

# LOCAL AGENCY FORMATION COMMISSION OF YOLO COUNTY

## Regular Meeting AGENDA

**February 28, 2013 - 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)  
SKIP DAVIES (CITY MEMBER)  
DON SAYLOR (COUNTY MEMBER)  
BILL KRISTOFF (CITY MEMBER)

### **ALTERNATE COMMISSIONERS**

ROBERT RAMMING (PUBLIC MEMBER)  
JIM PROVENZA (COUNTY MEMBER)  
CECILIA AGUIAR-CURRY (CITY MEMBER)

CHRISTINE CRAWFORD  
EXECUTIVE OFFICER

ROBYN TRUITT DRIVON  
COMMISSION COUNSEL

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.

All 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 January 24, 2013
5. Approve Special Meeting Minutes of January 29, 2013
6. Receive and file C & L Newsletter by Special Counsel Colantuono & Levin, a Professional Corporation

#### **REGULAR AGENDA**

7. Authorize the Chair to Execute an Agreement not to Exceed \$4,000 with UC Davis on Behalf of its School of Veterinary Medicine's Koret Shelter Medicine Program to Provide Design/Organizational Consultation for Yolo County Animal Services (YCAS) and Authorize Staff to Process Internal Billings to YCAS not to Exceed \$12,000 to Reimburse YCAS for the Cost to Hire Contract Veterinarians to Replace the Existing Veterinary Staff That Will Be Redirected 8-10 Hours Per Week to Work on Koret Shelter Medicine Consultation Services.
8. Consider and adopt the Fiscal Year 2013/14 Work Plan as the basis for the Fiscal Year 2013/14 Draft Budget

#### **EXECUTIVE OFFICER'S REPORT**

9. 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.
  - Staff Activity Report - January 19 to February 22, 2013
  - CALAFCO Staff Workshop - Update on Mobile Tour

#### **COMMISSIONER COMMENTS**

10. 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**

11. Next Regular Meeting date is March 28, 2013

I declare under penalty of perjury that the foregoing agenda was posted on or before February 22, 2013, by 5:00 p.m. 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

**NOTICE**

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Commission Clerk for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact the Clerk as soon as possible and at least 24 hours prior to the meeting. The Clerk may be reached at (530) 666-8048 or at the following address:

Yolo County LAFCo  
625 Court Street, Room 203  
Woodland, CA 95695

Note: Audio for LAFCo meetings will be available directly following conclusion of the meeting at [www.yololafco.org](http://www.yololafco.org).



Consent **4.**

**LAFCO**

**Meeting Date:** 02/28/2013

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**Information**

**SUBJECT**

Approve LAFCo Meeting Minutes of January 24, 2013

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**Attachments**

Item 4-Jan 24.2013 Minutes

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 02/11/2013

Started On: 02/11/2013 02:31 PM

# LOCAL AGENCY FORMATION COMMISSION of YOLO COUNTY

## MEETING MINUTES

January 24, 2013

The Local Agency Formation Commission of Yolo County met on the 24<sup>th</sup> day of January 2013, 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 Skip Davies and Bill Kristoff. Others present were Alternate Public Member Robert Ramming and Alternate City Member Cecilia Aguiar-Curry, Executive Officer Christine Crawford, Commission Clerk Terri Tuck, and Commission Counsel Robin Drivon

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

Chair Woods called the Meeting to order at 9:01a.m.

City Member Bill Kristoff led the Pledge of Allegiance

PRESENT: Davies, Kristoff, Rexroad, Saylor, Woods ABSENT: None

### **Item No 3**    **Public Comments**

None

## **CONSENT**

### **Item No 4**    **Approve LAFCo Special Meeting Minutes of December 3, 2012**

### **Item No 5**    **Review and File Fiscal Year 2012/13 2<sup>nd</sup> Quarter Financial Update**

**Minute Order 2013-01:** The recommended actions were approved on Consent.

Approved by the following vote:

MOTION: Saylor SECOND: Davies

AYES: Davies, Kristoff, Rexroad, Saylor, Woods

NOES: None

ABSTAIN: None

ABSENT: None

## **REGULAR**

### **Item No 6**    **Authorize the Chair to sign an Agreement for Services between Yolo LAFCo and Rosenow Spevacek Group, Inc. Not to Exceed \$46,130 for**

**the Preparation of the Yolo County Water Districts Combined Municipal Services Review and Sphere of Influence Study**

**Minute Order 2013-02:** The recommended action was approved authorizing the Chair to sign an Agreement for Services for a revised not to exceed amount of \$42,090.

Approved by the following vote:

MOTION: Davies SECOND: Saylor

AYES: Davies, Kristoff, Rexroad, Saylor, Woods

NOES: None

ABSTAIN: None

ABSENT: None

**Item No 7 Consider Approval of the Draft Audit Prepared by Richardson & Company of the Yolo Local Agency Formation Commission's Financial Statement for the Fiscal Year Ending 2012**

**Minute Order 2013-03:** The recommended action was approved. Additionally, staff was asked to confirm the verbal agreement with the County to share a portion of the liability of other post-employment benefits (OPEB) for the former Executive Officer who retired in August 2009.

Approved by the following vote:

MOTION: Saylor SECOND: Rexroad

AYES: Davies, Kristoff, Rexroad, Saylor, Woods

NOES: None

ABSTAIN: None

ABSENT: None

**Item No 8 Executive Officer's Report**

The Commission was given a report of the staff's activities for the period of December 4, 2012 through January 18, 2013 and was verbally updated on recent events relevant to the Commission.

Staff conveyed that a Special Meeting will occur jointly with the Board of Supervisors on January 29, 2013, to receive a Shared Services Presentation given by the Sacramento Area Council of Governments (SACOG).

Staff reported receiving an annexation proposal from the Davis Cemetery District on January 7, 2013.

Staff reported on the upcoming CALAFCO 2013 Staff Workshop.

Staff reported on Yolo County Animal Services and a potential contract with staff from UC Davis' Koret Shelter Medicine Program. An action item for the budget

and scope of work for UC Davis staff will be brought back at the February 2013 meeting; however, the Executive Officer will authorize Dr. Delaney to begin cleaning up the Chameleon software data because it needs to be corrected notwithstanding an agreement with UC Davis for additional analysis.

Additionally, staff hired California State University, Sacramento, graduate student Tracey Dickinson as an intern to determine the costs and budget scenarios from recommendations made by UC Davis.

**Item № 9    Commissioner Comments**

Commissioner Davies updated the Commission on the Woodland-Davis Clean Water Agency study session and Woodland's storm drainage infrastructure program.

Chair Woods stated that the City of West Sacramento Project Manager, contracted to assist staff in coordinating the Shared Services Program, was entirely capable of doing the assigned scope of work; however, was too busy with City related projects to continue assisting LAFCo staff under the terms of Agreement 2012-04.

Commissioner Saylor thanked staff for stepping up this year to host the annual CALAFCO Staff Workshop, which will bring recognition to the wonderful things being done in Yolo County.

**Item № 10    Adjournment**

**Minute Order 2013-04:** By order of the Chair, the meeting was adjourned at 9:53 a.m. to the next Special Meeting scheduled for January 29, 2013.

The next Regular meeting is scheduled for February 28, 2013.

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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:** 02/28/2013

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**Information**

**SUBJECT**

Approve Special Meeting Minutes of January 29, 2013

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**Attachments**

Item 5-Jan. 29. 2013 Special Minutes

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 02/11/2013

Started On: 02/11/2013 02:33 PM



# LOCAL AGENCY FORMATION COMMISSION of YOLO COUNTY

## SPECIAL MEETING M I N U T E S

January 29, 2013

The Local Agency Formation Commission of Yolo County met for a Special Meeting on the 29<sup>th</sup> day of January 2013, 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 Skip Davies and Alternate Cecilia Aguiar-Curry. Others present were Alternate County Member Jim Provenza, Executive Officer Christine Crawford and Commission Counsel Robin Drivon.

### 9:00 a.m. TIME SET AGENDA

#### Presentation from the Sacramento Area Council of Governments (SACOG) regarding its Shared Services and New Initiatives Taskforce

This presentation occurred jointly with the Yolo County Board of Supervisors meeting. No action was taken.

### Adjournment

Next Regular Meeting is February 28, 2013

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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 **6.**

**LAFCO**

**Meeting Date:** 02/28/2013

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**Information**

**SUBJECT**

Receive and file C & L Newsletter by Special Counsel Colantuono & Levin, a Professional Corporation

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**Attachments**

Item 6-Newsletter

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 02/11/2013

Started On: 02/11/2013 02:34 PM

Colantuono  
& Levin, PC

# C&L Newsletter

## Update on Public Law

Los Angeles • Nevada County

Winter 2013

## Supreme Court to Clear Medi-Pot Haze

By David J. Ruderman

Do California's medical marijuana laws prohibit local governments from using land use regulations to ban store-front dispensaries? The Supreme Court considered this question on February 5th, when it heard argument in *City of Riverside v. Inland Empire Patient's Health & Wellness Center*. *Riverside* should resolve the long-running dispute whether the Compassionate Use Act (Proposition 215) and Medical Marijuana Program Act (SB 420) preempt local land use regulations that prohibit dispensaries.

*Riverside*'s facts mirror those of numerous cities and counties in California which reacted to the exponential growth of dispensaries after the Obama administration signaled in 2009 it would not target patients. *Riverside*'s code prohibits medical marijuana dispensaries and, like most zoning ordinances, provides that a violation can be abated as a public nuisance. The defendants nevertheless opened a dispensary and the City sued to close it as a nuisance. The trial court granted a preliminary injunction, shuttering the dispensary. The dispensary appealed and the Court of Appeal upheld the

injunction. The Supreme Court will now consider whether the Court of Appeal correctly found *Riverside* was likely to prevail in the case. Many California cities and counties have dealt similarly with dispensaries, including Auburn, where C&L obtained a temporary restraining order and preliminary injunction against a dispensary opened in violation of the City's zoning and business licensing regulations. A decision of the Sacramento Court of Appeal in that case, *Auburn v. Sierra Patient & Caregiver Exchange, Inc.*, is due February 12th.

Since the Supreme Court took the *Riverside* case, the U.S. Justice Department renewed its prosecution of dispensaries, reducing the need for local action. In addition, two other appellate courts disagreed with the decision vacated by the grant of review in *Riverside*. *City of Lake Forest v. Evergreen Holistic Collective* and *County of Los Angeles v. Alternative Medical Cannabis Collective* reversed preliminary injunctions declaring dispensaries nuisances under local zoning laws. Unlike *Riverside*, these courts found outright zoning bans contradicted Medical Marijuana Program Act provisions

that grant qualified patients and their caregivers immunity from criminal sanctions under a particular nuisance abatement statute. Although nuisance abatement actions are civil, not criminal, in nature; these courts read the medical marijuana laws broadly to bar all nuisance actions.

The Supreme Court also granted review of *Lake Forest* and *County of Los Angeles* pending its decision in *Riverside*. However, if the Supreme Court follows the analysis of these cases, it would significantly impair the long-standing authority of local governments to regulate land use. It could effectively carve out a single land use for special treatment, requiring all 482 cities and all 58 counties in our state, regardless of their size, character and circumstances, to allow at least some dispensaries. Such a decision would require a legislative response. The Court's decision in *Riverside* is due by May 6, 2012.

♦♦♦

For more information on this topic, contact David at 530/798-2417 or [DRuderman@CLLAW.US](mailto:DRuderman@CLLAW.US).

# Validation of Billboard Ordinance Invalid

By Holly O. Whatley

Shouldn't a judgment in a validation action be the final word on the challenged act? Not always, as a recent ruling by the Court of Appeal in Los Angeles made clear in *Summit Media LLC v. City of Los Angeles*.

The case challenged a stipulated (agreed by the parties) judgment in an earlier reverse validation action that attacked the City of Los Angeles' 2002 outdoor sign ordinance. The challenged ordinance established an off-site sign inspection program and imposed fees to fund the program to combat a serious problem of bootleg signs installed, at great profit, entirely without City permits. The City and the plaintiff outdoor advertiser settled the earlier reverse validation case via a stipulated judgment approved by the trial court. Among other provisions, the settlement exempted the plaintiff from various zoning laws, including the City's sign inspection program and its ban on new off-site signs. Based on this judgment, the plaintiff outdoor advertiser obtained permits to convert several of its billboards to digital format, which the ordinance denied to all other advertisers.

A competing billboard advertiser filed a later suit, asking the court to void the stipulated judgment in the earlier reverse validation action. It argued that the settlement improperly exempted a select few outdoor advertisers from existing ordinances and regulations and amounted to the City contracting away its police powers, which the

law generally prohibits. The trial court agreed and declared the agreement void as *ultra vires* (i.e., beyond the court's power).

In affirming the trial court's ruling in the second case, the Los Angeles Court of Appeal rejected the argument that the judgment in the reverse validation action could not be collaterally attacked in a separate suit. The Court of Appeal determined that the stipulated judgment "neither validated nor invalidated the sign fee ordinance, and the settlement agreement covered matters far beyond the scope of ... the validating statutes."

The Court of Appeal did more than void the settlement or affirm the trial court; it went further and voided the permits the City issued pursuant to the settlement agreement. In response to the permit holder's argument that such a ruling would be excessive, the Court noted: "We see nothing 'grossly excessive' in the revocation of illegal permits issued under an illegal settlement agreement that contravenes municipal ordinances."

*Summit Media* echoes limits on settlements the Court of Appeal applied in 2006 in *Trancas Property Owners Assn. v. City of Malibu* — a city or county may not contract away its police power or circumvent the public hearing process when settling a zoning dispute. And the standard courts apply to such settlements is not whether an agreement contractually exempts someone from future legislative or regulatory control. Rather, as the *Summit Media* deci-

sion states, "An agreement is *ultra vires* when it contractually exempts settling parties from ordinances and regulations that apply to everyone else and would, except for the agreement, apply to the settling parties."

Two key take-aways emerge from *Summit Media*. First, to obtain the *res judicata* benefit (i.e., binding effect) of a judgment in a validation action, the decision or agreement should be limited to matters subject to the validation statutes that were actually litigated in the case. Judgments that reach beyond those bounds, even those approved by a trial court, are vulnerable to collateral attack.

Second, carefully craft settlements in land use disputes to ensure that no wholesale exemptions from zoning regulations are promised, lest the agreement be later declared *ultra vires*. If a land use case is settled on the approval of new entitlements, as is common, this is best accomplished by providing for dismissal of the suit if the entitlements are issued after the usual process, including notice to affected neighbors and hearings. If the permits issue, the case settles; if not, it continues; but either way the rights of third parties are respected.

♦♦♦

For more information on this topic, contact Holly at 213/542-5704 or [HWhatley@CLLAW.US](mailto:HWhatley@CLLAW.US).

# What's Up for Municipal Finance in 2013?

By Michael G. Colantuono

With new Democratic two-thirds majorities in both the state Assembly and the Senate and the advent of a new session, the Legislature looks to join the courts as a source of significant new developments in municipal finance law in 2013. Developments can be expected as to all major revenue sources: taxes, assessments and fees.

As to **taxes**, the major judicial development of 2013 may well be the Supreme Court's decision in *McWilliams v. City of Long Beach*. This is a class action challenge to application of Long Beach's telephone tax to services exempt from the federal excise tax (FET) on telephony during a brief period between the Bush administration's 2006 abandonment of much of the FET tax base and approval by Long Beach's voters of a new tax ordinance to drop a local reference to the FET.

The Supreme Court decided in *Ardon v. City of Los Angeles* in 2010 that, absent a local claiming ordinance, the Government Claims Act allows class action claims for tax and fee refunds. Sandi Levin of C&L argued that case for Los Angeles. *McWilliams* is a companion to *Ardon* involving the same counsel and virtually the same complaint. A third case involving Los Angeles County is pending in the trial court and, like *Ardon*, does not involve a local claiming ordinance.

Unlike Los Angeles City and County, however, Long Beach does have a claiming ordinance for tax refunds. The Court of Appeal decided that the Government Claims Act does not allow such ordinances for tax and fee refund claims, overturning decades of practice by local government and

many earlier cases. Michael Colantuono of C&L persuaded the Supreme Court to take *McWilliams* and seeks a holding to allow local ordinances to protect municipal treasuries from class action claims. *McWilliams* is fully briefed as of late January and awaiting oral argument.

Amending Proposition 13 is on the legislative agenda. Constitutional amendments require two-thirds support in both chambers of the Legislature and voter approval. Now that Democrats hold two-thirds majorities, several proposals have been made to lower the voter approval required for some special taxes from two-thirds to 55%. These include ACA 3 (Campos, D-San Jose) for police and fire services and facilities, SCA 3 (Leno, D-San Francisco) for parcel taxes to support school services (presently 55% is needed for school facilities, but two-thirds for school services), SCA 4 (Liu, D-LaCanada-Flintridge) for transportation, SCA 7 (Wolk, D-Davis) for libraries, SCA 8 (Corbett, D-San Leandro) also for transportation, SCA 9 (Corbett) for economic development programs and SCA 11 (Hancock, D-Berkeley), which would apply to all local special taxes without regard to purpose. None of these proposals has yet been heard in committee. One or another might appear on the November 2014 state ballot.

As to **assessments**, the big news is the Supreme Court's decision to dismiss as moot *Concerned Citizens for Responsible Government v. West Point Fire Protection District*, which had promised to provide guidance on Proposition 218's requirements that assessment engineers' reports demonstrate that an assessment program provides special benefit to property and that assessments are imposed on property owners in proportion to the

special benefit each will receive. The Supreme Court also refused to republish the earlier Court of Appeal opinion in the case, which had questioned most service assessments. These questions are especially pressing for fire and other assessments for basic government services. More litigation is likely and judicial guidance can be expected over time. In the meantime, we recommend assessing agencies rely on strong engineers' reports and allow for careful legal review of draft reports.

On **fees**, most developments arise under Proposition 26, adopted in November 2010 to convert some fees to taxes. After an early local government win in *Griffith v. City of Santa Cruz*, a July 2012 decision upholding a rent control fee, the next Proposition 62 decision is likely to come in *Schmeer v. County of Los Angeles*, argued in the Los Angeles Court of Appeal on February 5th. That case challenges a plastic bag ban which requires retailers to charge 10 cents for paper bags. Plastic bag manufacturers argue the 10-cent fee is a tax because government orders its collection and controls how its proceeds are spent. Michael Colantuono of C&L filed an amicus brief for Los Angeles County on behalf of the League of California Cities and the California State Association of Counties. Decision is due by May 6th and appeal to the Supreme Court may be likely.

Plainly, 2013 will be an interesting year in local government finance. As always, we will keep you posted!

♦♦♦

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

Colantuono & Levin, PC  
11364 Pleasant Valley Road  
Penn Valley, CA 95946

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

Affiliation: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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

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

Our newsletter is available as a printed document sent by US Mail and as a PDF file sent by e-mail. Please let us know how you would like to receive your copy.

Mail E-Mail Both

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Regular 7.

**LAFCO**

**Meeting Date:** 02/28/2013

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**Information**

**SUBJECT**

Authorize the Chair to Execute an Agreement not to Exceed \$4,000 with UC Davis on Behalf of its School of Veterinary Medicine's Koret Shelter Medicine Program to Provide Design/Organizational Consultation for Yolo County Animal Services (YCAS) and Authorize Staff to Process Internal Billings to YCAS not to Exceed \$12,000 to Reimburse YCAS for the Cost to Hire Contract Veterinarians to Replace the Existing Veterinary Staff That Will Be Redirected 8-10 Hours Per Week to Work on Koret Shelter Medicine Consultation Services.

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**Attachments**

[Item 7-Supplemental Memo](#)

[Item 7-Staff Report](#)

[Item 7-ATT-UCD Agreement](#)

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 02/11/2013

Started On: 02/11/2013 02:36 PM

LOCAL  
AGENCY  
FORMATION  
COMMISSION OF  
YOLO COUNTY



CHAIR  
Olin Woods  
Public Member

**To:** Olin Woods, Chair, and Members of the  
Yolo Local Agency Formation Commission

VICE CHAIR  
Matt Rexroad  
Supervisor – 3<sup>rd</sup> District

**From:** Christine Crawford, Executive Officer

Skip Davies  
Mayor  
City of Woodland

**Date:** February 28, 2013

Don Saylor  
Supervisor – 2<sup>nd</sup> District

**Subject:** Supplemental Information Regarding LAFCo Agenda Item 7  
to Authorize the Chair to Sign an Agreement with UC Davis  
on Behalf of its School of Veterinary Medicine’s Koret  
Shelter Medicine Program for Consultation Services.

Bill Kristoff  
Councilmember  
City of West Sacramento

The information below is intended to supplement the February 28,  
2013 staff report.

ALTERNATE  
Robert Ramming  
Public Member

**Fiscal Impact**

ALTERNATE  
Jim Provenza  
Supervisor – 4<sup>th</sup> District

The table below provides a detailed accounting of the \$60,000  
appropriated for Professional and Specialized Services – specifically  
for shared services and how it’s been expended thus far in FY 2012/13  
and the remaining funds should the agreement with UC Davis be  
approved.

ALTERNATE  
Cecilia Aguiar-Curry  
Mayor  
City of Winters

FY 2012/13 Appropriation	\$60,000.00
Paid to West Sacramento for Analyst	\$(1,126.23)
Paid to Animal Protection League*	\$(4,106.25)
Proposed Contract with UCD	\$(16,000.00)
<hr/> Remaining Funds	<hr/> \$38,767.52

Staff  
Christine M. Crawford  
Executive Officer

Terri Tuck  
Commission Clerk

Robyn Truitt Driven  
Commission Counsel

\* These fees were paid to Sue Marks Gibbs and Tammie Murrell for their  
time to present the August 2012 YCAS Study to the Board of Supervisors  
and the five agencies (the cities plus UC Davis) contracting for the service.

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www.yololafco.org

**Background**

The background section of the staff report provides an overview of the  
August 2012 study, the series of LAFCo presentations to each  
board/council, the feedback received and the need for additional study.

The previous August 2012 Yolo County Animal Services study  
indicated that staffing levels could increase from 18 FTE (full time  
equivalent) in the current Sheriff’s budget to 31 FTE under a JPA  
scenario for similar cost. However, during the LAFCo presentations on  
this information several city councils were adamant that an alternate



animal services/control model would need to save agencies money in order to be considered and that the recommended 31 FTE needed to be reviewed further to see what reductions could be made. This is a key factor in the need for additional study.

**Next Steps**

The suggested informal steering committee is intended to be a regular working group that would meet via conference call monthly to ensure progress on the contract and provide any needed direction from the client to the Koret Shelter Medicine Program consultants on work product. Staff did not anticipate that it was necessary or practical to include all the cities in a monthly conference call. The rationale for including Woodland and West Sacramento is that those two cities are the highest users of animal services and pay the most for it. The cities of Davis and Winters are welcome to participate in the working group and that offer was extended to the city managers at the February 15<sup>th</sup> Yolo managers meeting.

LOCAL  
AGENCY  
FORMATION  
COMMISSION OF  
YOLO COUNTY



**To:** Olin Woods, Chair, and Members of the  
Yolo Local Agency Formation Commission

**From:** Christine Crawford, Executive Officer 

**Date:** February 28, 2013

**Subject:** Authorize the Chair to Execute an Agreement not to Exceed \$4,000 with UC Davis on Behalf of its School of Veterinary Medicine's Koret Shelter Medicine Program to Provide Design/Organizational Consultation for Yolo County Animal Services (YCAS) and Authorize Staff to Process Internal Billings to YCAS not to Exceed \$12,000 to Reimburse YCAS for the Cost to Hire Contract Veterinarians to Replace the Existing Veterinary Staff That Will Be Redirected 8-10 Hours Per Week to Work on Koret Shelter Medicine Consultation Services.

**Recommended Action**

1. Authorize the Chair to execute an agreement not to exceed \$4,000 with UC Davis on behalf of its School of Veterinary Medicine's Koret Shelter Medicine Program to provide design/organizational consultation for Yolo County Animal Services.
2. Authorize staff to process internal billings to Yolo County Animal Services not to exceed \$12,000 to reimburse them for the cost to hire contract veterinarians to replace the existing veterinary staff that will be redirected 8-10 hours per week to work on the Koret Shelter Medicine consultation services.

**Fiscal Impact**

The fiscal year 2012/13 budget appropriated \$110,000 total for Professional and Specialized Services (Account 862429), of which \$50,000 was intended for LAFCo related services and \$60,000 was intended for Shared Services contracts (within a separate shared services cost center under this account). The \$60,000 allocation was originally intended for the LAFCo contract with West Sacramento for a half time budget analyst which was put on hold last September and LAFCo has instead recently retained a graduate student intern for these budget analyst needs at a reduced cost. There is \$54,768 currently remaining for

CHAIR  
OLIN WOODS  
Public Member

VICE CHAIR  
MATT REXROAD  
Supervisor - 3<sup>rd</sup> District

SKIP DAVIES  
Mayor  
City of Woodland

DON SAYLOR  
Supervisor - 2<sup>nd</sup> District

BILL KRISTOFF  
Councilmember  
City of West Sacramento

ALTERNATE  
ROBERT RAMMING  
Public Member

ALTERNATE  
JIM PROVENZA  
Supervisor - 4<sup>th</sup> District

ALTERNATE  
CECILIA AGUIAR-CURRY  
Mayor  
City of Winters

Staff  
CHRISTINE M. CRAWFORD  
Executive Officer

TERRI TUCK  
Commission Clerk

ROBYN TRUITT DRIVON  
Commission Counsel

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shared services and therefore staff recommends there is sufficient budget remaining to pay for the not to exceed amount of \$16,000 professional services work with the Koret Shelter Medicine Program (KSMP). A competitive selection process is not required when the contract is with a federal, state, or local government entity and a formal proposal process is not required for contracts under \$50,000. It also could be argued that there is but a single source from which this level of expertise in professional services could be acquired.

The \$16,000 total amount will fund consulting services from Dr. Kate Hurley (which will cost \$4,000 for her time) and Dr. Cynthia Delany (which will cost \$12,000 for her time). The reason the total contract amount not to exceed \$16,000 is being separated is because the County already has an existing contract for Dr. Delany's services full time. Since this new LAFCo agreement would redirect 8-10 hours per week of her time for these consultation services, the simplest way to handle it administratively would be if LAFCo reimbursed the animal services budget for those hours. YCAS will need to contract for outside veterinary resources to cover these 8-10 hours per week Dr. Delany would be working on this assignment. The internal billings to transfer budget from LAFCo to YCAS would compensate YCAS for the cost of these outside resources and the remainder of the consultation fees for Dr. Hurley's time would be paid to UCD directly via this agreement.

### **Background**

The August 2012 YCAS Study conducted by Sue Marks Gibbs and Tammie Murrell was intended to test the concept that Yolo County could provide animal services in a more cost effective manner. The intent was to conduct general analysis comparing Yolo County's current model of providing animal control services under supervision of the Sheriff's Department to alternative models to determine if these alternative models could either reduce costs and/or improve service and should be considered further.

The results of the study indicated that an alternative model could save agencies money and its recommendations were presented to the Board of Supervisors and each city council that suggested a joint powers authority (JPA) model. During this series of presentations, staff heard from each board/council that there is a willingness to more fully evaluate a JPA model with the clearly stated priority of preparing a detailed review of cost and savings potential.

This brings us to the purpose of this next level of study - to provide an in-depth analysis of programs and staffing levels appropriate for Yolo County by experts in the sheltering field. We are fortunate to have an established relationship with renown experts with hands on experience in the Yolo County Animal Shelter. This will allow us to complete the next phase of work quickly and affordably and will include detailed recommendations so that an actual budget proposal can be developed for consideration.

### **Analysis**

The UC Davis KSMP is a privately funded program to advance shelter medicine through research, training, education and performance of veterinary services. It provides shelter

health evaluations, facility design and diagnostic services around the nation and it is already providing veterinary and management services at our current shelter operation. The KSMP is uniquely qualified to provide organizational consulting services to recommend the programs and staffing levels of an ideal animal services program for Yolo County.

The goals of this study are to:

1. Complete an analysis of current and historical data to provide an accurate foundation for additional recommendations on staffing, animal care, field services and facility planning.
2. Build and expand on the LAFCO 2012 report with specific recommendations based on a detailed analysis of operational needs and opportunities particular to the YCAS shelter and community; with comparison where appropriate with other sheltering programs of similar size and scope as well as statewide and national standards and best practices.
3. Based on this expanded analysis, provide recommendations for long-term organization programming and structure changes, including appropriateness of public versus private sector role in meeting programmatic recommendations.
4. Arrive at a plan for animal services in Yolo County and its incorporated cities that will meet community needs and expectations in an effective and efficient way given the public and private resources available.

Using the information provided by the KSMP, staff's goal is to prepare alternative budget scenarios for agency consideration.

Our current focus is determining the optimal governance structure and organization that can best provide animal services in a cost effective manner in Yolo County. While policy issues such as shelter mission, procedures, marketing, adoptions, animal management and care, etc. are critical issues, they will need to be vetted and decided upon by this future governance structure and organization.

### **Next Steps**

If the agreement is approved by the Commission, staff plans to convene an informal steering committee to meet on a monthly basis for the duration of this contract to provide feedback and direction to Drs. Hurley and Delany. The committee would include: Dr. Hurley (UCD), Dr. Delany (UCD), Patrick Blacklock (County), Paul Navazio (Woodland), Carol Richardson (West Sacramento), Vicky Fletcher (YCAS), Christine Crawford (LAFCo) and Tracey Dickinson (LAFCo).

This scope of work is anticipated to be completed by mid-June. Depending on the recommendations, it will likely take several months working with the city and County managers to develop what recommendation would be brought forward to each board/council. Staff anticipates these board/council meetings would occur in the September through November 2013 timeframe.

**Summary**

This scope of work has been reviewed by the City Managers from each of the four cities and the County Administrator. They are also in support of funding the study by redirecting the unused monies previously collected from their agencies for the West Sacramento budget analyst.

The scope of work costs are on a time and materials basis, not to exceed \$16,000 and are anticipated to be completed within four months from date of execution. This agreement will allow us to further evaluate our options and their respective costs and provide requested detail to bring back to each board/council for consideration and hopeful adoption of a new organizational structure. The agreement is unanimously supported by the City Managers of the four cities and the County Administrator and has been reviewed and approved by counsel.

**Attachment**

1. UC Davis Agreement #UCD13-04640 for Koret Shelter Medicine Program Design/Organizational Consultation

## UC Davis Agreement # UCD13-04640

**UNIVERSITY SERVICES AGREEMENT**  
(Local Agency Formation Commission of Yolo County)

THIS AGREEMENT is made and entered into by and between THE REGENTS OF THE UNIVERSITY OF CALIFORNIA (University), on behalf of its UC Davis School of Veterinary Medicine's Koret Shelter Medicine Program (KSMP) and LOCAL AGENCY FORMATION COMMISSION OF YOLO COUNTY (Sponsor).

R E C I T A L S

WHEREAS, KSMP has been established and is maintained to support University's pursuit of its constitutional objectives of instruction, research, and public service; and

WHEREAS, the services of KSMP may be extended to non-University users (including, when permitted by University policy, University students, faculty, and staff requesting such services for their personal use) only when, in the sole judgment of University, such action will serve purposes consistent with University's objectives and will not adversely affect the conduct of University activities; and

WHEREAS, the services requested by Sponsor have been determined to serve purposes consistent with University objectives and their provision to Sponsor not to adversely affect the conduct of University activities; and

WHEREAS, Sponsor has determined that the services in question cannot be adequately performed by other agencies or commercial firms; and

NOW, THEREFORE, University shall furnish the following services to Sponsor.

T E R M S   A N D   C O N D I T I O N S

1. Services. KSMP shall provide shelter advisory services as more fully described in Attachment A, attached hereto and incorporated herein. Additional work shall be performed only if authorized in advance by written amendment to this agreement executed by both parties. Sponsor's addendum or purchase order shall have no effect on the terms and conditions of this agreement.
2. Priority of University work. University work always has priority over work to be performed for non-University users.
3. Term. The term of this agreement shall be from the date of the last signature below through June 14, 2013. The timeline for the various components of services is set forth in *Consultation Timeline*, attached hereto as Attachment B and made a part hereof.
4. Payment. Fees for services by Facility shall be based upon Facility's approved rates as set forth in Attachment C, attached hereto and made a part hereof, and shall not exceed \$4,000.00. Sponsor shall pay for services within 30 days of Sponsor's receipt of University's invoice; Facility reserves the right to suspend performance of services if Sponsor fails to make payment in full within 60 days.

5. **Indemnification and Insurance.** The parties shall defend, indemnify, and hold one another, their officers, employees, and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising out of or in connection with this agreement, but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the indemnifying party, its officers, agents or employees.
  - 5.1. **Evidence of Insurance.** Upon University's request, Sponsor shall provide University written evidence of Sponsor's insurance coverage relevant to the presence or activity of Sponsor, its officers, agents, and employees while in, on or about University property. In the event Sponsor's coverage is not acceptable to University, University shall have the right to immediately suspend services. If Sponsor fails to provide acceptable insurance within 10 days after University's written notice, University may terminate this agreement.
  - 5.2. **Patent Infringement.** Sponsor shall indemnify University, its agents and employees, against all liability (including costs and expenses incurred) for use of any invention or discovery and for the infringement of any Letter Patent (not including liability arising pursuant to U.S. Code section 183, Title 35 (1952) prior to the issuance of Letters Patent) occurring during the performance of this agreement and resulting from Sponsor's request or instruction that KSMP utilize any device, method, or technique not normally utilized by KSMP.
6. **Non-Liability of University.**
  - 6.1. **Consequential Damages.** University shall not be liable for any loss of profits, claims against Sponsor by any third party, or consequential damages.
  - 6.2. **Delay/Desired Result.** University shall incur no liability to Sponsor or to any third party for any loss, cost, claim or damage, either direct or consequential, arising from University's delay in performance or failure to perform services, or failure to achieve a desired result.
  - 6.3. **Property Damage.** University shall incur no liability to Sponsor or to any third party for loss or destruction of or damage to any materials to be sampled, assayed, or tested, data, equipment, or other property brought upon University premises by Sponsor or delivered to University by Sponsor in connection with this agreement. Sponsor accepts all liability for risk of loss to any and all such property.
  - 6.4. **Liability Limitation.** University's liability for damages shall not exceed the total of all charges paid by Sponsor.
7. **Confidential Information.** During the course of this agreement, Sponsor may provide University with information, data, or material that it regards as proprietary or confidential. Such information shall be marked or stamped "CONFIDENTIAL INFORMATION". If communicated orally to University, Sponsor shall submit confirmation in writing within five days of such disclosure.

- 7.1. University's Obligation. University shall treat Sponsor's Confidential Information in the same manner as University treats its own similar information. Upon Sponsor's written request, University shall protect Sponsor's Confidential Information by means not normally employed by University, however, University shall have no obligation to comply with any such request by Sponsor. Should such protection occur, any related costs shall be borne by Sponsor. University shall not be liable for inadvertent disclosure of Confidential Information provided University has exercised reasonable care.
- 7.2. Exempt Information. Confidential Information does not include information that is (i) not exempt from disclosure under the California Public Records Act (Calif. Gov. Code sec. 6250 et seq.); (ii) otherwise available to the public; (iii) rightfully received from a third party not in breach of an obligation of confidentiality; (iv) independently developed by University; (v) previously known to University; or (vi) produced in compliance with a court order or when required by law. University shall give reasonable notice to Sponsor that Confidential Information is being sought by a third party, to afford Sponsor an opportunity to limit or prevent disclosure. Any defense against disclosure shall be at Sponsor's sole initiative, risk, cost, and expense. University is not obligated to participate in any defense against such request for disclosure. Upon Sponsor's request, University agrees to cease using all Confidential Information and to return it promptly to Sponsor.
- 7.3. Time Limitation. University shall not divulge Sponsor's Confidential Information for a period of three years following termination of this agreement, or earlier if Sponsor makes or allows its Confidential Information to become public knowledge, or by communicating such Confidential Information to a party not bound by an obligation of confidentiality.
- 7.4. Disposition of Confidential Information. Upon completion of services or termination of this agreement, by Sponsor's written request, University shall return any Confidential Information. Absent such request, Facility shall destroy or dispose of it according to its established procedures.
8. Disclaimer of Warranty. UNIVERSITY MAKES NO WARRANTY AS TO RESULTS TO BE OBTAINED BY THE USER FROM THE USE OF ANY SERVICES AND/OR FACILITIES PROVIDED BY UNIVERSITY UNDER THIS AGREEMENT. THERE ARE NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.
9. Shipment of Restricted Materials. In the event that Sponsor will be providing materials to be sampled, assayed, or used by University in providing Services hereunder whose shipment would require authorization or permits from governmental authorities (including return of any such materials to Sponsor following completion of Services or termination of this agreement), application for such authorization or permit shall be solely at Sponsor's initiative, risk, cost, and expense.



10. University's Right to Use Data. University shall have the unrestricted right to use for its own purposes, including publication, any data or information which it may develop in connection with or as a result of performing the services described in Attachment A.
11. Use of University's Name. Sponsor shall not use the name or mark of University in any form or manner in advertisements, reports, or other information released to the public without the prior written approval of University.
12. Termination. This agreement may be terminated by either party upon ten days written notice to the other party.
13. Notices. Notices shall be directed to the appropriate parties at the following addresses:
  - 13.1. Regarding Contract. Correspondence or inquiries regarding contractual matters shall be directed to the appropriate party at the following addresses:
 

UNIVERSITY Kelly Gilmore UC Davis Business Contracts One Shields Avenue Davis, CA 95616 <a href="mailto:kngilmore@ucdavis.edu">kngilmore@ucdavis.edu</a> Telephone: (530) 754-1375	SPONSOR Christine M. Crawford LAFCo 625 Court Street, Suite 203 Woodland, CA 95695 <a href="mailto:Christine.Crawford@yolocounty.org">Christine.Crawford@yolocounty.org</a> Telephone: (530) 666-8048
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  - 13.2. Regarding Program/Work. Correspondence or inquiries regarding the substance and progress of work to be performed, or payment for services should be directed to the following addresses:
 

Mike Bannasch  
 UC Davis Koret Shelter Medicine Program  
 One Shields Avenue  
 Davis, CA 95616  
[mjbannasch@ucdavis.edu](mailto:mjbannasch@ucdavis.edu)  
 Telephone: (530) 754-7355
14. Attorneys' Fees. If any action at law or equity is brought to enforce or interpret the terms of this agreement, including collection of delinquent payment, the prevailing party shall be entitled to reasonable attorney's fees, costs and necessary disbursements in addition to any other relief to which it may be entitled.
15. Relationship of the Parties. The parties to this agreement shall be and remain at all times independent contractors, neither being the employee, agent, representative, or sponsor of the other in their relationship under this agreement.
16. Governing Law. This agreement shall be construed pursuant to California law.
17. Amendment. No change in any term or condition of this agreement shall become effective unless by amendment in writing signed by both parties.
18. Entire Agreement. This agreement constitutes the entire understanding of the parties respecting the subject matter hereof and supersedes any prior understanding or agreement between them, written or oral, regarding the same subject matter.

**AGREED:**

**LOCAL AGENCY FORMATION  
COMMISSION OF YOLO COUNTY**

**THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA**

**By:** \_\_\_\_\_  
(authorized signature)

**By:** \_\_\_\_\_  
Deborah Fraga-Decker  
Associate Director  
Contracting Services  
UC Davis

**Print name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

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

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



**ATTACHMENT A**  
(Yolo County Animal Services)

**Scope of Consultation**

**UC Davis Koret Shelter Medicine Program  
Proposal for Yolo County Animal Services  
Design/Organizational Consultation**

**GOALS:**

1. Complete an analysis of current and historical data to provide an accurate foundation for additional recommendations on staffing, animal care, field services and facility planning
2. Build and expand on the LAFCO 2012 report with specific recommendations based on a detailed analysis of operational needs and opportunities particular to the YCAS shelter and community; with comparison where appropriate with other sheltering programs of similar size and scope as well as statewide and national standards and best practices.
3. Based on this expanded analysis, provide recommendations for long-term organization programming and structure changes, including appropriateness of public versus private sector role in meeting programmatic recommendations
4. Arrive at a plan for animal services in Yolo County and its incorporated cities that will meet community needs and expectations in an effective and efficient way given the public and private resources available.

**AREAS FOR REVIEW:**

**Data Collection and Analysis**

1. The current data collection system at the shelter is insufficient to provide accurate, reliable data in an efficient manner. Evaluate each of the following categories of data collection activities to form a sound basis for the recommendations in the additional areas for review listed below, as well as a future basis for ongoing program evaluation.
  - a. Categorizations, uses of fields in shelter management software
  - b. Outcomes, risks for euthanasia, lengths of stay and other statistical data
  - c. Number and types of field calls - including current data collection process
  - d. Overall data collection, analysis and routine reporting practices
2. Recommend and implement improvements for the above categories, including specific requirements for data entry and output to provide industry consistent and accurate information
3. Implement expanded use of shelter software to generate additional data for future measurement of outcomes and other measurable data

**Programming**

1. For each of the following programmatic areas, evaluate the operational needs and opportunities particular to the YCAS shelter and community, and where appropriate compare these with other sheltering programs of similar size and scope as well as statewide and national standards and best practices.
  - a. Animal care within the shelter, including standards for humane housing, expected level of husbandry and enrichment.
  - b. Ordinances for animal care and control that will best serve the communities within Yolo County.
  - c. Field services (including animal control and law enforcement) structure and services offered
  - d. Licensing programs
  - e. Ancillary services – volunteer programming, foster care programming, humane education programming, fundraising, grant writing, etc.
2. Based on the above review, recommendations regarding:
  - a. Overall programming (including change, expansion and/or elimination of current programmatic areas)
  - b. Future programming goals for organization
3. Provide assistance in developing cost allocation strategy for animal services within cities and county

**Organization Structure and Staffing**

1. Review and evaluate the following:
  - a. Staffing needed to implement and maintain recommended programming
  - b. Review of organizational structures and staffing level of similar (current and planned) shelter programs
  - c. Analysis of alternative organizational structures and impact of structure change on organization
2. Private specific staffing and organizational scenarios to accomplish the programmatic goals identified through the above review

**Use of Technology**

1. Recommendations for any new technology needed for budget estimates.



**ATTACHMENT B**  
(Yolo County Animal Services)

**Consultation Timeline**

February 11, 2013 – June 14, 2013 (with a possibility of extending past initial agreement end date):

1. Consultation Timeline – It is recommended that the initial consultation be structured as a 4 month contract. Data collection and analysis will be completed in the first month and the other areas for review completed in the remaining three months. A renewed or ongoing arrangement can be considered at the end of the initial four month term.

**ATTACHMENT C**  
(Yolo County Animal Services)  
**Fees, Costs, Invoicing, Payment**

1. **Professional Fees.** The professional fees charged by the University are at the following rates:
  - 1.1. Preparation, On site evaluation and follow-up \$100.00 per hour
  - 1.2. Under the available UC Davis Design/Shelter Retainer rate service the, cost of a 4 month contract would be \$4000 and would provide 6-8 hours per month of data analysis, information and support regarding development of protocols and implementation of recommendations as well as once monthly 1-2 hour meetings between UC Davis/ Koret Shelter Medicine Program (KSMP) personnel and Yolo County and City stakeholders. The amount would be "not to exceed" \$4000; if less service is required, billing will be adjusted accordingly
  - 1.3. A renewed or ongoing arrangement can be considered at the end of the initial four month term.
  
2. **Travel Expense:** No travel expenses will be invoiced nor incurred for the duration of this contract.
  
3. **Invoicing and Payment.**
  - 3.1. **Invoicing.** The University will send the following invoices:
    - a. Invoicing will be sent on a monthly basis and upon work completion for each consultation done during this period of time.
  
  - 3.2. **Payment.** All invoices shall be paid within thirty (30) days of invoice date.
  
  - 3.3. **Early Termination.** Yolo County shall pay University for all services provided up to the date of termination of this agreement, regardless of the reason for termination. It shall be within the University's sole discretion to determine the extent of the completed services.
  
4. **Additional Details.**
  - 4.1. **Evaluation Team (size).** It shall be within the University's sole discretion to determine the minimum size and professional make-up of the evaluation team required to adequately provide the services described in Attachment A. Among the factors considered are the number of programmatic areas to be evaluated, the number of species included, and the number of facilities evaluated.
  
  - 4.2. **University Mission.** Where beneficial to the University's mission of teaching, research, and public service, additional personnel, environmental sampling, and analysis may be provided at no extra charge. Provision of such additional personnel and services shall be in the sole discretion of University.
  
  - 4.3. **Consultant Day.** The term "Consultant Day" as used shall mean the maximum unit of time, measured in hours in working days, that it will take the University to adequately evaluate the the shelter described. (For example, to adequately evaluate the shelter's population management, it will take one consultant a maximum of three days; two consultants a maximum of 1-1/2 days; or three consultants a maximum of 1 day.)
  
  - 4.4. **Yolo County Animal Services.** The not-to-exceed cost of the consultation described by this agreement is as set forth on page 2 of this attachment.



Regular **8.**

**LAFCO**

**Meeting Date:** 02/28/2013

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**Information**

**SUBJECT**

Consider and adopt the Fiscal Year 2013/14 Work Plan as the basis for the Fiscal Year 2013/14 Draft Budget

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**Attachments**

[Item 8-Staff Report](#)

[Item 8-ATT A-MSR/SOI Update](#)

[Item 8-ATT B-Shared Services Strategic Plan](#)

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 02/11/2013

Started On: 02/11/2013 02:37 PM



LOCAL  
AGENCY  
FORMATION  
COMMISSION OF  
YOLO COUNTY

Item 8



CHAIR  
Olin Woods  
Public Member

**To:** Olin Woods, Chair, and Members of the  
Yolo Local Agency Formation Commission

VICE CHAIR  
Matt Rexroad  
Supervisor – 3<sup>rd</sup> District

**From:** Christine Crawford, Executive Officer

Skip Davies  
Mayor  
City of Woodland

**Date:** February 28, 2013

Don Saylor  
Supervisor – 2<sup>nd</sup> District

**Subject:** Consider and Adopt the Fiscal Year 2013/14 Work Plan as  
the Basis for the Fiscal Year 2013/14 Draft Budget

Bill Kristoff  
Councilmember  
City of West Sacramento

**Recommended Action**

Consider and adopt the Fiscal Year 2013/14 Work Plan as the basis  
for the Fiscal Year 2013/14 Draft Budget

ALTERNATE  
Robert Ramming  
Public Member

**Reason for Recommended Action**

This information is provided to the Commission in order to obtain  
feedback and direction on work priorities for fiscal year (FY) 2013/14.  
With this direction, staff will return with a draft budget at the March  
meeting which corresponds to the Commission's direction on this  
2013/14 Work Plan. It is anticipated that the final LAFCo 2013/14  
budget would then be adopted at the May 2013 meeting.

ALTERNATE  
Jim Provenza  
Supervisor – 4<sup>th</sup> District

ALTERNATE  
Cecilia Aguiar-Curry  
Mayor  
City of Winters

Staff  
Christine M. Crawford  
Executive Officer

Terri Tuck  
Commission Clerk

Robyn Truitt Drivon  
Commission Counsel

**Background**

The Work Management Plan is separated into two major sections: LAFCo  
and Shared Services. The LAFCo section addresses the workload  
involved in maintaining the legally mandated MSR/SOI (Municipal  
Services Review/Sphere of Influence) Updates, applications, policy  
analysis and administrative duties associated with our LAFCo function.  
Shared Services reflects our proactive and evolving commitment to the  
Shared Services Initiative for agencies within Yolo County which generally  
includes developing shared service programs, specifically animal services,  
and promoting agency collaboration through Yolo Leaders and the Yolo  
managers group.

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## LAFCo

### MSR/SOI Updates

The proposed update schedule is included as Attachment A and is generally the same as last year with the exceptions noted below. The update schedule can be modified by the Commission at any time to remain responsive to any new issues that may arise.

- There have been some developments this past year that warrant studying the reclamation districts earlier than previously scheduled. The state has been making progress on the Central Valley Flood Protection Plan and, specifically in Yolo County, the local agencies collaborated on and were awarded a grant to fund the preparation of the Lower Sacramento Delta North Regional Flood Management Plan. This flood management plan will identify projects, project priorities, and identify potential financing mechanisms to reduce flood risk in the region. One of the key issues to be addressed, which likely will involve LAFCo, is governance issues with the multitude of agencies, including the reclamation districts, which currently provide flood protection service in Yolo County. The state is looking for a governance structure to insure that the identified projects will be implemented and maintained over the long term and correspondingly a portion of the \$1.5 million grant will fund a governance study. If a new governance structure is identified by this study, there may be some LAFCo related work to establish this new structure with the special districts. For these reasons, staff recommends prioritizing the MSR for the reclamation districts for FY 2013/14.
- To accommodate the changing needs and priorities identified above, staff recommends delaying the comprehensive MSR for the rural fire protection districts until FY 2014/15. Staff is not aware of any progress with the Citygate Associates study or the City of Davis and UC Davis fire department consolidation. Due to the complexity of this study and the timing issues involved, staff recommends there is no pressing need to study the rural fire districts in FY 2013/14. This will also likely be a study that warrants hiring a consultant.
- The Knights Landing Community Services District MSR has been planned for 2013/14 and staff does not recommend changing the schedule. However, staff may consider combining this review with the Knights Landing Cemetery District. There have apparently been some issues with the Cemetery District being able to fill the seats on the Board of Trustees and some evaluation of consolidation (if possible) or governance may be warranted.

### Applications

Staff is currently processing an application for the Davis Cemetery District Annexation to annex the entirety of its large Sphere of Influence adopted by the Commission in July 2012. However, this application will likely be completed in this current fiscal year.

Staff has also been attending bi monthly meetings regarding coordinated development of the Nishi property, an unincorporated area between the City of Davis, UC Davis and I-80. Staff from the City of Davis, UC Davis and Yolo County has been meeting regularly to

coordinate their respective planning efforts in this area. This property is still in the early planning stages and will not result in an application to LAFCo in FY 2013/14.

Staff was also tracking a project being processed by Yolo County called Nishikawa Farms, a proposal to cluster 11 parcels along Montgomery Avenue, just south of Willowbank and the City of Davis. However, this project has been withdrawn as a result of the neighborhood controversy.

On the longer FY 2013/14 horizon, one application staff is aware of that may be reasonable to expect this fiscal year is the Woodland Gateway Phase II expansion. The project received its entitlements from the City of Woodland in December 2011; however an application to LAFCo has not been submitted. There have been some conversations between the City of Woodland and Yolo County about tax sharing agreements but staff is not aware of any forthcoming application.

The County is also processing the Dunnigan Specific Plan but the timing for public hearings is uncertain. If the Specific Plan is approved, the project will likely require a community services district to be established to provide municipal services in the specific plan area.

#### Administrative Projects

Staff will be working on the following administrative projects during FY 2013/14:

- CALAFCO Annual Conference, August 28-30, 2013 at the Squaw Creek Resort – staff has volunteered to be on the Planning Committee for this conference.
- General administration items including policy analysis as requested by the Commission, responding to CALAFCO legislative issues, training and attending conferences, etc.

#### Shared Services

The Shared Services Initiative is a natural outgrowth of LAFCo's independent status and State mandated role to conduct agency service reviews, specifically looking for opportunities for shared services and/or facilities. This Initiative offers an opportunity to be more proactive in identifying shared service opportunities and facilitating implementation.

#### Work Plan and Implementation

The work plan for shared services evolved significantly in the last FY resulting in the LAFCo Shared Services Strategic Plan adopted by the Commission in December 2012, which is included as Attachment B. Staff anticipates this work plan will need to be periodically refined as the program moves forward. Some key actions for FY 2013/14 are listed below.

- Utilize the MSR process to promote shared services and government efficiencies. Following completion of MSRs, staff will aggressively follow up on any recommendations.
- Continue to support the potential Yolo County Animal Services transition to another governance model. Staff anticipates recommendations regarding an alternative governance model will be presented to the Board of Supervisors and all four city

councils this fall. After these presentations, LAFCo's involvement in this effort would likely scale back or completely end.

- Continue to facilitate meetings with the City of Woodland and Yolo County to explore the potential to share its facility maintenance and/or corporation yard space. This project is still in the early exploratory phase to determine if it's a worthwhile effort.
- Continue to evaluate Shared Service opportunities and facilitate their implementation.
- Coordinate the Yolo Leaders Forum three times per year with the Planning Committee including developing topics, agendas and lining up speakers. Staff is also attending quarterly Non-Profit Leaders forums, a parallel group for community based organizations, established with the leadership of Patty Wong, County Librarian.
- Attend monthly meetings of the SACOG Shared Services & New Initiatives Task Force, ensuring our respective shared service efforts remain complementary and coordinated where appropriate.
- Attend monthly Yolo Managers meetings to promote collaboration on shared service efforts.

### **Summary**

This work plan provides a general overview of the major projects expected in the next fiscal year. It's challenging to anticipate in detail what staff will be working on 4 – 16 months in advance, however, this will generally form the 'big picture' basis of the FY 2013/14 budget that will be initially presented to the Commission in draft form at the March meeting.

### **Attachments**

- A. FY 2013/14 Municipal Service Review and Sphere of Influence Study Review and Update Schedule
- B. Shared Services Strategic Plan December 2012

FY 2012/13 Work Plan	FY 2013/14 Proposed	City/District	LAFCO №	Last Updated	Resolution #	5 Yr Update Due (FY)
On Hold	In Process	Wild Wings County Service Area #14	S-035			
2012/13	In Process	Esparto Community Services District	S-039	3/24/2003	2003-04	2007/08
		Madison-Esparto Regional County Service Area (MERCESA)	S-039	3/28/2005	2005-10	2009/10
		Madison Community Services District	S-039	6/23/2008	2008-04	2012/13
2012/13	In Process	Dunnigan Water District	S-038	3/28/2005	2005-05	2009/10
		Yolo County Flood Control & Water Conservation District	S-038	3/28/2005	2005-05	2009/10
		Yolo-Zamora Water District	S-038	3/28/2005	2005-05	2009/10
2013/14	2013/14	Dunnigan County Service Area	S-019	2/27/2006	2006-01	2010/11
2013/14	2013/14	Cacheville Community Services District	S-023	10/23/2006	2006-05	2011/12
2013/14	2013/14	Knights Landing Community Services District	S-021	9/25/2006	2006-04	2011/12
		Knights Landing Cemetery District (Consider Combined Study)				
2014/15	<u>2013/14</u>	Knights Landing Ridge Drainage District	S-001	3/28/2005	2005-05	2009/10
		Snowball County Service Area	S-021	3/27/2006	2006-02	2010/11
		Reclamation District 108 (Colusa)	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 150	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 307	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 537	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 730	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 765	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 785	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 787	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 827	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 900	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 999	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 1600	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 2035	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 2068 (Solano)	S-001	3/28/2005	2005-05	2009/10
		Reclamation District 2076	S-001	3/28/2005	2005-05	2009/10
Reclamation District 2093 (Solano)	S-001	3/28/2005	2005-05	2009/10		
Reclamation District 2120	S-001	3/28/2005	2005-05	2009/10		
2013/14	<u>2014/15</u>	Capay Fire Protection District	S-008	12/2/2004	2004-11	2009/10
		Clarksburg Fire Protection District	S-025	6/25/2007	2007-06	2011/12
		Dunnigan Fire Protection District	S-015	9/19/2005	2005-14	2009/10
		East Davis Fire Protection District	S-026	12/10/2007	2007-08	2012/13
		Elkhorn Fire Protection District	S-024	3/26/2007	2007-01	2011/12
		Esparto Fire Protection District	S-009	10/25/2004	2004-08	2009/10
		Knights Landing Fire Protection District	S-016	12/5/2005	2005-18	2010/11
		Madison Fire Protection District	S-013	12/2/2004	2004-12	2009/10
		No Man's Land Fire Protection District	S-026	12/10/2007	2007-08	2012/13
		Springlake Fire Protection District	S-004	1/17/2003	2003-01	2007/08
		West Plainfield Fire Protection District	S-028	12/10/2007	2007-09	2012/13
		Willow Oak Fire Protection District	S-007	12/2/2004	2004-10	2009/10
		Winters Fire Protection District	S-029	9/22/2008	2008-08	2013/14
		Yolo Fire Protection District	S-017	9/19/2005	2005-15	2010/11
Zamora Fire Protection District	S-018	9/19/2005	2005-16	2010/11		
2014/15	2014/15	Yolo County Resource Conservation District	S-030	5/12/2008	2008-03	2012/13
2014/15	2014/15	City of Davis	S-027	6/23/2008	2008-05	2012/13
		El Macero County Service Area	S-027	6/23/2008	2008-05	2012/13
		Willowbank County Service Area	S-027	6/23/2008	2008-05	2012/13
		North Davis Meadows County Service Area	S-022	10/23/2006	2006-06	2011/12
2015/16	2015/16	City of Winters	S-029	9/22/2008	2008-08	2013/14
2015/16	2015/16	City of West Sacramento	S-031	1/26/2009	2009-01	2013/14
		Garcia Bend County Service Area	S-031	1/26/2009	2009-01	2013/14
2015/16	2015/16	Sac - Yolo Port District	S-033	6/22/2009	2009-03	2013/14
2016/17	2016/17	City of Woodland	S-034	3/28/2011	2011-02	2015/16
2016/17	2016/17	Capay Cemetery District	S-036	5/16/2011	2011-03	2015/16
		Cottonwood Cemetery District	S-036	5/16/2011	2011-03	2015/16
		Davis Cemetery District	S-037	7/26/2012	2012-05	2016/17
		Knights Landing Cemetery District	S-036	5/16/2011	2011-03	2015/16
		Mary's Cemetery District	S-036	5/16/2011	2011-03	2015/16
		Winters Cemetery District	S-036	5/16/2011	2011-03	2015/16



## **Yolo Local Agency Formation Commission Shared Services Strategic Plan December 2012**

This Shared Services Strategic Plan was adopted by the Yolo LAFCo Commission on December 3, 2012. The Commission directed that this Plan be periodically reviewed and updated as needed or at least every two years.

### **Shared Services Vision**

Yolo LAFCo is a valued, county-wide regional agency, aggressively promoting efficient high-quality government services through collaboration and sharing of resources.

### **Shared Services Values**

1. Yolo LAFCo has been requested to lead the Shared Services Initiative by Yolo County and the four cities and will continue to develop shared service improvements with this collective support.
2. A “culture of collaboration” is key to fostering the trust required for shared services to be successful. It is worthwhile for LAFCo to invest its resources in fostering collaboration among our partner agencies.
3. Shared Services is a voluntary effort. LAFCo recognizes that each agency will determine what level of commitment and implementation is appropriate for them.
4. Staff will consult and collaborate with the executive managers of other agencies on shared service issues while ultimate authority and direction regarding LAFCo activities will come from the Commission.
5. LAFCo will assist other agencies in “teeing-up” shared service opportunities; however detailed implementation must be handed off to individual agencies. LAFCo can best assist agencies by keeping its eye on the big picture by analyzing new opportunities without getting over-involved in detailed implementation.
6. LAFCo participation in the review of oversight issues of joint powers agencies is needed in order to maintain quality performance and public trust.
7. LAFCo will utilize its existing tools and processes to evaluate new opportunities for shared services and improved government efficiencies such as the municipal service review (MSR).
8. LAFCo will proactively exercise its statutory mission and authority to initiate agency consolidations and/or dissolutions where appropriate and understands that such change will bring adaptive challenges that must be delicately handled.
9. Effective government service delivery will involve partnerships with agencies at numerous levels: the Sacramento Area Council of Governments (SACOG), school districts, UC Davis, the Yocha Dehe Wintun Nation, special districts, non-profits and potentially agencies in other counties.

## Shared Services Goals and Action Items

**Goal 1** - LAFCo promotes the most effective forms of government for the common good.

**Action 1.1** LAFCo is proactive with its Municipal Service Review process to review an agency's financial ability to provide services and opportunities for shared services and facilities, including possible consolidation of government agencies.

**Action 1.2** LAFCo will use the Municipal Service Review process to identify government efficiencies and initiate agency consolidations and/or dissolutions where necessary to "right size" public agencies.

**Action 1.3** Following completion of the MSR process, staff aggressively follows up with agencies requiring status updates as necessary regarding their implementation of/compliance with LAFCo recommendations.

**Goal 2** - LAFCo actively works to promote shared services that will save agencies money and allow them to either maintain services levels during difficult financial times or even improve service delivery.

**Action 2.1** LAFCo evaluates new shared service areas for their potential to maintain or improve services at a reduced cost in order to determine the value of implementation.

**Action 2.2** LAFCo leverages its independent status to assist agencies to provide third-party independent analysis in evaluating existing conditions and studying new shared opportunities, such as discussions between the City of Woodland and Yolo County regarding potentially sharing building maintenance and other services.

**Action 2.3** Staff facilitates next steps as determined by the Commission to implement shared service opportunities, such as contracting for a transition plan to improve the Yolo County Animal Services program at the most efficient cost to partner agencies.

**Goal 3** – LAFCo assists the agencies in providing a framework and/or platform to facilitate shared services.

**Action 3.1** – Staff creates agreement framework(s) (JPA, MOU, contract templates, etc.) as appropriate to facilitate shared services among government agencies.

**Action 3.2** – LAFCo promotes the creation of a web-based platform to foster information sharing, communication and a clearinghouse for shared services activities.

**Goal 4** - Yolo LAFCo fosters and promotes agency collaboration at all levels.

**Action 4.1** Yolo LAFCo organizes and promotes regular Yolo Leaders forums with agenda topics/speakers that are of interest and value to elected leaders in all geographic areas of the county and at all agency levels.

**Action 4.2** LAFCo promotes shared services at any and all levels, speaking at and coordinating with CALAFCO, the SACOG shared services ad hoc committee, Yolo Non-

Profit Leaders, and others to coordinate and compliment each others' shared service efforts.

**Goal 5** - LAFCo acts as a facilitator/convener as requested for appropriate Yolo intra-agency issues.

**Action 5.1** Yolo LAFCo acts as a convener for multi-agency joint projects in a coordinating role as appropriate such as the potential agricultural distribution hub project with the City of Winters and Yolo County.

**Goal 6** – LAFCo participates in the oversight of existing shared service partnerships implemented through joint powers agreements (JPAs) as needed.

**Action 6.1** LAFCo staff assists the County Auditor's office in developing an inventory of JPAs, member agencies and the date of last audit performed and facilitates oversight as needed.

**Action 6.2** A draft Shared Services JPA for agency consideration will be structured to allow for consolidation and oversight of existing JPAs as deemed appropriate by the member agencies.

**Action 6.3** Training should be provided to newly appointed JPA board members regarding their oversight role and responsibilities.





## LAFCo Activity Report January 21 to February 22, 2013

<b>Date</b>	<b>Meeting/Milestone</b>	<b>Comments</b>
01/21/2013	Holiday	LAFCo office closed
01/24/2013	Shared Services – Conference Call w/ SACOG (Kirk Trost)	SACOG's Shared Services and New Initiatives Taskforce
01/25/2013	Meeting with UCD (Renee Newton and Susan Lovenburg)	Yolo Leaders related
01/30/2013	Shared Services – Meeting w/Institute for Local Government (Randi Kay Stephens, Christal Love Lazard)	Next Yolo Leaders discussion of topic for February – Forum on Community Schools Partnerships
01/31/2013	Conference call w/ CALAFCO Program Committee	CALAFCO Annual Conference
02/01/2013	Nishi Property in Davis	Bi-Monthly project planning meeting with UCD, City and County staff
02/08/2013	Shared Services -	Climate Compact meeting
02/12/2013	Lunch meeting w/Diane Parro	CALAFCO Staff Workshop – corporate sponsors
02/13/2013	Shared Services – County Department Head Staff Meeting	Attended meeting
02/13/2013	Shared Services – Meeting w/County (Jesse Salinas) (LAFCo Intern Tracey Dickinson)	Animal services budget review
02/13/2013	Shared Services – Lunch meeting w/County (Cindy Tuttle)	Governance Study
02/14/2013	Conference call w/ CALAFCO Program Committee	CALAFCO Annual Conference
02/15/2013	Yolo Manager's Meeting	Attended meeting
02/15/2013	Meeting w/Yolo County Visitor's Bureau (Alan Humason)	CALAFCO Staff Workshop
02/15/2013	Nishi Property in Davis	Bi-Monthly project planning meeting with UCD, City and County staff
02/15/2013	Meeting w/Olin Woods	LAFCo Agenda review

Date	Meeting/Milestone	Comments
02/16/2013	Lunch w/Stephen Souza	CALAFCO Staff Workshop-sponsors
02/19/2013	Shared Services – Conference call w/Institute for Local Government (Randi Kay Stephens, Christal Love Lazard)	Follow-up on facilitation plan for Yolo Leaders discussion of topic for February – Forum on Community Schools Partnerships
2/20/2013	Monthly meeting with Don Saylor	
02/21/2013	Shared Services – Meeting w/SACOG	SACOG's Shared Services and New Initiatives Taskforce
02/21/2013	Conference call w/ CALAFCO Program Committee	CALAFCO Annual Conference
02/22/2013	Shared Services – Meeting w/Yolo County Office of Education (Yolanda Carmichael)	Yolo Leaders related
2/26/2013	Center for Land Based Learning, Winters	For CALAFCO Mobile Workshop
2/27/2013	Yolo Leaders Forum	Topic – Community Schools

**CALAFCO Mobile Workshop**  
Wednesday, April 10<sup>th</sup> 7:30 am – 1:30 pm

**Innovations in Food Sciences & Agriculture**  
*Come Tour the Silicon Valley of Seed Technology in Yolo County!*

**Tour Stop 1 - Robert Mondavi Institute for Wine and Food Science, UC Davis**

- Tour of the Institute with Dan Flynn, Executive Director of the UC Davis Olive Oil Center (as seen February 11<sup>th</sup> on Dr. Oz).



- Olive oil tasting and education may be included if we get sufficient registrants.
- Dr. Kent Bradford, UCD Professor Department of Plant Sciences will provide an introduction to seed technology in Yolo. UC Davis is a world leader in seed, plant and agricultural sciences. More than 85 seed and seed-related companies are located near UC Davis and benefit greatly from its proximity.



**Tour Stop 2 - Monsanto, Woodland**

- Worldwide research and development headquarters for Monsanto's Vegetable Seed Division.
- Tour the research functions including plant breeding, trait genetics, genotyping lab, seven acres of greenhouses and display gardens.



**Tour Stop 3 - Center for Land Based Learning, Winters**

- The Farm on Putah Creek is more than the headquarters for the Center for Land-Based Learning (CLBL). With 40 acres of prime farmland on Putah Creek in Winters, California, the Farm on Putah Creek (FPC) is where the Center practices the principles underlying all of its education programs, and is the home of the California Farm Academy (an innovative training and farm business incubator program). You will see wildlife-friendly demonstration projects, educational gardens, teaching kitchens, and farm incubator plots.



- Alice Walters (Chez Panisse) and Michael Pollan (author of *The Omnivore's Dilemma*) sit on CLBL's National Advisory Board among others.

**Lunch - Catered by Buckhorn Steakhouse, Winters**

A catered lunch (included in tour fee) will be provided at the Farm on Putah Creek by the original Buckhorn Steakhouse, a Yolo gem of regional fame with locations in Sacramento, San Francisco and New York City.

- Cost = \$44 per person
- Bus will depart the Hallmark Inn promptly at 7:45 am
- Please take advantage of the hearty hotel breakfast –only fruit and water will be provided prior to the lunch.

