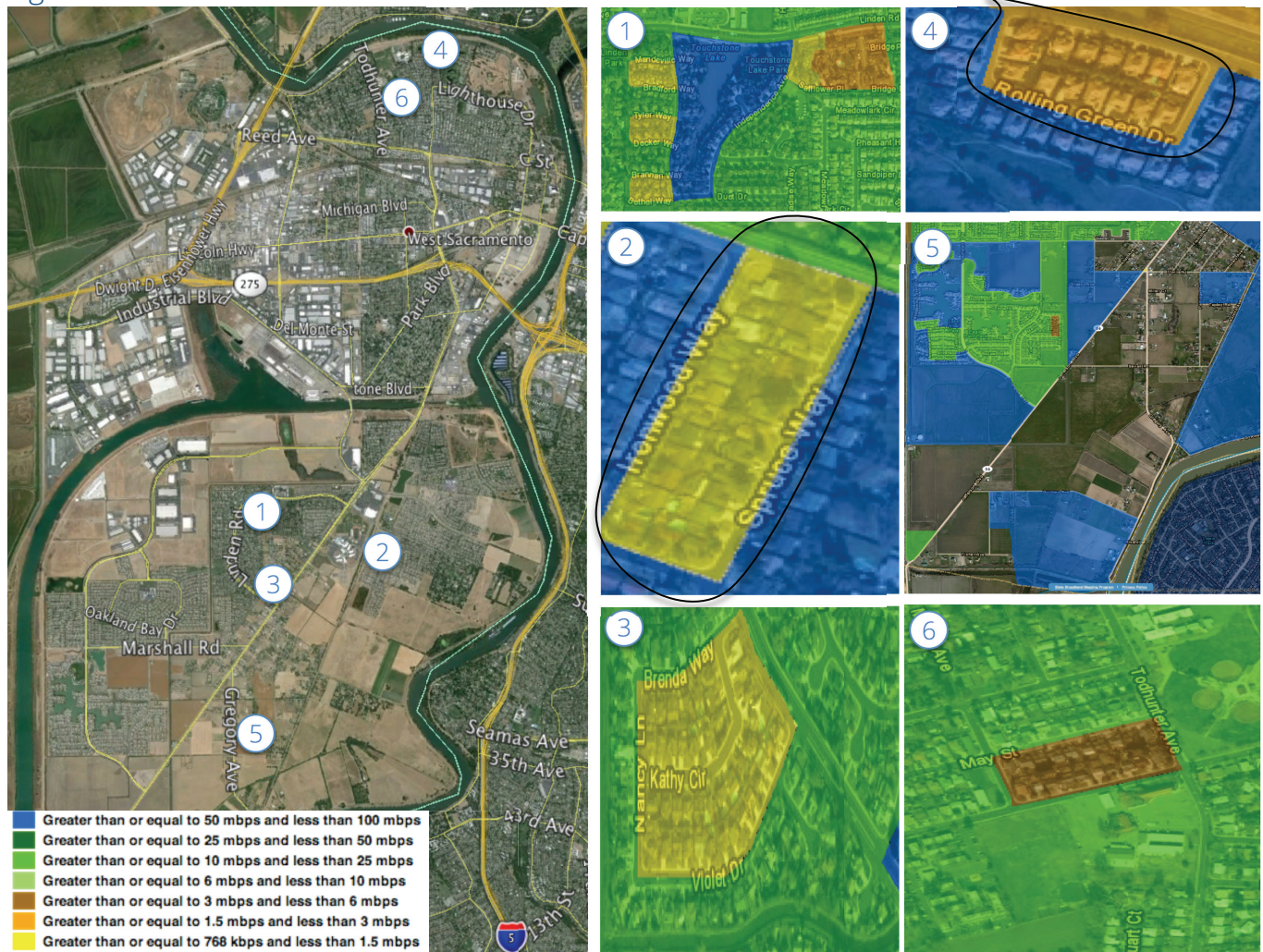


Figure 5.2: Residential Wireline Speed Test Results (Download Speeds)



Although West Sacramento is generally well served from a wireline broadband perspective, the City has several pockets that are classified as unserved or underserved per definition by the California's Public Utilities Commission.<sup>13</sup> The largest area that is currently classified as unserved covers the Northeast and Southeast Villages of Southport. This area covers approximately 543 residents and 216 households. Survey data collected in this area indicates that 3G and 4G wireless is utilized as the primary means of broadband Internet connectivity. Residents reported receiving speeds between 1.2Meg and 12Meg on their wireless services from Verizon Wireless and Clear Wireless. For television, respondents all reported receiving service from Dish, DirectTV or HughesNET. A few respondents also reported using these satellite providers for their Internet connectivity.

Figure 5.3: Underserved Wireline Residential Broadband



<sup>13</sup> In February 2012, the Commission adopted decision D.12-02-015, which changed the Commission's definition of areas that are underserved by broadband. The current definition states that underserved areas are offered broadband slower than 6 Meg download and 1.5 Meg upload. The previous definition was underserved areas were offered broadband slower than 3 Meg download and 1 Meg upload



1

### Linden Park Area – Population 345, Households - 149

Small segments of underserved households in a residential area served by AT&T California and Wave Broadband. Wave Broadband reports serving zip code 95691 that covers this area. Per FCC Form 477 data, maximum advertised download speed greater than or equal to 768Kbps and less than 1.5Meg. Maximum advertised upload speed greater than or equal to 200Kbps and less than 768Kbps. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg download.



2

### Lake Washington Blvd Area – Population – 644, Households - 215

Moderately sized residential underserved area served by AT&T California. Wave Broadband reports serving zip code 95691 that covers this area. Per FCC Form 477 data, maximum advertised download speed greater than or equal to 768Kbps and less than 1.5Meg. Maximum advertised upload speed greater than or equal to 200Kbps and less than 768Kbps. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg download.



3

### Summerfield Park Area – Population – 385, Households - 119

Moderately sized residential underserved area served by AT&T California. Wave Broadband reports serving zip code 95691 that covers this area. Per FCC Form 477 data, maximum advertised download speed greater than or equal to 768Kbps and less than 1.5Meg. Maximum advertised upload speed greater than or equal to 200Kbps and less than 768Kbps. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg download.



4

### Rivercrest Drive Area – Population – 149, Households - 56

Moderately sized residential underserved area served by AT&T California. Wave Broadband reports serving zip code 95605 that covers this area. Per FCC Form 477 data, maximum advertised download speed greater than or equal to 1.5Meg and less than 3Meg. Maximum advertised upload speed greater than or equal to 200Kbps and less than 768Kbps. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg. Fixed wireless available from Succeed.net greater than or equal to 100Meg and less than 1Gbps download.



5

### Northeast/Southeast Villages – Population– 543, Households- 216

Moderately sized residential underserved area with no reported wireline local exchange carrier. Wave Broadband reports serving zip code 95691 that covers this area. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg. Dialtone service may be provided by the local incumbent local exchange carrier but no DSL capabilities have been reported in this area.



6

### Todhunter Ave Area – Population – 75, Households - 20

Moderately sized residential underserved area served by AT&T California. Wave Broadband reports serving zip code 95605 that covers this area. Per FCC Form 477 data, maximum advertised download speed greater than or equal to 1.5Meg and less than 3Meg. Maximum advertised upload speed greater than or equal to 200Kbps and less than 768Kbps. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg. Fixed wireless available from Succeed.net greater than or equal to 100Meg and less than 1Gbps download.



## B. Business

Based on the results of the survey, businesses in West Sacramento primarily subscribe to DSL or cable based services provided by AT&T of California and Wave Broadband. 59 businesses responded to the business survey. A total of 43% of respondents reported utilizing AT&T DSL services for their businesses while 32% of respondents reported utilizing Wave Broadband cable services. The remaining businesses utilize alternative wireline providers, fixed wireless providers or 3G/4G providers.



Wireline services utilize the same copper cable infrastructure that is used to provide residential services. In general, these services are branded as “business class” and come with a higher quality of service that prioritizes business services over residential services. Pricing for DSL and cable based services ranges from \$49.99, for the lowest speed service to \$249.99 for the highest speed service.

Fiber-optic services are also available on an Individual Case Basis or “ICB”<sup>14</sup> in certain areas of West Sacramento. In general, this suggests that there is no fiber-to-the-premise technologies being implemented in West Sacramento and providers deploy these services in a “point to point”<sup>15</sup> configuration. Several businesses have reported using fiber-optic broadband, including the Sacramento River Cats and California Fuel Cell Partnership. Public organizations also utilize fiber-optic services from local providers. They are priced significantly higher than DSL and cable broadband services and are generally only utilized by larger businesses and government organizations in the area. As of the date of this Plan, neither AT&T nor Wave Broadband had responded to Magellan’s request to meet with them to gain further information on their fiber-optic services, pricing or maps.

For businesses included in the assessment, 33% reported receiving download speeds of 10Meg or above. Some 54% reported download speeds of less than 6Meg. A total of 85% of businesses reported upload speeds of less than 6 Meg which corresponds to a similar proportion of residential broadband users in West Sacramento – 92% of residential respondents did not receive uploads greater than 6 Meg. Businesses reported key issues with their current broadband Internet services, as 47% of

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<sup>14</sup> Individual Case Basis means that there is no standard service or rates attached to the particular telecom product. In the case of fiber broadband, ICB denotes that the services are available but each service will be specified individually in terms of the cost to provide the service and the its technical configuration.

<sup>15</sup> Point-to-Point configuration denotes a fiber broadband connection that is built to a customer’s location off of the provider’s backbone fiber rather than through fiber-to-the-premise technologies that are more cost effective for the provider and end user.

respondents indicated that their current services were not sufficient to meet their needs. The majority of businesses cited speed and reliability of their current services as challenges to their daily operations. Some 45% of businesses reported speed as the key issue with their current service and cited access to online business applications such as accounting, cloud, videoconferencing and data storage as the reason why their Internet services are critical in their operations. Many businesses reported “slow downs” in their services that caused disruptions in video and telephone calls and loss of connectivity to online business applications. These issues impacted both commercial parcels and residential home-based businesses.

When asked why these businesses haven't upgraded their services, a significant amount of businesses cited cost as the number one reason, accounting for 39% of respondents. The next two reasons went hand in hand; 30% of businesses reported that services were not available to them and another 30% reported that they either unsure of what services they needed for their businesses or did not have the technical expertise necessary to upgrade their services. This indicates a possible education and adoption issue with West Sacramento's businesses if they are not informed of the options that are available in the market to them.

Cost is a key issue in the West Sacramento market. Demand for higher-speed services from the business community necessitates a less costly solution than is currently available. Businesses from various geographic locations in the city all report the same issue. In some cases, fixed wireless services may provide a cost effective alternative to fiber however, no businesses reported using fixed wireless

*Businesses in West Sacramento want higher speed and reliability in their broadband services; however, their only option is a fiber-optic connection, which starts around \$1,000 per month for a 30 Megabit connection and is unaffordable for most businesses.*

for their broadband needs. Fixed wireless may be a complementary broadband solution in some instances but depends on the propensity of businesses to rely on a wireless solution for their critical business needs. The absence of affordable, available fiber broadband infrastructure results in many businesses “living with” their current services, which results in less efficiency and competitiveness for these businesses. High-speed, reliable broadband is a differentiating factor for businesses. Without it, current businesses will continue to remain impaired and West Sacramento will have difficulty attracting new business to the area.

*Comments from Businesses in West Sacramento:*

*Home Service Business – “Our provider is slow, unreliable goes down every day for minimum of 1/2 hour, we have no other options at our location.”*

*Real Estate Office – “Our current provider cannot provide high speed Internet service because we are too far away from their hub.”*

*Local Bank – “We work in the cloud, no Internet, no work. When issues occur, nothing gets done in our office.”*

For West Sacramento, a key part of the City's economic development strategy should address the sufficiency of broadband services for its business community. This strategy should target key areas of the city to ensure affordable fiber broadband is available to the Bridge District, business parks, redevelopment areas and the downtown corridor. The below illustrate these target areas for high-speed broadband services, along with a description of the broadband needs.

Figure 5.4: Demand Areas for Expanded Broadband Services in West Sacramento



1

### Port Industrial Park

The Port of Sacramento Industrial Park is located on Enterprise Boulevard south of the I-80/Enterprise Boulevard interchange with easy access to I-80, Business 80/US 50, I-5, and the Sacramento Metro Airport. Primarily small to medium sized organizations reported utilizing DSL and cable-based services. The high concentration of businesses and potential economic development opportunities make this a prime location for expansion of next-generation broadband.

2

### Pioneer Bluff Area

South of I-80 along the waterfront, DSL and cable based broadband infrastructure was reported in the majority of the district. No fiber distribution was identified for small and medium business broadband needs, however several large businesses reported access in this area. More analysis should be completed to determine the need for fiber broadband services in the area.

3

### Bridge District

This waterfront redevelopment area encompasses 125 net developable acres bounded by the Sacramento River on the east, former S.R. 275 on the north and U.S.50/Business 80 Capital City Freeway on the south. Raley Field is served with fiber broadband but no other fiber distribution was located in this area. Long-term planning for fiber broadband would enhance the redevelopment efforts for the Bridge District. The City already maintains a 4.5 mile conduit system in this area which could be leveraged in partnership with providers to deploy affordable, accessible broadband services.

4

### Washington Specific Plan Area

The Washington Specific Plan Area is immediately north of the Bridge District and includes substantial Class "A" office space. Twelve-acres of this Plan Area have a planned unit development in place, permitting a mix of office, residential, and retail uses. Other riverfront properties in the Washington area are zoned similarly. No fiber broadband services were reported by businesses in this area, but only a few businesses provided information. More analysis should be completed in this area to assess the need for fiber broadband infrastructure.

5

### Riverside Center

Riverside Commerce Center is a 75 acre, mixed use business park located at Interstate 80 and Reed Avenue designed for light industrial, flex and office space for leading edge, technology-focused companies. Businesses in Riverside Center all reported using DSL and cable based services and could potentially benefit from upgraded fiber broadband services, particularly for high-growth companies.

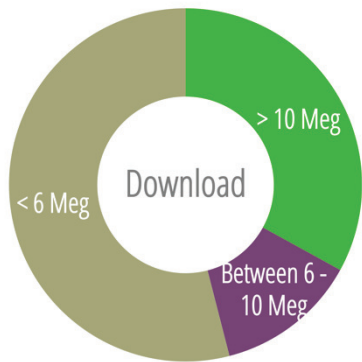
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### Southport Business Park

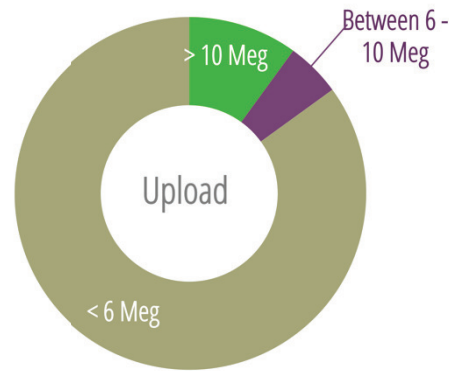
Southport Business Park is a new, 670-acre, master planned, mixed-use business park located near the US 50 / Harbor Boulevard interchange. Cable and DSL based broadband services are available in the Park. The Park is bordered by fiber infrastructure but very little fiber distribution is available within the Park to provide affordable broadband services.

# Business Broadband Services - West Sacramento Survey Data

Business Broadband Download Speed Test Results



Business Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services



Why Haven't Businesses Upgraded



## C. Community Anchors

### Education

The majority of Washington Unified School District's sites are interconnected to one another with fiber connectivity supplied by local providers in the area. Generally these schools are equipped with the high-speed, reliable services they need to deliver online educational programs to their students. Schools continue to push more of their services to the cloud as blended learning incorporates a significant amount of new online applications. Therefore, it is important that the District has the future bandwidth necessary to grow these programs to ensure the best educational experiences for its students. In conjunction with the City of West Sacramento, the School District should evaluate the opportunities that a municipal broadband network could provide to further its mission in the local community; not only in supporting high-speed connectivity within its schools but also ensuring that broadband reaches its students in their homes.

Los Rios Community College in West Sacramento uses CENIC where possible; however, connectivity between the remote campuses is provided over AT&T Optiman fiber service. Los Rios reported that data needs for the college continues to increase exponentially and current bandwidth levels are insufficient and are currently constrained due to cost of services. Los Rios would welcome new cost effective methods for providing connectivity to its various sites.

### Healthcare

Healthcare organizations in West Sacramento could derive significant benefit from expanded broadband capabilities. Local doctors' offices and clinics reported several issues with existing broadband services; also reported in other communities within Yolo County. CommuniCare's Salud Clinic currently maintains a T-1 to California Telehealth Network, which is insufficient for the volume of patient electronic data that runs across the link. CommuniCare is looking to upgrade this link to fiber but to date has been unable to do so.

As healthcare organizations move more of their operations online, broadband becomes a critical part of their daily business. Doctor's offices and clinics generally require reliable, high-speed connectivity back to their primary providers whether locally in West Sacramento or remotely in other regions. These organizations require greater broadband connectivity to enable electronic health records, Telehealth and virtual imaging applications. For West Sacramento, ensuring that the community's healthcare providers are equipped with these services has a direct impact on the quality of care patients receive from local providers in West Sacramento.

### Local Government

The City utilizes a combination of fiber and cable connections for its connectivity needs. These services provide connectivity between municipal facilities to connect departmental resources to a common network. The City realizes that significant upgrades to its existing broadband services are critical to

support departmental and community needs over the next 10 years. Some examples of these needs include:

- **Public Safety**

The public safety departments are currently utilizing Verizon Wireless for their mobile data needs. The City expects public safety personnel will have an increased need or job demand to utilize more applications in the field to make better, faster decisions. At one point the City considered investing in a wireless mesh technology that the City would own and would provide faster wireless data to public safety users.

- **Cameras & Streetlights**

The City currently has many different camera systems in place, with additional needs every year. Some of these camera systems are connected via expensive T1 lines. The City would like to have cameras at all streetlight locations in the future, which would require extending fiber to each intersection. It would also be beneficial to standardize on one camera platform and connection method for both the City's security and streetlight cameras.

- **Fiber Plan**

The City's Department of Information Technology is in the beginning stages of creating a fiber plan to provide fiber to all City facilities to replace broadband and T1 line expenses. This would also include connecting the City's streetlights to fiber infrastructure.

- **Increased Internet Bandwidth**

As the City moves its server and services infrastructure to the cloud, Internet bandwidth will need to increase to support the internal demand of end users.

- **Future Facilities**

Over the next 5 – 10 years, the City will see various relocations of existing facilities to different areas of the city. Each of these moves pose communication problems depending on their new location and the services provided in that area.

The City has started the process of incorporating conduit into its capital projects such as the Bridge District improvement project. As more of these projects are completed, the City can potentially build interconnections between these conduit projects together to form a municipal network. This may provide the opportunity for the City to interconnect more locations together. Doing so would have multiple benefits. First, it would allow the City to develop a municipal fiber network to provide connectivity between its facilities, enabling significantly more capacity and reducing costs for its internal operations. Concurrently, this network could be utilized as a backbone for service providers to deliver more broadband into the West Sacramento area to serve business, residential and community anchor markets. In addition, Yolo County maintains several sites in West Sacramento, including the Arthur F. Turner Community Library,

## D. Strategies & Action Items

**Recommendation 1:** The City should continue to develop its broadband infrastructure to reduce internal costs, expand capabilities and protect against future cost increases by:

- e) Developing a GIS-based map that identifies the City locations that should be interconnected including the City's current infrastructure;
- f) Installing conduit with all public projects;
- g) Expanding the City's capability in negotiating agreements for private providers to utilize the City's infrastructure for public benefit; and
- h) Coordinating with other local public agencies (i.e. WUSD, Los Rios Community College District, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) as potential users of the City's infrastructure.

**Timing:** The City should begin the process of identifying areas for direct and joint investment in broadband infrastructure with other public agencies over the next 12 months.

**Recommendation 2:** The City needs to work with local broadband providers to ensure business corridors are equipped with the necessary broadband services to support the City's economic development needs as follows:

- d) Actively market and make any City-owned infrastructure available for use by broadband providers;
- e) Equip business corridors with City-owned broadband infrastructure in the areas identified in the Demand Areas for Expanded Broadband Services, as detailed in the West Sacramento Community Profile;
  - (1) Developing relationships with broadband providers who will utilize City-owned infrastructure; and,
  - (2) Making this infrastructure available to broadband providers on a non-discriminatory basis.

**Timing:** The City should work internally to institute the processes to incorporate broadband infrastructure into its planning over the next 12 months.



### Common Action Items

**Recommendation 3:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- h) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- i) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- j) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- k) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- l) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- m) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- n) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 4:** Coordinate with other agencies with facilities in the City (i.e. WUSD, Los Rios Community College District, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- c) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and

- d) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

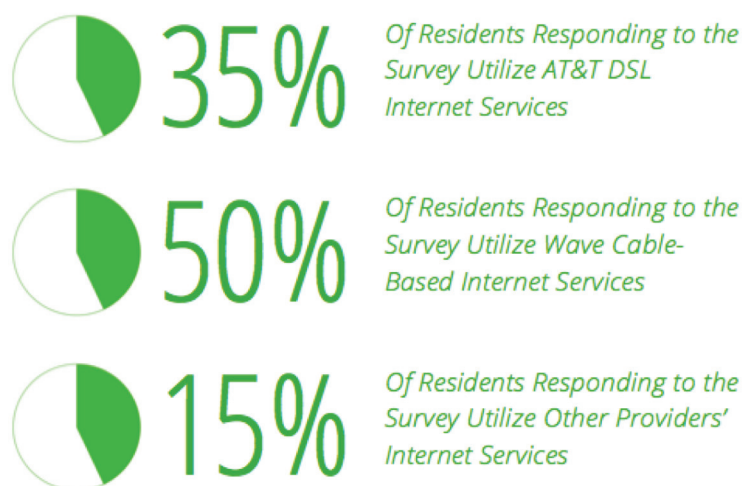
## 6. Broadband Community Profiles Woodland



### A. Residential

The residential broadband market in Woodland is served by two primary providers, AT&T of California, the incumbent local exchange carrier and Wave Broadband, the local cable provider. Fixed wireless providers also provide coverage in Woodland, including DigitalPath and Winters Broadband. 184 residential responses were received in the survey. Initial data collected from surveys indicates that 85% of residential customers utilize either the local exchange carrier or the cable company for their broadband Internet services. Approximately 15% of residential customers utilize fixed wireless, satellite and other competitive providers. From the research conducted, it appears that all wireline residential broadband services are provided via copper broadband infrastructure, either through copper cable plant owned by the local exchange carrier or coaxial cable plant owned by the local cable company. Wireless services are provided through terrestrial fixed wireless systems and 3G and 4G mobile wireless carriers<sup>16</sup>.

Broadband Internet download and upload speeds reported by the majority of residents surveyed were commensurate with cable and DSL services in the region. Samples were collected from residential broadband subscribers across Woodland. A total of 47% of respondents reported download speeds greater than 10Meg. These speeds were generally reported in the most urbanized areas that had a high density of single-family or multi-dwelling units. Some 40% of respondents reported download speeds less than 6Meg. Upload speeds were found to be considerably lower than download



<sup>16</sup> AT&T Mobility, Verizon Wireless, T-Mobile, MetroPCS and Sprint

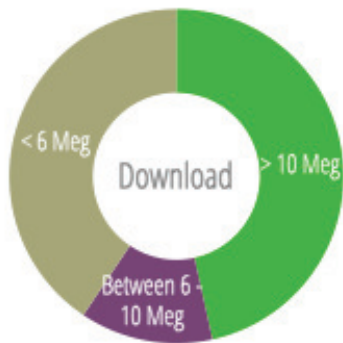
speeds, consistent with asymmetrical DSL and cable broadband services. Some 45% of respondents reported speeds of less than 1.5Meg and another 35% reported upload speeds of less than 3Meg. Respondents reported general satisfaction with the speed and reliability of their broadband Internet services, however, many residents felt that speeds were inconsistent and at certain times of the day, services were considerably slower than others.

A total of 59% of the respondents reported that their services were moderately to highly reliable while 50% felt that their services had sufficient speed. Some 30% reported that services were unreliable and 34% reported that they were not fast enough. Measuring the pricing for services against the speeds of services that residents received indicated that there was a direct correlation between the prices paid for services and the amount of bandwidth, ("speed"), received by residents. The chart below illustrates the price of services residents in Woodland pay for services and the corresponding download and upload speeds for these services. It is important to note that the speeds reported are actual speeds recorded, which may be different from the speeds residents buy from service providers in the area. In general, DSL and cable broadband services are sold with speed increments that define a maximum speed for the service, such as "Up to 10 megabits down and up to 1.5 megabits up." Actual speeds vary, depending on the physical location of the service and how many subscribers are concurrently on the system. The "maximum advertised speed" should not be construed to mean a sustained maximum but instead the top speed of the service, which may be considerably lower over long periods of time.

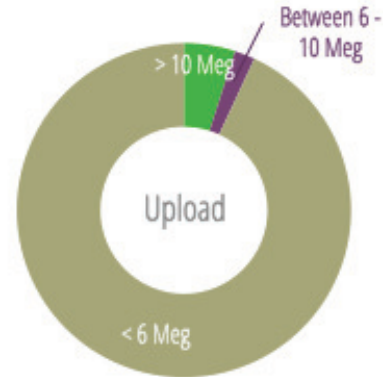
The majority of the urban areas in Woodland are served by DSL and cable infrastructure supporting speeds between 10Meg and 25Meg download and 3Meg and 6Meg upload. These are the maximum advertised wireline speeds offered in the area. Results of the survey data validated speeds up to 25Meg in areas reported where these services were offered; however, the majority of survey respondents recorded significantly lower speeds, as shown in the chart below. This issue was evident in respondents' answers to many of the survey questions as well. Many residents reported significant issues with speed and overall reliability of their home Internet services citing daily "slowdowns" and "drops" in their service. A recurring comment described the lack of consistency in service during certain times of the day, mainly afternoons and evenings.

# Residential Broadband Services - Woodland Survey Data

Residential Broadband Download Speed Test Results



Residential Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services

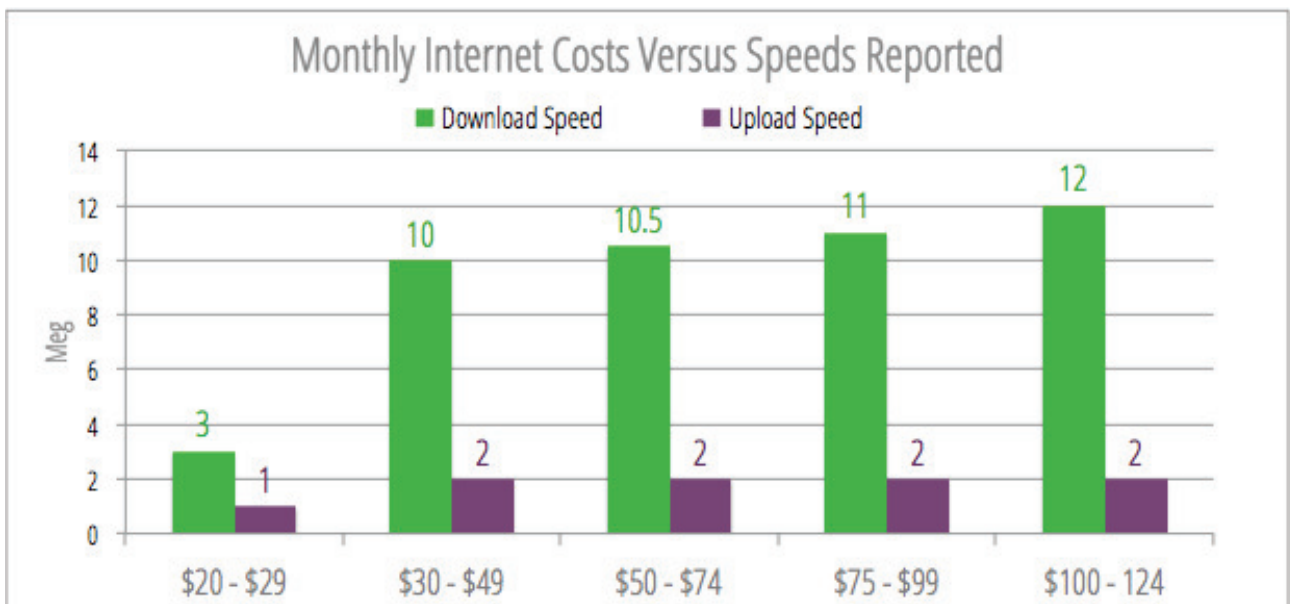


Figure 6.1: Residential Wireline Broadband Availability By Speed (Download Speeds)

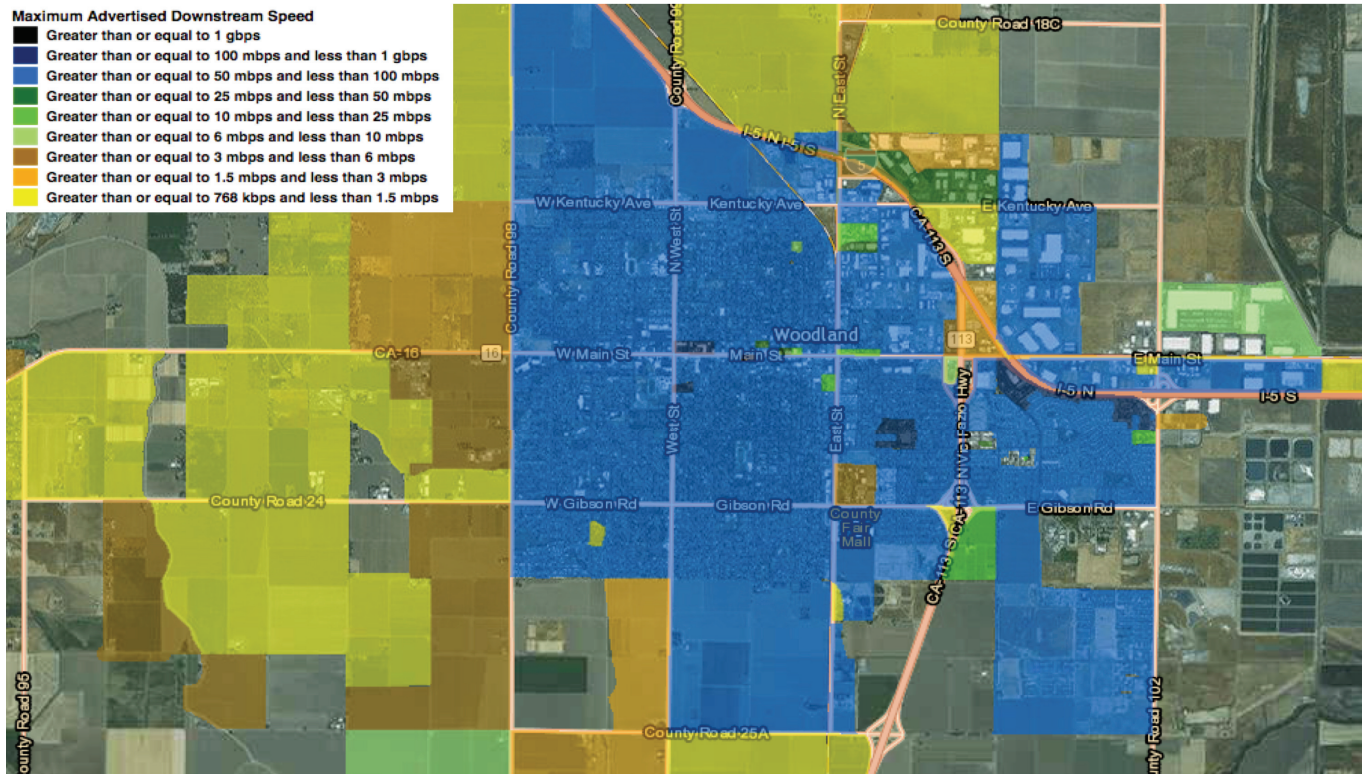


Figure 6.2: Residential Wireline Speed Test Results (Download Speeds)

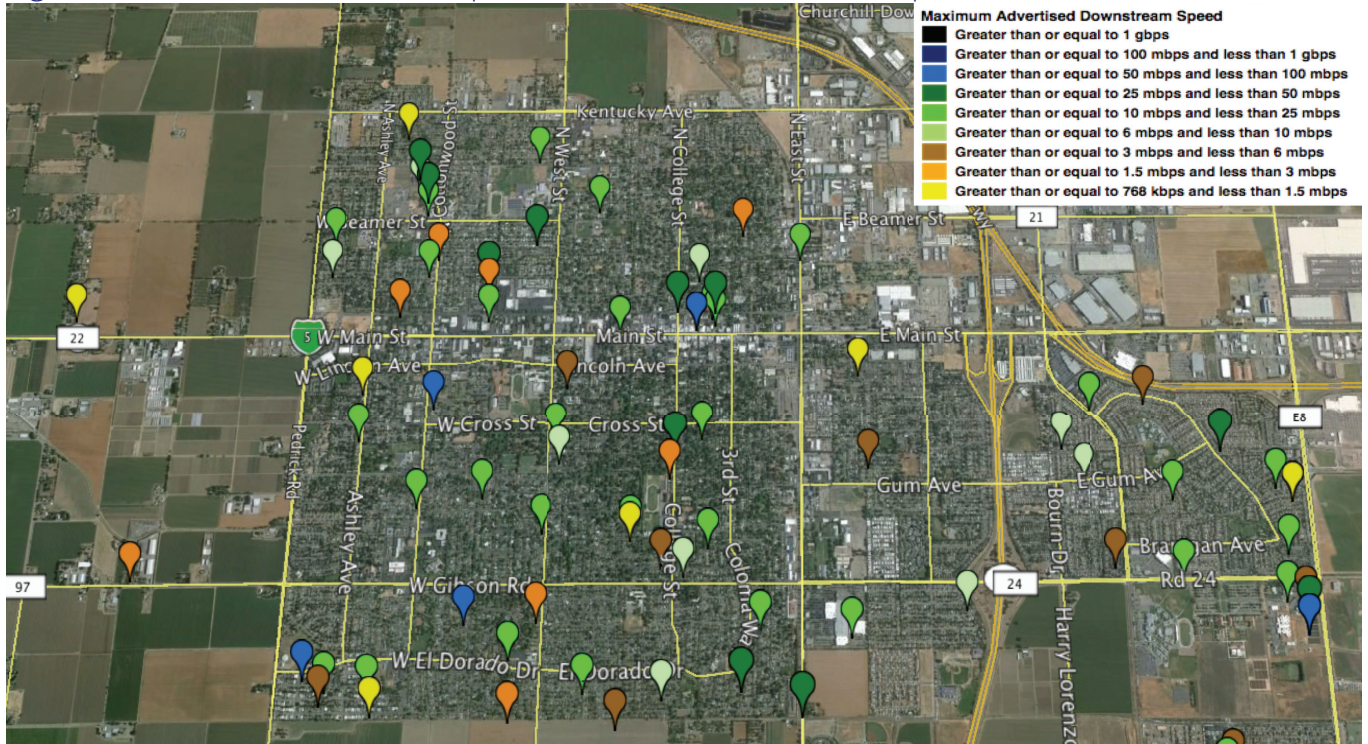
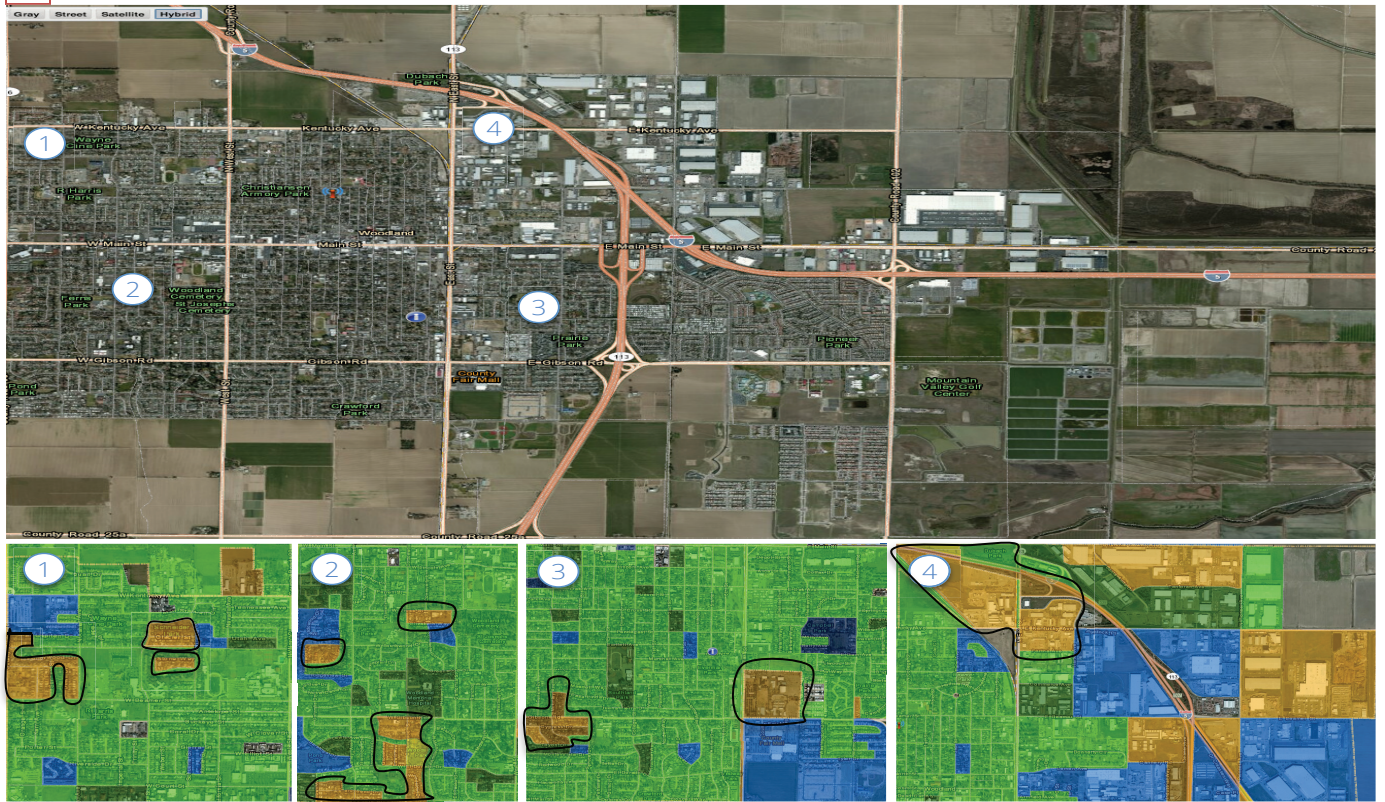


Figure 6.3: Underserved Wireline Residential Broadband





1

### Northwest Woodland – Population – 621, Households - 158

Small segments of underserved households in a residential area. No reported residential cable provider although residents reported available Wave Broadband services. Maximum advertised download speed greater than or equal to 1.5Meg and less than 3Meg. Maximum advertised upload speed greater than or equal to 200K and less than 768K. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg download.



2

### Southwest Woodland – Population – 1,044, Households - 418

Moderately sized residential underserved area. No reported residential cable provider however residents reported available Wave Broadband services. Maximum advertised download speed greater than or equal to 1.5Meg and less than 3.0Meg. Maximum advertised upload speed greater than or equal to 200K and less than 768K. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg download.



3

### Southeast Woodland – Population – 100, Households - 33

Small residential underserved area. No reported residential cable provider. Maximum advertised download speed greater than or equal to 1.5Meg and less than 3Meg. Maximum advertised upload speed greater than or equal to 200K and less than 768K. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg download.



4

### Northeast Woodland – Population – 120, Households - 35

Moderately sized residential underserved area. No reported residential cable provider. Maximum advertised download speed greater than or equal to 1.5Meg and less than 3Meg. Maximum advertised upload speed greater than or equal to 200K and less than 768K. Fixed wireless available via DigitalPath, Inc. greater than or equal to 6Meg and less than 10Meg.

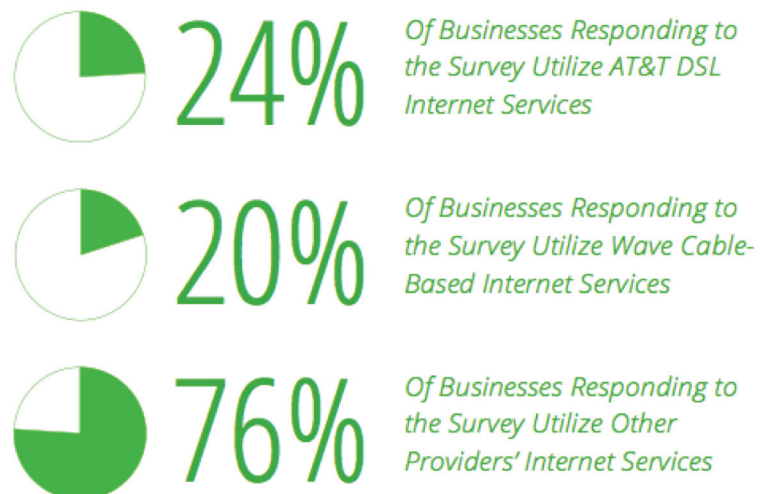


## B. Business

Businesses in Woodland subscribe to a mix of wireline providers and resellers, including AT&T of California, Wave Broadband, AFES Wireless Network Services, and Omsoft. A few businesses also reported utilizing fixed wireless providers including Winters Broadband and DigitalPath, Inc. 25 businesses responded to the business survey. A total of 24% of respondents reported utilizing AT&T DSL services for their businesses while 20% of respondents reported utilizing Wave Broadband cable services. The remaining businesses utilize alternative wireline providers, fixed wireless providers or 3G/4G providers. In general, these services are branded as “business class” and come with a higher quality of service that prioritizes business services over residential services that run across the same physical infrastructure. In general, pricing for DSL and cable based services ranges from \$49.99, for the lowest speed service to \$199.99 for the highest speed service in the DSL and cable business broadband services.

For businesses included in the assessment, 13% reported receiving download speeds of 10Meg or above. Some 87% reported download speeds of less than 6Meg. Upload speeds were commensurate with DSL and cable broadband services, with the majority of businesses, 76%, reporting less than 6Meg upload. Businesses reported key issues with their current broadband Internet services, as 47% of respondents indicated that their current services were not sufficient to meet their business needs. The majority of businesses cited speed and reliability of their current services as challenges to their daily operations. Some 60% of businesses reported speed as the key issue with their current service and cited access to online applications such as cloud data storage, videoconferencing, security monitoring, online video training and scientific research (specifically noted by the seed technology and agricultural businesses) as critical applications that are often affected by their broadband Internet services.

Several of the seed technology and agricultural businesses provided information on their broadband services as well. Most of the respondents utilized DSL or cable services and two of the organizations utilized satellite Internet. All of these organizations reported that their services were insufficient for their current needs and that unreliable service was the number one issue. When asked why they haven't upgraded their services to something that meets their business needs, each organization reported that services were not available in their area. None reported costs as a significant factor of why they



had not upgraded their service.

Only two businesses reported utilizing fiber-optic broadband services in Woodland. Based on an infrastructure analysis of Woodland’s key business corridors, limited fiber broadband services are available to businesses at reasonable costs. In these corridors, providers do maintain fiber-optic cable plants that connect end users; however, these plants are not typically utilized for providing a low-cost option to the majority of businesses in Woodland. If a business wants fiber, a provider will build off of its existing fiber-optic cable plant to the subscriber using an “Individual Case Basis,” or ICB pricing model. Each fiber connection built by the provider will result in a different cost to the end user, depending on the proximity of the provider’s existing cable plant to the subscriber. In these cases, costs for fiber broadband are very often high and for most small businesses, unaffordable. Pricing for fiber was found to be over \$1,000 for a 50 Meg connection in Woodland, from survey data collected. In cases where fiber broadband service is available, affordability is a key issue and as a result, businesses utilize lower costs DSL and cable broadband. Some 40% of businesses surveyed report that their current services are insufficient for their business needs yet they have no alternative to their current services due to a lack of affordable options.

*Comments from Businesses in Woodland:*

*Agricultural Business – “Costs are extreme for reliable services and we cannot afford it.”*

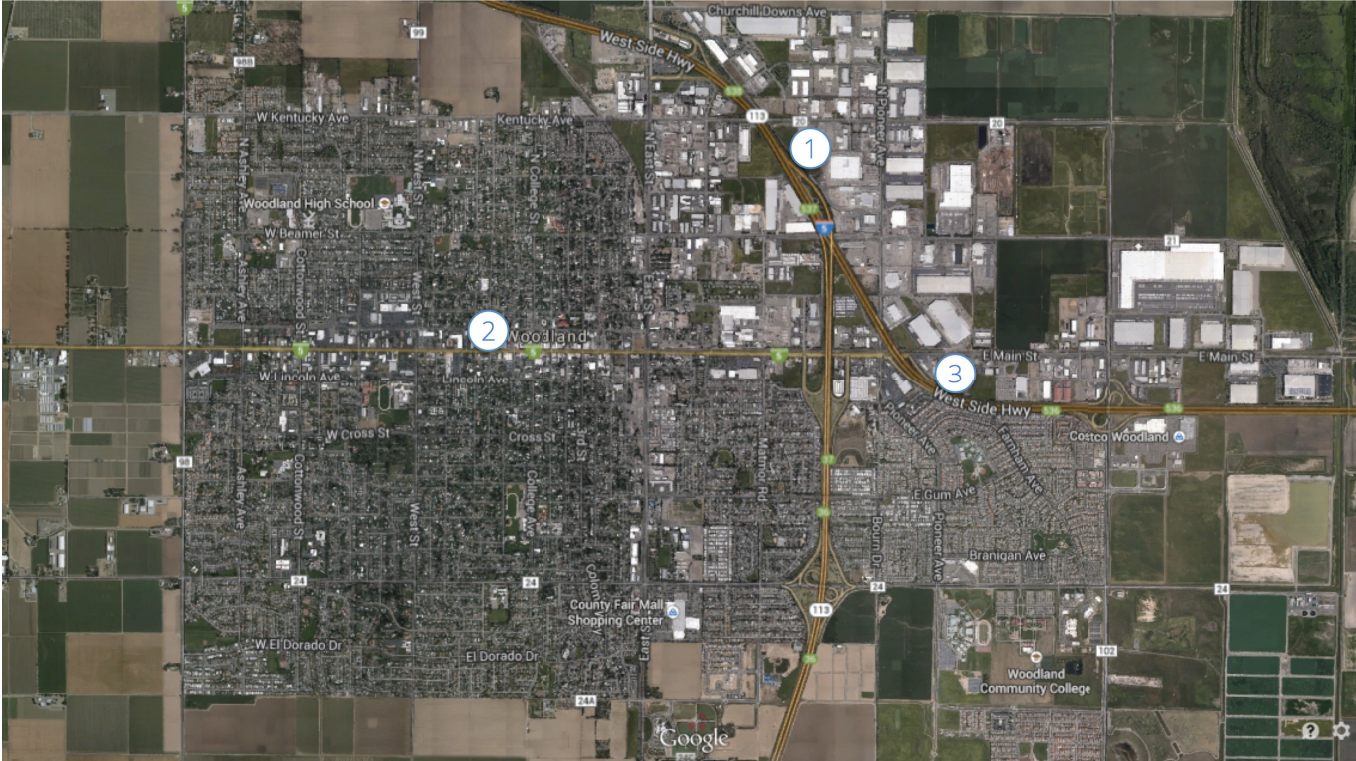
*Manufacturing Business – “Severe disruptions hinder our ability to update database systems in the cloud.”*

One potential reason for these high prices is the lack of available distribution fiber infrastructure in the Woodland area. In many communities, providers are beginning to equip business and residential areas with fiber-to-the-premise (“FTTP”) infrastructure, overbuilding existing copper cable plants. This fiber distribution infrastructure is specifically designed to deliver high-speed, reliable fiber broadband services to businesses at costs similar to DSL and cable broadband prices. This study did not find any fiber distribution infrastructure in the Woodland area that was available to business customers. When asked why these businesses haven’t upgraded their services, a significant amount of businesses cited price as the number one reason, accounting for 47% of respondents. A total of 30% of the businesses stated that other services are not available in their area.

Demand for higher speed, higher reliability service necessitates a less costly solution than is currently available. Businesses from various geographic locations in the city all report the same issue. They desire higher speed and higher reliability services, their options too costly. The only fiber broadband customers identified in the Woodland area included a few large businesses, city and county facilities

and the school district. In some cases, businesses could utilize a fixed wireless solution instead of fiber; however, only 2 businesses in Woodland reported using this service currently.

Figure 6.4: Demand Areas for Fiber Broadband Expansions in Woodland



1

### Northeast Woodland

Adjacent to Interstate 5 is a heavy concentration of warehousing, transportation, logistics and several seed tech/agricultural businesses. Businesses in this area reported issues with current services and may benefit from upgraded broadband infrastructure. This area is a focal point for larger organizations in Woodland who may require significantly more broadband capacity in the future. If future development occurs in this area, it could also facilitate low cost construction of broadband infrastructure in conjunction with capital projects. It could also become a tool for economic development to utilize to attract more business to the area, in conjunction with the City's current service providers.

2

### Downtown Corridor

The downtown corridor houses a large concentration of businesses across most sectors and is a key focus for next-generation broadband services. Some 70% of Woodland businesses that responded were located in this area and currently utilize either DSL or cable broadband services. A significant number expressed the need for more speed and reliability. This area contains a high concentration of "power users," among the professional, scientific and technical business sector. It also contains a high concentration of multi-dwelling unit commercial parcels that could benefit from direct fiber broadband connectivity.

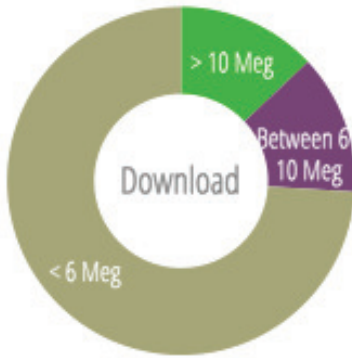
3

### East Woodland

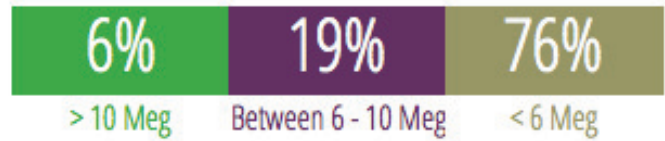
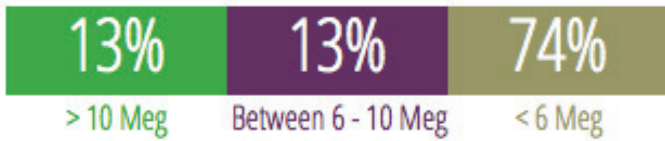
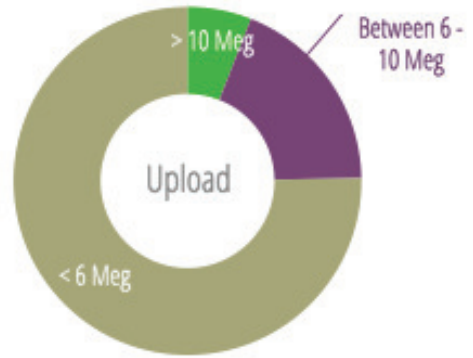
Adjacent to Interstate 5 is a heavy concentration of warehousing, transportation, logistics and several seed tech/agricultural businesses. Several businesses in this area reported issues with current services and may benefit from upgraded broadband infrastructure. Similar to the Northeast area, this area could be utilized to deploy lower cost broadband to current and prospective businesses, in conjunction with the City's economic development strategies.

# Business Broadband Services - Woodland Survey Data

Business Broadband Download Speed Test Results



Business Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services



Why Haven't Businesses Upgraded



## C. Community Anchors

### Education

Woodland's schools are interconnected to one another through fiber-optic connectivity provided by AT&T. Generally these schools are equipped with the high-speed, reliable services they need to deliver online educational programs to their students. Several of the school district's sites are not connected to this network though, and may require upgraded connectivity to ensure that their students receive the same educational experiences as the schools connected through AT&T fiber. As school systems move toward more blended curricula, meaning traditional learning, online programs and self-study, broadband becomes a critical foundation to ensure that students receive the best educational experience across all three types of curricula. For Woodland's schools, it is important that students have access to high-speed broadband in the classroom and also at home. In many cases, the student's experience is not effective across classroom and remote learning because they do not have access to high-speed broadband at home. Therefore, broadband in the educational realm is a community-wide issue that impacts residents directly.

Woodland Community College uses CENIC (Corporation for Education Network Initiatives in California) and has access to the bandwidth and services needed to support current operations. Woodland Community College did not report any specific needs for additional broadband services.

### Healthcare

Healthcare organizations in Woodland could derive significant benefit from expanded broadband capabilities. Woodland Memorial is a critical healthcare resource in the County and maintains connectivity to other hospitals and clinics throughout California. The hospital currently maintains fiber connectivity through AT&T OptiMan service for transport back to the main data center in Rancho Cordova and for local Internet service. The hospital utilizes MobileMD as its health information exchange and does not currently maintain connectivity to the California Telehealth Network (CTN). The Hansen Family Health Center, a member of the CommuniCare clinics utilizes T1s to CTN for connectivity to telehealth services. CommuniCare has been working to upgrade these low-speed links to fiber.

CTN has expressed significant access and cost obstacles in upgrading their services to local Yolo healthcare facilities. CTN utilizes last-mile providers, including local exchange carriers and cable companies to extend their network to these customers. Due to the high cost of doing so, several healthcare providers in Yolo remain on low-speed T1 connections to CTN; such is the case with the Hansen Family Health Center.

Local doctors' offices and clinics reported several issues with existing broadband services. As healthcare organizations move more of their operations online, broadband becomes a critical part of their daily business. Electronic health records, Telehealth and virtual imaging all require high-speed,

reliable broadband services. Organizations that utilize standard broadband connections provided through DSL and cable infrastructure may experience issues where this infrastructure is not robust enough to support high-bandwidth applications. Reports from local several local healthcare organizations have indicated that they are using these types of applications in Woodland.

## Local Government

The City utilizes a combination of fiber and wireless connections for its municipal operations. These services provide connectivity between municipal facilities to connect departmental resources to a common network. The City maintains a small amount of its own fiber segments throughout the community and continues to build new fiber in conjunction with other capital projects that allow conduit to be installed for low costs. As more of these projects are completed, it allows the City to connect segments to one another to form a larger municipal network that can be utilized to interconnect its facilities. Doing so permits the City to reduce its telecommunications costs and expand the bandwidth as its connectivity needs grow. The City would benefit from developing a master plan for this fiber network in conjunction with the Yolo Community Broadband Network. This would allow the City to continue to build out local infrastructure in targeted areas, which could be used to reduce costs, create new opportunities for government collaboration and provide a new source of fiber to local service providers. These activities would assist Woodland in promoting the expansion of broadband and potentially wireless services in key areas of the community, including the downtown corridor.

Yolo County maintains many sites within the City of Woodland, including County Administration Building, Department of Agriculture, County Courts, District Attorney, Public Defender, Department of Employment and Social Services, General Services, County Health, Planning, Public Works & Environmental Health, Library, Sheriff-Coroner and County Jail. The County maintains fiber connectivity to these sites through the County's fiber-optic network that traverses downtown Woodland.

## D. Strategies & Action Items

**Recommendation 1:** The City should continue to develop its broadband infrastructure to reduce internal costs, expand capabilities and protect against future cost increases by:

- i) Developing a GIS-based map that identifies the City locations that should be interconnected including the City's current infrastructure;
- j) Installing conduit with all public projects;
- k) Expanding the City's capability in negotiating agreements for private providers to utilize the City's infrastructure for public benefit; and
- l) Coordinating with other local public agencies (i.e. WJUSD, Woodland Community College, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) as potential users of the City's infrastructure.

**Timing:** The City should begin the process of identifying areas for direct and joint investment in broadband infrastructure with other public agencies over the next 12 months.

**Recommendation 2:** The City needs to work with local broadband providers to ensure business corridors are equipped with the necessary broadband services to support the City's economic development needs as follows:

- f) Actively market and make any City-owned infrastructure available for use by broadband providers;
- g) Coordinate with Yolo County to identify infrastructure to serve agricultural businesses surrounding Woodland, potentially using wireless to reach these organizations;
- h) Equip business corridors with City-owned broadband infrastructure in the areas identified in the Demand Areas for Expanded Broadband Services, as detailed in the Woodland Community Profile;
  - (1) Developing relationships with broadband providers who will utilize City-owned infrastructure; and,
  - (2) Making this infrastructure available to broadband providers on a non-discriminatory basis.

**Timing:** The City should work internally to institute the processes to incorporate broadband infrastructure into its planning over the next 12 months.

### [Common Action Items](#)



**Recommendation 3:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- o) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- p) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- q) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- r) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- s) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- t) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- u) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 4:** Coordinate with other agencies with facilities in the City (i.e. WJUSD, Woodland Community College, YCTD, Yolo County, Yolo County Housing, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- e) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and
- f) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

## 7. Broadband Community Profiles Winters



### A. Residential

Two primary providers serve the Winters residential broadband market, AT&T of California and Wave Broadband. Fixed wireless providers also have coverage in Winters including DigitalPath and Winters Broadband. 72 samples were collected from residential broadband subscribers across Winters to evaluate actual speeds against those reported in publicly available data from the California Public

*Upon further investigation into Winters' census tracts, it was found that about two thirds of the City is reported as underserved in wireline broadband services and there was little indication that these speeds were actually available to residents.*

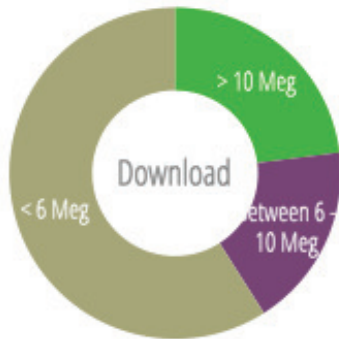
Utilities Commission ("CPUC"). CPUC data indicated that Winters' broadband providers maintained coverage across the entire city boundary, with download speeds in the majority of the downtown up to 24 Meg and in certain areas of the city, up to 100 Meg.

Pockets of high-speed wireline broadband services do exist within the City, however; residents have reported significant issues receiving speeds anywhere close to the speeds they have purchased from providers. Speed test data has verified speeds up to 10Meg download and 1.2Meg upload for cable broadband services. Speed test data for has verified speeds up to 7Meg download and 1.1Meg upload for DSL broadband services.

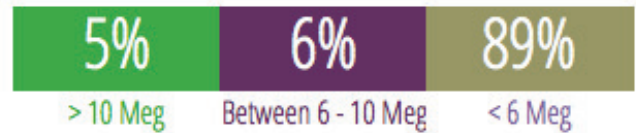
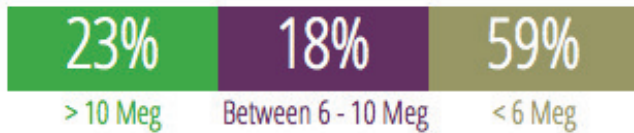
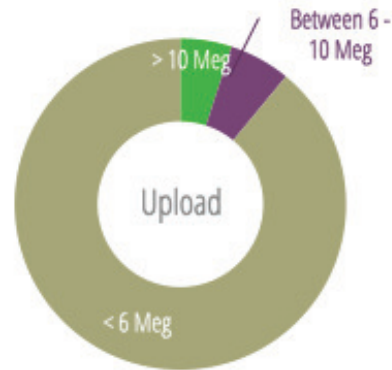
A total of 58% of respondents reported download speeds of less than 6 Meg while 89% of respondents reported speeds of less than 6 Meg. Residents reported significant reliability and speed issues with their current services; 50% of respondents felt their services were unreliable and 59% felt that their services were not fast enough for their needs. Of the 4 cities, Winters residents reported the lowest realized speeds for the cost of residential broadband services, particularly with upload speeds. At higher prices, residents received only marginally higher realized speed. For example, at the lowest price point, \$20 - \$29 per month, residents realized upload speeds of .8 Meg while at the highest price point of \$100 - \$124, residents realized upload speeds of 1.9 Meg, only a small increase in speed for a 4x increase in price. This may indicate that Winters' local broadband infrastructure is not capable of providing upgraded, higher-speed services.

# Residential Broadband Services - Winters Survey Data

Residential Broadband Download Speed Test Results



Residential Broadband Upload Speed Test Results



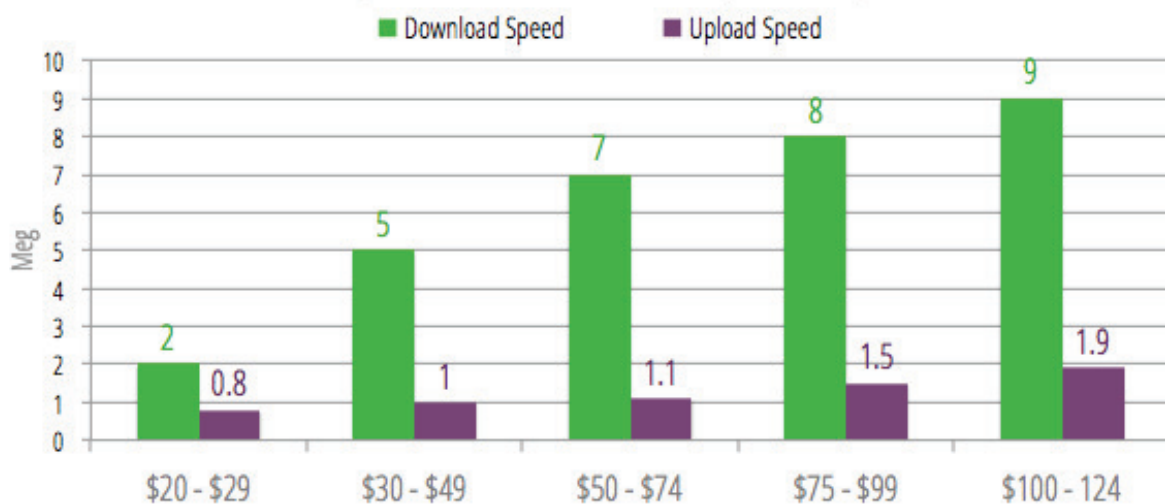
Reliability of Current Broadband Services



Speed of Current Broadband Services



Monthly Internet Costs Versus Speeds Reported



Winters' residents need broadband services that are on par with the larger communities in Yolo. The city's remote location makes it even more important for residents to have sufficient broadband access that allows them to do more online rather than drive long distances for their products and services. Winters' residents need to ensure their children have the most opportunities for education and technology-based learning tools they receive from the schools can be used in their homes. Without sufficient broadband access, these tools are ineffective. Home-based businesses in Winters also need high quality broadband services, similar to Winters' commercial businesses. Without them, these businesses also suffer, being less competitive with their commercial counterparts.

Figures 7.1 and 7.2 illustrate the key residential broadband issues facing Winters. Large segments of the city still remain underserved in the speeds of broadband services available to them as reported by the CPUC in the 06/30/2013 dataset. Since then, the CPUC has received updated data for the Winters area that shows coverage of approximately 80% of the city by Wave Broadband. This data has only recently been uploaded and should be verified to ensure its accuracy. Bright red areas illustrate underserved parts of the city. Everything South of Grant Ave is included in this region as well as about half of the area North of Grant Ave within the city boundary. In addition, rural areas outside the city boundary are almost all underserved or in some cases unserved. For these residents, their only options are generally fixed wireless, satellite or 3G/4G mobile broadband. Although Figure 7.1 reports high-speed broadband available, Figure 7.2 contradicts this availability in many areas of the city. Although Figure 7.21 illustrates a large portion of the city covered by broadband infrastructure supporting speeds between 10 Meg and 25 Meg, Figure 7.1 shows this area as underserved. Data is inconsistent as reported to the CPUC. Through the speed test results, a few residents received speeds above 10 Meg, 77% of residents reported speeds of 6 Meg or below.

Figure 7.1: Wireline Residential Status – Unserved & Underserved Areas

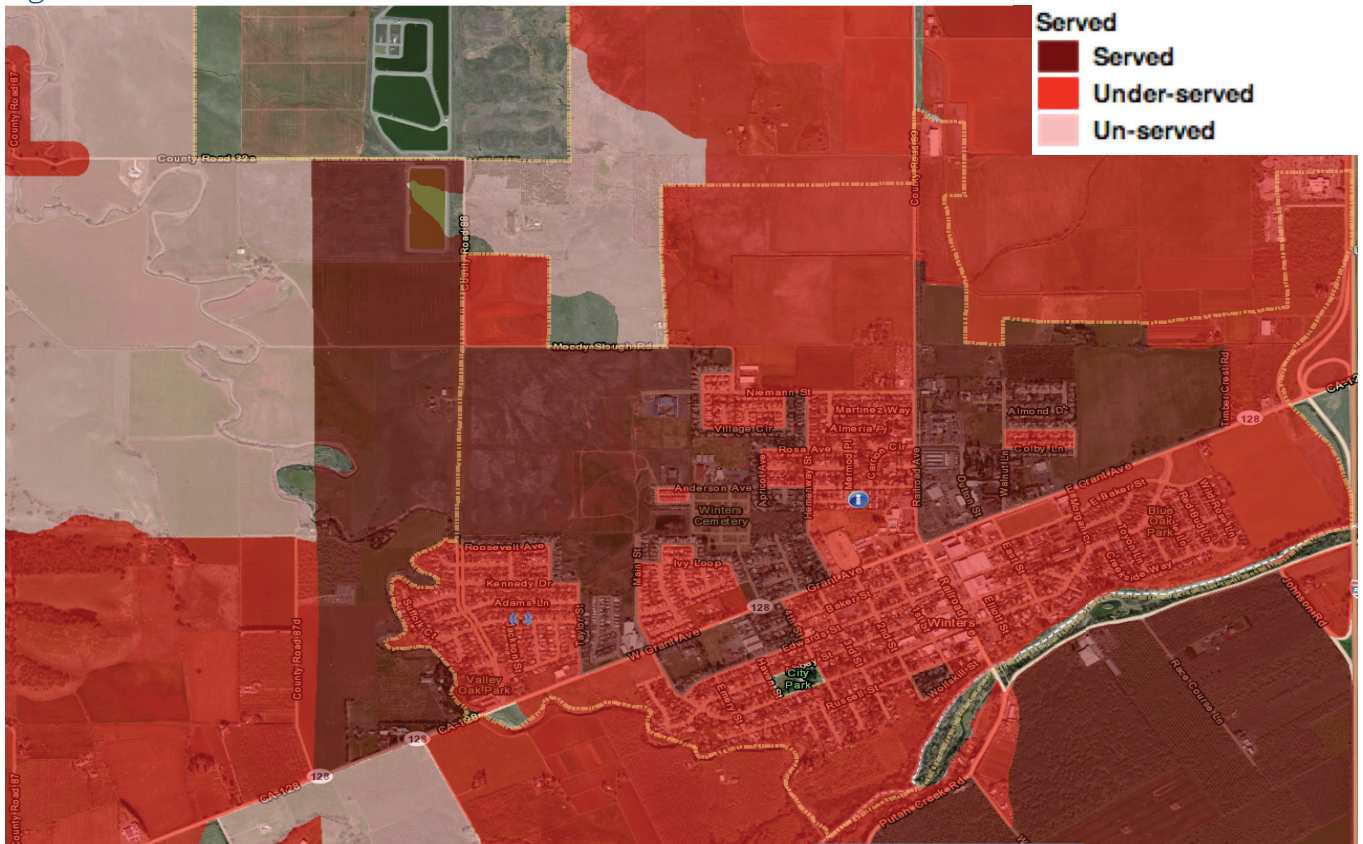


Figure 7.2: Residential Wireline Broadband Availability By Speed (Download Speeds)

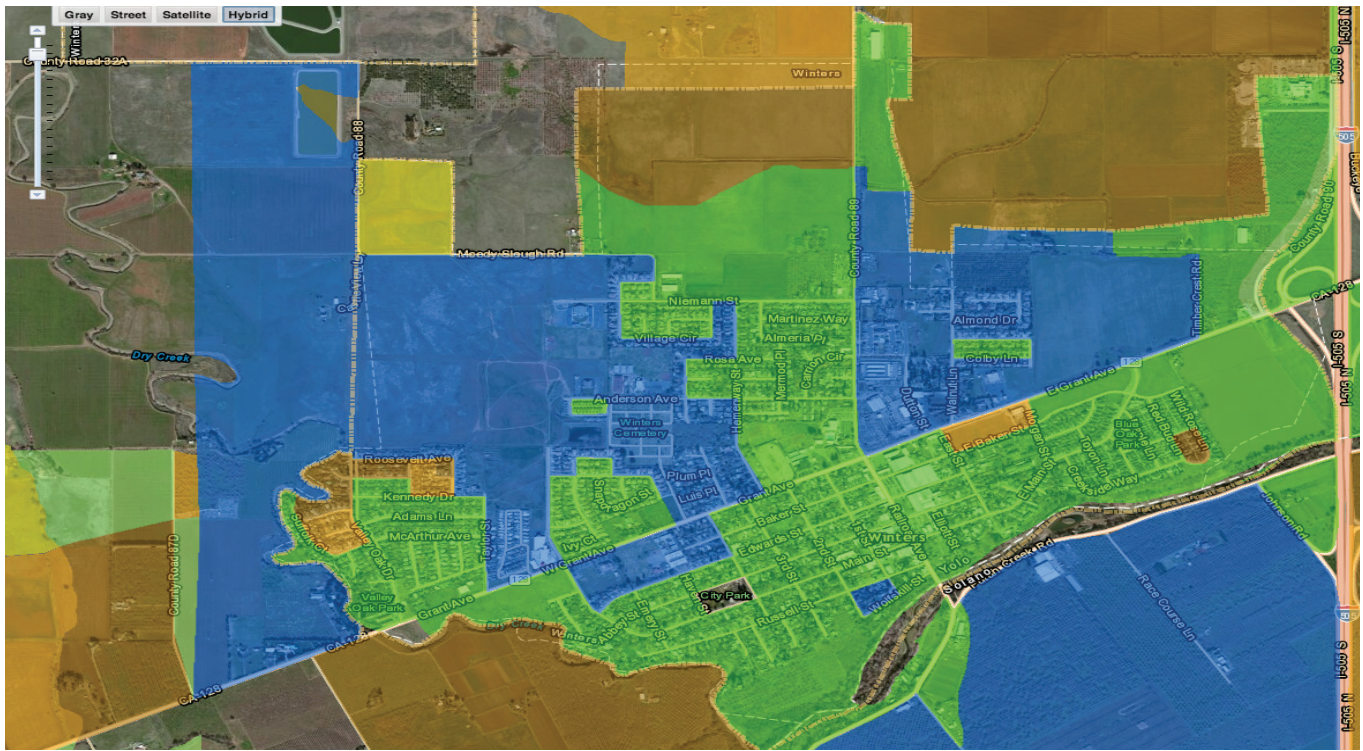
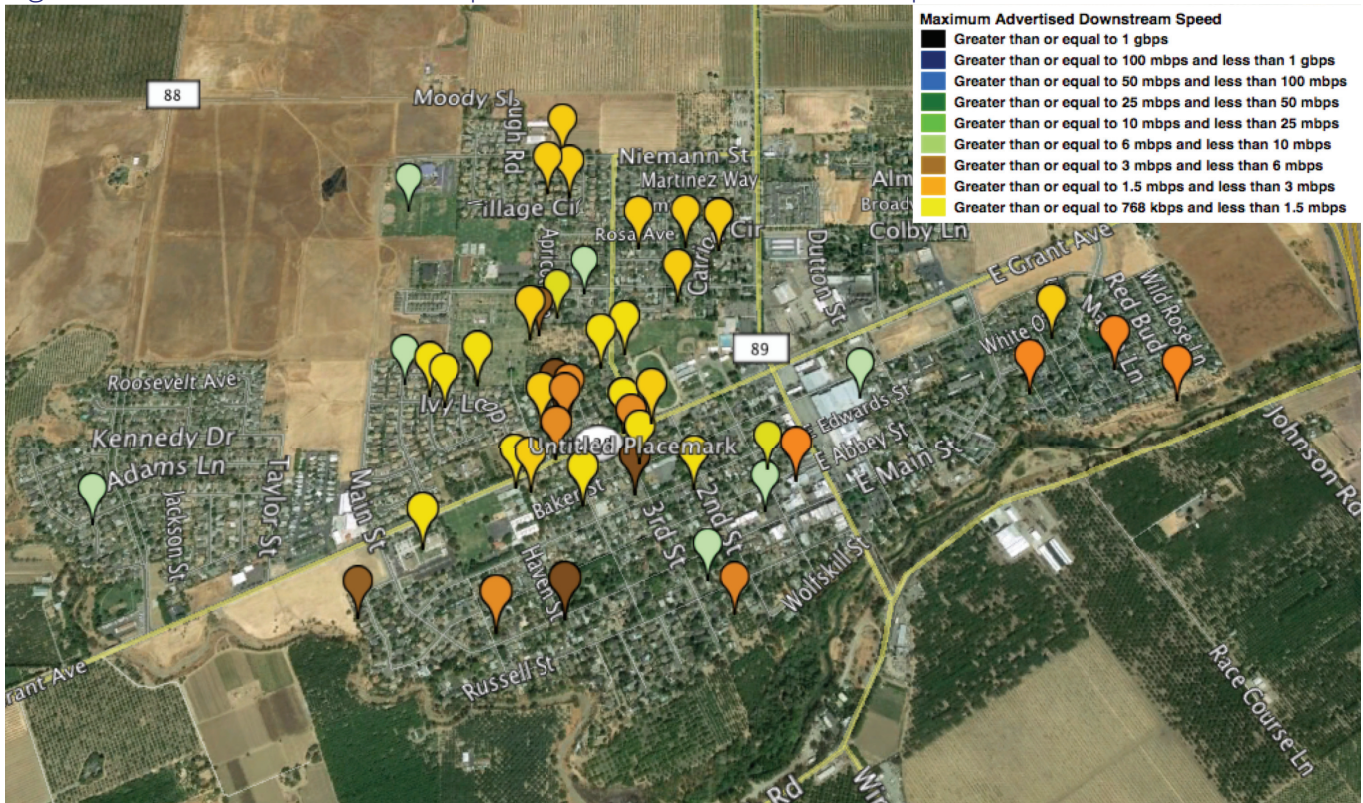


Figure 7.3: Residential Wireline Speed Test Results (Download Speeds)



## B. Business

Local businesses in Winters suffer from many of the same issues as residential users. The same DSL and cable infrastructure is utilized to provide business services in Winters as residential services. Service is not consistent across the city and businesses reported particular issues getting reliable service in the downtown corridor along Grant Street. A few businesses reported utilizing T1 services, which provided more reliable connectivity, however prices for these services were extremely high. One business reported paying \$800 per month for a single T1, which provides only 1.5Meg of service. Unfortunately T1 was the only option available, apart from their current DSL service which provided them 3Meg download and 768Kbp upload at \$79.99 per month. They reported that the DSL was not reliable enough to sustain their business and were forced to upgrade. Only 10% of businesses reported download speeds above 10 Meg and only 2% reported upload speeds above 10 Meg. Some 65% reported that their services were not reliable and 64% reported that their services were not fast enough.

Winters business face significant challenges in receiving consistent, reliable broadband service. Although most businesses are small and may not be large consumers of bandwidth, they do require broadband services that enable them to reliably use online business applications, videoconferencing, cloud applications and security monitoring. At the current service levels, Winters' businesses will fall farther behind the curve as new online applications are made available that unfortunately, Winters' businesses will not be able to take advantage of, due to their insufficient broadband.

For the City's economic development goals, the current state of broadband in Winters makes it particularly difficult to attract new businesses to the area. A business that wants reliable service may pay upwards of \$1,000 per month for this access in Winters. For small and medium businesses, this cost is prohibitive, particularly when businesses can locate in other communities and pay less than half of this amount for significantly faster services. Therefore, Winters must make positive strides forward to improve the availability and affordability of business broadband services in the city. Doing so will allow the City to utilize local broadband as a tool to attract more businesses to the city and reduce the costs for its current businesses.

PG&E will be building a significant training facility in Winters to train staff on operations of gas facilities and construction, approximately 100,000 sq. feet. It will be the largest gas training facility in the US. The training facility will require significant broadband services to conduct broadcast, distance learning and other data intensive applications. PG&E has already held initial discussions with broadband providers in the area to ensure fiber services are available. Providers have indicated that they can meet these needs, however; no pricing information was shared for these services. Due to PG&E's size, it is likely that they will procure whatever services are required to meet the needs of the training facility. The City could potentially partner with PG&E to bring connectivity into the new facility in a joint construction project between the two organizations. It would positively impact the City by expanding local conduit and fiber infrastructure along the route to the PG&E facility.



Comments from Businesses in Winters:

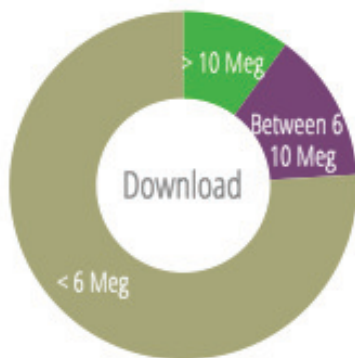
*Agricultural Business – “On the edge of town, we use an unreliable DSL line and a wireless modem as backup when it is down”*

*Law Firm – “When the cable is down, our phones are down which means no billing for our staff”*

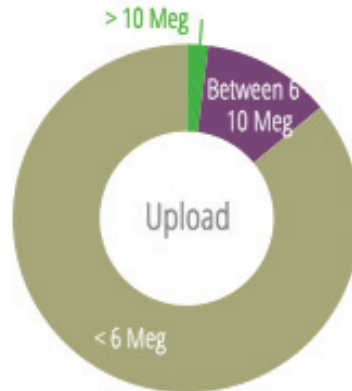
*Local Restaurant – “We would like to provide WiFi to patrons but can’t run this and credit card machine simultaneously with our current Internet service”*

## Business Broadband Services - Winters Survey Data

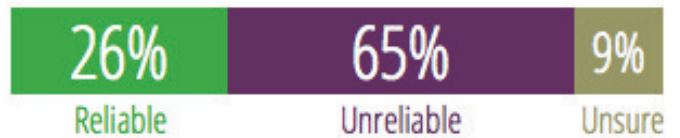
Business Broadband Download Speed Test Results



Business Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services



Why Haven't Businesses Upgraded



## C. Community Anchors

### Education

The Winters Unified School District has received some important technology upgrades recently, including new computers and technology-based teaching tools. These upgrades were provided as part of a Yocha Dehe Community Fund grant to the District. The District is planning to equip students with iPads that can be taken home to enable more self-study and computer-based learning opportunities. The District is also looking at the opportunities to integrate more cloud applications into its environment. These programs can only be successful with sufficient broadband capabilities, both within the School District's key sites and at the homes of students who are equipped with these technology tools.

Winters' Joint Unified School District currently maintains 10Mbps connectivity between schools in the area and 100Mbps to the Board of Education. For the District to take full advantage of these programs and technologies, upgrades to their existing services will be required. The School District should be planning its activities to significantly increase its speeds to schools and its centralized connection to the Board of Education. The District should be planning for 100Mbps upgrades to its schools in the near term and evaluating the future needs for 1Gbps to every school (depending on the size of each school's student body).

The broadband access that students receive at home becomes an important issue for the School District and community, as students are equipped with take-home technologies such as iPads. Although students may have sufficient broadband and wireless access in the classroom, many will not have sufficient access at home to make these technologies truly effective. Two key issues emerge. First, residential broadband speeds are not evenly distributed throughout Winters. Some neighborhoods are better served than others. In neighborhoods with older infrastructure or that have not been upgraded by providers, broadband speed and reliability will be a challenge to students using these technologies.

Second, the technologies that are enabled in students' homes pose challenges for technology-based learning. Without wireless connections in the homes, students will not be able to take advantage of their technology tools. Homes must be equipped with basic wireless access to ensure that students are able to utilize the tools provided by the School District. A wireless router is needed in every home where a student uses an iPad. In these cases, the household may not have the technical skills to install a wireless router or may not be able to afford one. In some cases, wireless routers can be provided with the household's broadband service; however it is usually at an additional cost and requires the technical skills for installation. Today, students in Winters huddle around the library afterhours to take advantage of its WiFi connectivity. In many cases, this is the fastest broadband that students can receive in the community. This is symptomatic of the issues described above and if they are not mitigated, the School District's technology-based learning programs will not be fully realized in the community.

## Healthcare

Winters healthcare organizations reported significant broadband issues. Winters Health Foundation has encountered serious connectivity issues across their three locations in the city. When their Internet is disrupted, they cannot treat patients. All of their patient records are cloud-based, so whenever the Internet is down, they are disconnected from these systems. In addition, they have been trying to establish connectivity with California Telehealth Network to expand their access to telehealth services but local infrastructure in the area will only support T1 connectivity. T1 service is extremely expensive and provides minimal bandwidth. Unfortunately, no other options exist in the local area; DSL and cable services cannot currently be connected to CTN's network.

The Foundation has recently upgraded their service in the downtown locations, which provides more stable connectivity between their offices. However, they are paying \$800/month for this connectivity, which is extremely high given the low speed of these connections and the close proximity of their offices to one another. Several doctors' offices have also reported local connectivity issues that impact their practices. Two offices reported that they were only able to receive the lowest speed DSL services, 1.5Meg download and 768K upload and these services were currently insufficient to run their web-based applications.

## Local Government

There are many options for Winters to consider in its approach to promoting broadband development in the city. Within the city boundary, the grid of homes and businesses is relatively small in geographic area that may positively benefit broadband development in the city. The City should consider the various options for development of local broadband, which include using broadband-friendly policy tools to reduce the cost of broadband construction, streamlining permitting processes and potentially building a community broadband network to serve the needs of residents, businesses and community anchors.

In all cases, it is important for the City to develop strategic partnerships with local broadband providers in effort to expand broadband in ways that mutually benefit Winters' stakeholders and the providers. Being a small city with a large underserved component, Winters may have a good opportunity to capture federal or state grant funding for expansion of local broadband infrastructure. These grant programs provide funding for service providers and public organizations to build next-generation broadband infrastructure in their communities. In addition, Winters should partner with Yolo's other public organizations, namely Yolo County to plan infrastructure improvements that mutually benefit one another. Some sites for consideration include the Winters Community Library and the Health and Human Services Center.

## D. Strategies & Action Items

**Recommendation 1:** Conduct a study to determine the feasibility of constructing a citywide broadband network that can serve the needs of Winters' residents, businesses and community anchors. The feasibility study should:

- a) Determine the physical network required to serve the City's needs;
- b) Identify the best business model for Winters to utilize to meet the broadband needs of the community, retail, wholesale or infrastructure-only;
- c) Incorporate the broadband needs of other public agencies that have offices in Winters into the study;
- d) Determine the role local service providers will play in the development of this network, including potential public-private partnerships;
- e) Assess the financial feasibility and funding requirements for the network, including potential federal and State grant opportunities; and,
- f) Develop an action plan and timeline for buildout of the network.

**Timing:** The City should consider conducting the feasibility study within the next 12 months and implement any action plan per its timelines.

**Recommendation 2:** To improve local broadband conditions, the City needs to help key community anchors get the broadband services they need, by:

- a) Focusing on community anchors described in the Winters Community Profile that are currently not receiving adequate broadband service;
- b) Developing a broadband construction fund (via Development Impact Fees or other mechanism) that will allow the City to jointly fund construction of broadband infrastructure to these anchors, in cooperation with local service providers;
  - i) Finance the upfront costs for "last mile" connection fees to get community anchors the services they need; and,
  - ii) Work with local providers to jointly build this infrastructure and ensure that the City maintains rights to install additional conduit and fiber-optic cable in these projects.

**Timing:** Ongoing until broadband has been extended throughout the community.

### Common Action Items

**Recommendation 3:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the City's specific needs and adopt them into local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the City's Development Impact Fee program and the City's Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the City builds out its network, maintaining broadband infrastructure in the City's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The City should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 4:** Coordinate with other agencies with facilities in the City (i.e. WJUSD, Yolo County, Yolo County Housing, Yolo County Office of Education, PG&E, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The City should develop these collaborative programs with other public agencies over the next 3 months.

# 8. Broadband Community Profiles

## Yolo County

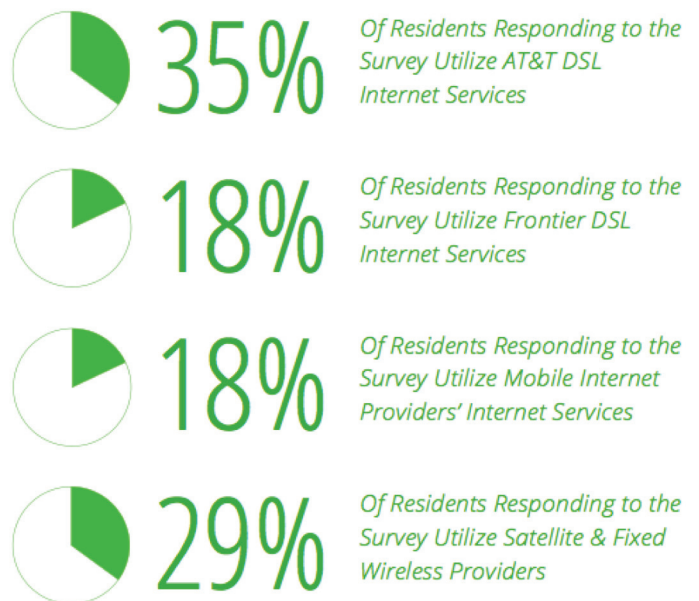


### A. Residential

The residential broadband market in unincorporated Yolo is served by multiple wireline providers including AT&T of California, Comcast, Omsoft, Frontier, and Verizon in addition to a few resellers of wireline providers in the area. Fixed wireless providers also have coverage in unincorporated Yolo including AFES, Winters Broadband, and DigitalPath. There is more penetration of satellite and 3G/4G mobile wireless broadband in unincorporated Yolo due to its rural geography and lack of wireline infrastructure.

Within the residential survey, 114 unique responses were received from residents in Yolo, including the communities of Clarksburg, El Macero, Esparto, Knight’s Landing, Yolo, Zamora, and the unincorporated County. Fifty-three percent of the respondents utilized either AT&T or Frontier DSL for their broadband services. Forty-seven percent utilized fixed wireless, mobile, and satellite providers. From the research conducted, wireline residential broadband services are provided via copper infrastructure either on cable or DSL systems. Esparto reported that a local cable company served its community that provides local cable and broadband services to residents. Wireless services are provided through terrestrial fixed wireless systems and 3G and 4G mobile wireless carriers<sup>17</sup>.

Broadband Internet download and upload speeds reported by the majority of residents surveyed were commensurate with DSL, mobile broadband, and fixed wireless services in the region, however; speeds reported were significantly lower than in any of the cities in Yolo County. Samples were collected from residential broadband subscribers across unincorporated Yolo. Only 5% of respondents



<sup>17</sup> AT&T Mobility, Verizon Wireless, T-Mobile, MetroPCS and Sprint

reported download speeds greater than 10Meg. Some 85% of respondents reported download speeds less than 6Meg. Upload speeds were considerably slower than in any of the cities in Yolo County. Respondents reported dissatisfaction with the speed and reliability of their broadband Internet services, citing many issues with the reliability and consistency of their Internet connections at home. A total of 85% reported their services were unreliable and 79% reported that their services were not fast enough.

Measuring the pricing for services against the speeds of services that residents received indicated that there was a direct correlation between the price paid for services and the amount of bandwidth ("speed") received by residents. Residents appear to be paying the same prices for their services as in other communities in Yolo County but getting significantly less bandwidth. The chart below illustrates the price of services respondents in unincorporated Yolo County pay and the realized download and upload speeds for these services. It is important to note that the speeds reported are actual recorded speeds that may be different from the speeds residents buy from service providers in the area. In general, DSL, wireless, and cable broadband services are sold with speed increments that define a maximum speed for the service such as "Up to 10 megabits down and up to 1.5 megabits up." Actual speeds vary depending on the physical location of the service and how many subscribers are concurrently on the system. The "maximum advertised speed" should not be construed to mean a sustained maximum but instead the top speed of the service which may be considerably lower over long periods of time.

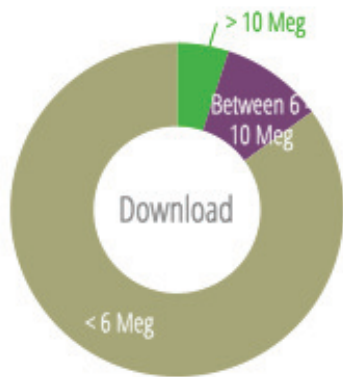
There are several critically underserved residential communities in unincorporated Yolo County. These communities generally have no broadband services available apart from fixed wireless and 3G/4G. In many cases, these services are intermittent in many of the communities, with significant reliability issues cited by residents responding to the survey.

Only a handful of these communities were targeted as "Priority Areas" in the California Advanced Services Fund ("CASF") as strong candidates to receive funding under this State grant program. These Priority Areas were determined on short notice by the CPUC based on data available at the time. The CASF fund would identify improvements to local broadband infrastructure that could enhance these areas with sufficient wireline and wireless broadband infrastructure. LAFCo, in conjunction with Valley Vision submitted these Priority Areas to the California Public Utilities Commission ("CPUC") to bring visibility to the most needy communities in Yolo County. A summary of these areas is provided on the following pages. In addition, Yolo's other rural and unincorporated communities are included in this Plan to identify other focus areas for future broadband development.

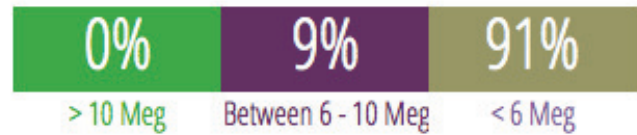
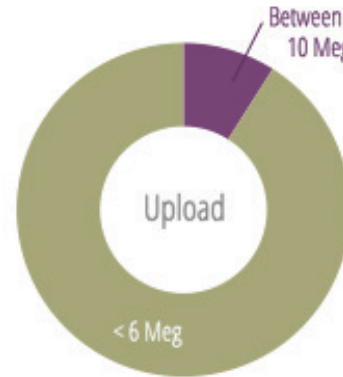


# Residential Broadband Services - Yolo County Survey Data

Residential Broadband Download Speed Test Results



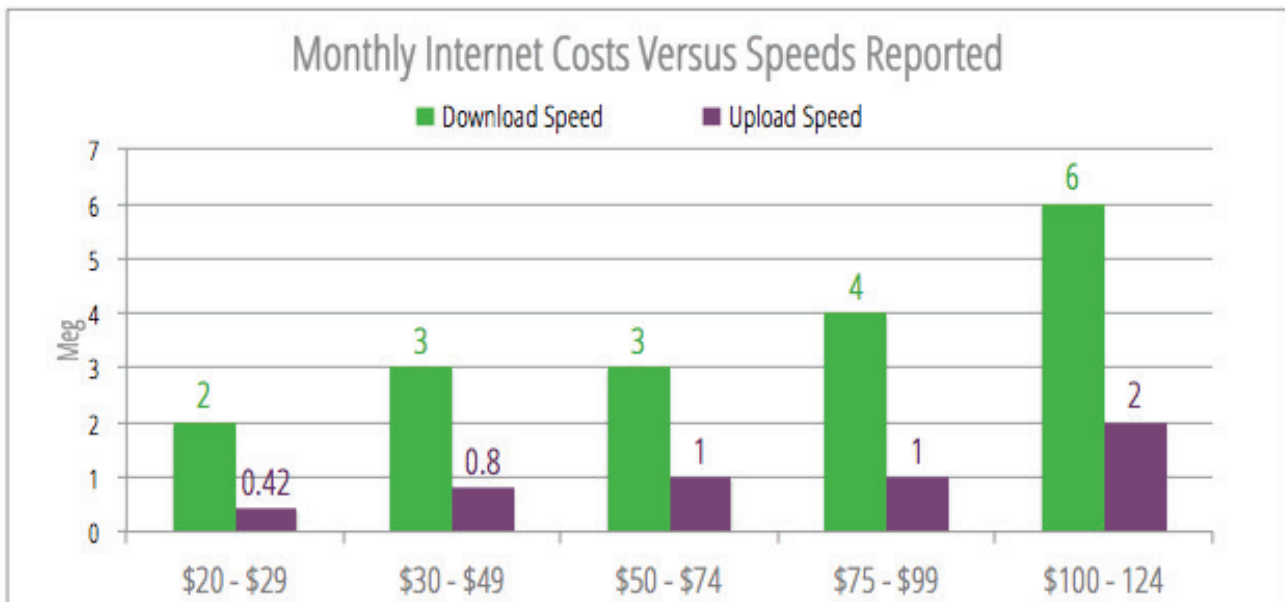
Residential Broadband Upload Speed Test Results



Reliability of Current Broadband Services



Speed of Current Broadband Services



The charts below identify communities in unincorporated Yolo County that are underserved, unserved or rural. These communities are sorted by unserved first (in red), followed by underserved (in yellow), followed by served (in green).

Figure 8.1: Critically Unserved Communities in Yolo County

Unincorporated Community	# of House holds	Anchors	CPUC Designation	CPUC Reported Broadband Availability	CPUC Reported Providers	Technology Type	Summary of Speeds Reported
Binning Farms	50	none	Unserved	6-10 down, 6-10 up 6-10 down, 768-1.5 up 6-10 down, 768-1.5 up	DigitalPath, Inc. Winters Broadband AT&T	Fixed Wireless Fixed Wireless DSL	None available
Dunnigan	558	Fire Station Water District	Underserved and unserved	6-10 down, 768 – 1.5 up, inconsistent data in CPUC maps	Succeed.net AT&T (Limited)	Fixed Wireless DSL (limited)	Maximum speed 5 meg down, 1 meg up
Knights Landing	343	Library Fire Station Sci-Tech Academy (K-6 charter) Community Services District	Unserved	6-10 down, 768-1.5 up 6-10 down, 6-10 up inconsistent data in CPUC maps	DigitalPath, Inc AFES	Fixed Wireless DSL (limited)	Maximum speed 3.6 meg down, .5 meg up
North Davis Meadows	95	none	Underserved	6-10 down, 768-1.5 up 6-10 down, 768-1.5 up	DigitalPath, Inc Winters Broadband AT&T	Fixed Wireless Fixed Wireless DSL (limited)	None available
Zamora	14	Fire Station	Unserved	6-10down, 768-1.5 up	DigitalPath	Fixed wireless	None available
Yolo	165	Library Fire Station Cache Creek HS (continuation) Community Services District	Unserved and Underserved	6-10 down, 768-1.5 up 768-1.5 down, 200-768 up	DigitalPath, Inc AT&T (Limited)	Fixed Wireless DSL (limited area)	Maximum speed 4.5 meg down, 1.2 meg up

Figure 8.2: Critically Underserved Communities in Yolo County

Unincorporated Community	# of House holds	Anchors	CPUC Designation	CPUC Reported Broadband Availability	CPUC Reported Providers	Technology Type	Summary of Speeds Reported
Clarksburg	182	Fire Station Library Delta K-6 School (Charter) Clarksburg Middle School Delta High School	Served, small segment of unserved	6-10 down, 768-1.5 up	Frontier	DSL	Maximum speed 3.15 meg down, .6 meg up
El Macero	351	none	Served and unserved	10-25 down, 10-25 up	Succeed,net AT&T DigitalPath	DSL Fixed Wireless Fixed Wireless	Maximum speed 6 meg down, .9 meg up
Esparto	905	Community Services District Fire Station Library Esparto K-8 school Esparto High School	Underserved, small segment of Unserved	10-25 down, 10-25 up	AT&T	Fixed Wireless DSL Fixed wireless	Maximum speed 11.26 meg down, 1.7 meg up
Monument Hills	150	none	underserved	6-10 down, 768-1.5 up	AT&T DigitalPath ,Inc	DSL Fixed Wireless	None available
Patwin Road (outside Davis)	32	none	Unserved and Underserved	6-10 down, 768-1.5 up 768-1.5 down, 200-768 up	DigitalPath Winters BB AT&T	Fixed Wireless Fixed Wireless DSL	None available
Royal Oak	120	None (Mobile home park)	underserved	10-25 down, 768-1.5up	AT&T	DSL	Maximum 3.32 meg down, .5 meg up
West Plainfield/Airport	50	Fire Station Plainfield Elementary School Yolo County Airport	Unserved and Underserved	6-10 down, 768-1.5 up 3-6 down, 768-1.5 up 3-6 down, 200-768 up	DigitalPath Winters BB AT&T	Fixed Wireless DSL	None available
Willow Oak (outside Woodland)	40	Elementary School Fire Station	Underserved	6-10 down,768-1.5 up 1.5-3 down, 200-768 up	Digital Path AT&T	Fixed wireless DSL	None available

Figure 8.3: Other Rural Communities in Yolo County

Unincorporated Community	# of House holds	Anchors	CPUC Designation	CPUC Reported Broadband Availability	CPUC Reported Providers	Technology Type	Summary of Speeds Reported
Guinda	40	Fire Station	Served	10-25 down, 1.5-3 up	Frontier	DSL	None available
Capay	25	none	Served	10-25 down, 1.5-3 up	Frontier AT&T Various fixed wireless	DSL DSL Fixed Wireless	None available
Rumsey	15	None	Served and unserved	10-25 down, 1.5-3 up	Frontier	DSL	Maximum 26 Meg down, 1 meg up
West Kentucky	22	none	Served	10-25 down, 3-6 up	AT&T	DSL	None available
Madison	137	High School (Continuation) Fire Station Post Office Community Services District	Served and unserved	25-50 down, 6-10 up	AT&T	DSL	Maximum 5.01 meg down, .5 meg up
El Rio Villa	40	Owned by Housing Authority (falls under SB 1299)					None reported

## B. Business & Agriculture

A few businesses reported on their broadband services in unincorporated Yolo County. These businesses were generally from the agricultural and farming community. Due to a lack of formal reporting, it was necessary to utilize anecdotal information when trying to understand the state of broadband for these rural organizations. The reports received detailed significant wireline connectivity issues in the small towns across the County, particularly in Knight's Landing, Esparto, and Clarksburg. They cited the lack of any wireline options that provided an adequate service for them and had adopted 3G/4G wireless as their only alternative that was fast enough for their needs.

Agricultural businesses in particular cited the use of wireless technologies as the only options for their connectivity needs. In these cases, they too utilized 3G/4G wireless options as well as fixed wireless solutions from providers such as AFES, DigitalPath, and Winters Broadband. Several agricultural businesses cited the growing need for broadband services as critical to managing their businesses. The need for broadband extends to agricultural areas to support traditional and organic farms to monitor crop rotation within fields, saturation of fertilizer content, and distribution of water across farms. The concept of the "Smart Farm" enables farms to monitor and manage resources electronically to improve overall productivity and yield. A network of sensors connected within the fields allows them to collect key data but, these organizations need next-generation broadband to upload that data to the Internet and connect with suppliers, researchers, and fellow farmers. As an important agricultural and seed tech center, Yolo County must find ways to enable next-generation broadband in some of the most rural areas of the community. Doing so will require unique approaches to making broadband infrastructure available in places where it is generally most difficult to achieve.

### *Comments from Businesses in Yolo County:*

*Guinda Farm – "We have a warehouse and multiple work from home locations so it is critical for our workflow"*

*Guinda Local Business – "Frustrated by the lack of reliability and speed in our local services"*

*Capay Farm – "Mobile connectivity is the only option in our location; we have to use two to get the reliability we need"*

Yolo County has also been planning the development of the designated commercial areas around the Yolo County Airport to expand local economic development opportunities. The Airport is located in an area northeast of Davis that is not well served by commercial broadband services and this may become an obstacle to businesses looking to locate at or near the Airport.

## C. Community Anchors

### Education

Educational organizations across unincorporated Yolo County report varying degrees of need for broadband services. Many schools are located in unincorporated communities such as Brooks, Clarksburg, Esparto, Knights Landing, Monument Hills, Plainfield, Willow Oak and Yolo. Some communities are better connected than others. For example, some schools in Esparto are connected to fiber provided by a local provider and maintain high-speed connections back to the Board of Education where they receive centralized services. Others utilize T1 and DSL services because fiber options are not available or affordable to them. As online education grows for school districts, the importance of their broadband services becomes even more important to deliver a blended curriculum to their students. As new testing requirements from California's Common Core State Standards take effect this year, districts will rely on their broadband connectivity for more advanced online testing programs; therefore, the long-term broadband needs of Yolo County's schools should be considered a critical component of local broadband development. Rural schools with basic broadband infrastructure should plan for upgrades in their broadband services to ensure they have the capabilities to meet state standards. In some of Yolo's rural communities, it is questionable whether these services are even available in the local community.

A second broadband challenge that faces education and the general community is the discrepancy that exists between students' access to broadband services at school versus at home. In many cases, schools are equipped with the necessary broadband to allow students to take advantage of all online opportunities. One of the primary issues is however, when these students go home, many residents in these communities do not have sufficient broadband access or cannot afford it. The result is that students have different educational experiences depending on where they live. Students in rural communities may have high-speed access at school but have only dial-up or satellite Internet at home whereas in urban communities residents have faster Internet at more affordable rates. This creates an equality issue that impairs students that live in rural communities.

*Teen in Yolo using the Library's WiFi afterhours to get online*



### Healthcare

Healthcare organizations in unincorporated Yolo County have a mix of broadband services that use DSL, cable, or T1 connectivity. Several healthcare providers interconnect with the California Telehealth Network ("CTN") for telehealth and other electronic health services. These organizations are currently using T1 connectivity that is marginally sufficient for their needs. The Knight's Landing Health Clinic reported basic using basic DSL services that were constantly down, resulting in their inability to access

online health applications that supported patient care. As telehealth applications grow, these organizations will require upgrades to higher speeds to take advantage of many new offerings provided by CTN. Healthcare providers also need access to next-generation broadband to ensure they are equipped for electronic medical records, distance viewing, and virtual physician visits.

## Local Government

A key issue facing Yolo County government is its reliance on the Comcast I-Net fiber that is part of the Franchise Agreement between Comcast and the City of Davis. The County maintains 2 sites that are connected to the I-Net fiber and an interconnection to UC Davis that also utilizes I-Net fiber (3 connections total). If the City of Davis is unsuccessful in renewing the free use of the I-Net fiber, it will force the County to either begin paying for this connectivity or procure new connectivity from another provider in the area. The potential cost to the County could be significant and ongoing, for which the County would need to allocate a budget.

Yolo County maintains an existing fiber and conduit network that interconnects its offices through West Sacramento, Woodland, and Davis. The network provides connectivity for Yolo County and related offices. The network is currently linear but has the potential to interconnect West Sacramento to Davis directly that would “close the ring” and provide a fully redundant fiber network between the three cities. The network currently provides 1Gbps between County sites, which will be upgraded in the future to 10Gbps. The network has varied fiber counts of 12, 24, 36, and 48-count cable across different segments. The County has expressed desire in expanding the network to provide additional connectivity to new facilities. Cities have also expressed interest in using County network resources for their own applications. Local broadband providers have even approached the County to discuss utilizing the network.

Expansion of this network through collaboration with other stakeholders could become an important strategy to expand the availability of broadband infrastructure in Yolo County. The network could be utilized to provide valuable interconnection between cities in Yolo County to support municipal functions such as emergency operations, data sharing, and collaboration. It may also provide an opportunity to aggregate local government demand for Internet, voice, and other technology services that would allow these organizations to procure greater volumes of services to reduce overall costs for all Yolo government organizations. This could include connecting the school districts, healthcare providers, municipal organizations, and public safety agencies to a common network. In many cases, these networks have been found to save millions annual in taxpayer dollars. In addition, Yolo County Housing has expressed desire to expand the wireless services available at its facilities, equipping public housing with WiFi to expand residents’ access to online resources. Yolo Housing Authority has also expressed interest in applying for grant funding to outfit its facilities with these wireless capabilities.

This network could also become a platform to expand broadband availability to cities, rural communities, and agricultural areas in parts of Yolo County. The network is in close proximity to many commercial districts in Woodland, West Sacramento, and Davis. It also passes areas outside of each city boundary that are not well served by existing broadband providers. In these cases, it could be

utilized as a backbone for new deployments of fiber within each city and a backhaul network to connect the three cities to one another. Furthermore, it passes rural areas that may present opportunities to interconnect with farms and agricultural businesses, which today have no other options beyond satellite and 3G wireless connections in most cases.

Evaluation of the network's capabilities will be required to better understand the feasibility of utilizing such an asset for these purposes. The network does not have a surplus of capacity and the County will need to analyze how much available capacity could be utilized. In addition, some segments of the fiber are direct buried versus placed in conduit. This poses additional challenges in accessing fiber strands within these segments. The recommendations section of this Community Profile lays out the important steps the County should take to determine the feasibility of using this asset.

## The Yoche Dehe Wintun Nation

The Yoche Dehe Wintun Nation maintains significant connectivity to its Cache Creek Casino facility to support the data needs of the casino and resort. Tribal members living on the reservation also maintain broadband access to their homes; however, this service is not tied directly to the casino itself. Although high-speed connectivity currently terminates at the Casino, this line may provide a future "jumping off point" to equip other communities surrounding the Casino with upgrades to existing broadband that services residential communities in Esparto, Guinda and agricultural users within the Capay Valley. The Yoche Dehe Wintun Nation and Yolo County should work together to identify where mutual needs exist to support each other's communities with enhanced broadband services, to support public safety, emergency management and fire department coordination between the organizations.



## D. Strategies & Action Items

**Recommendation 1:** The County should continue to develop its broadband infrastructure to reduce internal costs, expand capabilities and protect against future cost increases by:

- a) Developing a GIS-based map that identifies the County locations that should be interconnected including the County's current infrastructure;
- b) Installing conduit with all public projects;
- c) Expanding the County's capability in negotiating agreements for private providers to utilize the County's infrastructure for public benefit; and
- d) Coordinating with other local public agencies (i.e. cities, school districts, UC Davis, YCTD, Yolo County Housing, YCFCWCD, Yolo County Office of Education, etc.) as potential users of the County's infrastructure.

**Timing:** The County should begin the process of identifying areas for direct and joint investment in broadband infrastructure with other public agencies over the next 12 months.

**Recommendation 2:** The County needs to develop additional broadband infrastructure in cooperation with cities, other local agencies and local broadband providers by:

- a) Working with each County and other public agencies to build a map of locations where these organizations jointly need broadband connectivity by:
  - i) Developing a GIS-based map illustrating these locations by utilizing the existing Yolo GIS Cooperative;
  - ii) Incorporating County and County CIP projects onto this map to identify the companion projects and joint build opportunities;
  - iii) Sharing maps and data between organizations; and
  - iv) Making sure the maps are updated at least annually.
- b) Coordinating with broadband providers on specific broadband infrastructure projects in communities described in the Critical Unserved and Underserved Communities in Yolo County's Community Profile:
  - i) Identifying infrastructure routes that the County needs;
  - ii) Identifying infrastructure routes that the broadband providers need;
  - iii) Sharing information between organizations for joint build opportunities;
  - iv) Developing a joint build agreement with local broadband providers that allows each organization to install their own broadband infrastructure in these projects; and,

- v) Identifying resources that would be available to fund these projects, including internal County funds and/or available grant or loan programs as described in Recommendation 3.
- c) Coordinating with public agencies and private broadband providers to use broadband infrastructure, towers and other resources to expand wireless coverage into agricultural areas, by
  - i) Working with broadband wireless providers to make access available to County-owned tower infrastructure, ground space at the base of towers and rooftops, ensuring compliance with legislative and security requirements governing access to these resources;
  - ii) Collaborating with other agencies with physical assets in the rural areas such as Yolo County Flood Control and Water Conservation District, Yolo County Transportation District, Yolo County Housing and UC Davis to leverage joint opportunities to expand wireless access in the rural areas of the county;
  - iii) Developing agreements for lease or in-kind exchange of these County-owned assets by broadband wireless providers; and
  - iv) Where feasible, interconnecting County-owned fiber-optic networks with these assets to provide fiber backhaul to broadband wireless providers.
- d) Developing agreements with each County and broadband providers for joint use of broadband infrastructure by:
  - i)
  - ii) Strengthening the current MOU to include joint use agreements that allow sharing of infrastructure between the County and the cities;
  - iii) Actively marketing and identifying opportunities to expand infrastructure with broadband providers.

**Timing:** The County should accelerate the process of coordinating with other public agencies and broadband providers over the next 12 months and identify opportunities to leverage public broadband infrastructure continuously as a County-level initiative.

**Recommendation 3:** Target specific State and federal grant and loan programs that will provide funding for Yolo County's unserved and underserved communities by

- a) Through the Tactical Plan, designating a resource at the County that will develop, apply for and manage broadband grants;
- b) Building on the initial grant analysis completed in this Plan for the County to pursue CASF funding (and other programs defined in Appendix D) for these communities;
- c) Developing relationships with broadband providers that define how grant funds will be received and managed and how broadband services will be provided to these communities; and,

- d) Applying for CASF grant funding to expand wireless and broadband services is Yolo County Public Housing facilities;

**Timing:** The County should immediately identify an internal resource to manage the broadband grant efforts on behalf of the County.

### Common Action Items

**Recommendation 4:** Adopt General Plan policies that incorporate broadband as a public utility and create a policy framework to promote its deployment in public and private projects as appropriate. This includes:

- a) Tailoring the sample policies and standards (included in the appendix) to the County's specific needs and adopt them into the Tactical Plan, local policy, codes and standards (including policies, dig-once, joint trenching, engineering standards, etc.);
- b) Incorporating broadband in the County's Development Impact Fee program and Capital Improvement Plan (CIP) as appropriate and make a commitment to fund broadband infrastructure;
- c) Identifying opportunities to install broadband infrastructure in conjunction with public and private construction projects as appropriate;
- d) Developing a process so that Planning and Public Works coordinate with IT to identify projects that could install this infrastructure at reduced costs;
- e) As the County builds out its network, maintaining broadband infrastructure in the County's GIS system, requiring GIS-based as-builts and implement any other means for accurate documentation;
- f) Evaluating ways to streamline the broadband permitting processes within public rights of way to ensure broadband providers do not face unnecessary obstacles to building infrastructure; and
- g) Evaluating fees levied to broadband providers for constructing broadband infrastructure to ensure they do not discourage broadband investment.

**Timing:** The County should adopt General Plan policies and implementing codes and standards over the next 12 months. Implementation should be ongoing.

**Recommendation 5:** Coordinate with other agencies with facilities in the County (i.e. cities, school districts, UC Davis, YCTD, Yolo County Housing, YCFWCWD, Yolo County Office of Education, etc.) on a regular basis to leverage opportunities to reduce broadband construction costs by:

- a) Reviving the regular Utility Coordination Meeting attended by the cities/County (and potentially add the public agencies listed above) to facilitate the long-term planning of broadband infrastructure; and
- b) Coordinating on a regular basis to identify opportunities for joint construction, use and broadband infrastructure sharing between local agencies to lower costs and maximize public benefit.

**Timing:** The County should develop these collaborative programs with other public agencies over the next 3 months.

## 9. Appendix A: Glossary of Terms

3G – Third Generation	The third generation of mobile broadband technology, used by smart phones, tablets, and other mobile devices to access the web.
4G – Fourth Generation	The fourth generation of mobile broadband technology, used by smart phones, tablets, and other mobile devices to access the web.
ADSL – Asymmetric Digital Subscriber Line	DSL service with a larger portion of the capacity devoted to download communications, less to upload. Typically thought of as a residential service.
ADSS – All-Dielectric Self-Supporting	A type of optical fiber cable that contains no conductive metal elements.
AMR/AMI – Automatic Meter Reading/Advanced Metering Infrastructure	Electrical meters that measure more than simple consumption and an associated communication network to report the measurements.
ATM – Asynchronous Transfer Mode	A data service offering that can be used for interconnection of customer’s LAN. ATM provides service from 1 Mbps to 145 Mbps utilizing Cell Relay Packets.
Bandwidth	The amount of data transmitted in a given amount of time; usually measured in bits per second, kilobits per second (kbps), and Megabits per second (Mbps).
Bit	A single unit of data, either a one or a zero. In the world of broadband, bits are used to refer to the amount of transmitted data. A kilobit (Kb) is approximately 1,000 bits. A Megabit (Mb) is approximately 1,000,000 bits. There are 8 bits in a byte (which is the unit used to measure storage space), therefore a 1 Mbps connection takes about 8 seconds to transfer 1 megabyte of data (about the size of a typical digital camera photo).
BPL – Broadband over Powerline	A technology that provides broadband service over existing electrical power lines.
BPON – Broadband Passive Optical Network	BPON is a point-to-multipoint fiber-lean architecture network system which uses passive splitters to deliver signals to multiple users. Instead of running a separate strand of fiber from the CO to every customer, BPON uses a single strand of fiber to serve up to 32 subscribers.
Broadband	A descriptive term for evolving digital technologies that provide consumers with integrated access to voice, high-speed data service, video-demand services, and interactive delivery services (e.g. DSL, Cable Internet).
CAD – Computer Aided Design	The use of computer systems to assist in the creation, modification, analysis, or optimization of a design.
CAI – Community Anchor Institute	Community anchor institutions (CAIs, sometimes called anchor institutions) are usually non-profit organizations that often provide essential services to the public. Universities, colleges, community colleges, K12 schools, libraries, health care facilities, social service providers, government and municipal offices are all community

	anchor institutions.
CAP – Competitive Access Provider	(or “Bypass Carrier”) A Company that provides network links between the customer and the Inter-Exchange Carrier or even directly to the Internet Service Provider. CAPs operate private networks independent of Local Exchange Carriers.
Cellular	A mobile communications system that uses a combination of radio transmission and conventional telephone switching to permit telephone communications to and from mobile users within a specified area.
CLEC – Competitive Local Exchange Carrier	Wireline service provider that is authorized under state and Federal rules to compete with ILECs to provide local telephone service. CLECs provide telephone services in one of three ways or a combination thereof: 1) by building or rebuilding telecommunications facilities of their own, 2) by leasing capacity from another local telephone company (typically an ILEC) and reselling it, and 3) by leasing discrete parts of the ILEC network referred to as UNEs.
CO – Central Office	A circuit switch where the phone lines in a geographical area come together, usually housed in a small building.
Coaxial Cable	A type of cable that can carry large amounts of bandwidth over long distances. Cable TV and cable modem service both utilize this technology.
CPE – Customer Premise Equipment	Any terminal and associated equipment located at a subscriber's premises and connected with a carrier's telecommunication channel at the demarcation point ("demarc").
CWDM – Coarse Wavelength Division Multiplexing	A technology similar to DWDM only utilizing less wavelengths in a more customer-facing application whereby less bandwidth is required per fiber.
Demarcation Point (demarc)	The point at which the public switched telephone network ends and connects with the customer's on-premises wiring.
Dial-Up	A technology that provides customers with access to the Internet over an existing telephone line.
DLEC – Data Local Exchange Carrier	DLECs deliver high-speed access to the Internet, not voice. Examples of DLECs include Covad, Northpoint and Rhythms.
Download	Data flowing from the Internet to a computer (Surfing the net, getting E-mail, downloading a file).
DSL – Digital Subscriber Line	The use of a copper telephone line to deliver “always on” broadband Internet service.
DSLAM – Digital Subscriber Line Access Multiplier	A piece of technology installed at a telephone company's Central Office (CO) and connects the carrier to the subscriber loop (and ultimately the customer's PC).

DWDM – Dense Wavelength Division Multiplexing	An optical technology used to increase bandwidth over existing fiber-optic networks. DWDM works by combining and transmitting multiple signals simultaneously at different wavelengths on the same fiber. In effect, one fiber is transformed into multiple virtual fibers.
E-Rate	A Federal program that provides subsidy for voice and data circuits as well as internal network connections to qualified schools and libraries. The subsidy is based on a percentage designated by the FCC.
EON – Ethernet Optical Network	The use of Ethernet LAN packets running over a fiber network.
EvDO – Evolution Data Only	EvDO is a wireless technology that provides data connections that are 10 times as fast as a traditional modem.
FCC – Federal Communications Commission	A Federal regulatory agency that is responsible for regulating interstate and international communications by radio, television, wire, satellite and cable in all 50 states, the District of Columbia, and U.S. territories.
FDH – Fiber Distribution Hub	A connection and distribution point for optical fiber cables.
FTTN – Fiber to the Neighborhood	A hybrid network architecture involving optical fiber from the carrier network, terminating in a neighborhood cabinet with converts the signal from optical to electrical.
FTTP – Fiber to the premise (or FTTP – Fiber to the building)	A fiber-optic system that connects directly from the carrier network to the user premises.
GIS – Geographic Information Systems	A system designed to capture, store, manipulate, analyze, manage, and present all types of geographical data.
GPON- Gigabit-Capable Passive Optical Network	Similar to BPON, GPON allows for greater bandwidth through the use of a faster approach (up to 2.5 Gbps in current products) than BPON.
GPS – Global Positioning System	a space-based satellite navigation system that provides location and time information in all weather conditions, anywhere on or near the Earth where there is an unobstructed line of sight to four or more GPS satellites.
GSM – Global System for Mobile Communications	This is the current radio/telephone standard developed in Europe and implemented globally except in Japan and South Korea.
HD – High Definition (Video)	Video of substantially higher resolution than standard definition.
HFC – Hybrid Fiber Coaxial	An outside plant distribution cabling concept employing both fiber-optic and coaxial cable.
ICT – Information and Communications Technology	Often used as an extended synonym for information technology (IT), but it is more specific term that stresses the role of unified communications and the integration of telecommunications, computers as well as necessary enterprise software, middleware, storage, and audio-visual systems, which enable users to access, store, transmit, and manipulate information.
IEEE – Institute of Electrical Engineers	A professional association headquartered in New York City that is dedicated to advancing technological innovation and excellence.
ILEC – Incumbent Local	The traditional wireline telephone service providers within defined

Exchange Carrier	geographic areas. Prior to 1996, ILECs operated as monopolies having exclusive right and responsibility for providing local and local toll telephone service within LATAs.
IP-VPN – Internet Protocol-Virtual Private Network	A software-defined network offering the appearance, functionality, and usefulness of a dedicated private network.
ISDN – Integrated Services Digital Network	An alternative method to simultaneously carry voice, data, and other traffic, using the switched telephone network.
ISP – Internet Service Provider	A company providing Internet access to consumers and businesses, acting as a bridge between customer (end-user) and infrastructure owners for dial-up, cable modem and DSL services.
ITS – Intelligent Traffic System	Advanced applications which, without embodying intelligence as such, aim to provide innovative services relating to different modes of transport and traffic management and enable various users to be better informed and make safer, more coordinated, and 'smarter' use of transport networks.
Kbps – Kilobits per second	1,000 bits per second. A measure of how fast data can be transmitted.
LAN – Local Area Network	A geographically localized network consisting of both hardware and software. The network can link workstations within a building or multiple computers with a single wireless Internet connection.
LATA – Local Access and Transport Areas	A geographic area within a divested Regional Bell Operating Company is permitted to offer exchange telecommunications and exchange access service. Calls between LATAs are often thought of as long distance service. Calls within a LATA (IntraLATA) typically include local and local toll services.
Local Loop	A generic term for the connection between the customer's premises (home, office, etc.) and the provider's serving central office. Historically, this has been a wire connection; however, wireless options are increasingly available for local loop capacity.
MAN – Metropolitan Area Network	A high-speed intra-city network that links multiple locations with a campus, city or LATA. A MAN typically extends as far as 30 miles.
Mbps – Megabits per second	1,000,000 bits per second. A measure of how fast data can be transmitted.
MPLS – Multiprotocol Label Switching	A mechanism in high-performance telecommunications networks that directs data from one network node to the next based on short path labels rather than long network addresses, avoiding complex lookups in a routing table.
ONT – Optical Network Terminal	Used to terminate the fiber-optic line, demultiplex the signal into its component parts (voice telephone, television, and Internet), and provide power to customer telephones.
Overbuilding	Building excess capacity. In this context, it involves investment in additional infrastructure projects to provide competition.
OVS – Open Video Systems	OVS is a new option for those looking to offer cable television service outside the current framework of traditional regulation. It would allow more flexibility in providing service by reducing the build out requirements of new carriers.



PON – Passive Optical Network	A Passive Optical Network consists of an optical line terminator located at the Central Office and a set of associated optical network terminals located at the customer’s premise. Between them lies the optical distribution network comprised of fibers and passive splitters or couplers. In a PON network, a single piece of fiber can be run from the serving exchange out to a subdivision or office park, and then individual fiber strands to each building or serving equipment can be split from the main fiber using passive splitters / couplers. This allows for an expensive piece of fiber cable from the exchange to the customer to be shared amongst many customers, thereby dramatically lowering the overall costs of deployment for fiber to the business (FTTB) or fiber to the home (FTTH) applications.
QOS – Quality of Service	QoS (Quality of Service) refers to a broad collection of networking technologies and techniques. The goal of QoS is to provide guarantees on the ability of a network to deliver predictable results. Elements of network performance within the scope of QoS often include availability (uptime), bandwidth (throughput), latency (delay), and error rate. QoS involves prioritization of network traffic.
RF – Radio Frequency	a rate of oscillation in the range of about 3 kHz to 300 GHz, which corresponds to the frequency of radio waves, and the alternating currents which carry radio signals.
Right-of-Way	A legal right of passage over land owned by another. Carriers and service providers must obtain right-of-way to dig trenches or plant poles for cable systems, and to place wireless antennae.
RMS – Resource Management System	A system used to track telecommunications assets.
RPR – Resilient Packet Ring	Also known as IEEE 802.17, is a protocol standard designed for the optimized transport of data traffic over optical fiber ring networks.
RUS – Rural Utility Service	A division of the United States Department of Agriculture, it promotes universal service in unserved and underserved areas of the country with grants, loans, and financing.
SCADA – Supervisory Control and Data Acquisition	A type of industrial control system (ICS). Industrial control systems are computer controlled systems that monitor and control industrial processes that exist in the physical world.
SNMP – Simple Network Management Protocol	An Internet-standard protocol for managing devices on IP networks.
SONET – Synchronous Optical Network	A family of fiber-optic transmission rates.
Steaming	Streamed data is any information/data that is delivered from a server to a host where the data represents information that must be delivered in real time. This could be video, audio, graphics, slide shows, web tours, combinations of these, or any other real time application.
Subscribership	Subscribership is how many customers have subscribed for a particular telecommunications service.
Switched Network	A domestic telecommunications network usually accessed by

	telephone, key telephone systems, private branch exchange trunks, and data arrangements.
T-1 – Trunk Level 1	A digital transmission link with a total signaling speed of 1.544 Mbps. It is a standard for digital transmission in North America.
T-3 – Trunk Level 3	28 T1 lines or 44.736 Mbps.
UNE – Unbundled Network Elements	Leased portions of a carrier's (typically an ILEC's) network used by another carrier to provide service to customers.
Universal Service	The idea of providing every home in the United States with basic telephone service.
Upload	Data flowing from your computer to the Internet (sending E-mail, uploading a file).
UPS – Uninterruptable Power Supply	An electrical apparatus that provides emergency power to a load when the input power source, typically main power, fails.
USAC – Universal Service Administrative Company	An independent American nonprofit corporation designated as the administrator of the Federal Universal Service Fund (USF) by the Federal Communications Commission.
VDSL – Very High Data Rate Digital Subscriber Line	A developing digital subscriber line (DSL) technology providing data transmission faster than ADSL over a single flat untwisted or twisted pair of copper wires (up to 52 Mbit/s download and 16 Mbit/s upload), and on coaxial cable (up to 85 Mbit/s down and upload); using the frequency band from 25 kHz to 12 MHz.
Video on Demand	A service that allows users to remotely choose a movie from a digital library whenever they like and be able to pause, fast-forward, and rewind their selection.
VLAN – Virtual Local Area Network	In computer networking, a single layer-2 network may be partitioned to create multiple distinct broadcast domains, which are mutually isolated so that packets can only pass between them via one or more routers; such a domain is referred to as a Virtual Local Area Network, Virtual LAN or VLAN.
VoIP – Voice over Internet Protocol	A technology that employs a data network (such as a broadband connection) to transmit voice conversations using Internet Protocol.
VPN – Virtual Private Network	A virtual private network (VPN) extends a private network across a public network, such as the Internet. It enables a computer to send and receive data across shared or public networks as if it were directly connected to the private network, while benefitting from the functionality, security and management policies of the private network. This is done by establishing a virtual point-to-point connection through the use of dedicated connections, encryption, or a combination of the two.
WAN – Wide Area Network	A network that covers a broad area (i.e., any telecommunications network that links across metropolitan, regional, or national boundaries) using private or public network transports.
WiFi	WiFi is a popular technology that allows an electronic device to exchange data or connect to the Internet wirelessly using radio waves. The Wi-Fi Alliance defines Wi-Fi as any "wireless local area network (WLAN) products that are based on the Institute of

	Electrical and Electronics Engineers' (IEEE) 802.11 standards".
WiMax	WiMax is a wireless technology that provides high-throughput broadband connections over long distances. WiMax can be used for a number of applications, including "last mile" broadband connections, hotspot and cellular backhaul, and high speed enterprise connectivity for businesses.
Wireless	Telephone service transmitted via cellular, PCS, satellite, or other technologies that do not require the telephone to be connected to a land-based line.
Wireless Internet	1) Internet applications and access using mobile devices such as cell phones and palm devices. 2) Broadband Internet service provided via wireless connection, such as satellite or tower transmitters.
Wireline	Service based on infrastructure on or near the ground, such as copper telephone wires or coaxial cable underground or on telephone poles.

# 10. Appendix B: Countywide Survey Results

## A. Residential Survey

### Residential Survey Questions

**1.**

**Please use the link below to report your Internet speed. Once you click the link, you'll see a new web browser window appear that goes to speedtest.net. You'll see a "Begin Test" icon in the middle of your screen. Click this icon to begin the speed test. Wait a few moments while the test runs and measures your download and upload speeds. Once the test finishes, please record these speeds in the boxes below.**

**[Speedtest Link - Click Here](#)**

Download Speed:

Upload Speed:

**2. Please provide your name and physical address where you are testing your Internet connection. (This information will be used solely for determining the availability of broadband in Yolo County, California and may become publicly accessible however no names or email addresses will be provided as public information).**

Name

Street Address

City

Zip Code

**3. Do you have Internet service in your home? If not, please answer No and move on to question 4.**

- Yes
- No
- Not sure

**4. What is the NUMBER ONE reason why you don't have Internet service at home?**

- Too expensive
- Slow connection in my area
- Not available in my area
- Don't know much about technology
- I have Internet at work, school, library, etc., and don't need it at home
- Other

Other (please specify)

**5. From which broadband Internet service provider do you receive service?**

**6. What type of broadband Internet service do you have?**

- High-speed (e.g. DSL, cable modem, fiber)
- Mobile Internet for a phone or tablet
- Dial-up
- Not sure
- Other

Other (please specify)

**7. How many devices that connect to the Internet such as computers, iPads, tablets, Kindles, iPods, TiVo, Xbox, PlayStation, etc. do you have in your home?**

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10 or more
- Not sure

**8. Do you have a wireless router set up in your home?**

- Yes
- No
- Not sure

**9. On a scale from 1 to 10, how important is high speed Internet to members of your household? 1 means "It's unnecessary" and 10 means "We couldn't live without it."**

It's unnecessary

We couldn't live without it.

**10. Do you or any members of your household have a home-based business?**

- Yes
- No
- Not sure

**11. Do you or any members of your household telecommute?**

- Yes
- No
- Not sure

**12. What is the best estimate of the cost of your home internet connection?**

- Less than \$20 per month
- \$20 to \$29 per month
- \$30 to \$49 per month
- \$50 to \$74 per month
- \$75 to \$99 per month
- \$100 to \$124 per month
- \$125 to \$149 per month
- \$150 to \$199 per month
- \$200 or more per month

**13. Does that cost include something else besides internet connection, such as cable TV, mobile phone, etc.?**

- Yes
- No
- Unsure

**14. What kind of impact do Internet problems including reliability and speed have on your home experience?**

- No disruption
- Minimal disruption
- Moderate disruption
- Severe disruption
- Total disruption
- Other

Other (please specify)

**15. Please rate your current Internet services on a scale of 1 - 5, with 5 being the best.**

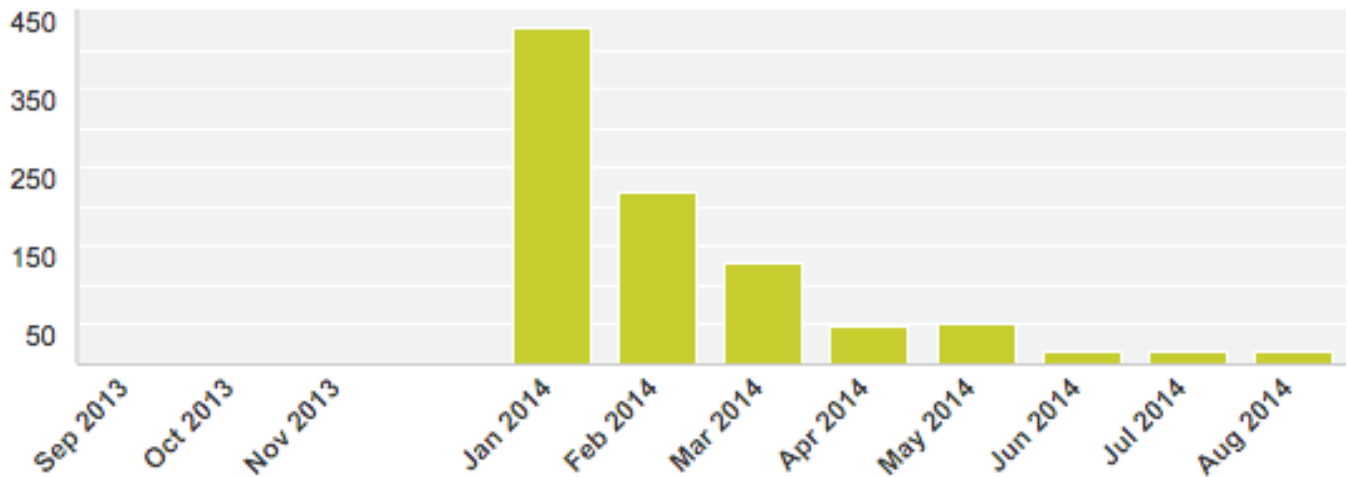
	1	2	3	4	5
Price	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reliability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Speed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Customer service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**16. Do you currently have a "triple-play" offering available in your area? Triple-play includes Internet, voice and video services.**

- Yes
- No
- Unsure

## Residential Survey Collection Results

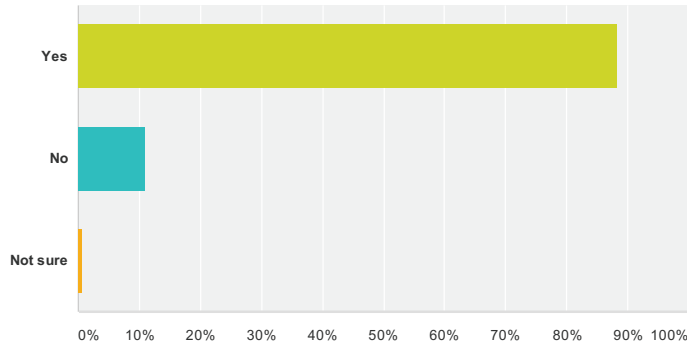
919 Unique Residential Responses



# Residential Survey Response Results

## Q3 Do you have Internet service in your home? If not, please answer No and move on to question 4.

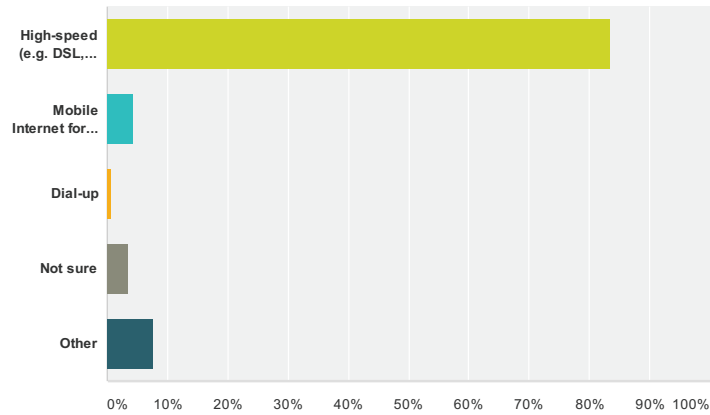
Answered: 893 Skipped: 26



Answer Choices	Responses
Yes	88.24% 788
No	11.09% 99
Not sure	0.67% 6
<b>Total</b>	<b>893</b>

## Q6 What type of broadband Internet service do you have?

Answered: 831 Skipped: 88

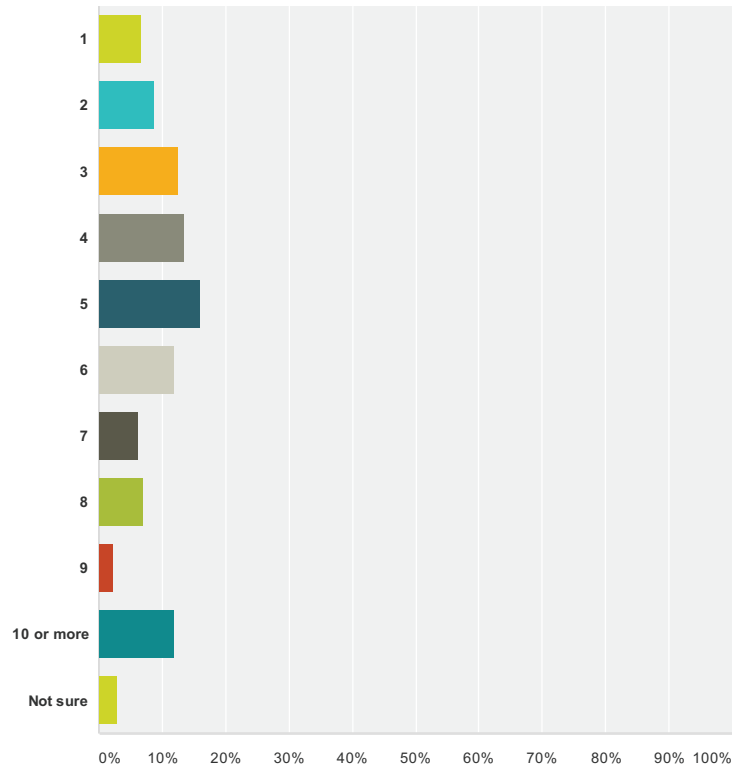


Answer Choices	Responses
High-speed (e.g. DSL, cable modem, fiber)	83.51% 694
Mobile Internet for a phone or tablet	4.45% 37
Dial-up	0.72% 6
Not sure	3.61% 30
Other	7.70% 64
<b>Total</b>	<b>831</b>



**Q7 How many devices that connect to the Internet such as computers, iPads, tablets, Kindles, iPods, TiVo, Xbox, PlayStation, etc. do you have in your home?**

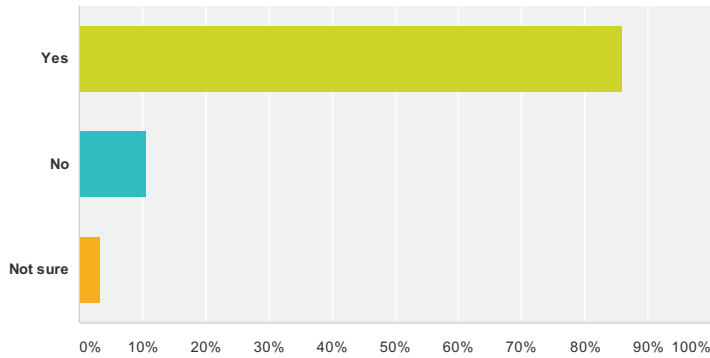
Answered: 849 Skipped: 70



Answer Choices	Responses
1	6.60% 56
2	8.72% 74
3	12.60% 107
4	13.55% 115
5	16.14% 137
6	11.90% 101
7	6.36% 54
8	7.07% 60
9	2.24% 19
10 or more	11.90% 101
Not sure	2.94% 25
<b>Total</b>	<b>849</b>

### Q8 Do you have a wireless router set up in your home?

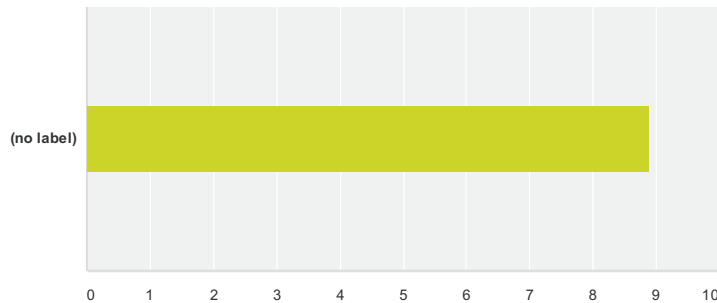
Answered: 846 Skipped: 73



Answer Choices	Responses	Count
Yes	86.05%	728
No	10.64%	90
Not sure	3.31%	28
<b>Total</b>		<b>846</b>

### Q9 On a scale from 1 to 10, how important is high speed Internet to members of your household? 1 means "It's unnecessary" and 10 means "We couldn't live without it."

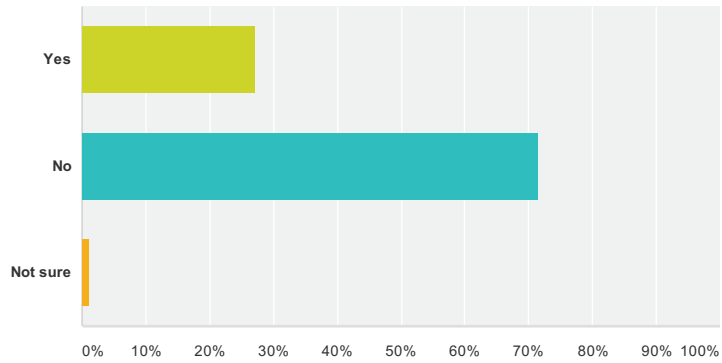
Answered: 853 Skipped: 66



	It's unnecessary	(no label)	(no label)	(no label)	(no label)	(no label)	(no label)	(no label)	(no label)	We couldn't live without it.	Total	Average Rating
(no label)	1.64% 14	0.59% 5	0.35% 3	0.35% 3	1.41% 12	2.58% 22	6.21% 53	15.01% 128	20.40% 174	51.47% 439	853	8.90

### Q10 Do you or any members of your household have a home-based business?

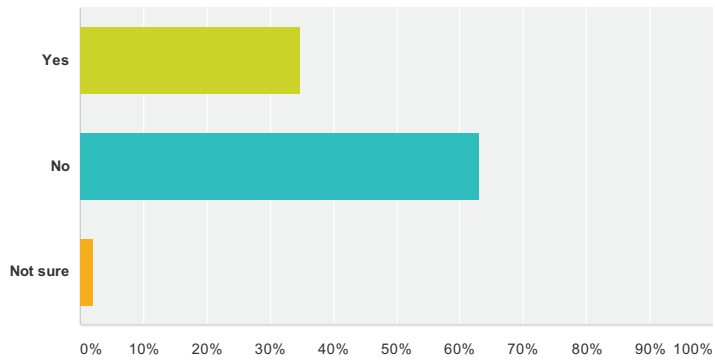
Answered: 854 Skipped: 65



Answer Choices	Responses	
Yes	27.05%	231
No	71.66%	612
Not sure	1.29%	11
<b>Total</b>		<b>854</b>

### Q11 Do you or any members of your household telecommute?

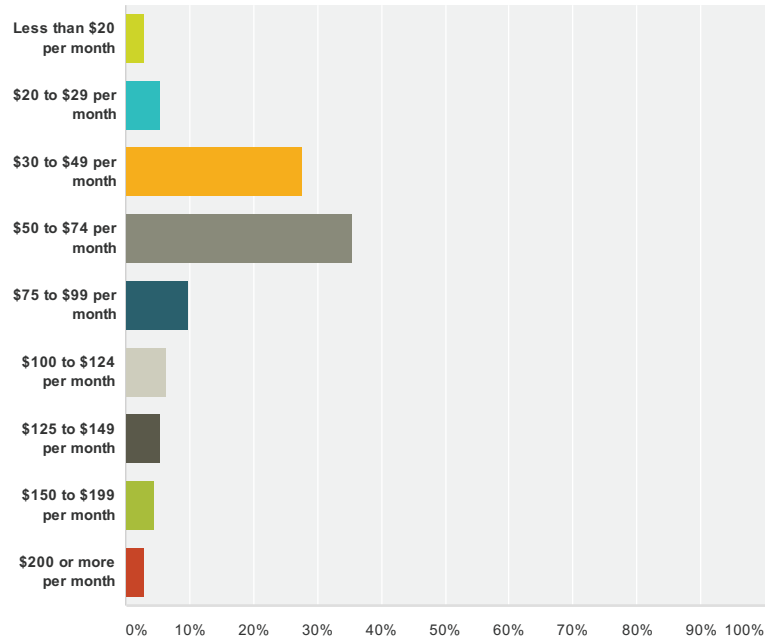
Answered: 857 Skipped: 62



Answer Choices	Responses	
Yes	34.89%	299
No	63.01%	540
Not sure	2.10%	18
<b>Total</b>		<b>857</b>

### Q12 What is the best estimate of the cost of your home internet connection?

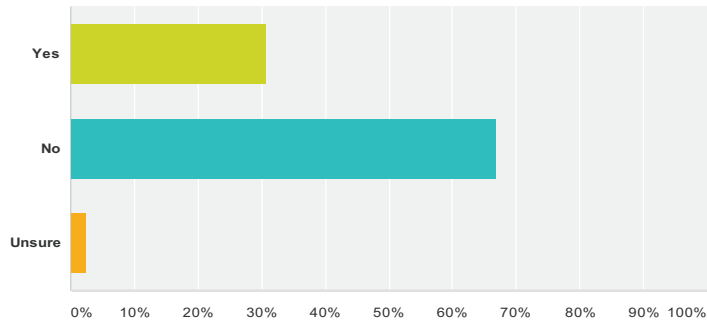
Answered: 841 Skipped: 78



Answer Choices	Responses	
Less than \$20 per month	2.85%	24
\$20 to \$29 per month	5.35%	45
\$30 to \$49 per month	27.47%	231
\$50 to \$74 per month	35.55%	299
\$75 to \$99 per month	9.75%	82
\$100 to \$124 per month	6.18%	52
\$125 to \$149 per month	5.47%	46
\$150 to \$199 per month	4.40%	37
\$200 or more per month	2.97%	25
<b>Total</b>		<b>841</b>

**Q13 Does that cost include something else besides internet connection, such as cable TV, mobile phone, etc.?**

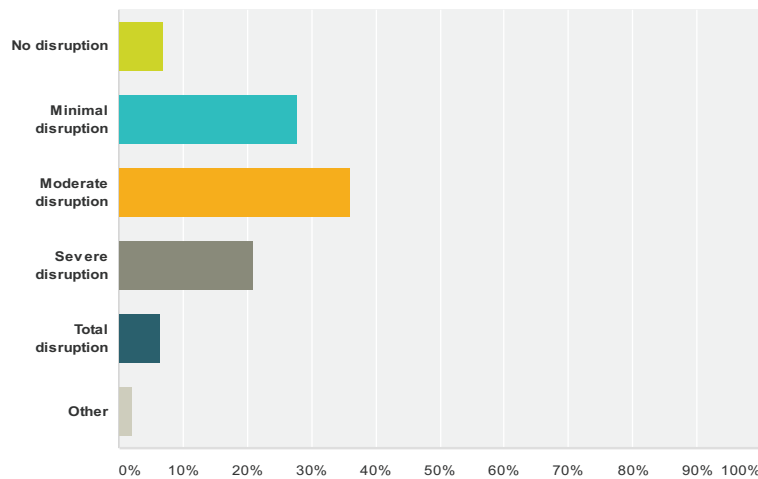
Answered: 845 Skipped: 74



Answer Choices	Responses	
Yes	30.65%	259
No	66.75%	564
Unsure	2.60%	22
<b>Total</b>		<b>845</b>

**Q14 What kind of impact do Internet problems including reliability and speed have on your home experience?**

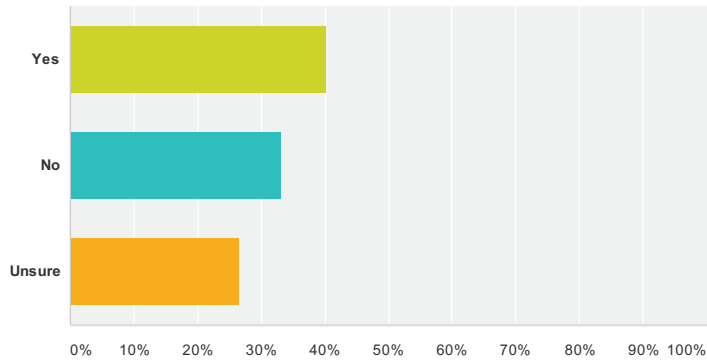
Answered: 840 Skipped: 79



Answer Choices	Responses	
No disruption	6.79%	57
Minimal disruption	27.74%	233
Moderate disruption	36.07%	303
Severe disruption	20.95%	176
Total disruption	6.43%	54
Other	2.02%	17
<b>Total</b>		<b>840</b>

**Q16 Do you currently have a "triple-play" offering available in your area? Triple-play includes Internet, voice and video services.**

Answered: 857 Skipped: 62



Answer Choices	Responses	
Yes	40.37%	346
No	33.14%	284
Unsure	26.49%	227
<b>Total</b>		<b>857</b>

	1	2	3	4	5	Total
Price	19.38% 162	22.85% 191	36.48% 305	16.99% 142	4.31% 36	836
Reliability	9.28% 77	13.25% 110	28.31% 235	36.99% 307	12.17% 101	830
Speed	16.00% 133	17.93% 149	28.40% 236	28.88% 240	8.78% 73	831
Customer service	14.39% 118	16.46% 135	25.73% 211	26.83% 220	16.59% 136	820

## B. Business Survey Results

### Business Survey Questions

1.

**Please use the link below to report your Internet speed. Once you click the link, you'll see a new web browser window appear that goes to speedtest.net. You'll see a "Begin Test" icon in the middle of your screen. Click this icon to begin the speed test. Wait a few moments while the test runs and measures your download and upload speeds. Once the test finishes, please record these speeds in the boxes below.**

**[Speedtest Link - Click Here](#)**

Download Speed:

Upload Speed:

**2. Please provide your physical business address where you are testing your Internet connection. (This information will be used solely for determining the availability of broadband in Yolo County, California and may become publicly accessible however no names or email addresses will be provided as public information).**

Business Name

Street Address

City

Zip Code

**3. Please provide the number of staff in your Yolo County location.**

**4. Please provide your industry.**

- |  |   |
|--|---|
| <input type="checkbox"/> Agricultural & Farming          | <input type="checkbox"/> Professional, scientific, and technical services |
| <input type="checkbox"/> Construction                    | <input type="checkbox"/> Educational services                             |
| <input type="checkbox"/> Manufacturing                   | <input type="checkbox"/> Healthcare and social assistance                 |
| <input type="checkbox"/> Retail trade                    | <input type="checkbox"/> Arts, entertainment, and recreation              |
| <input type="checkbox"/> Transportation and warehousing  | <input type="checkbox"/> Accommodation and food services                  |
| <input type="checkbox"/> Finance and insurance           | <input type="checkbox"/> Hospitality                                      |
| <input type="checkbox"/> Real estate, rental and leasing |   |

Other (please specify)

**5. From which broadband Internet service provider do you receive service for your business?**

**6. Please indicate all of the ways you use the Internet (Check all that apply):**

- General use: email, general Internet browsing
- Online business applications such as accounting, payroll or other
- Online credit card processing
- Online banking
- Gathering online research and information
- Agricultural research
- Farming technologies
- Social media applications for your business
- Online data backup services
- Video and/or television, (including video conferencing)
- Security monitoring
- Web hosting
- Telephone services such as Vonage, Skype or other
- Online file sharing and collaboration

Other (please explain)



**7. Based on Question 2 above, would your business benefit from the services below if not currently in use? (Select all that apply)**

- General use: email, general Internet browsing
- Online business applications such as accounting, payroll or other
- Online credit card processing
- Online banking
- Gathering online research and information
- Social media applications for your business
- Online data backup services
- Video and/or television, (including video conferencing)
- Security monitoring
- Web hosting
- Telephone services such as Vonage, Skype or other
- Online file sharing and collaboration

Other (please explain)

**8. What kind of impact do Internet problems including reliability and speed have on your business?**

- No disruption
- Minimal disruption
- Moderate disruption
- Severe disruption
- Total disruption

Other (please explain)

**9. Are your current Internet services sufficient for your business needs?**

- Yes
- No
- Not sure

**10. If you answered "No", to Question 9, how are your Internet services insufficient for your business needs?**

- Not fast enough
- Unreliable
- Availability of options
- Access to technical support

Other (please explain)

**11. If you answered "No", to Question 9, why haven't you upgraded your Internet services?**

- I don't know who can provide services in my area
- Services are not available in my area
- I don't have the technical skills necessary
- The price is too high

Other (please explain)

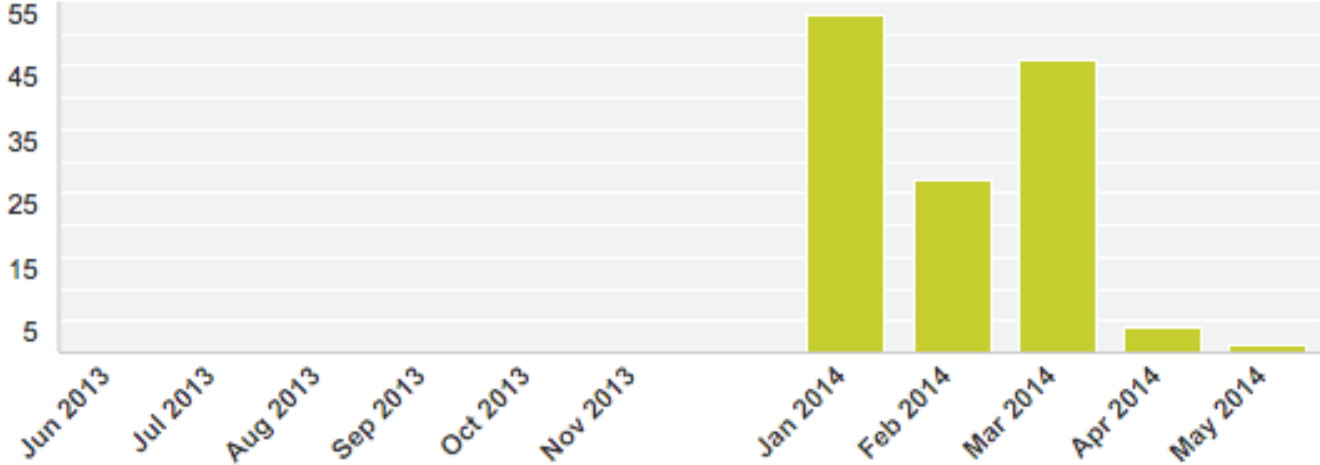
**12. Please rate your current Internet services on a scale of 1-5, with 5 being the most important.**

	1	2	3	4	5
Price	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reliability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Speed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Customer Service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**13. How important is having multiple choices of Internet and broadband providers to your business.**

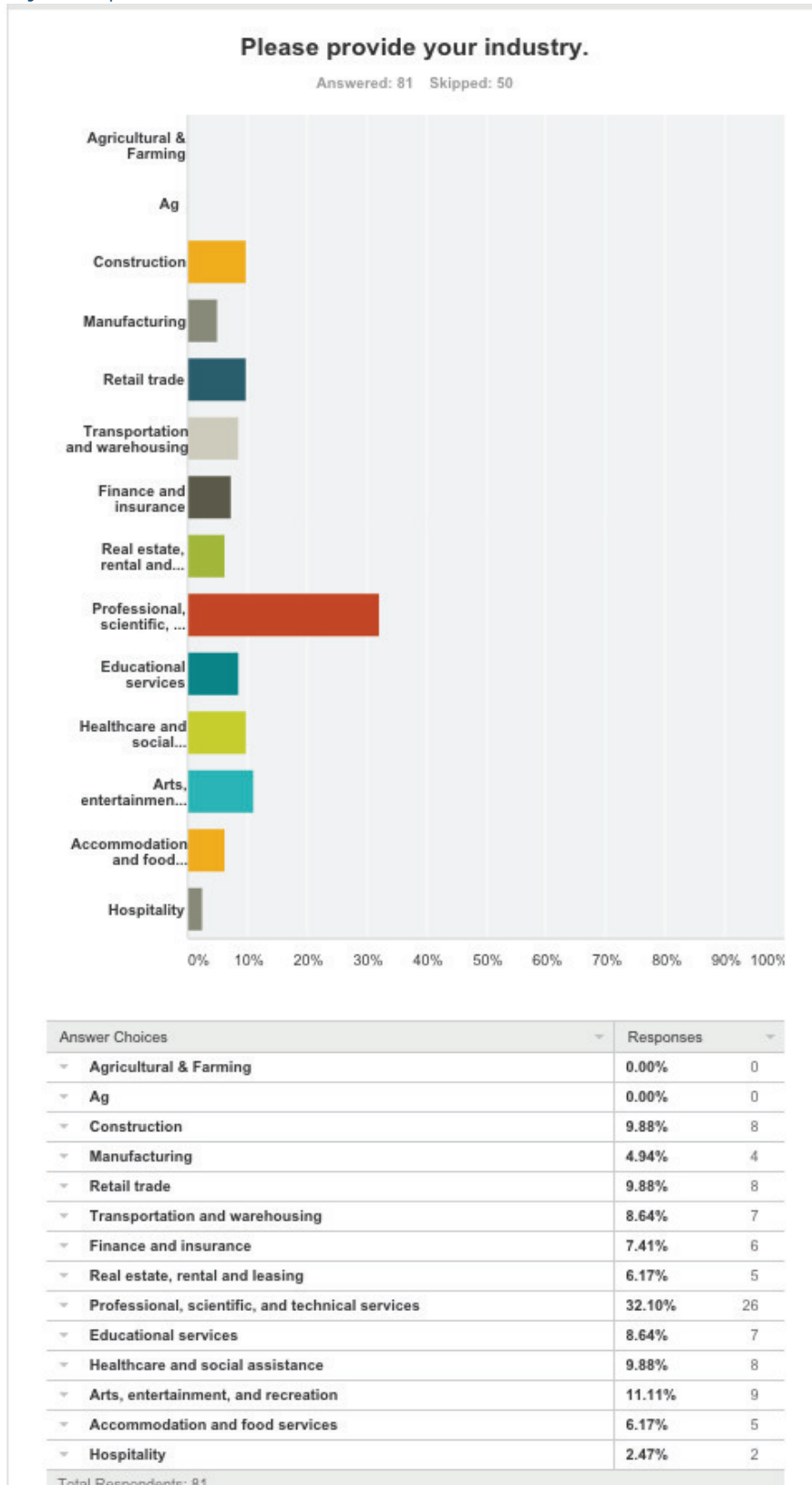
- Not important
- Somewhat important
- Moderately important
- Very important
- Extremely important

# Business Survey Collection Results



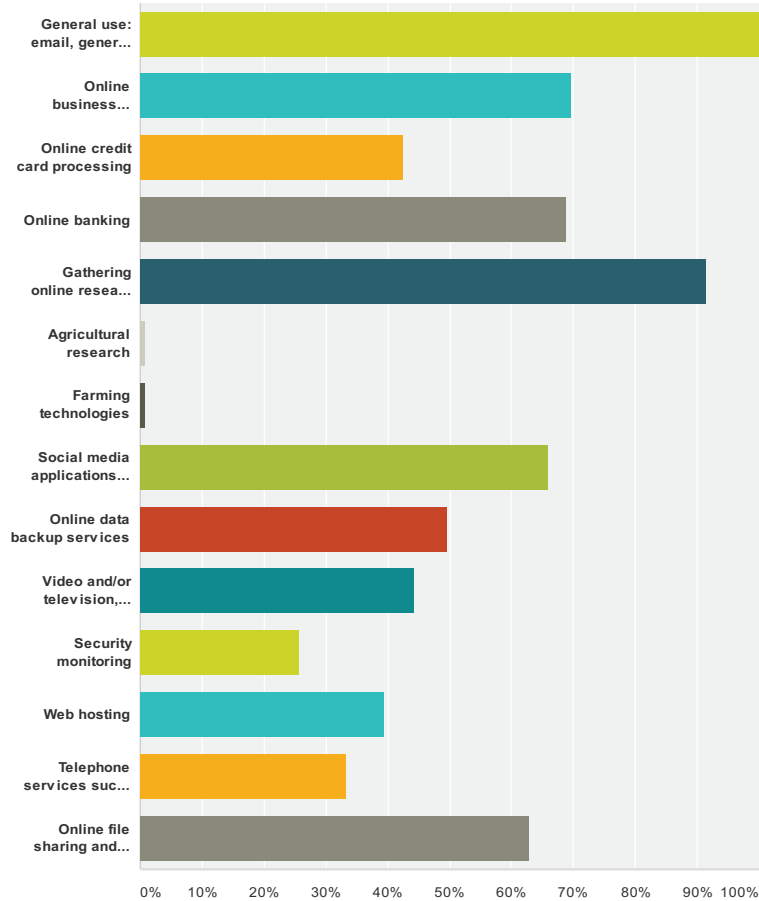
131 Unique Business Responses

## Business Survey Response Results



**Q6 Please indicate all of the ways you use the Internet (Check all that apply):**

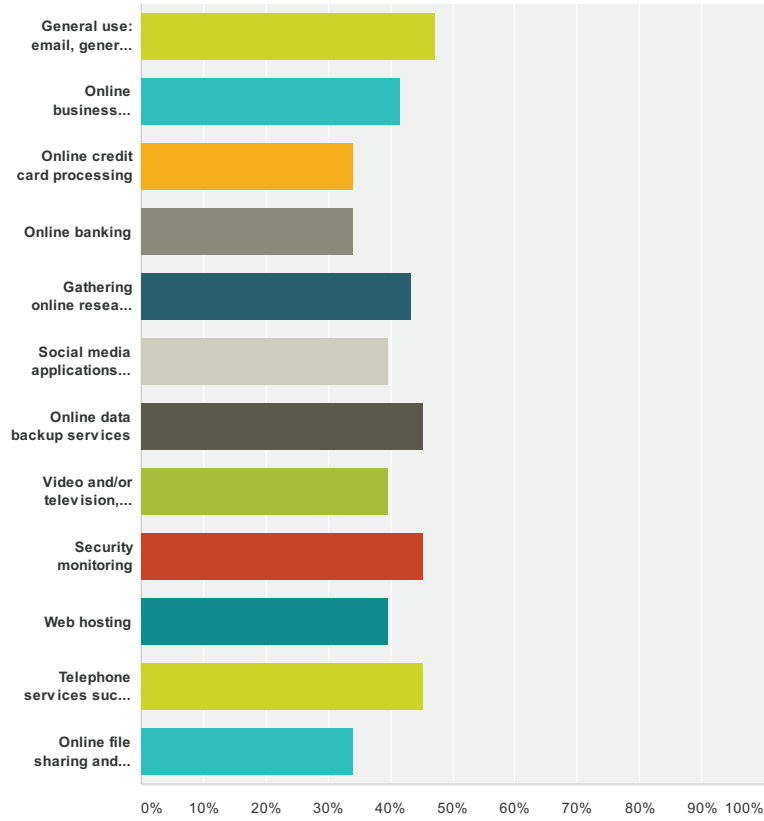
Answered: 129 Skipped: 2



Answer Choices	Responses	Count
General use: email, general Internet browsing	100.00%	129
Online business applications such as accounting, payroll or other	69.77%	90
Online credit card processing	42.64%	55
Online banking	68.99%	89
Gathering online research and information	91.47%	118
Agricultural research	0.78%	1
Farming technologies	0.78%	1
Social media applications for your business	65.89%	85
Online data backup services	49.61%	64
Video and/or television, (including video conferencing)	44.19%	57
Security monitoring	25.58%	33
Web hosting	39.53%	51
Telephone services such as Vonage, Skype or other	33.33%	43
Online file sharing and collaboration	62.79%	81

**Q7 Based on Question 2 above, would your business benefit from the services below if not currently in use? (Select all that apply)**

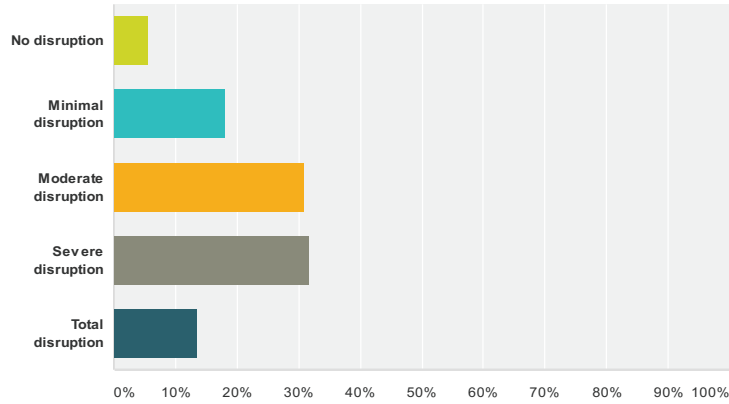
Answered: 53 Skipped: 78



Answer Choices	Responses
General use: email, general Internet browsing	47.17% 25
Online business applications such as accounting, payroll or other	41.51% 22
Online credit card processing	33.96% 18
Online banking	33.96% 18
Gathering online research and information	43.40% 23
Social media applications for your business	39.62% 21
Online data backup services	45.28% 24
Video and/or television, (including video conferencing)	39.62% 21
Security monitoring	45.28% 24
Web hosting	39.62% 21
Telephone services such as Vonage, Skype or other	45.28% 24
Online file sharing and collaboration	33.96% 18
<b>Total Respondents: 53</b>	

### Q8 What kind of impact do Internet problems including reliability and speed have on your business?

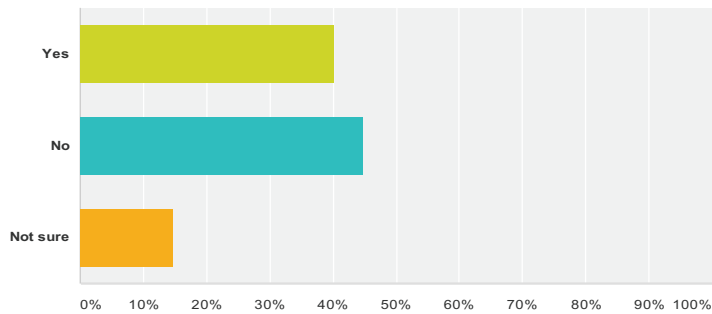
Answered: 126 Skipped: 5



Answer Choices	Responses
No disruption	5.56% 7
Minimal disruption	18.25% 23
Moderate disruption	30.95% 39
Severe disruption	31.75% 40
Total disruption	13.49% 17
<b>Total</b>	<b>126</b>

### Q9 Are your current Internet services sufficient for your business needs?

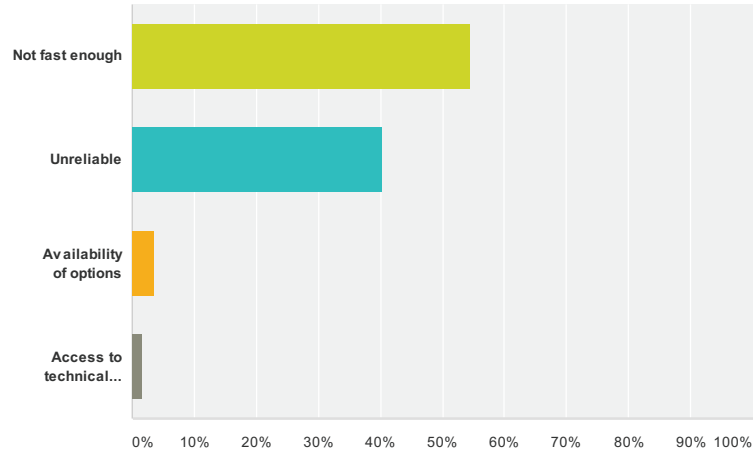
Answered: 129 Skipped: 2



Answer Choices	Responses
Yes	40.31% 52
No	44.96% 58
Not sure	14.73% 19
<b>Total</b>	<b>129</b>

**Q10 If you answered "No", to Question 9, how are your Internet services insufficient for your business needs?**

Answered: 57 Skipped: 74

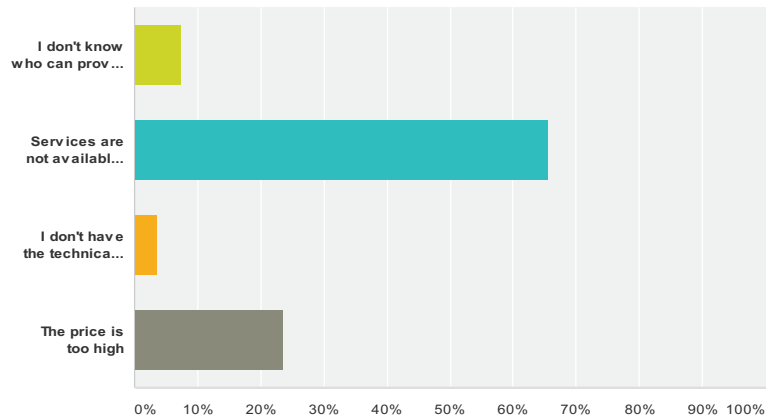


Answer Choices	Responses
Not fast enough	54.39% 31
Unreliable	40.35% 23
Availability of options	3.51% 2
Access to technical support	1.75% 1
<b>Total</b>	<b>57</b>



**Q11 If you answered "No", to Question 9, why haven't you upgraded your Internet services?**

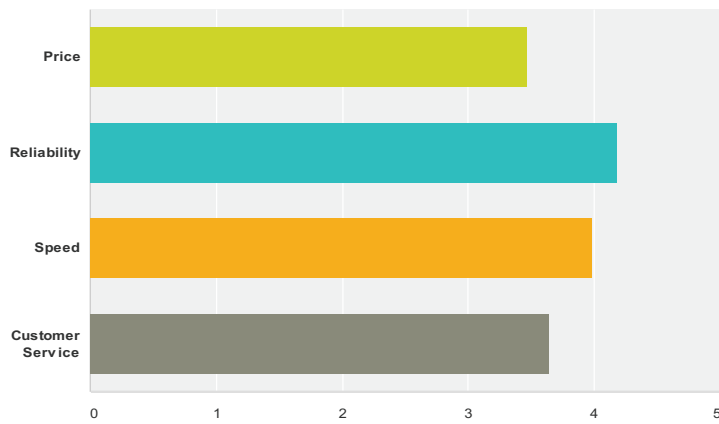
Answered: 55 Skipped: 76



Answer Choices	Responses	Count
I don't know who can provide services in my area	7.27%	4
Services are not available in my area	65.45%	36
I don't have the technical skills necessary	3.64%	2
The price is too high	23.64%	13
<b>Total</b>		<b>55</b>

**Q12 Please rate your current Internet services on a scale of 1-5, with 5 being the most important.**

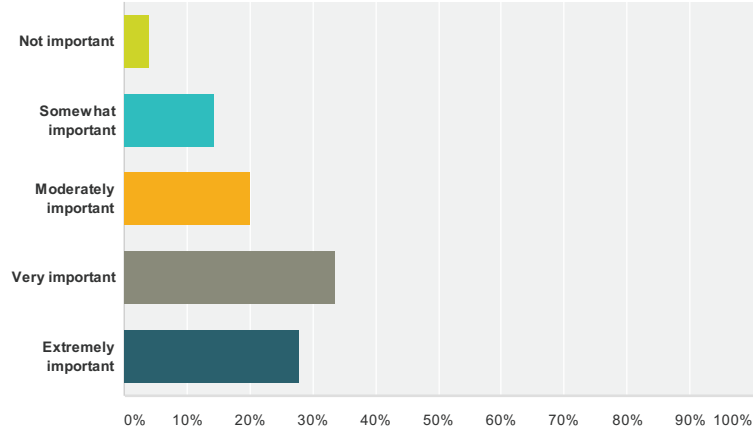
Answered: 124 Skipped: 7



	1	2	3	4	5	Total	Average Rating
Price	4.31% 5	11.21% 13	36.21% 42	30.17% 35	18.10% 21	116	3.47
Reliability	6.45% 8	4.84% 6	11.29% 14	17.74% 22	59.68% 74	124	4.19
Speed	5.65% 7	7.26% 9	12.90% 16	30.65% 38	43.55% 54	124	3.99
Customer Service	5.08% 6	11.86% 14	24.58% 29	31.36% 37	27.12% 32	118	3.64

**Q13 How important is having multiple choices of Internet and broadband providers to your business.**

Answered: 125 Skipped: 6



Answer Choices	Responses	Count
Not important	4.00%	5
Somewhat important	14.40%	18
Moderately important	20.00%	25
Very important	33.60%	42
Extremely important	28.00%	35
<b>Total</b>		<b>125</b>

## 11. Appendix C: Conceptual Community Broadband Network

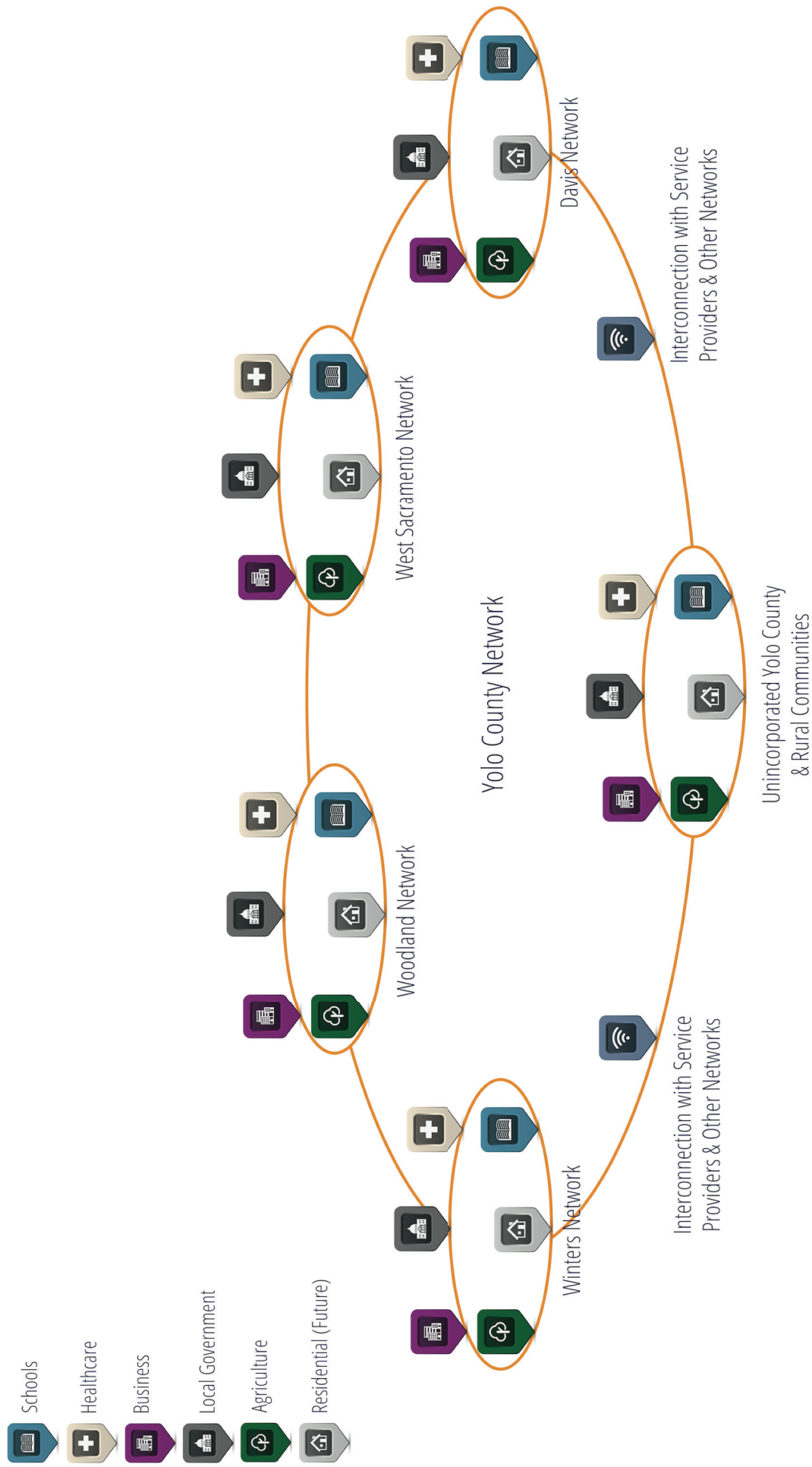
For Yolo communities, the development of a community broadband network would create a countywide publicly owned fiber system that interconnects community organizations, businesses, service providers, and potentially even residents. It would include fiber infrastructure connecting each of the cities to a common network backbone and local distribution fiber infrastructure used to connect organizations to the network. The network would provide either dark or lit fiber services between all organizations; allowing each organization the necessary capacity it requires throughout the entire footprint of the network.

The network would provide advanced, high-bandwidth broadband services to the County, cities, schools, hospitals, doctor's offices, and other community organizations. The network would interconnect with service providers at multiple points throughout the county and enable them to provide fiber-rich services to community anchors, businesses and even residents if desired.

Yolo County already owns fiber infrastructure connecting Woodland to West Sacramento and Davis. The County also owns fiber infrastructure throughout the City of Woodland to connect various County facilities. Yolo County has a successful track record of working with providers and utilities to jointly construct broadband infrastructure. This practice will continue to allow the County to build more backbone routes throughout the region while supporting the concept of a countywide network.

Each City would implement a fiber-based local broadband network to support their local broadband initiatives and connectivity needs. Several cities including West Sacramento and Woodland already maintain current fiber infrastructure and could expand on this to deploy additional network to connect more of their sites as well as business districts and redevelopment areas. These networks would allow high-speed connections between each city's various facilities allowing for significantly expanded capacity while reducing their recurring telecommunications costs. The countywide network should be planned and built collaboratively between all participating organizations to ensure the maximum benefits at the lowest overall cost. For example, connectivity into West Sacramento may hold value to all the cities connected to the Yolo Community Broadband Network to gain access to the regional data center for Internet services, disaster recovery, and cloud applications.

# Yolo County Community Broadband Network – Conceptual Design



## Who Could Use it?

The Yolo Community Broadband Network would provide a foundation of fiber connectivity for use by a comprehensive list of community stakeholders, including:

- Yolo County
- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- Yolo County Office of Education
- Davis Joint Unified School District
- West Sacramento Unified School District
- Winters Joint Unified School District
- Woodland Joint Unified School District
- Yolo Private Schools
- Broadband service providers
- Wireless and cellular providers
- Yolo County Flood Control and Water Conservation District
- Yolo County Farm Bureau
- Yolo County Housing Authority
- CommuniCare central offices and clinics
- Woodland Memorial Hospital
- Doctors' offices and clinics
- Yoche Dehe Wintun Nation
- Local Businesses and Enterprises
- Agricultural Industry
- Current and Future Utility Providers
- Broadband Service Providers
- Others to be determined

## What Benefits Would it Provide?

A broadband network could become a part of region's long-term strategic planning and provide a valuable resource that both the Cities of Yolo and Yolo County can leverage to achieve their organizational objectives. By creating a high-speed, redundant and scalable network environment that will support further growth of municipal services that rely on network resources, more of the cities' and County's municipal operations can take place electronically; saving money and staff time while increasing convenience for citizens. Additionally, this new community network could facilitate greater collaboration between public organizations within Yolo County. These organizations could potentially benefit in the following ways:

- *New opportunities to collaborate with local government organizations across a common communications platform.*
- *Share critical needs across multiple local government organizations including Internet, Intranet voice services, backup services, and others.*
- *Share municipal applications across multiple local government organizations including GIS, expanded public safety dispatch/records management systems, and web applications.*
- *Develop shared disaster recovery and business continuity programs utilizing common infrastructure.*

- *Reduce taxpayer spending across all participating public organizations in the Yolo County region.*
- *An investment into infrastructure that will provide a long-term reduction in telecommunications operating expenses.*

For other community anchors, businesses, and potentially residents, a community broadband network would mean increased options for receiving telecommunications services from current and new providers. In addition, the network would “level the playing field” for service providers across Yolo ensuring equal access and equal pricing for wholesale services on Yolo’s Community Broadband Network. This would positively impact the competitive landscape, enable more providers to operate across Yolo’s communities, and potentially drive down prices for broadband services.

Potential benefits to the community include:

- *Broadband price stability across all anchors connected to the network.*
- *Enhanced economic development tools to attract and retain businesses.*
- *A new source of fiber infrastructure for local service providers.*
- *New capacity for Yolo’s growing tech sector and related companies.*
- *Improved technology transfer from UC Davis to new startups.*
- *Enhanced services and new capabilities for Yolo’s schools.*
- *Scalability to accommodate current and future broadband needs.*
- *A platform for municipal operations that enable new capabilities and reduce cost.*
- *A platform that supports integrated utilities that help Yolo manage water and energy resources.*

## How Would it Be Built?

Most successful community broadband projects are built incrementally and on demand. Regional broadband networks are built in phases with each phase building on the successful implementation of the previous phase. The County and each City would take responsibility for development of the network in their local jurisdiction based on the needs of each community. The County and each City should develop a conceptual design for their portion of the Community Broadband Network. This conceptual design should include all City, County, and Community Anchor facilities and should include preliminary fiber routes throughout the local area and the connections to the County’s inter-city routes. The County and cities should also coordinate the development of their local networks

with the larger regional network to ensure full interoperability between systems and to ensure the network serves the countywide needs of the stakeholders.

A steering committee composed of representatives from the County and each City should be established to ensure the multiple projects are coordinated with one another and each organization's goals remain aligned in the development of the network. The steering committee would carry forward the mission of implementing the Community Broadband Network and tracking its impact within Yolo.

Once a total investment has been developed from the conceptual design, the preliminary fiber routes can begin to be vetted against potential opportunities to cut build costs. Alignment with upcoming capital improvement projects such as water, sewer, road widening, and other undergrounding efforts can positively impact the costs to build infrastructure. Additionally, underground vs. aerial routes should be further analyzed to determine the best options for these routes. Opportunities to IRU or swap fiber with local providers should also be explored as these are great options to potentially reduce the overall capital investment of building a network.

## Who Would Own and Operate It?

There are many options available for developing an ownership and operational model for the Yolo Community Broadband Network. These options range in organizational and operational complexity yet offer the cities and County the ability to manage as much or little of the asset as they deem appropriate. As an owner of the infrastructure assets, each City and Yolo County would have a direct ability to impact how broadband infrastructure is developed in the region. The participants will have to jointly decide how an organization is developed to oversee the deployment of future network resources and how the network is managed and operated.

Using simple dark fiber assets in an unlit network, the cities and County would have to dedicate a certain amount of fiber for their own communications needs while providing local capacity to the greater Yolo Community Broadband Network. This type of architecture is less efficient as it relates to the use of the dark fiber assets. Excessive use of fiber strands is required to interconnect facilities and sites because of the requirement to dedicate fiber strands for each connection. A lit model would allow the network to operate on the basis of network capacity instead of dark fiber strands. A lit network would require the provisioning of circuits at predetermined levels of bandwidth. This architecture allows for a much greater efficiency in the use of fiber strands as network traffic can be aggregated on the core backbone links throughout and between the Cities. Under either architecture, an agreement as to how the network will be operated and maintained must be reached.

The following questions must be answered:

- Who should operate the network? The County? The cities? A Consortium?
- How will the network be maintained from an outside plant perspective?
- How will operations be funded?

- Are there private partners that can participate?

## What Must Be True to Develop a Community Broadband Network?

A number of key factors must be present for Yolo to develop a successful community broadband network.

1. *Community anchors must commit to utilizing the network*

Yolo's community anchors will be the largest beneficiaries of the network and must commit to using its resources. They must be willing to participate and subscribe to services from the network at agreed upon fees.

2. *Yolo's service providers must commit to utilizing the network*

Without the participation of Yolo's service providers, financial sustainability of the community broadband will be more challenging for Yolo. Secondly, without service provider participation, Yolo's businesses and potentially residents will not receive the benefits from the network in terms of more affordable rates and higher quality services. A key goal of the network is to make a new source of affordable next-generation broadband available to the community. If service providers do not utilize the network this goal may remain unachieved.

3. *Yolo must develop the right operational model for the network*

Development of a sound operations strategy for the network is important to ensure that network performance, reliability, and capacity is managed to the levels required by both service providers and end users. This includes determining the party that will provide management of the network and which components will be maintained by Yolo County, cities and/or outsourced network operators.

4. *Yolo must find ways to reduce costs for construction for the network*

Building the community broadband network without cost reducing construction methods will yield an expensive proposition for the community and one that may be challenging to sustain financially. A combination of joint trenching opportunities, companion capital projects, use of existing network assets, and wise investments in broadband infrastructure will help reduce the high costs of building significant fiber infrastructure throughout the County.

5. *The network must achieve an operating break-even and pay its debt service*

The network must achieve at minimum a breakeven scenario where incoming revenues from community anchor organizations and service providers cover all operating costs and repay debt service over the period of the project. Adequate financing structures will also need to be achieved to ensure the network's cash flows can support its debt service.



## What Other Communities Have Built These Networks?

A significant number of communities across the country have built community broadband networks to provide reliable, high-capacity fiber infrastructure to their stakeholders. There are over 1,000 similar networks across all States, including California. Some of these include:

### City of Palo Alto, CA

In 1996, Palo Alto built a 33-mile optical fiber ring routed within the City to enable better Internet connections. Since then, we have been licensing use of this fiber to businesses. For the past decade, this activity has shown substantial positive cash flow and is currently making in excess of \$2 million a year for the city. We now have that money in the bank earmarked for more fiber investments."

### Santa Cruz County, CA

The Santa Cruz County board of supervisors in November 2013 approved an eight-month timeline to overhaul its broadband infrastructure plans and regulations. Specific areas of focus include permitting fee reductions and a proposed "dig once" ordinance that would make it easier to install new fiber optic cables during other work on area roads or utilities lanes. "The County will continue a focus on broadband infrastructure throughout the county to enable businesses to function in the digital era, and students and households to have high quality access to information and communication. The County will work with industry providers to develop a Broadband Master Plan in order to identify focus areas within the county that will be most suitable for gigabyte services, particularly as the Sunesys backbone line is constructed during 2014 and 2015. The County will work with service (last mile) providers to ensure that these focus areas are deemed a priority, in order to support streaming requirements, product development, job creation and online selling capability."

### City of Palm Coast, FL

In 2006, the Palm Coast City Council approved a 5-Year fiber-optic deployment project funded at \$500,000 annually for a total investment of \$2.5 million. The network was developed to support growing municipal technology needs across all public organizations in the area, including city, county, public safety and education. It was also planned to support key initiatives such as emergency operations, traffic signalization, collaboration and video monitoring. The City utilized a phased approach to build its network using cost reducing opportunities to invest in new fiber-optic infrastructure. As each phase was constructed, the City connected its own facilities and coordinated with other public organizations to connect them; incrementally reducing costs for all organizations connected to the broadband network. Showing a reasonable payback from each stage of investment allowed the City to continue to fund future expansion of the network. Through deployment of this network, the City has realized a savings of nearly \$1 million since 2007 and projects further annual operating savings of \$350,000 annually. In addition to these savings, the City's network provides valuable new capabilities that enhance its mission of serving the residents and businesses of the community.

### Seminole County, FL

Over the last 15 years, Seminole County, FL has developed its own fiber-optic network to serve the broadband needs of its municipal, public safety, education and utility needs. The 450-mile fiber network has connected 26 fire stations, 58 county buildings, 44 schools, 4 SCC campus, 41 city buildings and 17 water treatment plants to the fiber network and maintains and repairs over 375 traffic signals, 148 school flashers at 73 locations, 46 beacons and flashers and 29 VMS (variable message signs). The network saves taxpayers in the County millions of dollars a year and provides a significant backbone of high-speed broadband services to serve nearly all of Seminole's community functions.

## 12. Appendix D: Applicable Broadband Grant & Loan Programs

### Federal Funding Programs

#### Connect America Fund - Rural Broadband Experiments

<http://www.fcc.gov/encyclopedia/connecting-america>

On January 31, 2014, the Commission released the Technology Transitions Order which, among other things, adopted targeted experiments to help learn more about the impact of technology transitions on rural America. In addition to furthering the Commission's goal to gain experience and data on how to ensure universal access as networks transition, this experiment is designed to help inform the policy decisions in various proceedings pending before the Commission. As part of these experiments, the Commission invited expressions of interest by March 7, 2014, from entities willing to deploy robust, scalable broadband to eligible high-cost areas with additional Connect America funding.

For Yolo County, the Rural Broadband Experiments portion of the Connect America Fund may provide an opportunity for local government organizations, private service providers, or partnerships between the two to apply for funding in the USF high cost census tracts throughout Yolo County. This fund would potentially enable areas within Yolo's most underserved and unserved communities to receive new broadband infrastructure. Whereas the USF dollars originally funded basic broadband infrastructure, the Rural Broadband Experiment dollars may fund more advanced types of infrastructure such as fiber and/or wireless. These dollars may also be utilized to fund not only unserved and underserved residents but also community anchors and potentially businesses in qualified census tracts.

#### Healthcare Connect Fund (HCF)

<http://www.usac.org/rhc/default.aspx>

The Healthcare Connect Fund (HCF) Program is the newest component of the Rural Health Care Programs. The HCF Program will provide a 65 percent discount on eligible expenses related to broadband connectivity to both individual rural health care providers (HCPs) and consortia which can include non-rural HCPs (if the consortium has a majority of rural sites). For new applicants, the filing window will open late summer 2013, with funding beginning on January 1, 2104. Starting in Funding Year 2014 (July 1, 2014 to June 30, 2015) all applicants will be on the same funding year schedule.

This program may be particularly applicable for Yolo County's rural healthcare organizations. In these cases, rural healthcare providers such as Winters Health Foundation and rural clinics throughout Yolo County may develop strategies to interconnect to broadband networks such as

California Telehealth Network at lower costs than they are doing so today. Currently, these rural healthcare providers maintain cable, DSL, and T1 infrastructure which limits their capabilities for telehealth and other electronic health applications. The HCF fund may be an opportunity for these organizations to build new fiber-based broadband infrastructure to reach other healthcare organizations, health information exchanges, and the Internet. In many cases, these organizations have partnered with private service providers to go after funding in a mutually beneficial way. For Yolo, a HCF-funded healthcare network could be used to expand healthcare services in Yolo County and enable new fiber capacity in rural communities that could be utilized to deliver expanded broadband services to businesses and residents.

## State of California Funding Programs

Most states have recognized that broadband is a key aspect of long-term development of their regions and have developed State agencies to deal with these important issues. In 2009, the Department of Commerce's Broadband Technology Opportunities Program provided a pool of grant funding specifically designed for States called the State Broadband Initiative (SBI) to "implement the joint purposes of the Recovery Act and the Broadband Data Improvement Act which envisioned a comprehensive program, led by state entities or non-profit organizations, working at their direction to facilitate the integration of broadband and information technology into state and local economies."<sup>18</sup>

Many states have expanded on this initial program to develop state-funded broadband program offices that continue to deal with broadband policy, infrastructure, and adoption issues in their jurisdictions. States vary in terms of their participation in the broadband expansion process. Some focus on public policy measures that promote the expansion of broadband. Others take an active role in sourcing State funding for programs that build infrastructure.

In California, the California Public Utilities Commission ("CPUC") has taken an active role in shaping broadband policy and providing broadband grant funding programs to accelerate the deployment of broadband services across the State. The CPUC received \$7,981,304 in grant funding from the NTIA as part of the Broadband Data & Development Program to create California's statewide broadband map. The California Interactive Broadband Map is a tool for California citizens to find and investigate broadband services in their area. The map displays all of the broadband providers offering service within the area around a particular address. This map was created by the team efforts of the California Public Utilities Commission (CPUC) Video Franchise / Broadband Deployment Group and the California State University Chico Research Foundation through a grant from the State Broadband Initiative (SBI) Grant Program. This map was utilized as one of the data sources for determining broadband availability in Yolo County.

The CPUC manages and monitors broadband policy within the State as well as administers several State grant and loan funding programs that are focused on deployment of broadband infrastructure into the areas of greatest need. There are several programs that are pertinent for Yolo County. These programs provide grant and loan funding for the construction of broadband infrastructure to

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<sup>18</sup> State Broadband Initiative. <http://www2.ntia.doc.gov/SBDD>. Accessed April 2, 2014

serve unserved and underserved communities in Yolo County. Funding is also available for development of education and adoption programs for consortia organizations across the state. The following programs have been identified as strong opportunities for Yolo to pursue in its countywide broadband development program.

### California Advanced Services Fund

<http://www.cpuc.ca.gov/PUC/Telco/Information+for+providing+service/CASF/>

California Advanced Services Fund (CASF) promotes deployment of high-quality advanced communications services to all Californians. Funding is allocated to four CASF accounts (please go to the linked page for a description of the account).

### Broadband Infrastructure Grant and Loan Accounts

CASF grants and loans are designed to assist in the building and/or upgrading of broadband infrastructure in areas that are unserved or are underserved by existing broadband providers.<sup>19</sup> CASF funding is available to entities with a Certificate of Public Convenience and Necessity (CPCN) that qualify as a “telephone corporation” as defined under P.U. Code section 234 or wireless carriers who are registered with the Commission (i.e., hold a WIR). Wireless carriers need not obtain a CPCN to qualify for CASF funding.

For Yolo, this program would not represent a direct grant or loan funding mechanism that could be received by a local government organization due to the CPCN eligibility requirement (service providers), however; Yolo could effectively work with its local providers to identify the areas of the community that are unserved and/or underserved as potential targets for funding.

### Rural and Regional Urban Consortia Account

The Rural and Urban Regional Broadband Consortia Account (Consortia Grant program) is intended “to fund the cost of broadband deployment activities other than the capital cost of facilities as specified by the Commission.” Grant funds will be used to promote ubiquitous broadband deployment and to advance broadband adoption in unserved and underserved areas by:

- Increase sustainability of broadband infrastructure and projects.
- Promote broadband deployment (availability) for residences in California.
- Promote broadband access and adoption (knowledge of service options and ability to utilize services as well as subscription of services) for residences in California.

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<sup>19</sup> An “unserved” area is an area that is not served by any form of wireline or wireless facilities-based broadband, such that Internet connectivity is available only through dial up service. An “underserved” area is an area where broadband is available, but no wireline or wireless facilities-based provider offers service at advertised speeds of at least 6 Meg download and 1.5 Meg upload.

- Increase the rate of broadband adoption by facilitating the impact of consumer education, outreach, and training.
- Support those community-based parties, especially anchor institutions, who are working to increase deployment, access, and adoption.

Approximately \$2.75 million has been appropriated to regional consortia across the State under this program. For Yolo, this grant represents an important continuing funding source for broadband planning, access, and adoption activities that should follow the development of this Strategic Plan. The grant affords regional consortia such as the Connected Capital region (of which Yolo is a member) funding programs for community education, outreach, training, and related programs.

### Broadband Public Housing Account

Up to \$20 million from the Broadband Public Housing Account ("BPHA") will be available for grants and loans to a publicly supported community as defined in the statute to finance a project to connect a broadband network to that publicly supported community. AB 1299 also authorizes up to \$5 million from the BPHA to be available for grants and loans to a publicly supported community to support programs designed to increase adoption rates for broadband services for residents in that publicly supported community.

Comments are currently being received by the CPUC for the scoping of this funding program. This grant would provide potential benefit to the Yolo Housing Authority to make improvements to public housing enabling residents to receive improved connectivity to broadband providers in the area. It may also provide opportunities for Yolo Housing Authority to upgrade internal infrastructure at public housing developments including wireless access points, in-building wiring, and related equipment to enable improved broadband service. Yolo should continue to track this grant as it develops with the CPUC.

### California Emerging Technology Fund

<http://cetfund.org>

The mission of the California Emerging Technology Fund is to provide leadership statewide to minimize the Digital Divide by accelerating the deployment and adoption of broadband and other advanced communications services to underserved communities and populations. CETF is accomplishing this mission by making investments in programs and projects to improve access, applications, affordability, accessibility, and assistance - the "5As" requisite to achieve adoption and close the Digital Divide - and the essential components of Digital Inclusion. In addition, CETF has three priority consumer communities: Rural and Remote Areas; Urban Disadvantaged Neighborhoods, and People with Disabilities.

There are several funding programs that Yolo should target as funding becomes available in the region including the GetConnected Initiative, Telehealth Initiative, Digital Literacy Initiative, School2Home Initiative, and Smart Community Initiative. Funding programs are released at various intervals so it is important for Yolo to stay abreast of the latest news from the CETF as part of its long-term broadband development strategy.

## 13. Appendix E: Public Policy Implementation & Case Studies

### Dig Once Policy Implementation

It is important for Yolo to develop and establish a Dig-Once policy to ensure an efficient mechanism is in place for the deployment of broadband infrastructure. A Dig-Once policy is a standard policy that is being adopted by many broadband savvy communities that maximizes excavation efforts through coordination of stakeholders mandated by the policy. Through the adoption of a Dig-Once policy, Yolo will have better opportunities to control the highest cost of broadband deployment; the burying of fiber-optic cables and conduit underground.

In order to effectively implement a Dig-Once policy, Yolo must reach out to and include all possible stakeholders to gather input and build support for the policy. Necessary stakeholders could include the following entities:

- Local Government IT Staff
- Local Government Planning & Zoning
- Local Government Public Works Staff
- County/City Attorney
- Broadband Providers
- Other Local Governments
- State Department of Transportation
- Selected Elected Officials

These primary stakeholders will be able to provide a solid foundation for drafting and finalizing a local Dig-Once policy and will be able to provide the technical expertise necessary to create the policy. Since the County and local municipalities will control the majority of the Rights of Way, it is important for those entities to take the lead when developing this policy. The policy should include language that provides a mechanism for communication between entities notifying them of planned excavations, incorporate Joint-Trench agreements (discussed later) that may already be in place, provisions for installation of empty conduit in ROW during excavations to prepare for future broadband requirements, and the use of trenchless technologies such as directional drilling and microtrenching. By assuming the leadership role, the local governments will be able to craft the primary language that will go into the policy and incorporate the appropriate sections from other stakeholders.

Since the ultimate purpose of the Dig-Once policy is to promote the development of broadband locally and making broadband more accessible to the community, it is important to structure the policy to not prevent or impede necessary excavations of the ROW and build a policy that strongly supports and encourages cooperation among stakeholders; creating a truly cooperative planning process. The County organization is in a prime position to take the leadership role in this endeavor since it is the agency that approves the utility permits to install and conduct work in the ROW and is usually responsible for the majority of the management and maintenance of the roadways. Therefore, it is essential that local governments implementing a Dig Once policy review their utility

permitting process to find gaps that may make their community “unfriendly” to expansion of local broadband infrastructure. To ensure that it is beneficial for telecommunications providers and developers to install conduit and fiber, local governments must address the following issues (at a minimum):

- The time needed to apply for and receive approval for a utility permit.
- If necessary, modify utility permit process to allow County staff to approve permits instead of an appointed land development board. This will give applicants a sort of “fast track” to move ahead.
- Adjust the fee structure associated with utility permit. Whenever possible, these fees should be reduced or waived to incentivize fiber and conduit installation.

As the policy is developed with input from the various stakeholder groups, it will be important for any fundamental changes to the policy be thoroughly vetted by County staff to ensure that modifications and revisions support the overall spirit of the policy and enhance the opportunities for broadband development within the community; rather than solely benefit the wishes or needs of a particular single stakeholder.

Once a consensus final draft of the policy has been developed, it is crucial that the policy is adopted by all stakeholders and it is incorporated into local building codes and adopted by the County's Board of Commissioners. Since all local governments differ somewhat in their processes and procedures, there will be some variation in the implementation of this process. Implementing a Dig-Once policy at the local level is preferable than at a higher level due to these differences in process and the complexities involved when creating a policy that will span multiple jurisdictions.

## Joint-Trenching Policy Implementation

A Joint-Trench Agreement, often included as part of a larger Dig-Once Policy, is an agreement between two entities (usually two telecoms or a local government and a telecom) to share the cost of excavation and installation of underground conduit. These agreements typically include very specific details as to what costs will be shared between entities, who is responsible for performing specific tasks, adoption of a standard multi-utility installation design, and how the costs will be distributed among the Agreement's participants, and many other contractual responsibilities of the parties involved.

Just as the Dig-Once Policy involved several stakeholders' participation, the Joint-Trench Agreement will as well. Generally, the local government's Planning and Zoning or Public Works departments take the lead with Joint-Trench agreements as they are the entity that are most directly affected by these sorts of agreements. In addition to Planning and Zoning and Public Works, it will be necessary to gather the input from both County/City Attorney's office and the IT Department.

It will be important for the County to actively seek Joint-Trench Agreement opportunities between these types of organizations to bolster local infrastructure and avoid potential overbuild/overlap in the Yolo community. Critical to the success of this plan is the cooperation and participation of



service providers with stakeholders in the community. We believe that community infrastructure should be positioned to make service providers more effective in delivering advanced services to the community, not to compete against them. When properly implemented, the Joint-Trench Agreement will afford various benefits to the involved parties including:

- Fewer construction crews working in the area at any particular time, thus reducing the risk of worker injury and the risk of damaging other underground utilities.
- Savings of approximately 30% to 40% by jointly installing conduit and/or fiber facilities.
- Shortened construction timeline when utilizing a standard, multi-utility, installation design.
- Conservation of the Right-of-Way.
- Uniform design makes it easier to locate existing facilities in future excavations.

Through the implementation and adoption of Joint-Trench agreements with other local governments, incumbent telecom providers, and other local utilities, the community will stimulate broadband development while relieving undergoing congestion of utilities and reduce overall cost to implement broadband infrastructure. A sample Joint-Trench Agreement from the City of Burbank is provided in Appendix XX.

## Comprehensive Broadband Standards Implementation

A Comprehensive Broadband Standards document will support both the Dig-Once Policy and Joint-Trench Agreements. The Comprehensive Broadband Standards will provide a solid foundation and technical guidelines with regard to how broadband infrastructure will be built in the Yolo community. By outlining technical specifications for conduit and fiber and specifying specific installation standards for multi-utility trench design, Yolo County will standardize and automate the process of broadband infrastructure deployment; thus ensuring that broadband infrastructure becomes a part of the design for all relevant capital projects.

Yolo County's Planning and Zoning or Land Development Department must take the lead and develop Comprehensive Broadband Standards that are adopted and codified into the County's Land Development Code. This process will require the input of the County's IT Department, the County Attorney's Office, and potentially local stakeholders such as incumbent telecom providers, developers and builders, and potentially the local Chamber of Commerce to refine community needs. These Standards will outline construction materials, installation guidelines and design, and other broadband technical standards and will require all future broadband infrastructure deployments to adhere to the standards defined by the County with the ultimate goal of ensuring uniformity of design and implementation of requirements ensuring broadband components (at a minimum conduit installation) are installed every time excavation or new development occurs.

We will work with Yolo County to identify the requirements for infrastructure components that will support the broadband needs of the community both today and in the future. These Standards should include engineering and design standards for both new construction and excavation of existing utility infrastructure as well as a standard, multi-utility, installation design to be utilized in all future builds. By adopting and codifying a Comprehensive Broadband Standards document, Yolo

County will be ensuring that broadband infrastructure will be installed whenever excavation or new development occurs just as power, water, and sewer utilities are deployed. The Comprehensive Broadband Standards document should be developed as a living document that can be modified if needed to incorporate future broadband intensive application needs such as smart home/building technology which then could be implemented into the community's building standards.

## Cases and Success Stories

Local governments across the country have successfully implemented the previously mentioned policies to varying degrees and with much success. Although it is a rare community that has implemented all of these strategies, examples of communities that have implemented select policies abound including Riverside, CA, San Francisco, CA, Portland, OR, and Loma Linda, CA.

### Joint Use Success Story

In an effort to address the lack of broadband infrastructure in their communities, several organizations have entered into Joint-Build or Joint-Use agreements or ordinances. These sorts of agreements lead to better planning, coordination, and efficient use of conduit and fiber infrastructure but often times do not require the actual deployment of fiber. Although these agreements do not require the actual deployment of fiber, the high cost of conduit installation is shared between the municipality and the service provider; lowering the cost for all parties involved in the Joint Use agreement. These types of agreements are in place currently in Riverside, CA and Merced County, CA. By establishing this type of ordinance, the municipality, is ensuring that it will have access to and use of any conduit that is constructed in the right-of-way.

Another potential approach to the Joint Use and Dig Once policies is to require that telecommunications organizations integrate construction of infrastructure into the planning process of the municipality. This is the approach that is currently being proposed in San Francisco, CA. Although this approach would require greater coordination of projects between municipal organizations and telecom providers up to and through the excavation process, this approach will ensure that all parties are given the opportunity to install their infrastructure during the excavation process.

### Comprehensive Broadband Planning Success Story

In 2004, the City of Loma Linda adopted a comprehensive broadband plan, *the Connected Community Program*, which included policies to promote the deployment of a citywide fiber optic network and made modifications to its building codes to ensure that development will be designed to meet the needs of future telecommunications technologies. For their efforts, Loma Linda has received international recognition for its ordinance which states:

*"In recognition of the need to provide local residents and businesses within the community with additional options to meet their telecommunications needs, as adopted by city council resolution, all new development projects within the city, regardless of whether such new development falls within the fiber- optic master plan area, and additions that exceed more than fifty percent of the*

*original structure that fall within the fiber- optic master plan area, will be required to participate in, and will be bound by, the connected community program.” (Ord. 629 § 1, 2004)*

By adopting this local ordinance, the City of Loma Linda has secured its broadband future by ensuring that fiber-optic infrastructure will be installed anytime new development or major renovations are completed within the City.

## Dig Once Policy Success Story

In 2011, the City of Portland, Oregon’s City Council unanimously adopted Portland’s Broadband Strategic Plan (BSP) by bringing together City officials and community partners. The plans was a result of the recognition and foresight of City leaders that high-speed affordable broadband to every home and business was a requirement if the community was to thrive in the twenty-first century. The success of the BSP will have important benefits for the City’s economic development strategy, climate change strategy, and to the continuing impact of the economic recession. Included in the BSP is a formal Dig Once policy; an excerpt is included below:

*“Implement a ‘dig once’ policy that cost-effectively enables gradual deployment of infrastructure. In this model, a community implements a policy mandating installation of conduit (or fiber) any time a trench or road is open in the public rights-of-way, thus enabling build--up of a critical mass of infrastructure at relatively low incremental cost. Ideally, the conduit and fiber are specified in advance and, of course, they must be impeccably mapped and recorded. Such a policy is most effective where there exists extensive planning and coordination among the various departments responsible for infrastructure and construction (public works, transportation, IT, permitting authorities, and utilities). It also helps to coordinate the construction timelines of various departments so as to facilitate cost-effective placement of conduit and fiber. This strategy enables deployment of infrastructure for backhaul and middle-mile fiber that can be leased to the private sector and stimulate offering of services. It can also enable placement of conduit directly to wireless facilities sites, thus facilitating not only deployment of next--generation wireless services but also reducing the cost for new competitors to enter the market. This strategy recognizes that certain sections of our city are rich with fiber infrastructure such as in the Central Business District. If moved to the work plan stage, the ‘dig once’ strategy will be planned for the sections of Portland that are currently deficient in fiber infrastructure.”*

## Frequently Asked Questions

*If I have a companion project going on, water, sewer or other, how am I going to manage installing conduit on top of this other infrastructure, similar separation issue?*

It is imperative that as the local government, you adopt a detailed multi-utility installation design for the right-of-way. These design specifications should be codified in your organizations Land Development Code, thus ensuring that separation of infrastructure is preserved.

*Where’s the money going to come from to fund installation of new infrastructure by the county and cities?*

Although many times installation is paid for through general fund dollars, there are opportunities to reduce the burden through various federal and state grant programs. Also, through the adoption of Joint-Trench and Dig-Once policies, opportunities will become available to share costs with telecommunications providers and developers resulting in lower expenses to the local government.

*Why would service providers be interested in joint trenching?*

With regard to service providers, a dig once policy could be extremely beneficial. Just as it is the local government's desire to deploy broadband infrastructure in the most effective and efficient manner, this also applies to service providers. Advantages of joint-trenching and dig once agreements to service providers include:

- Lower frequency of construction in the right of way
- Lower instances of damaging existing infrastructure
- Lower installation costs
- Increased access to new markets
- Decreased time to deploy fiber infrastructure

*Who needs to be involved from the County and city perspective?*

Since these policies and ordinances will have an effect on several departmental functions, it is very important that the local government assemble a team that includes members from:

- Leadership (City/County Manager or representative)
- City/County Attorney's Office
- Land Development/Planning and Zoning
- Information Technology
- Public Works
- Economic Development

By including team members from all of the departments mentioned above, you will ensure that there are representatives available to answer any questions that may arise and will be able to address any technical, legal or policy issues.

## 14. Appendix F: Yolo Broadband Statistics & Datasets

Figure 16.1: Broadband Penetration Per Census Tract in Yolo

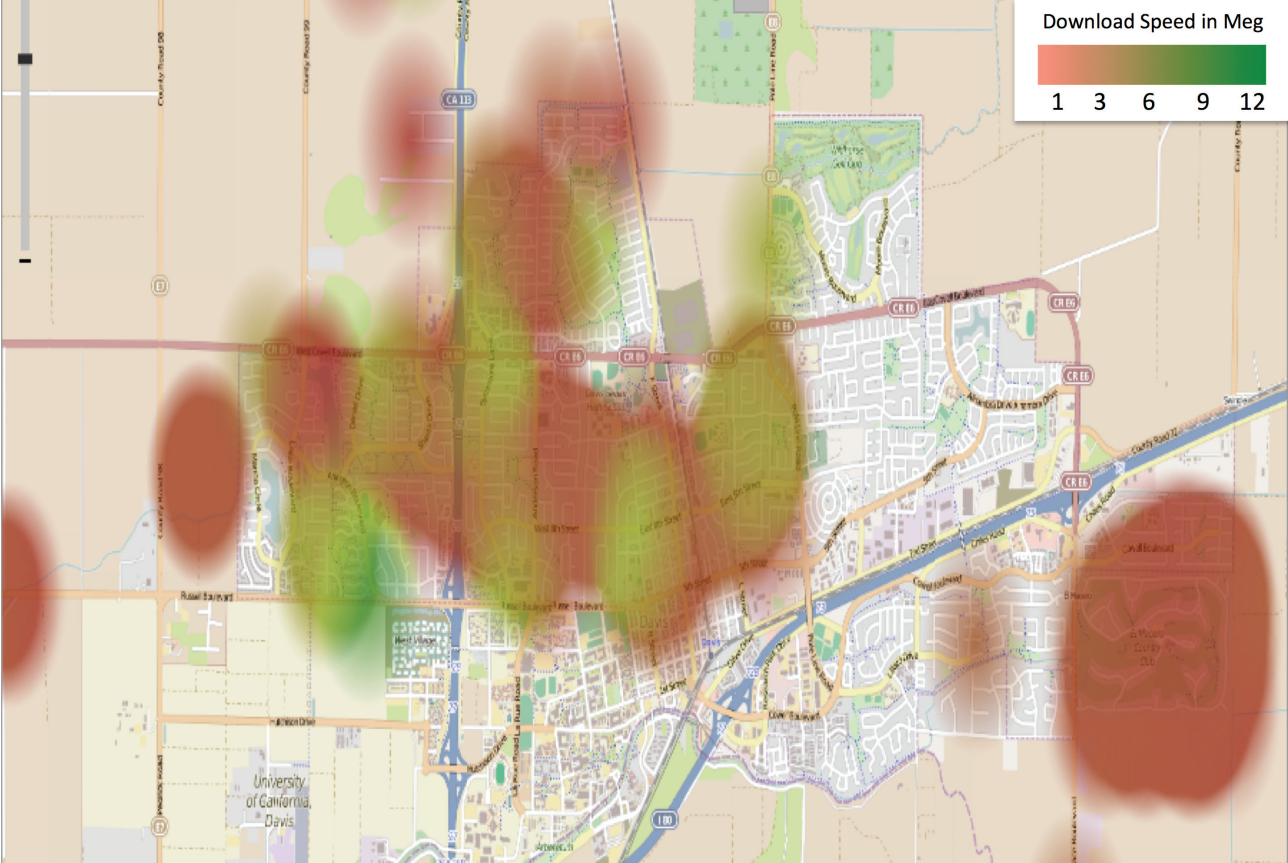
Census Tract Name	Total Household	Occupied	Vacant	Average Penetration	Households with Broadband
Census Tract 101.01	2,628	2,219	409	50%	1,110
Census Tract 101.02	2,468	2,321	147	50%	1,161
Census Tract 102.01	1,213	1,114	99	70%	780
Census Tract 102.03	2,293	2,014	279	30%	604
Census Tract 102.04	2,233	2,173	60	50%	1,087
Census Tract 103.02	2,663	2,432	231	90%	2,189
Census Tract 103.10	1,843	1,819	24	90%	1,637
Census Tract 103.12	2,023	1,852	171	90%	1,667
Census Tract 104.01	1,921	1,790	131	70%	1,253
Census Tract 104.02	1,249	1,173	76	90%	1,056
Census Tract 105.01	1,127	1,093	34	30%	328
Census Tract 105.05	1,779	1,627	152	70%	1,139
Census Tract 105.08	1,064	983	81	70%	688
Census Tract 105.09	1,330	1,330	-	70%	931
Census Tract 105.10	2,104	2,068	36	70%	1,448
Census Tract 105.11	1,255	1,204	51	70%	843
Census Tract 105.12	1,182	1,182	-	90%	1,064
Census Tract 105.13	1,201	1,150	51	90%	1,035
Census Tract 106.02	2,606	2,360	246	70%	1,652
Census Tract 106.05	1,202	1,138	64	90%	1,024
Census Tract 106.06	2,831	2,728	103	70%	1,910
Census Tract 106.07	1,650	1,580	70	90%	1,422
Census Tract 106.08	2,045	1,909	136	90%	1,718
Census Tract 107.01	2,076	1,939	137	70%	1,357
Census Tract 107.03	1,878	1,711	167	90%	1,540
Census Tract 107.04	914	864	50	70%	605
Census Tract 108	1,457	1,370	87	50%	685
Census Tract 109.01	1,907	1,881	26	50%	941
Census Tract 109.02	2,581	2,368	213	50%	1,184
Census Tract 110.01	2,612	2,441	171	50%	1,221
Census Tract 110.02	1,439	1,375	64	70%	963
Census Tract 111.01	1,213	1,063	150	50%	532
Census Tract 111.02	1,635	1,560	75	50%	780
Census Tract 111.03	1,144	1,124	20	70%	787
Census Tract 112.03	1,074	994	80	70%	696
Census Tract 112.04	1,759	1,731	28	70%	1,212
Census Tract 112.05	2,645	2,427	218	90%	2,184
Census Tract 112.06	2,287	2,037	250	70%	1,426
Census Tract 113	2,634	2,606	28	70%	1,824
Census Tract 114	1,515	1,372	143	10%	137
Census Tract 115	1,959	1,738	221	50%	869
Totals	74,639	69,860	4,779		46,684

Source: 2010 Census Data Reported Through American FactFinder and the FCC Form 477 Report for July 2013

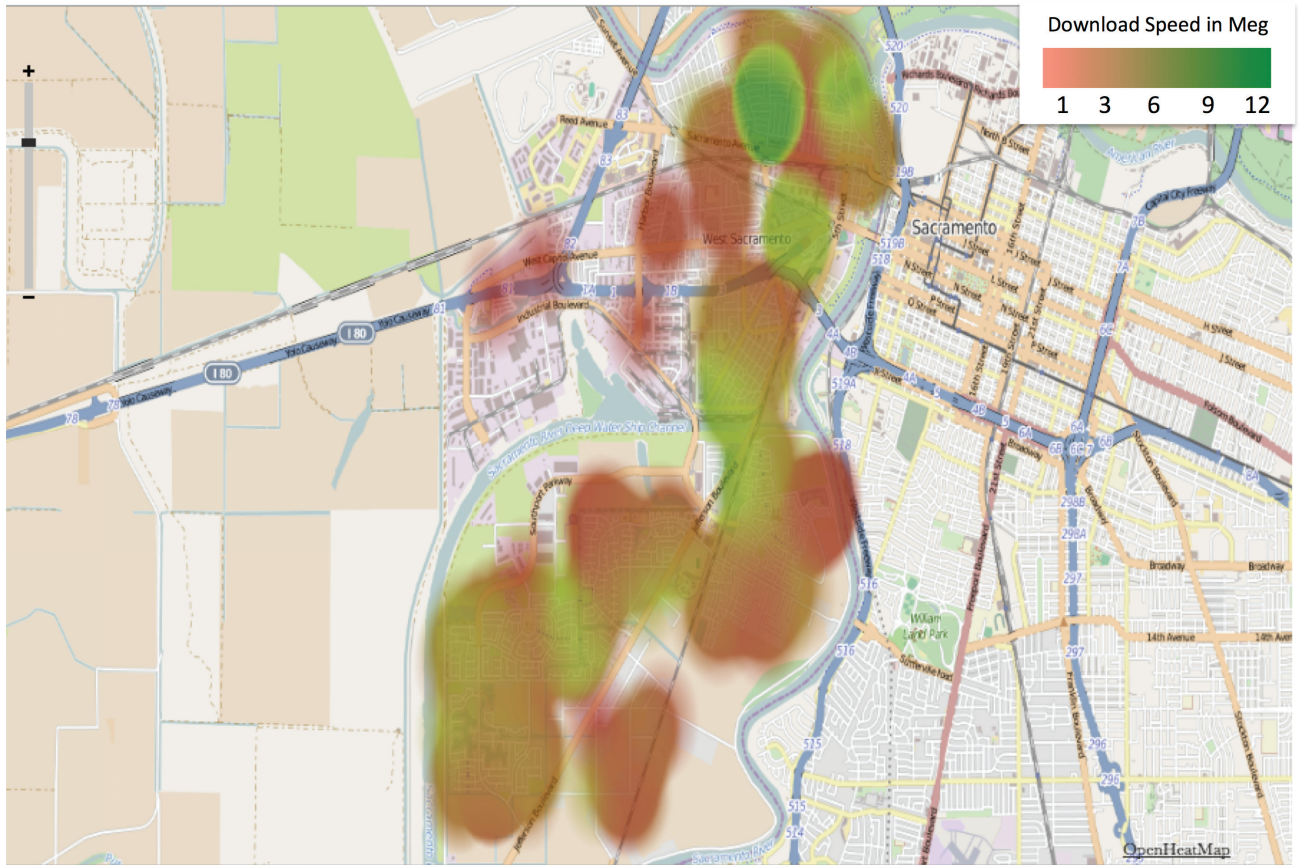
# 15. Appendix G: Yolo Broadband Speed Test Heat Maps

This series of heatmaps illustrates the concentration of broadband download speeds in each City within Yolo County. It provides a visual illustration of the concentration of broadband speeds, based on speedtest results reported in the project. Areas in green illustrate higher speeds of up to and above 12 megabits down. Areas in red illustrate lower speeds of not greater than 1 megabit down.

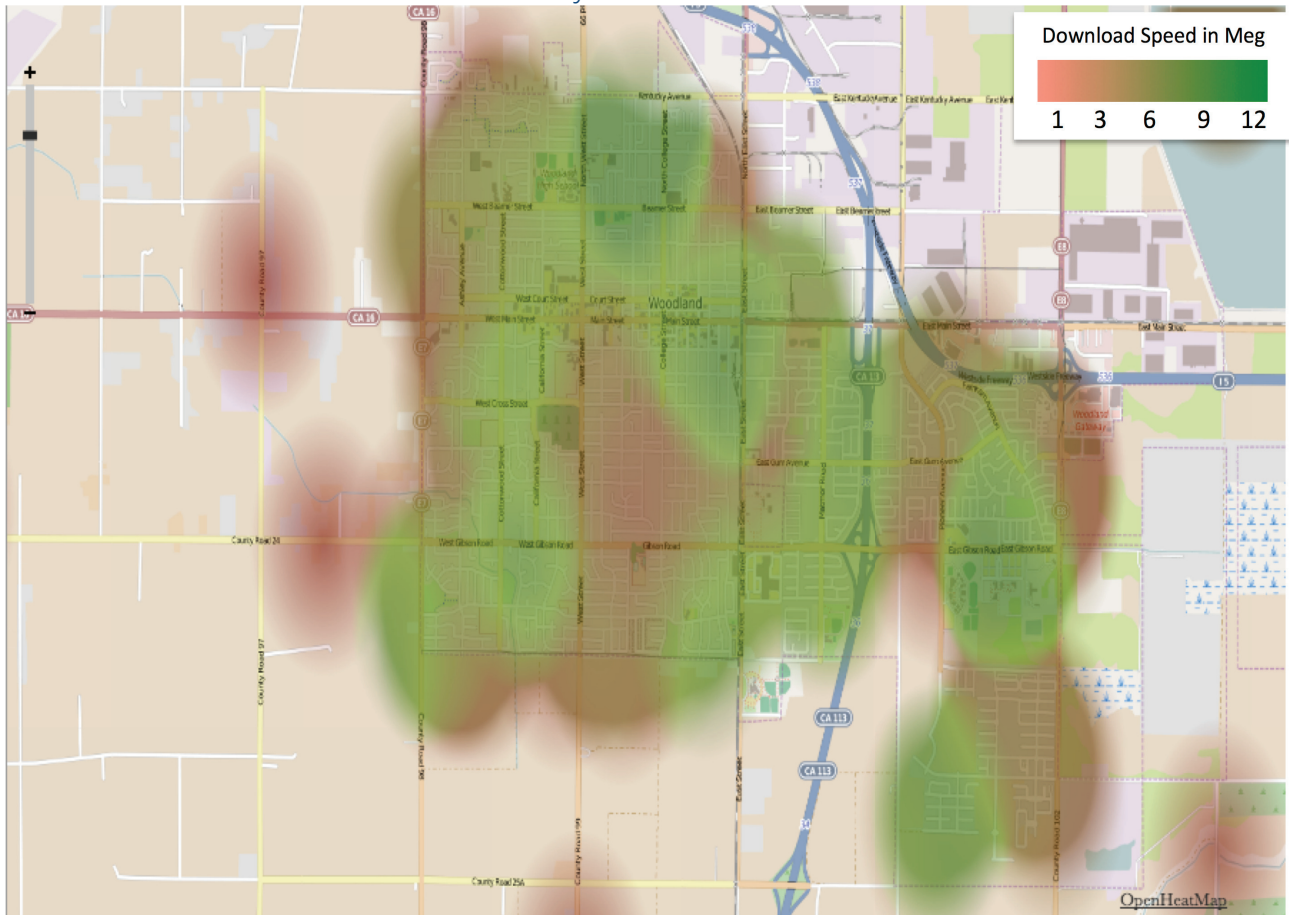
City of Davis



# City of West Sacramento

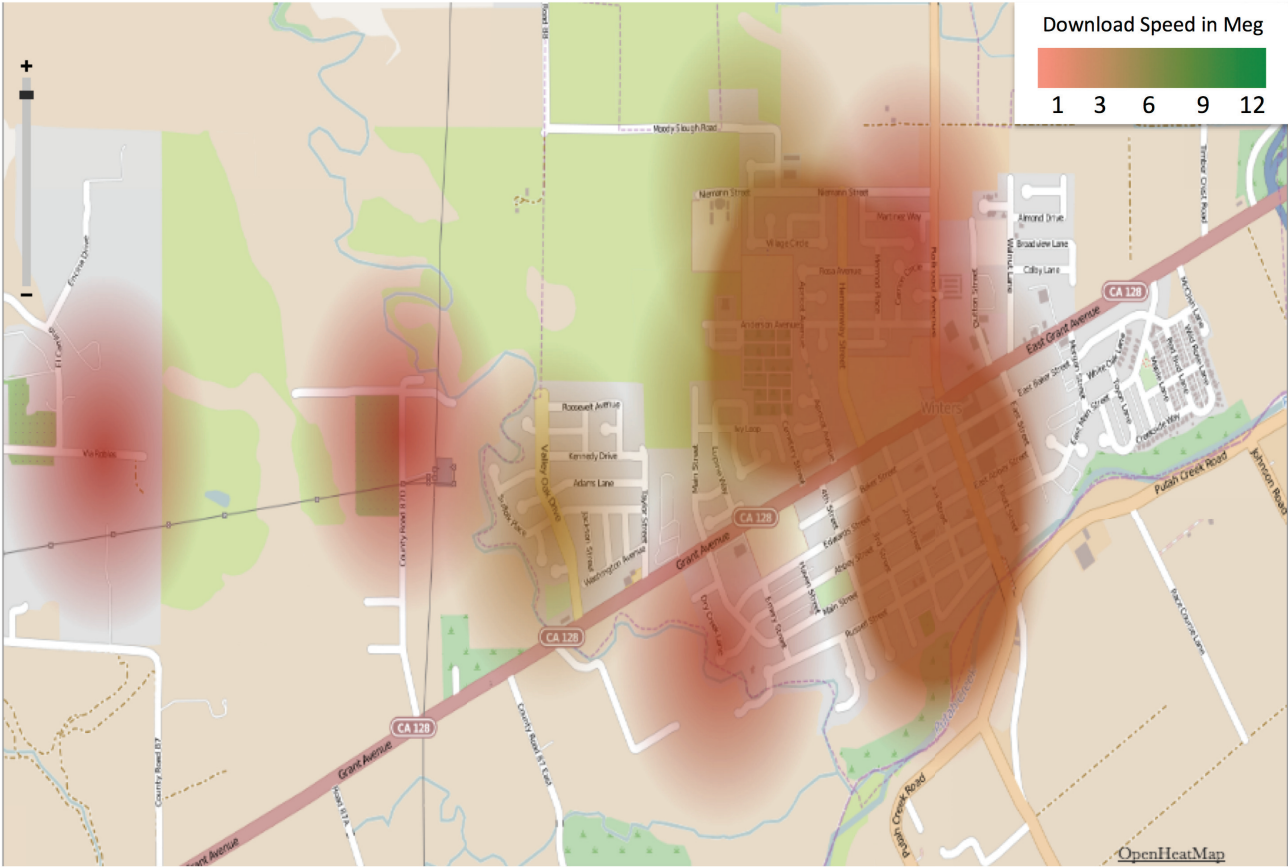


# City of Woodland

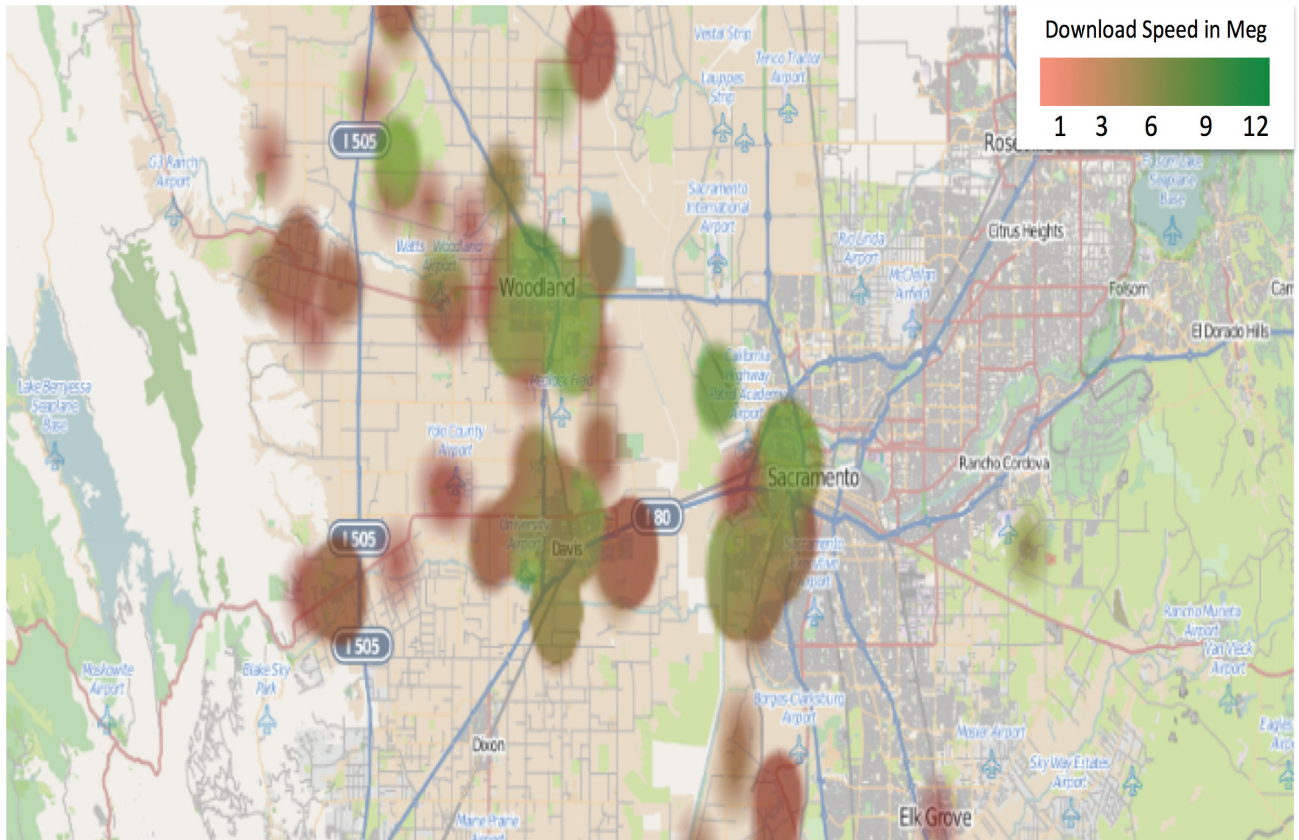




# City of Winters



# Yolo County (Countywide Heat Map)





**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Consider staff's recommended changes to Yolo LAFCo's local policy regarding Out of Agency Services, direct staff to make any desired changes and adopt the updated policy.

**RECOMMENDED ACTION**

Consider staff's recommended changes to Yolo LAFCo's local policy regarding Out of Agency Services, direct staff to make any desired changes and adopt the updated policy.

**FISCAL IMPACT**

The suggested policy changes would slightly reduce the number of applications otherwise required by LAFCo and the corresponding loss of application revenue. Our current deposit amount required to process an Out of Agency Service review is \$1,500. There is one application currently in process with Yolo County (a 16-unit townhouse project in El Macero) that under the current policy would probably require a LAFCo process, however with the proposed updates it would no longer be required.

**REASONS FOR RECOMMENDED ACTION**

With the drought and recent increase in development activity, staff is experiencing an increase in calls to LAFCo regarding Out of Agency Services. Our local policy implementing Government Code Section 56133 has not been revised since 2005 and is in need of updating.

**BACKGROUND**

Government Code Section 56133 requires cities and districts to obtain LAFCo approval before services can be extended outside jurisdictional boundaries. Before this requirement was instituted in 1994, it was not uncommon for a city or special district to provide services outside its boundary after LAFCo had denied an annexation. With this in mind, G.C. §56133 was enacted to assist LAFCo in fulfilling its mandate to curtail urban sprawl by requiring service providers to come to LAFCo before extending service into the unincorporated area.

Yolo LAFCo has adopted local policies to implement 56133, however they have not been updated since 2005. The goal of staff's recommended changes are to:

1. Take the focus off of reviewing the contract itself and clarify that LAFCo's responsibility moreover is to approve/deny an extension of services in its mission to curtail urban sprawl and ensure adequate services.
2. Clarify that the process can be initiated by a landowner and not only the city/district (per a 2011 appellate court decision in Santa Cruz County).
3. Add Standards of Evaluation that currently do not exist.
4. Make the requirement for an agreed upon timetable for annexation a Standard of Evaluation, instead of a condition of approval.
5. Add a definition of "new or extended services" to clarify that LAFCo approval is necessary for extending service into new areas as opposed to a new contract where services already exist.

Below is a more detailed discussion of staff's recommended changes per section that correlate to the attached policy that highlights staff's recommended ~~deleted text~~ and **new text**.

I. Background - The proposed changes are not substantive and this section merely restates what's already in state law.

II. Initiation of Process - 56133 specifies that the city or district providing services must submit the application (not the landowner for some reason). However, there was an appellate court decision in 2011 that clarified that LAFCo's authority was not determined by what party submits an application and that the recipient of services can also file the application. Staff's recommendation is that requiring the application to be submitted from the agency providing service can be onerous and is unnecessary, especially when the request involves a public health threat. Agency concurrence can be more easily obtained via a "will-serve letter".

III. Standards of Evaluation - These standards are entirely new and give the Commission tools to support LAFCo's mission to curb sprawl, promote logical and orderly development, preserve agricultural land and ensure no degradation of existing levels of municipal service.

IV. Conditions of Approval - The significant policy change in this section is that staff is suggesting that the requirement for an agreed upon timetable for annexation be deleted as a required condition of approval and make it a Standard of Evaluation instead. Staff suggests that the timeline for annexation is an important factor to consider in the LAFCo Commission's decision, however, as a condition of approval it's difficult to enforce in practice. In addition, there's another paragraph regarding the area needing to be in the agency's SOI that is suggested for deletion because it's redundant and not appropriate for the condition of approval section.

V. Emergency Connections - Staff's suggested edits are intended to clean up language regarding abbreviated applications which should no longer be needed since landowners will now be allowed to submit the application. It also clarifies that should the Executive Officer make a temporary emergency decision, that it is only valid until the Commission has had an opportunity to act. It also acknowledges that the Standards of Evaluation are not applicable to emergency connections for the most part.

VI. Definitions - This is a subtle but significant definition that will change Yolo LAFCo's approach to Out of Agency Service requests. Historically, Yolo LAFCo has interpreted 56133 to apply to any new contract or agreement for services. This will clarify that LAFCo's ultimate goal is to curtail sprawl and that requiring a process for all new contracts for service is not always necessary. For example, under the current policy LAFCo would need to approve a new contract for services - even if it were a new contract for services into an area that is already served. Staff's recommendation is that if extended services have already been authorized or grandfathered in, LAFCo would not need to review any new agreements in this same territory for the same service.

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### Attachments

[Out of Agency Policy with changes](#)

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### Form Review

**Inbox**

Christine Crawford

Form Started By: Christine Crawford

Final Approval Date: 11/20/2014

**Reviewed By**

Christine Crawford

**Date**

11/20/2014 10:00 AM

Started On: 11/17/2014 02:27 PM

**YOLO COUNTY  
LOCAL AGENCY FORMATION COMMISSION**

**OUT OF AGENCY SERVICE CONTRACT REVIEW**

- I. **BACKGROUND** - Government Code §56133 requires *that* districts and cities to request and obtain LAFCo approval of any new or extended services outside the agency's existing boundaries.

For LAFCo to approve the request, (1) the area to be served must be within the sphere of influence of the agency, and (2) annexation of the territory is anticipated. ***LAFCo may also authorize extended services outside an agency's sphere of influence (SOI) to respond to an existing or impending public health or safety threat (i.e. failing well or septic system).***

The following **services are** exemptions to **from** this code section ~~are noted:~~

- ❖ ~~This section does not apply to~~ Contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.
- ❖ ~~This section does not apply to~~ Contracts for the transfer of nonpotable or nontreated water.
- ❖ ~~This section does not apply to~~ Contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. Approval from the LAFCo Commission is required before any surplus water is provided to a project that will support or induce development.
- ❖ ~~This section does not apply to an extended~~ Service that a city or district was providing on or before January 1, 2001.
- ❖ ~~This section does not apply to~~ A local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

LAFCo approval of out-of-agency agreements ~~by LAFCo~~ is a discretionary action under ~~As such these approvals are subject to the~~ California Environmental Quality Act (CEQA). ~~The lead agency for out-of-agency service contract requests will usually be the agency proposing or agreeing to extend services. In some cases, LAFCo may assume the lead agency role.~~

- II. **INITIATION OF PROCESS** - Government Code § 56133 specifies that a city or special district must apply for and obtain LAFCo approval before providing new or extended services outside its jurisdictional boundaries. Initiation of the process cannot **also** be made by application of ~~registered voters or landowners~~ **from the prospective recipient of the services with agreement of the agency (Community Water Coalition v. Santa Cruz County LAFCo, 200 Cal. App. 4th 1317 (2011)).** ~~The agency shall submit an Application for Out-of-Agency Service~~

~~Contract Review, with specific maps, information, a copy of the proposed agreement or contract, and the appropriate environmental document. In addition, the fee determined by the Commission is also due at the time of application.~~

**III. STANDARDS OF EVALUATION - LAFCo will consider the following factors to determine the local and regional impacts of proposed out of agency services:**

- a) Whether annexation is a reasonable and preferable alternative to LAFCo allowing extended services outside the agency's jurisdictional boundaries.**
- b) The growth inducing impacts of any proposal.**
- c) Whether the proposed extension of services promotes logical and orderly development of areas within the SOI (i.e. islands, strips and corridors are disfavored).**
- d) The agreed upon timetable and stated expectation for annexation to the agency providing the requested service.**
- e) The proposal's consistency with the policies and plans of all affected agencies.**
- f) The ability of the local agency to provide service to the proposed area without detracting from current service levels.**
- g) Whether the proposal contributes to the premature conversion of agricultural land or other open space land.**
- h) Whether the proposal conflicts with or undermines adopted Municipal Service Review determinations and/or recommendations.**
- i) Other factors determined to be relevant by the LAFCo Commission or staff.**

**IV. CONDITIONS OF APPROVAL – LAFCo's authorization for extended services shall generally be valid up to one year from the date of approval and will expire unless a contract has been executed and construction commenced. If the extended services are part of an overall development proposal, the authorization shall generally be valid per the term specified by the lead agency project approvals, unless otherwise specified in the LAFCo conditions of approval.**

~~The subject territory of an out-of-agency service contract must be within the sphere of influence of the district or city. If not, the agency shall submit an application to amend its sphere of influence concurrently with the Application for Out-of-Agency Service Contract Review.~~

~~Also, the provision of new or extended services must be in anticipation of annexation. Therefore, there should be an agreed upon timetable and stated expectation for annexation to the contracting agency. This information should be included in a written contract for the new or extended services.~~

**V. EMERGENCY CONNECTIONS - In circumstances presenting an imminent peril to the public health and safety (e.g. a failing well or septic system), the Executive Officer may accept an abbreviated application.**

~~The abbreviated application may be in the form of a letter but shall provide such information as the Executive Officer concerning the specific nature of the problem and need for immediate action. The Executive Officer will review the request immediately and **depending on the specific nature of the problem and need for**~~

***immediate action*** either issue a temporary approval, or defer the matter to the Commission's next meeting. If the Executive Officer gives temporary approval such approval shall only be in effect until the Commission's next meeting ***decision. Yolo LAFCo acknowledges that the Standards of Evaluation will not apply to emergency connections in most cases.***

~~The Commission shall review the emergency request at its next regularly scheduled meeting, or an earlier special meeting. The Commission may approve the request for a period of up to six months, starting the day of the emergency request. A complete *Application for Out-of-Agency Service Contract Review*, with appropriate fees, must be submitted and approved by the LAFCO Commission, within such time as the Commission designates for such temporary approval, for the connection to remain in effect.~~

## **VI. DEFINITIONS**

***“New or Extended Services” – In determining whether out of agency services are considered “new or extended”, Yolo LAFCo defines “new or extended” in terms of geographical area/territory. If a specific service (i.e. water or sewer) has been authorized outside agency boundaries to a specified territory (either by grandfathered status prior to January 1, 2001 or by subsequent LAFCo approval) a new contract for the same service within the same territory does not require additional LAFCo review.***



Regular 12.

**LAFCO**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

Consider and adopt the Yolo LAFCo 2015 Meeting Calendar

**RECOMMENDED ACTION**

Consider and adopt the attached Yolo LAFCo 2015 Meeting Calendar.

**FISCAL IMPACT**

None.

**REASONS FOR RECOMMENDED ACTION**

The intent of an annual calendar is to provide the Commission with an overview of the year and consideration of events that affect meeting dates.

**BACKGROUND**

Staff has considered the meeting dates as set by Yolo LAFCo Administrative Policies and Procedures; impact of holidays; CALAFCO events; county and city association annual events; and traditional break periods for meetings. Given these considerations the attached calendar proposes an overview of anticipated LAFCo meetings for the 2015 year. This calendar does not preclude the calling of special meetings as needed or cancellation of meetings, if appropriate.

Please note that due to the CA State Association of Counties (CSAC) Annual Meeting held December 1-4, 2015, staff has moved the December LAFCo meeting from the first Thursday of the month to Wednesday, December 9, 2015.

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**Attachments**

[2015 LAFCo Meeting Calendar](#)

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**Form Review**

**Inbox**

Christine Crawford

Form Started By: Terri Tuck

Final Approval Date: 11/17/2014

**Reviewed By**

Christine Crawford

**Date**

11/17/2014 11:25 AM

Started On: 10/30/2014 12:01 PM



# 2015 Yolo LAFCo Meeting Calendar

## JANUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## FEBRUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

## MARCH

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## APRIL

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## MAY

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## JUNE

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## JULY

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## AUGUST

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## SEPTEMBER

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## OCTOBER

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## NOVEMBER

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## DECEMBER

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<b>MEETING CALENDAR EVENTS</b>	
	Cap to Cap (Apr 18-22)
Yolo LAFCo Meetings	CSAC Legislative Conference (May 27-28)
County Holidays	NACo Annual Conference (Jul 10-13)
CALAFCO Staff Workshop (Apr 15-17)	League of Cities Conference (Sep 30-Oct 2)
CALAFCO Conference-Sacto. (Sept 2-4)	CSAC Annual Meeting (Dec 1-4)



**LAFCo**

**Meeting Date:** 12/04/2014

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**Information**

**SUBJECT**

A report by the Executive Officer on recent events relevant to the Commission and an update of Yolo LAFCo staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.

- Shared Services
  - Distribution of RFPs for MSR/SOI:
    - ~ City of Davis and Associated CSAs
    - ~ All Fire Protection Districts
  - LAFCo Alternate - City Selection Committee
  - CALAFCo Conference Synopsis
  - Staff Activity Report - September 22 to November 28, 2014
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**Attachments**

[Staff Activity Report](#)

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 11/20/2014

Started On: 11/20/2014 12:32 PM

## LAFCo Staff Activity Report

### September 22 through November 28, 2014

Date	Meeting/Milestone	Comments
09/22/2013	Shared Services – Conference Call w/ Magellan Advisors	Yolo Broadband Strategic Plan
09/25/2014	Meeting w/Jeffrey Roberts	Potential development projects in Winters, Esparto & Madison
09/25/2014	Meeting w/County consultants	Review Draft scenarios space planning for County buildings
09/29/2013	Shared Services – Conference Call w/ Magellan Advisors	Review Broadband Plan comments
10/02/2014	Shared Services – Davis/County 2x2	Nishi County Ag Cluster Ordinance
10/03/2014	Shared Services – Yolo Broadband Working Group Meeting	Yolo Broadband Strategic Plan
10/06/2014	Shared Services – Lunch w/RCRC (Mary Pitto, Paul Smith, Staci Heaton)	Yolo Broadband *(RCRC-Rural County Representatives of CA)
10/07/2014	Shared Services – Meeting w/John Donlevy (City of Winters)	Animal Services
10/08/2014	Meeting with Yolo County staff	Setting up new activity codes for new billing/payroll system
10/09/2014	Meeting with Cindy Tuttle, Yolo County	Discuss the UC Davis Flood Governance Study
10/09/2014	Shared Services – Meeting w/Cities & County (Carol Richardson, Gene Rogers, Kelly Stachowicz, John Donlevy, Paul Navazio, Patrick Blacklock)	Animal Services
10/14/2014	Shared Services – Meeting w/County Librarian Patty Wong	CA Library Association Conference – session prep for broadband
10/14/2014	Shared Services – Conference call w/John Honker (Magellan Advisors)	Review CPUC issues
10/15-10/17	CALAFCO Conference – Ontario	Attended
10/20/2014	Shared Services – Meeting w/Jodi Milligan (Valley Vision)	CPUC Mapping and Rural Broadband Experiments Grant

Date	Meeting/Milestone	Comments
10/20/2014	Meeting w/City of Davis (Sarah Worley, Mike Webb, Rob White, Katherine Hess, Heidi Tschudin) & County (Taro Echiburu)	LAFCo Process for Davis Innovation Center Application
10/20/2014	Shared Services – Lunch w/City of Winters(John Donlevy & Cecilia Aguiar-Curry) & CETF (Sunne Wright McPeak)	Broadband CPUC mapping issues *(CETF-CA Emerging Technology Fund)
10/21/2014	Meeting w/Jeffrey Roberts	Potential development projects in Winters, Esparto & Madison
10/22/2014	Meeting w/Mr. Rose	Pre-project planning-Cacheville CSD out-of-agency
10/22/2014	Shared Services – Lunch w/Kirk Trost (SACOG)	Shared Services
10/23/2014	Lunch w/Nancy Pennebaker, Betsy Marchand, Sue Heitman (Capay Valley Vision)	MERCOSA Prop 218 Process
10/24/2014	Shared Services – Connected Capitol Area Broadband Consortium Meeting	Presented re Yolo Broadband Strategic Plan
10/27/2014	Joint City of Winters/Planning Commission Meeting	Speaker on Annexation/Ag preservation
10/31/2014	Shared Services – University Downtown Gateway Project (Nishi) District Meeting	Attended
11/03/2014	Shared Services – Conference call w/ Magellan Advisors	Broadband Strategic Plan
11/03/2014	Shared Services – Meeting w/Elisa Sabatini (County Admin Office)	Comcast/Open cable discussion (El Macero CSA)
11/05/2014	Shared Services – Meeting w/Sheriff & cities of Woodland & Winters (Paul Navazio, John Donlevy)	Animal Services
11/06/2014	Shared Services – Davis/County 2x2	Animal Services Broadband
11/12/2014	Shared Services – Conference call w/ Magellan Advisors	Broadband Strategic Plan
11/12/2014	Shared Service-Meeting w/Margaret (RCRC)	Broadband

<b>Date</b>	<b>Meeting/Milestone</b>	<b>Comments</b>
11/12-11/13	Shared Services – CETF Broadband Summit-Redding CA	Attended
11/17/2014	Shared Services – Meeting w/Solano Land Trust (Tracy Ellison, Janet Mackey)	Ag Mitigation Strategies
11/19/2014	Meeting w/Olin Woods	LAFCo Agenda Review
11/21/2014	Shared Services – Meeting w/Diane Parro and animal services advocates	Animal Services Update
11/24/2014	Meeting with Diane Parro	County Broadband Strategy
11/25/2014	Lunch with Lisa Baker	Broadband grant opportunity for public housing/Westucky
11/26-11/28	Thanksgiving	Off the grid