

# YOLO COUNTY LOCAL AGENCY FORMATION COMMISSION

## Regular Meeting AGENDA

**May 23, 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 Special Meeting Minutes of April 25, 2013
5. Receive and file the Spring 2013 C & L Newsletter by Colantuono & Levin, a Professional Corporation
6. Amend the Yolo LAFCo Administrative Policies and Procedures to Add a New Policy Regarding Audits

#### **PUBLIC HEARINGS**

7. Consider and Adopt Final LAFCo Budget for Fiscal Year 2013/14

#### **REGULAR AGENDA**

8. Election of Chair and Vice Chair for 2013/14 term
9. Consider CALAFCO 2013 Achievement Award Nominations
10. Consider 2014 CALAFCO Board of Director Nominations

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

11. 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 - April 22 to May 17, 2013 (see attachment)
  - YCAS Community Outreach Meeting Update - April 29, 2013
  - Dunnigan Specific Plan

#### **COMMISSIONER COMMENTS**

12. 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**

13. Adjournment

Next meeting scheduled for: June 27, 2013

I declare under penalty of perjury that the foregoing agenda was posted May 17, 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**

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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:** 05/23/2013

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**Information**

**SUBJECT**

Approve LAFCo Special Meeting Minutes of April 25, 2013

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**Attachments**

Item 4-April 25 Minutes

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 05/08/2013

Started On: 05/08/2013 08:44 AM

# LOCAL AGENCY FORMATION COMMISSION of YOLO COUNTY

## SPECIAL MEETING MINUTES

April 25, 2013

The Local Agency Formation Commission of Yolo County met on the 25<sup>th</sup> day of April 2013, at 9:00 a.m. in the West Sacramento Council Chambers, 1110 West Capitol Avenue, West Sacramento CA. Members present were Chair and Public Member Olin Woods, County Members Matt Rexroad and Don Saylor, and City Members Bill Kristoff and Alternate Cecilia Aguiar-Curry. Others present were Executive Officer Christine Crawford and Commission Clerk Terri Tuck.

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

Chair Woods called the Meeting to order at 9:00 a.m.

City Member Bill Kristoff 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 March 28, 2013

### Item No 5 Receive and File the Legislative News from CALAFCO

Item 6 was pulled from Consent and moved to the Regular Agenda for discussion.

**Minute Order 2013-13:** The recommended actions were approved on Consent.

Approved by the following vote:

MOTION: Rexroad SECOND: Aguiar-Curry

AYES: Aguiar-Curry, Kristoff, Rexroad, Saylor, Woods

NOES: None

ABSTAIN: None

ABSENT: None

## REGULAR

### Item No 6 Review and File Fiscal Year 2012-13 3<sup>rd</sup> Quarter Financial Update

**Minute Order 2013-14:** Moved from Consent for discussion, the recommended action was approved.

Approved by the following vote:

MOTION: Rexroad SECOND: Kristoff

AYES: Aguiar-Curry, Kristoff, Rexroad, Saylor, Woods

NOES: None

ABSTAIN: None

ABSENT: None

## **PUBLIC HEARING**

### **Item No 7      Conducting Authority Protest Hearing for the Davis Cemetery District Annexation (LAFCo No 915) Approved by LAFCo Resolution 2013-02 on March 28, 2013**

**Minute Order 2013-15:** After a report by staff the Chair opened the Conducting Authority Protest Hearing. No one came forward and the protest hearing was closed. Finding no protest, the Commission gave final approval of Resolution 2013-02 by adopting Conducting Authority **Resolution 2013-03** ordering the Davis Cemetery District Annexation (LAFCo No 915).

Approved by the following vote:

MOTION: Aguiar-Curry SECOND: Rexroad

AYES: Aguiar-Curry, 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 March 26 through April 19, 2013 and was verbally updated on recent events relevant to the Commission.

Staff conveyed that future agenda packets would be looking a little different because staff is using the recommended AgendaQuick Software provided through the Clerk of the Board's office.

Staff reported on a potential audit policy for the Yolo LAFCo financial statements. Recommendations will be brought to the Commission at next month's meeting during the final 2013/14 budget process.

Staff reported on the success of the 2013 CALAFCO Staff Workshop held April 10-12, stating that the attendee survey results of the workshop will be out in the next few months. Additionally, staff reported that the expenses for hosting the workshop totaled \$422.17, including supplies for the mobile tour and gifts for

program committee members, guest speakers, and moderators. By consensus, the Commission agreed to absorb the hosting costs.

Staff informed the Commission that the first of several shared services public outreach meetings for the Yolo County Animal Services (YCAS) would be held on Monday, April 29<sup>th</sup>, and they were invited to attend.

**Item No 9    Commissioner Comments**

Commissioner Aguiar-Curry reported that the City of Winters would be celebrating Winters Youth Day on Saturday, April 27<sup>th</sup>. Winters Youth day was founded in 1933 to teach young people the aspects of city government.

**Item No 10    Adjournment**

**Minute Order 2013-16:** By order of the Chair, the meeting was adjourned at 9:22 a.m. to the next regular meeting on May 23, 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:** 05/23/2013

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**Information**

**SUBJECT**

Receive and file the Spring 2013 C & L Newsletter by Colantuono & Levin, a Professional Corporation

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**Attachments**

Item 5-C&L Newsletter

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 05/08/2013

Started On: 05/08/2013 08:48 AM

## Class Action Challenges to Local Revenues Allowed

By Michael G. Colantuono

On April 25, 2013, the California Supreme Court opened the door to class action challenges to local government taxes, assessments and fees. Unless the Legislature corrects this result, cities, counties and special districts are now far more likely to be sued over revenues, such suits will be far more costly to defend, and losses will be more costly. This is the most significant—and ominous—development for local finance since the adoption of Proposition 218.

*McWilliams v. City of Long Beach* 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 FET tax base and Long Beach's voters' approval of a new tax ordinance to drop a local reference to the FET. The California 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 local tax and fee refunds. Sandi Levin of C&L argued that case for Los Angeles. *McWilliams* is a companion to *Ardon* involving the same plaintiffs' counsel and virtually the same complaint. Unlike Los Angeles, however, Long Beach has a claiming ordinance for tax refunds. The Los Angeles Court of Appeal decided that the Government Claims Act does not allow local

claiming ordinances for tax and fee refund claims, overturning decades of practice by local government and disagreeing with earlier cases. Michael Colantuono of C&L persuaded the Supreme Court to take the case and argued for the City in March, with very able support from an amicus brief filed by San Francisco Deputy City Attorney Peter Keith. Unfortunately, the Court affirmed.

The Legislature adopted the Government Claims Act in 1959 to standardize requirements that one demanding money from government file a claim before suit. That statute had important exceptions, including one for tax, assessment and refund claims for which a claiming procedure is spelled out by another "statute." The Claims Act did not define the term, but the legislative history made clear it included local charter provisions and ordinances. Thus, in 1959 it was clear local governments could adopt local claiming requirements that bar class claims and, in recent years, most did so. In 1963, the Legislature substantially amended the Government Claims Act to account for the Supreme Court's abolition of the doctrine of sovereign immunity, which had protected government agencies from personal injury and other claims for damages. One of the goals of that 1963 amendment was to require all liability against government to arise from "statute," rather than from judge-made common law. This 1963 amendment added a definition

of "statute" to the Claims Act to mean state and federal, not local, laws. The legislative history makes clear that the 1963 Legislature simply did not consider the impact of its new definition of "statute" on the 1959 claiming provisions of the Act—its sights were fixed on liability rather than claiming procedures.

However, in *McWilliams*, the Supreme Court applied the rule that courts do not consider legislative history when a statute has rational meaning on its face. Thus, because the claiming exception for taxes used the word "statute," and the Claims Act defines the term, its definition applies and local claiming ordinances are now preempted by a legislative oversight of 50 years ago.

The class action remedy is powerful and expensive. It allows plaintiffs' lawyers to litigate relatively small-dollar disputes, like a \$0.25 error in monthly water bills, if enough people are affected. Moreover, plaintiffs' attorneys scour the news and internet looking for potential suits because they often are paid a third of the award, which can be millions of dollars. *McWilliams* means that challenges to local revenues are far more likely than before. Such suits can be expensive to defend due to the evidence gathering required, the need to fight certification of a case as a class action as well as the merits of the dispute, and the enormous stakes.

(Continued on page 2)

## Sludge Disposal a Regional Affair

By Holly O. Whatley

In *City of Los Angeles v. County of Kern*, the Fresno Court of Appeal reaffirmed that when adopting legislation that has extra-territorial effects, a local agency must consider the regional welfare. In that case, Kern County's initiative Measure E purported to ban the use in unincorporated areas of agricultural fertilizer made from recycled sewage sludge ("biosolids"). Los Angeles owned a farm within Kern County on which it had spent tens of millions of dollars to comply with the County's earlier regulation of biosolids. Campaign literature for Measure E made clear voters' intent to stop "being the dumping ground for everyone else in the state" and to stop Los Angeles from "dumping its human and industrial waste on us." Measure E passed overwhelmingly.

Los Angeles sued to prevent enforcement of Measure E. It argued, in part, the measure was preempted by the California Integrated Waste Management Act ("IWMA") and that it violated the regional welfare doctrine of the state Constitution. The Tulare Superior Court enjoined enforcement of Measure E. Kern County appealed that preliminary injunction.

The Court of Appeal first determined that the IWMA did preempt Measure E. The IWMA, passed in 1989, requires local governments to reduce solid waste flows to landfills and incinerators. Measure E's complete ban on biosolid application frustrates the IWMA's pro-recycling purpose and was therefore preempted. By contrast, the County's pre-Measure E regulations, which limited land application to biosolids that met the EPA's highest quality grade, were permissible.

Relying on the California Supreme Court 1976 decision in *Associated Home Builders v. Livermore*, the Fresno Court of Appeal also determined Measure E exceeded Kern County's police power to regulate for the public health, safety and general welfare because it violated the regional welfare doctrine. This doctrine limits a local agency's power to regulate if a particular enactment has an effect

outside the enacting local agency's bounds. Local agencies must consider the general welfare of the entire affected area and not just the local jurisdiction when adopting such regulations. And when a court reviews such legislation, the question is whether, considering the extra-territorial effect of the ordinance, it represents a reasonable accommodation of those competing interests. This represents a significant exception to the usual rule that courts do not second-guess the wisdom of legislation.

The appellate court found the trial court properly determined that Kern County could not establish its voters considered any competing, regional interests or attempted to accommodate them. The only legislative history available was campaign materials, all of which focused on the potential harm to county residents from spreading LA's biosolids. These materials were, unsurprisingly, silent as to LA's need to dispose of biosolids in an environmentally responsible and economical manner. The trial court found that Measure E's total ban represented "no accommodation" of the regional welfare and therefore exceeded the county's police powers. The Court of Appeal agreed.

The lesson for local agencies is that the regional welfare doctrine is alive and well and that they "cannot retreat into isolationism and ignore" that their actions may affect other areas. Thus, if an agency is considering legislation that will affect areas outside its territory, it should make a record to establish that it has considered extra-territorial impacts and sought to accommodate them. And agencies should be especially cautious when considering an outright ban on activity that will have extra-territorial effects. As the Kern County case illustrates, complete bans typically preclude the necessary accommodations required by the regional welfare doctrine.

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

## Class Tax Claims

(Continued from page 1)

Finally, losing such a case could be devastating for a local government given potentially large payouts to lawyers and class members and the difficulty replacing that revenue given the requirements of Propositions 13, 62, 218 and 26.

Accordingly, local governments should now become far more risk adverse when it comes to managing revenue sources. It makes sense to review your existing revenue sources for potential plaintiffs' claims and fix what you can. For example, local governments should make sure local taxes have the requisite voter approval and that the manner in which taxes are administered has not changed so as to increase any taxpayer's liability unless that change was approved by voters. This is especially true of telephone taxes, which have already generated much litigation. If you have not sought voter approval of an updated phone tax in the last decade, consider doing so now.

More care is required for assessment engineer's reports, especially those first prepared before the 2008 *Silicon Valley* decision increased judicial scrutiny of such reports. Reports should be reviewed by a lawyer before the Council or Board adopts them.

Similarly, weaknesses in the adoption, calculation, and administration of fees should be identified and addressed. Consider carefully the charges which appear on municipal utility bills to make sure all are defensible. Similarly, fees collected on the tax roll should be reviewed for compliance with Proposition 218.

The Legislature can fix this problem, as the case turns on the interpretation of a state statute. Unless and until it does, however, caution in local revenue matters is the order of the day.

Change will continue in this area of the law. As always, we will keep you posted!

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

## Are Union Leaders More Equal?

By Teresa L. Highsmith

Sierra Madre Police Chief Marilyn Diaz never dreamed she risked personal liability for taking the time to consider whether she could personally attest Officer Ellins to be “of good moral character and worthy of the award based on my personal knowledge,” before signing his application for a 5% pay hike after completing the advanced POST program.

Ellins was the subject of two pending internal affairs investigations and a criminal investigation. He was also president of the Police Officers Association and three months earlier (after initiation of the internal affairs and criminal investigations), led a “no confidence” vote against the Chief. When the criminal charges were dropped, Chief Diaz signed the certification, and Ellins received his pay increase after returning to work from unpaid suspension for sustained internal affairs charges.

Ellins then sued the City and Chief Diaz for roughly three months’ delay in the pay increase, alleging she retaliated against him for the “no confidence” vote. A federal court granted summary judgment to the City and Chief Diaz, concluding Ellins had not proved the “no confidence” vote was a private act unrelated to his official duties. In addition, a single administrative action cannot show a policy sufficient to sustain a civil rights claim against a city.

In a decision that should concern every public agency employer throughout the 10-state 9<sup>th</sup> Circuit, the appellate court reversed summary judgment for Chief Diaz. The Court concluded she should have known union speech is always private activity because union leaders are not paid by their employers for that role and because there is an “inherent institutional conflict of interest between an employer and its employees union.” This conclusion ignores the role of labor relations in public employment and that Ellins could not

have been a union leader without being a City employee.

Counsel retained by the City’s risk pool are now seeking rehearing of the case before an 11-judge panel of the 9<sup>th</sup> Circuit. The League of California Cities, the California State Sheriffs’ Association and the California Police Chiefs’ Association all provided amicus support for the rehearing request.

The 9<sup>th</sup> Circuit’s departure from existing law in *Ellins* raises important issues. Prior to this case, a public employee could not state a First Amendment violation against an employer unless speaking as a “private citizen” on matters of “public concern” unrelated to official duties. Under that rule, public employee communications related to their employment were not insulated from discipline. Unless the *Ellins* opinion is vacated, union leaders will have greater First Amendment rights than other employees, which will become a factor whenever a union representative is subject to discipline. Expanding the First Amendment rights of union officers can also negatively impact labor negotiations by permitting them to argue that management positions amount to retaliation for union speech—all in an attempt to achieve a bargaining advantage. And because this opinion also erodes qualified immunity for police management, unless corrected, police management responsibility will be greatly impaired. Chiefs will weigh the risk of personal liability when determining whether a subordinate is “of good moral character,” deserving of a merit increase or appropriately subject to an “adverse employment action.”

Stay tuned to see if the 9th Circuit will grant rehearing.

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For more information on labor law topics, contact Terri at 213/542-5703 or [THighsmith@CLLAW.US](mailto:THighsmith@CLLAW.US).

## C&L Founders Named to Top 25 Municipal Lawyers

The **Daily Journal**, California’s leading legal newspaper, released its annual list of the Top 25 Municipal Lawyers in California. Michael G. Colantuono was named for the second year in a row. Sandra J. Levin was named as well.

The **Daily Journal** is California’s leading legal daily covering courts and other legal developments with publications in San Francisco and Los Angeles. Each year it identifies 25 municipal lawyers who have made the most significant contributions to public law in the prior year.

Michael was recognized for his win in the California Supreme Court in *Alhambra and 46 Other Cities v. County of Los Angeles*, a case involving excess charges by counties to cities for operating the property tax system. Perhaps \$40 million per year is at stake statewide.

Sandi was recognized for her leading role in defending local telephone taxes against industry and class action challenges, notably for the City of Los Angeles and on behalf of more than 40 cities in a suit against every city and county in the state which levies a telephone tax, *Sipple v. City of Alameda et al.*

Recognition by the **Daily Journal** as one of the Top 25 Municipal Lawyers in California is a great honor and especially so to have two of our 14 lawyers recognized at the same time. While other firms had two lawyers recognized, those were much larger firms than ours. We are very proud of Michael and Sandi!

**Colantuono & Levin** serves Auburn, Barstow, Calabasas, Grass Valley, La Habra Heights, and Sierra Madre as City Attorney and many other counties, cities and special districts as special counsel.

Colantuono is a past president of the City Attorneys Department of the League of California Cities and the State Bar named him the Ronald M. George Public Lawyer of the Year in 2010. He also serves as a Trustee of the California State Bar.

Colantuono & Levin, PC  
11364 Pleasant Valley Road  
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Name: \_\_\_\_\_ Title: \_\_\_\_\_

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

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Consent **6.**

**LAFCO**

**Meeting Date:** 05/23/2013

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**Information**

**SUBJECT**

Amend the Yolo LAFCo Administrative Policies and Procedures to Add a New Policy Regarding Audits

**RECOMMENDED ACTION**

Approve the proposed amendment to the Yolo LAFCo Administrative Policies and Procedures to include the new audit policy.

**FISCAL IMPACT**

Staff anticipates that the cost of performing annual audits on a three year cycle will average between \$5,000 and \$6,000 per year.

**REASONS FOR RECOMMENDED ACTION**

Yolo LAFCo currently does not have a policy regarding performance of audits. A policy providing direction regarding the performance of audits would be beneficial.

**BACKGROUND**

LAFCo recently completed an audit of the last four fiscal years and during this year's budget process, the question came up regarding when it was appropriate for LAFCo to contract for audit services again. The Commission directed staff to consult with Howard Newens, the County Auditor-Controller. Mr. Newens recommended that based on the size of the budget, LAFCo should have an audit performed on a three year cycle, meaning that annual audits would be performed by reviewing three years at one time. Should this recommendation be implemented, LAFCo would contract for an audit in fiscal year (FY) 2014/15 that would review FY 2012/13, FY 2013/14 and FY 2014/15. Costs for these audit contracts could be set aside annually.

In addition, Mr. Newens recommended that for those years where an audit will not be performed until a subsequent year, that financial statements be prepared for Commission review. Auditor staff indicated that this could be prepared by them in approximately 1-2 hours and we would simply pay for the staff time.

In order to convey this recommendation through LAFCo's Administrative Policies and Procedures, staff recommends the following new policy be added:

**5.18 AUDITS**

LAFCo shall have financial audits performed on a three year cycle (i.e. the auditor reviews the prior three fiscal years at one time). For those interim years when a formal audit has not yet been performed, staff from the County Auditor-Controller's Office shall prepare a financial statement for Commission review following the close of the fiscal year.

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## Form Review

**Inbox**

Christine Crawford

Form Started By: Christine Crawford

Final Approval Date: 05/10/2013

**Reviewed By**

Christine Crawford

**Date**

05/10/2013 03:37 PM

Started On: 05/10/2013 09:01 AM





## Public Hearings 7.

### LAFCO

Meeting Date: 05/23/2013

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### Information

#### SUBJECT

Consider and Adopt Final LAFCo Budget for Fiscal Year 2013/14

#### RECOMMENDED ACTION

1. Receive staff presentation on the Final Budget for Fiscal Year 2013/14.
2. Open the Public Hearing for any public comments on the item.
3. Close the Public Hearing.
4. Consider and adopt the LAFCo Final Budget for Fiscal Year 2013/14.

#### FISCAL IMPACT

The total budget for LAFCo increased from \$382,832 in fiscal year (FY) 2012/13 to \$445,969 in FY 2013/14. However, this increase is due to our new policy to strive to maintain a fund balance of at least 20% of our budget as contingency. Because this contingency is now being appropriated, our budget shows an increase. The actual costs to the cities and County have gone down from \$376,132 in FY 2012/13 to \$364,141 in FY 2013/14, amounting to a \$11,991 or 3.2% decrease.

Staff provided copies of the draft budget and discussed it with the County and city managers at the March 22, 2013 Yolo Managers Meeting. No questions or concerns with LAFCo's budget have been raised with staff.

#### REASONS FOR RECOMMENDED ACTION

Section 56381 of the Cortese Knox Hertzberg Act requires that the Commission adopt a final budget by June 15 of each year and transmit it to the Board of Supervisors and each city.

#### BACKGROUND

The draft budget was heard and discussed at the March 28, 2013 meeting (the staff report is attached for reference). The Commission asked questions regarding the proposed budget to clarify the following items:

1. That proposed increases in employee salary costs reflect step increases that are subject to discretionary action (although it should be noted that the budget also includes a 1% cost of living adjustment that was negotiated for the entire bargaining unit earlier this year).
2. As an outcome from the most recent bargaining negotiations, LAFCo employees now pay the entire 8% of their retirement contribution. The County no longer contributes towards the

employee's portion of retirement benefits.

3. The label "Other Benefits" has been changed to "Cafeteria Plan Benefits" and includes costs for health, dental, vision and life insurance.

4. Additional detail regarding the IT charges have been included in the account name per Commission request.

There are three minor changes from the proposed budget reviewed in March:

1. Staff increased the budget set aside amount from \$3,000 to \$6,000 for "Auditing and Fiscal Services" because staff's March estimate turned out to be too low once bids were received and also the new amount reflects a three year audit cycle.

2. Staff deleted the \$2,800 under "Small Tools and Minor Equipment" because staff went ahead and ordered the two new computers under this year's budget because: they are needed now, there is sufficient funding for them and it will be easier to have our three computers (the two new ones plus the Clerk's computer which was purchased earlier this fiscal year) all on the same replacement schedule.

3. Staff was recently notified of the updated IT costs for this next fiscal year which actually went down \$3,059 overall.

**ATTACHMENTS:**

A. Final LAFCo Budget Fiscal Year 2013/14

B. March 28, 2013 Staff Report for the Draft LAFCo Budget Fiscal Year 2013/14

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**Attachments**

Item 7-ATT A-Final LAFCo Budget FY 2013/14

Item 7-ATT B-March 28, 2013 Staff Report for Draft LAFCo Budget FY 2013/14

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**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Christine Crawford	Christine Crawford	05/10/2013 03:52 PM
Christine Crawford	Christine Crawford	05/15/2013 11:34 AM
Form Started By: Christine Crawford		Started On: 05/10/2013 02:33 PM
Final Approval Date: 05/15/2013		

FINAL LAFCO BUDGET - FINANCING SOURCES - SCHEDULE A  
 FISCAL YEAR 13/14  
 FUND NO: 368

Attachment A

Account #	Account Name	FY 12/13 Revenue Budgeted	FY 13/14 Proposed Revenue	Net Change	Agency Apportionment FY 13/14
<b>REVENUES</b>					
82-4100	INTEREST	\$ 1,500	\$ 1,500	\$ -	
82-5820	OTHER GOVT AGENCY-COUNTY	\$ 188,066	\$ 182,071	\$ (5,996)	50.00%
82-5821	OTHER GOVT AGENCY-WEST SACRAMENTO	\$ 62,927	\$ 59,589	\$ (3,338)	16.36%
82-5822	OTHER GOVT AGENCY-WOODLAND	\$ 54,840	\$ 54,488	\$ (352)	14.96%
82-5823	OTHER GOVT AGENCY-WINTERS	\$ 5,567	\$ 5,874	\$ 307	1.61%
82-5824	OTHER GOVT AGENCY-DAVIS	\$ 64,732	\$ 62,120	\$ (2,612)	17.06%
82-6225	LAFCO FEES	\$ 5,200	\$ 6,000	\$ 800	
82-7600	OTHER SALES				
	FUND BALANCE CONTINGENCY OFFSET	\$ -	\$ 74,328	\$ 74,328	
					\$ 364,141.00
	TOTAL AGENCY FY 13/14 COST	\$ 376,132	\$ 364,141	\$ (11,991)	
	TOTAL OTHER SOURCES	\$ 6,700	\$ 81,828	\$ 75,128	
	<b>TOTAL FINANCING SOURCES</b>	<b>\$ 382,832</b>	<b>\$ 445,969</b>	<b>\$ 63,137</b>	
<b>FUND BALANCE</b>					
	CURRENT FUND BALANCE	\$ 182,949			
	OPEB LIABILITY	\$ (50,000)			Per FY 11/12 Audit
	CONTINGENCY	\$ (74,328)			Per Admin Policy (20% of proposed budget)
	<b>REMAINING FUND BALANCE AVAILABLE</b>	<b>\$ 58,621</b>			

**FINAL LAFCO BUDGET - FINANCING USES - SCHEDULE B**  
**FISCAL YEAR 13/14**  
**FUND NO: 368**

Account #	Account Name	FY 2012/13 Adopted Budget	FY 13/14 Proposed Budget	Net Change	Explanation of Change
<b>SALARIES AND BENEFITS</b>					
86-1101	REGULAR EMPLOYEES	\$ 148,772	\$ 155,826	\$ 7,054	EO Step B to C 5% increase 6/2013*
86-1102	EXTRA HELP			\$ -	Clerk longevity 2½% increase 1/2014*
86-1103	OVERTIME			\$ -	* Discretionary
86-1201	RETIREMENT	\$ 26,492	\$ 29,705	\$ 3,213	employees pay full 8% towards retirement
86-1202	OASDI	\$ 10,630	\$ 11,044	\$ 414	
86-1203	MEDICARE TAX	\$ 2,510	\$ 2,682	\$ 172	
86-1400	UNEMPLOYMENT INSURANCE	\$ 1,500	\$ 1,500	\$ -	
86-1500	WORKER'S COMPENSATION INSURANCE	\$ 1,500	\$ 1,500	\$ -	
86-1600	CAFETERIA PLAN BENEFITS	\$ 34,360	\$ 39,576	\$ 5,216	includes health, dental, vision, life insurance
	<b>TOTAL SALARY &amp; BENEFITS</b>	<b>\$ 225,764</b>	<b>\$ 241,833</b>	<b>\$ 16,069</b>	
<b>SERVICES AND SUPPLIES</b>					
86-2090	COMMUNICATIONS	\$ 3,000	\$ 3,000	\$ -	
86-2130	FOOD	\$ 1,000	\$ 500	\$ (500)	
86-2202	INSURANCE - PUBLIC LIABILITY	\$ 1,000	\$ 1,000	\$ -	LAFCo's liability insurance through YCPARMA
86-2271	MAINTENANCE - EQUIPMENT	\$ 500	\$ 500	\$ -	
86-2330	MEMBERSHIPS	\$ 2,800	\$ 2,900	\$ 100	CALAFCO dues increase
86-2360	MISCELLANEOUS	\$ -	\$ 500	\$ 500	New acct for speaker gifts/hosting supplies
86-2390	OFFICE EXPENSE	\$ 2,000	\$ 1,000	\$ (1,000)	
86-2391	OFFICE EXPENSE - POSTAGE	\$ 1,000	\$ 750	\$ (250)	
86-2392	OFFICE EXPENSE - PRINTING	\$ 1,000	\$ 750	\$ (250)	
86-2417	IT SERVICES - Dept System Maintenance	\$ 3,159	\$ 970	\$ (2,189)	
86-2418	IT SERVICES - Enterprise/Resource/Planning	\$ 1,066	\$ 1,242	\$ 176	Costs reduced per IT
86-2419	IT SERVICES - Connectivity	\$ 3,742	\$ 2,696	\$ (1,046)	
86-2421	AUDITING & FISCAL SERVICES	\$ -	\$ 6,000	\$ 6,000	Set aside for audit per 3 yr cycle
86-2422	INFORMATION TECH SERVICES	\$ -	\$ 400	\$ 400	License for GIS software
86-2423	LEGAL SERVICES	\$ 10,500	\$ 10,500	\$ -	
86-2429	PROFESSIONAL & SPECIALIZED SERVICES	\$ 50,000	\$ 30,000	\$ (20,000)	
	PROF SERVICES - SHARED SERVICES (SSP)	\$ 60,000	\$ 50,000	\$ (10,000)	
86-2460	PUBLICATIONS & LEGAL NOTICES	\$ 1,000	\$ 1,500	\$ 500	
86-2491	RENTS & LEASES - EQUIPMENT	\$ 1,500	\$ 1,500	\$ -	
86-2495	RECORDS STORAGE "ARCHIVES"	\$ 400	\$ 400	\$ -	
86-2520	SMALL TOOLS & MINOR EQUIPMENT	\$ 1,700	\$ -	\$ (1,700)	
86-2548	TRAINING EXPENSE	\$ 8,000	\$ 10,000	\$ 2,000	
86-2610	TRANSPORTAION & TRAVEL	\$ 3,500	\$ 1,500	\$ (2,000)	
86-3102	PAYMENTS TO OTHER GOVT INSTITUTIONS	\$ 200	\$ 1,000	\$ 800	Costs are charged back to applicants
	<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$ 157,067</b>	<b>\$ 128,608</b>	<b>\$ (28,459)</b>	
<b>OTHER FINANCING USES</b>					
86-6110	PC EQUIPMENT REPLACEMENT FUND	\$ -	\$ 1,200	\$ 1,200	Set aside to upgrade 3 computers every 4 yrs
86-9900	APPROPRIATIONS FOR CONTINGENCY	\$ -	\$ 74,328	\$ 74,328	Per new Admin Policy (20% of total budget)
	<b>TOTAL APPROPRIATIONS</b>	<b>\$ 382,831</b>	<b>\$ 445,969</b>	<b>\$ 63,138</b>	Bump due to appropriating contingency (new policy)

LOCAL  
AGENCY  
FORMATION  
COMMISSION OF  
YOLO COUNTY



CHAIR  
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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

625 Court Street, Suite 203  
Woodland CA 95695

(530) 666-8048  
lafco@yolocounty.org

www.yololafco.org

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

**From:** Christine Crawford, Executive Officer  
Terri Tuck, Commission Clerk

**Date:** March 28, 2013

**Subject:** Consider the Proposed LAFCo Budget for Fiscal Year  
2013/14 and Set May 23, 2013 as the Public Hearing Date to  
Approve the Final Budget

### **Recommended Action**

1. Receive staff presentation on the Proposed Budget for Fiscal Year 2013/14.
2. Open the Public Hearing for public comments on the 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 changes deemed appropriate.
5. Set May 23, 2013 as the Public Hearing to consider approving the Final LAFCo Budget for Fiscal Year 2013/14.

### **Background**

The attached LAFCo budget includes proposed revenues and expenditures for LAFCo in the 2013/14 fiscal year (FY). This proposed budget maintains adequate support for the Commission to meet the responsibilities of the Cortese-Knox-Hertzberg (CKH) Act and the Shared Services Program for FY 13/14.

Yolo County LAFCo adopts an annual budget with notice to the four cities and Yolo County. In accordance with the CKH Act, a proposed budget must be adopted by May 1 and final budget by June 15 of each year. Following approval of the final budget and no later than July 1, the auditor requests payment from each agency. In order to meet these

timelines, the final budget is scheduled to be adopted at the May 23, 2013 meeting and invoices will go out thereafter.

**Agency Funding**

In accordance with the CKH Act, the cities and County split the cost of LAFCo funding 50/50. A formula for the split of the cities’ share is outlined in Government Code Section 56381 (b)(1); which would be in proportion to a city’s tax revenue or an alternative method approved by a majority of the cities. Beginning in FY 2007-08, the cities of Yolo County have developed an alternative formula to apportion their 50% of LAFCo funding by averaging a city’s general tax revenue (less grant monies) and population.

The table below illustrates the formula and percentage apportionment of the Yolo LAFCo budget for this fiscal year. The percentages fluctuate slightly from year to year but overall remain relatively consistent. The latest Department of Finance population estimates are for January 1, 2012 and the latest report from the State Controller’s Cities Annual Report is for FY 10/11.

**Apportionment Formula and % Share of FY 2013-14 LAFCo Budget**

Agency	% City Share of Tax Revenue	% City Share of Population	% Average of Revenue and Population	% of LAFCo Budget
Davis	31%	37%	34.12%	17.06%
West Sacramento	38%	28%	32.73%	16.36%
Winters	3%	4%	3.23%	1.61%
Woodland	28%	31%	29.93%	14.96%
Yolo County	n/a	n/a	n/a	50.0%
<b>Totals</b>	100%	100%	100%	100%

**Revenues**

The Revenues include anticipated income from other agencies, interest, and fees. The following table highlights the draft budget apportionment to each agency.

**Proposed Budget - Agency Apportionment of LAFCo Costs**

Agency	% of LAFCo Budget	Proposed Budget Share	Net Change
Davis	17.06%	\$62,437	(\$2,295)
West Sacramento	16.36%	\$59,893	(\$3,034)
Winters	1.61%	\$5,904	\$337
Woodland	14.96%	\$54,766	(\$74)
Yolo County	50.00%	\$183,000	(\$5,066)
<b>Total</b>	100%	\$366,000*	(\$10,132)

\* Total Revenue from agencies. Does not include other revenue from interest and/or application fees.

Agency costs are projected to remain relatively consistent, with a slight reduction in costs for most agencies and a reduction in overall agency costs of \$10,132.

### **Fund Balance**

There is currently \$182,949 in LAFCo's fund balance and this number is anticipated to increase slightly at the close of this fiscal year. However, based on our last audit we have an estimated liability of \$50,000 for other post-employment benefits (OPEB) for the previous retired Executive Officer. Staff is working on an agreement with the County (and County staff seems amenable) to share in this cost since the majority of the previous Executive Officer's employment was with Yolo County. But an agreement has not been negotiated yet, so the budget conservatively assumes the entire liability for now.

An additional change from last year's budget was the Commission adoption of LAFCo's Administrative Policies and Procedures that indicates that the Commission should strive to include a contingency budget equal to or greater than 20% of the overall budget. Therefore, this contingency has been appropriated in the proposed budget for the first time and consequently may give the false impression that overall LAFCo costs have increased.

With the OPEB and contingency set aside, \$58,049 of the fund balance remains that could be used to offset agency costs. However, staff recommends that since this amount is not significant to each agency, it may be preferable to hold onto these monies for shared services programming in consultation with the city and county managers. Staff will have an opportunity to review the proposed budget and this approach with the fund balance with the city and county managers on March 22, 2013 and staff will provide any updated recommendations if necessary.

### **Expenditures**

#### ***Salaries and Benefits***

Overall, the total salary and benefits is projected to increase 7% from the previous year. This is due to a projected 5% step increase for the Executive Officer and a 2.5% longevity pay increase for the Clerk. These salary increases have been assumed to provide a conservative budget estimate for the Commission, however these increases are discretionary. Health insurance costs are another source of notable increase.

#### ***Services and Supplies***

Overall, LAFCo related expenditures in services and supplies are primarily maintained at current levels with minor modifications. Some of the accounts (food, office expenses, postage and printing) were reduced somewhat to better reflect actual costs in the current fiscal year. Also, a new line item for miscellaneous expenses has been added to this budget to accommodate costs when LAFCo is in a hosting role, such as thank you gifts for a few selected speakers who have gone unusually above and beyond to help LAFCo and/or Yolo Leaders.

The proposed budget includes a \$3,000 placeholder for auditing services. The County has issued a request for proposals (RFP) for auditing services and LAFCo is included in this RFP but proposals are not due back yet. The \$3,000 figure is an estimate based on the contract for the previous audit of the last four years (where there previously had been none) was \$23,195. Staff is expecting that now that our previous audits are in order, the costs would go down. It should be noted that LAFCo has no adopted policy on the frequency of audits, but assuming we can piggyback on the County's for a nominal cost, it may be worthwhile keeping it up every year. Staff anticipates clarification on this cost before the final budget is considered in May.

County IT has suggested that LAFCo assume the same costs for this year as the previous year. The \$400 for the GIS software licensing fee may look new but it's actually not. It wasn't budgeted for last year because there was confusion and staff incorrectly understood that IT license fees would have been included in one of the other three accounts.

The professional services budget is an estimate of contracts that may come up for municipal service reviews and or shared services. Staff has been talking with SACOG about sharing an analyst that would work in shared services for both agencies and would provide a bridge between both complimentary efforts. A portion of the professional services budget would pay for an hourly rate for the SACOG analyst (currently estimated at \$43/hour). Overall, the budget reduces the appropriation from last year, knowing that there is a contingency and/or fund balance that can be applied to any needed contracts.

The budget includes estimates to purchase two new computers for the office, one for the Executive Officer and the second for our extra work station. LAFCo was notified from IT that these two computers were aged beyond what would be supported by Microsoft and posed a potential risk to the network. The cost includes two new hard drives, but the existing monitors can be reused. The budget also adds a budget for a computer replacement fund to provide funds to replace office computers every four years.

## **Conclusion**

The Proposed Budget maintains adequate support for the Commission to meet the responsibilities of the Cortese-Knox-Hertzberg (CKH) Act and the Shared Services Program. Overall, the expenditures have gone down 2.6% as compared to the previous fiscal year (excluding the contingency which skews the bottom line). Staff is working hard to maintain costs comparable to last year's budget as the Shared Services Program continues to increase in scale and scope. Staff recommends keeping the reserve available to the cities and County for any shared services program costs that may arise.

## **Attachment**

- A. Proposed LAFCo Budget FY 2013/14 – Financing Sources
- B. Proposed LAFCo Budget FY 2013/14 – Financing Uses



PROPOSED LAFCO BUDGET - FINANCING SOURCES - SCHEDULE A  
 FISCAL YEAR 13/14  
 FUND NO: 368

Account #	Account Name	FY 12/13 Revenue Budgeted	FY 13/14 Proposed Revenue	Net Change	Agency Apportionment FY 13/14
<b>REVENUES</b>					
82-4100	INTEREST	\$ 1,500	\$ 1,500	\$ -	
82-5820	OTHER GOVT AGENCY-COUNTY	\$ 188,066	\$ 183,000	\$ (5,066)	50.00%
82-5821	OTHER GOVT AGENCY-WEST SACRAMENTO	\$ 62,927	\$ 59,893	\$ (3,034)	16.36%
82-5822	OTHER GOVT AGENCY-WOODLAND	\$ 54,840	\$ 54,766	\$ (74)	14.96%
82-5823	OTHER GOVT AGENCY-WINTERS	\$ 5,567	\$ 5,904	\$ 337	1.61%
82-5824	OTHER GOVT AGENCY-DAVIS	\$ 64,732	\$ 62,437	\$ (2,295)	17.06%
82-6225	LAFCO FEES	\$ 5,200	\$ 6,000	\$ 800	
82-7600	OTHER SALES				
	FUND BALANCE CONTINGENCY OFFSET	\$ -	\$ 74,900	\$ 74,900	
					\$ 366,000.00
	<b>TOTAL AGENCY FY 13/14 COST</b>	<b>\$ 376,132</b>	<b>\$ 366,000</b>	<b>\$ (10,132)</b>	
	TOTAL OTHER SOURCES	\$ 6,700	\$ 82,400	\$ 75,700	
	<b>TOTAL FINANCING SOURCES</b>	<b>\$ 382,832</b>	<b>\$ 448,400</b>	<b>\$ 65,568</b>	
<b>FUND BALANCE</b>					
	CURRENT FUND BALANCE	\$ 182,949			
	OPEB LIABILITY	\$ (50,000)			Per FY 11/12 Audit
	CONTINGENCY	\$ (74,900)			Per Admin Policy (20% of proposed budget)
	<b>REMAINING FUND BALANCE AVAILABLE</b>	<b>\$ 58,049</b>			

PROPOSED LAFCO BUDGET - FINANCING USES - SCHEDULE B  
FISCAL YEAR 13/14  
FUND NO: 368

Account #	Account Name	FY 2012/13 Adopted Budget	FY 13/14 Proposed Budget	Net Change	Explanation of Change
<b>SALARIES AND BENEFITS</b>					
86-1101	REGULAR EMPLOYEES	\$ 148,772	\$ 155,826	\$ 7,054	EO Step B to C 5% increase 6/2013*
86-1102	EXTRA HELP			\$ -	Clerk longevity 2½% increase 1/2014*
86-1107	PAYOFF			\$ -	* Discretionary
86-1201	RETIREMENT	\$ 26,492	\$ 29,705	\$ 3,213	
86-1202	OASDI	\$ 10,630	\$ 11,044	\$ 414	
86-1203	MEDICARE TAX	\$ 2,510	\$ 2,682	\$ 172	
86-1400	UNEMPLOYMENT INSURANCE	\$ 1,500	\$ 1,500	\$ -	
86-1500	WORKER'S COMPENSATION INSURANCE	\$ 1,500	\$ 1,500	\$ -	
86-1600	OTHER BENEFITS	\$ 34,360	\$ 39,576	\$ 5,216	
	<b>TOTAL SALARY &amp; BENEFITS</b>	<b>\$ 225,764</b>	<b>\$ 241,833</b>	<b>\$ 16,069</b>	
<b>SERVICES AND SUPPLIES</b>					
86-2090	COMMUNICATIONS	\$ 3,000	\$ 3,000	\$ -	
86-2130	FOOD	\$ 1,000	\$ 500	\$ (500)	
86-2202	INSURANCE - PUBLIC LIABILITY	\$ 1,000	\$ 1,000	\$ -	
86-2271	MAINTENANCE - EQUIPMENT	\$ 500	\$ 500	\$ -	
86-2330	MEMBERSHIPS	\$ 2,800	\$ 2,900	\$ 100	CALAFCO dues increase
86-2360	MISCELLANEOUS	\$ -	\$ 500	\$ 500	New acct for speaker gifts/hosting supplies
86-2390	OFFICE EXPENSE	\$ 2,000	\$ 1,000	\$ (1,000)	
86-2391	OFFICE EXPENSE - POSTAGE	\$ 1,000	\$ 750	\$ (250)	
86-2392	OFFICE EXPENSE - PRINTING	\$ 1,000	\$ 750	\$ (250)	
86-2417	IT SERVICES -	\$ 3,159	\$ 3,159	\$ -	
86-2418	IT SERVICES -	\$ 1,066	\$ 1,066	\$ -	
862419	IT SERVICES -	\$ 3,742	\$ 3,742	\$ -	
86-2421	AUDITING & FISCAL SERVICES	\$ -	\$ 3,000	\$ 3,000	Placeholder - pursuing shared audit w/County
86-2422	INFORMATION TECH SERVICES	\$ -	\$ 400	\$ 400	License for GIS software
86-2423	LEGAL SERVICES	\$ 10,500	\$ 10,500	\$ -	
86-2429	PROFESSIONAL & SPECIALIZED SERVICES	\$ 50,000	\$ 40,000	\$ (10,000)	
	PROF SERVICES - SHARED SERVICES (SSP)	\$ 60,000	\$ 40,000	\$ (20,000)	
86-2460	PUBLICATIONS & LEGAL NOTICES	\$ 1,000	\$ 1,500	\$ 500	
86-2491	RENTS & LEASES - EQUIPMENT	\$ 1,500	\$ 1,500	\$ -	
86-2495	RECORDS STORAGE "ARCHIVES"	\$ 400	\$ 400	\$ -	
86-2520	SMALL TOOLS & MINOR EQUIPMENT	\$ 1,700	\$ 2,800	\$ 1,100	2 computers need to be upgraded per IT
86-2548	TRAINING EXPENSE	\$ 8,000	\$ 10,000	\$ 2,000	
86-2610	TRANSPORTAION & TRAVEL	\$ 3,500	\$ 1,500	\$ (2,000)	
86-3102	PAYMENTS TO OTHER GOVT INSTITUTIONS	\$ 200	\$ 1,000	\$ 800	Costs are charged back to applicants
	<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$ 157,067</b>	<b>\$ 130,467</b>	<b>\$ (26,600)</b>	
<b>OTHER FINANCING USES</b>					
86-6110	PC EQUIPMENT REPLACEMENT FUND	\$ -	\$ 1,200	\$ 1,200	Set aside to upgrade 3 computers every 4 yrs
86-9900	APPROPRIATIONS FOR CONTINGENCY	\$ -	\$ 74,900	\$ 74,900	Per new Admin Policy (20% of total budget)
	<b>TOTAL APPROPRIATIONS</b>	<b>\$ 382,831</b>	<b>\$ 448,400</b>	<b>\$ 65,569</b>	Bump due to appropriating contingency (new policy)



Regular 8.

**LAFCO**

**Meeting Date:** 05/23/2013

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**Information**

**SUBJECT**

Election of Chair and Vice Chair for 2013/14 term

**RECOMMENDED ACTION**

Elect a Chair and Vice Chair to the Commission to serve a one-year term, which ends May 2014.

**BACKGROUND**

At the regular meeting of the Commission held in May of each year, the members of the Commission elect a Chair and Vice Chair for a one-year term as stated in the Yolo LAFCo Administrative Policies and Procedures and consistent with state law.

The current Chair is Public Member Olin Woods. The current Vice Chair is County Member Matt Rexroad.

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 05/08/2013

Started On: 05/08/2013 08:54 AM





Regular 9.

## LAFCO

Meeting Date: 05/23/2013

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### Information

#### SUBJECT

Consider CALAFCO 2013 Achievement Award Nominations

#### RECOMMENDED ACTION

Consider information provided by CALAFCO on the 2013 Achievement Award Nominations.

#### REASONS FOR RECOMMENDED ACTION

CALAFCO has provided the background information and the forms for Achievement Award nominations to each LAFCo in the State. We are invited to use this opportunity to nominate as many individuals, groups and/or agencies that we feel deserve recognition this year.

Nominations are being accepted until Tuesday, July 9, 2013 in the following categories:

- Outstanding CALAFCO Member
- Distinguished Service Award
- Most Effective Commission
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Outstanding LAFCo Clerk
- Project of the Year
- Government Leadership Award
- Legislation of the Year
- Mike Gotch Courage and Innovation in Local Government Award

#### BACKGROUND

Each year, during the Awards Banquet at the Annual Conference, CALAFCO recognizes outstanding achievements by dedicated and committed individuals and organizations that go above and beyond in their work to advance the principles and goals of Cortese-Knox-Hertzberg (CKH), LAFCo and CALAFCO.

The attachment gives a detailed description of each category and a listing of past CALAFCO Achievement Award Recipients through 1997.

The Yolo LAFCo has successfully nominated eight individuals and two groups and/or agencies since 2000. Former City Member Stephen Souza received Outstanding CALAFCO Member in 2012. Receiving the Mike Gotch Courage and Innovation in Local Government Leadership Award were CALAFCO Executive Director Bill Chiat (2012), Caltrans Deputy Director of Planning Martin Tuttle and SACOG Executive Director Mike McKeever (2011), and Yolo LAFCo Commissioner Helen Thomson (2010).

Receiving the Distinguished Service Award were Senate Local Government Committee Chief Consultant Peter Detwiler (2008) and former Yolo LAFCo Executive Officer Elizabeth Castro Kemper (2005). Additionally in 2005, SACOG received the Government Leadership Award. Yolo LAFCO Public Member H. Peter Faye received Outstanding Commissioner in 2001. Yolo LAFCo received Most Effective Commission in 2000.

**Attachment:**

2013 CALAFCO Achievement Awards Nomination packet

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**Attachments**

ATT-Item 9-Achievement Award Nomination Packet

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**Form Review**

**Inbox**

Christine Crawford  
Form Started By: Terri Tuck  
Final Approval Date: 05/10/2013

**Reviewed By**

Christine Crawford

**Date**

05/10/2013 03:40 PM  
Started On: 05/08/2013 09:05 AM



**2013  
Board of Directors**

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Amador LAFCo

**Vice Chair**

MARY JANE GRIEGO  
Yuba LAFCo

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Santa Cruz LAFCo

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Stanislaus LAFCo

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Nevada LAFCo

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Ventura LAFCo

LARRY R. DUNCAN  
Butte LAFCo

JERRY GLADBACH  
Los Angeles LAFCo

JULIANA INMAN  
Napa LAFCo

GAY JONES  
Sacramento LAFCo

MICHAEL KELLEY  
Imperial LAFCo

MICHAEL R. MCGILL  
Contra Costa LAFCo

EUGENE MONTANEZ  
Riverside LAFCo

JOSH SUSMAN  
Nevada LAFCo

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Executive Officer

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MARJORIE BLOM  
Deputy Executive Officer

STEPHEN LUCAS  
Deputy Executive Officer

SAMUEL MARTINEZ  
Deputy Executive Officer

JENI TICKLER  
Executive Assistant

**Date:** 30 April 2013

**To:** LAFCo Commissioners and Staff  
CALAFCO Members  
Other Interested Organizations

**From:** Matthew Beekman, Co-Chair  
Michael McGill, Co-Chair  
CALAFCO Achievement Awards Committee

**RE: 2013 CALAFCO Achievement Award Nominations**

Each year at the annual conference, CALAFCO recognizes outstanding achievements by dedicated and committed individuals from throughout the state to LAFCo, CALAFCO and LAFCo principles through the annual Achievement Awards.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who go above and beyond in their work to advance the principles and goals of Cortese-Knox-Hertzberg and LAFCo. We invite you to use this opportunity to nominate the people and agencies you feel deserve this important recognition.

To make a nomination, please use the following procedure:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization. There is no limit to the number of nominations.
2. Please use a separate form (attached) for each nomination. Nominations must be submitted with a completed nomination form. The form is your opportunity to summarize the most important points of your nomination.
3. All nomination materials must be submitted at one time and must be received by the deadline. Electronic submittals are encouraged.
4. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. Endorsement letters from third parties are not necessary.
5. **Nominations and supporting materials must be received no later than 5:00 p.m., Tuesday, July 9, 2013.** Send nominations via e-mail, fax, or U.S. mail to:

Marjorie Blom  
Stanislaus LAFCo  
1010 Tenth Street, 3<sup>rd</sup> Floor  
Modesto, CA 95354  
Fax (209) 525-7643  
E-mail: [blomm@stancounty.com](mailto:blomm@stancounty.com)

Please contact Marjorie with any questions at (209) 525-7660. A list of the previous Achievement Award recipients is attached to this announcement.



## 2013 Achievement Award Nominations

# Nomination Form

### NOMINEE

Person or Agency Being Nominated:

Name  
Organization  
Address  
Phone/E-mail

**NOMINATION CATEGORY** (check one – see category detail on attached sheet)

- Outstanding CALAFCO Member
- Distinguished Service Award
- Most Effective Commission
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Outstanding LAFCo Clerk
- Project of the Year
- Government Leadership Award
- Legislator of the Year
- Mike Gotch Courage and Innovation in Local Government Award

### NOMINATION SUBMITTED BY:

Name:  
Address:  
Phone:  
E-mail:

### ACHIEVEMENTS

Please indicate the reasons why this person or agency deserves to be recognized (Use additional sheets as needed):





### **CALAFCO ACHIEVEMENT AWARD CATEGORIES**

CALAFCO recognizes excellence within the LAFCo community by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are being accepted until Tuesday, July 9<sup>th</sup> 2013, in the following categories:

**Outstanding CALAFCO Member**

Recognizes a CALAFCO Board Member or staff person who has provided exemplary service during the past year.

**Distinguished Service Award**

Given to a member of the LAFCo community to recognize long-term service by an individual.

**Most Effective Commission**

Presented to an individual Commission to recognize innovation, streamlining, and/or initiative in implementing LAFCo programs; may also be presented to multiple Commissions for joint efforts.

**Outstanding Commissioner**

Presented to an individual Commissioner for extraordinary service to his or her Commission.

**Outstanding LAFCo Professional**

Recognizes an Executive Officer, Staff Analyst, or Legal Counsel for exemplary service during the past year.

**Outstanding LAFCo Clerk**

Presented to a LAFCo Clerk for service above and beyond the call of duty.

**Project of the Year**

Recognition for a project-specific program that involved complex staff analysis, community involvement, or an outstanding solution.

**Government Leadership Award**

Presented to a decision-making body at the city, county, special district, regional or state level which has furthered good government efforts in California.

**Legislator of the Year**

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals. Selected by CALAFCO Board.

**Mike Gotch Courage and Innovation in Local Government Award**

Presented to an individual who has taken extraordinary steps to improve and innovate local government. This award is named for Mike Gotch: former Assembly Member, LAFCo Executive Officer and CALAFCO Executive Director responsible for much of the foundations of LAFCo law and CALAFCO. He is remembered as a source of great inspiration for staff and legislators from throughout the state.



**CALAFCO ACHIEVEMENT AWARD RECIPIENTS**

**2012**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Lifetime Achievement Award

**Bill Chiat**, CALAFCO Executive Director

**Marty McClelland**, Commissioner, Humboldt LAFCo

**Sonoma LAFCo**

**Stephen A. Souza**, Commissioner, Yolo LAFCo and CALAFCO  
Board of Directors

**Sherwood Darington**, Monterey LAFCo

**Carole Cooper**, Sonoma LAFCo

**Gwenna MacDonald**, Lassen LAFCo

**Countywide Service Review & SOI Update**, Santa Clara  
LAFCo

**North Orange County Coalition of Cities**, Orange LAFCo

**P. Scott Browne**, Legal Counsel LAFCos

**2011**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

**Martin Tuttle**, Deputy Director for Planning, Caltrans

**Mike McKeever**, Executive Director, SACOG

**Carl Leverenz**, Commissioner and Chair, Butte LAFCo

**San Bernardino LAFCo**

**Keene Simonds**, Executive Officer, Napa LAFCo

**Louis R. Calcagno**, Monterey LAFCo

**June Savala**, Deputy Executive Officer, Los Angeles LAFCo

**Debbie Shubert**, Ventura LAFCo

**Cortese-Knox-Hertzberg Definitions Revision**

Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper, and  
George Spiliotis

**Contra Costa Sanitary District**

**Elsinore Water District and Elsinore Valley Municipal Water  
District**

**2010**

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Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

**Helen Thompson**, Commissioner, Yolo LAFCo

**Kathleen Rollings-McDonald**, Executive Officer, San  
Bernardino LAFCo

**Bob Braitman**, Executive Officer, Santa Barbara LAFCo

**Tulare LAFCo**

**Roger Anderson, Ph.D.**, CALAFCO Chair, Santa Cruz LAFCo

**George Lange**, Ventura LAFCo

**Harry Ehrlich**, Government Consultant, San Diego LAFCo

**Candie Fleming**, Fresno LAFCo



## 2013 Achievement Award Nominations

Project of the Year

**Butte LAFCo**

Sewer Commission - Oroville Region Municipal Service Review

Government Leadership Award

**Nipomo Community Services District and the County of San Luis Obispo**

Special Achievement

**Chris Tooker**, Sacramento LAFCo and CALAFCO Board of Directors

### 2009

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Mike Gotch Courage & Innovation in Local Government Leadership Award

**Paul Hood**, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award

**William Zumwalt**, Executive Officer, Kings LAFCo

Most Effective Commission

**Napa LAFCo**

Outstanding CALAFCO Member

**Susan Vicklund Wilson**, CALAFCO Vice Chair

**Jerry Gladbach**, CALAFCO Treasurer

Outstanding Commissioner

**Larry M. Fortune**, Fresno LAFCo

Outstanding LAFCo Professional

**Pat McCormick**, Santa Cruz LAFCo Executive Officer

Outstanding LAFCo Clerk

**Emmanuel Abello**, Santa Clara LAFCo

Project of the Year

**Orange LAFCo**

Boundary Report

Government Leadership Award

**Cities of Amador City, Jackson, Ione, Plymouth & Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD** – Countywide MSR Project

Legislator of the Year Award

**Assembly Member Jim Silva**

### 2008

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Distinguished Service Award

**Peter M. Detwiler**, Senate Local Government Committee Chief Consultant

Most Effective Commission

**Yuba LAFCo**

Outstanding Commissioner

**Dennis Hansberger**, San Bernardino LAFCo

Outstanding LAFCo Professional

**Michael Ott**, San Diego LAFCo Executive Officer

**Martha Poyatos**, San Mateo Executive Officer

Outstanding LAFCo Clerk

**Wilda Turner**, Los Angeles LAFCo

Project of the Year

**Kings LAFCo**

City and Community District MSR and SOI Update

Government Leadership Award

**San Bernardino Board of Supervisors**

Legislator of the Year Award

**Assembly Member Anna M. Caballero**

### 2007

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Outstanding CALAFCO Member

**Kathy Long**, Board Chair, Ventura LAFCo

Distinguished Service Award

**William D. Smith**, San Diego Legal Counsel

Most Effective Commission

**Santa Clara LAFCo**

Outstanding Commissioner

**Gayle Uilkema**, Contra Costa LAFCo

Outstanding LAFCo Professional

**Joyce Crosthwaite**, Orange LAFCo Executive Officer

Outstanding LAFCo Clerk

**Debby Chamberlin**, San Bernardino LAFCo

Project of the Year

**San Bernardino LAFCo and City of Fontana**

Islands Annexation Program

Government Leadership Award

**City of Fontana**

Islands Annexation Program

Lifetime Achievement

**John T. "Jack" Knox**

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## 2013 Achievement Award Nominations

### 2006

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Outstanding CALAFCO Member	<b>Everett Millais</b> , CALAFCO Executive Officer and Executive Officer of Ventura LAFCo
Distinguished Service Award	<b>Clark Alsop</b> , CALAFCO Legal Counsel
Most Effective Commission Award	<b>Alameda LAFCo</b>
Outstanding Commissioner Award	<b>Ted Grandsen</b> , Ventura LAFCo <b>Chris Tooker</b> , Sacramento LAFCo
Outstanding LAFCo Professional Award	<b>Larry Calemine</b> , Los Angeles LAFCo Executive Officer
Outstanding LAFCo Clerk Award	<b>Janice Bryson</b> , San Diego LAFCo <b>Marilyn Flemmer</b> , Sacramento LAFCo
Project of the Year Award	<b>Sacramento Municipal Utility District</b> Sphere of Influence Amendment and Annexation; <b>Sacramento LAFCo</b>
Outstanding Government Leadership Award	<b>Cities of Porterville, Tulare, and Visalia and Tulare LAFCo</b> Island Annexation Program
Legislator of the Year Award	<b>Senator Christine Kehoe</b>

### 2005

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Outstanding CALAFCO Member	<b>Peter Herzog</b> , CALAFCO Board, Orange LAFCo
Distinguished Service Award	<b>Elizabeth Castro Kemper</b> , Yolo LAFCo
Most Effective Commission Award	<b>Ventura LAFCo</b>
Outstanding Commissioner Award	<b>Art Aseltine</b> , Yuba LAFCo <b>Henri Pellissier</b> , Los Angeles LAFCo
Outstanding LAFCo Professional Award	<b>Bruce Baracco</b> , San Joaquin LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Diego LAFCo</b> MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	<b>Sacramento Area Council of Governments (SACOG)</b>

### 2004

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Outstanding CALAFCO Member	<b>Scott Harvey</b> , CALAFCO Executive Director
Distinguished Service Award	<b>Julie Howard</b> , Shasta LAFCo
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Commissioner Award	<b>Edith Johnsen</b> , Monterey LAFCo
Outstanding LAFCo Professional Award	<b>David Kindig</b> , Santa Cruz LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b> Nipomo CSD SOI Update, MSR, and EIR

### 2003

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Outstanding CALAFCO Member	<b>Michael P. Ryan</b> , CALAFCO Board Member
Distinguished Service Award	<b>Henri F. Pellissier</b> , Los Angeles LAFCo
Most Effective Commission Award	<b>San Luis Obispo LAFCo</b>
Outstanding Commissioner Award	<b>Bob Salazar</b> , El Dorado LAFCo
Outstanding LAFCo Professional Award	<b>Shirley Anderson</b> , San Diego LAFCo
Outstanding LAFCo Clerk Award	<b>Lori Fleck</b> , Siskiyou LAFCo
Project of the Year Award	<b>Napa LAFCo</b> Comprehensive Water Service Study
Special Achievement Award	<b>James M. Roddy</b>



## 2013 Achievement Award Nominations

### 2002

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Outstanding CALAFCO Member	<b>Ken Lee</b> , CALAFCO Legislative Committee Chair
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Commissioner Award	<b>Ed Snively</b> , Imperial LAFCo
Outstanding LAFCo Professional Award	<b>Paul Hood</b> , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b>
Outstanding Government Leadership Award	<b>Napa LAFCo</b> , <b>Napa County Farm Bureau</b> , <b>Napa Valley Vintners Association</b> , <b>Napa Valley Housing Authority</b> , <b>Napa County Agricultural Commissioner's Office</b> , <b>Napa County Counsel Office</b> , and <b>Assembly Member Patricia Wiggins</b>

### 2001

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Outstanding CALAFCO Member	<b>SR Jones</b> , CALAFCO Executive Officer
Distinguished Service Award	<b>David Martin</b> , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	<b>H. Peter Faye</b> , Yolo LAFCo
Outstanding LAFCo Professional Award	<b>Ingrid Hansen</b> , San Diego LAFCo
Project of the Year Award	<b>Santa Barbara LAFCo</b>
Outstanding Government Leadership Award	<b>Alameda County Board of Supervisors</b> , <b>Livermore City Council</b> , <b>Pleasanton City Council</b>
Legislator of the Year Award	<b>Senator Jack O'Connell</b>

### 2000

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Outstanding CALAFCO Member	<b>Ron Wootton</b> , CALAFCO Board Chair
Distinguished Service Award	<b>Ben Williams</b> , Commission on Local Governance for the 21st Century
Most Effective Commission Award	<b>Yolo LAFCo</b>
Outstanding Commissioner	<b>Rich Gordon</b> , San Mateo LAFCo
Outstanding LAFCo Professional Award	<b>Annamaria Perrella</b> , Contra Costa LAFCo
Outstanding LAFCo Clerk Award	<b>Susan Stahmann</b> , El Dorado LAFCo
Project of the Year Award	<b>San Diego LAFCo</b>
Legislator of the Year Award	<b>Robert Hertzberg</b> , <b>Assembly Member</b>

### 1999

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Distinguished Service Award	<b>Marilyn Ann Flemmer-Rodgers</b> , Sacramento LAFCo
Most Effective Commission Award	<b>Orange LAFCo</b>
Outstanding Executive Officer Award	<b>Don Graff</b> , Alameda LAFCo
Outstanding LAFCo Clerk Award	<b>Dory Adams</b> , Marin LAFCo
Most Creative Solution to a Multi-Jurisdictional Problem	<b>San Diego LAFCo</b>
Outstanding Government Leadership Award	<b>Assembly Member John Longville</b>
Legislator of the Year Award	<b>Assembly Member Robert Hertzberg</b>



## 2013 Achievement Award Nominations

### 1998

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Outstanding CALAFCO Member	<b>Dana Smith</b> , Orange LAFCo
Distinguished Service Award	<b>Marvin Panter</b> , Fresno LAFCo
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Executive Officer Award	<b>George Spiliotis</b> , Riverside LAFCo
Outstanding Staff Analysis	<b>Joe Convery</b> , San Diego LAFCo <b>Joyce Crosthwaite</b> , Orange LAFCo
Outstanding Government Leadership Award	<b>Santa Clara County Planning Department</b>

### 1997

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Most Effective Commission Award	<b>Orange LAFCo</b>
Outstanding Executive Officer Award	<b>George Finney</b> , Tulare LAFCo
Outstanding Staff Analysis	<b>Annamaria Perrella</b> , Contra Costa LAFCo
Outstanding Government Leadership Award	<b>South County Issues Discussion Group</b>
Most Creative Solution to a Multi-Jurisdictional Problem	<b>Alameda LAFCo and Contra Costa LAFCo</b>
Legislator of the Year Award	<b>Assembly Member Tom Torlakson</b>



Please join us for the CALAFCO Annual Conference  
August 28 - 30, 2013  
The Resort at Squaw Creek  
North Lake Tahoe, CA



Regular **10.**

**LAFCO**

**Meeting Date:** 05/23/2013

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**Information**

**SUBJECT**

Consider 2014 CALAFCO Board of Director Nominations

**RECOMMENDED ACTION**

1. Determine nominees for the 2014 CALAFCO Executive Board.
2. Authorize the Chair to sign a letter of recommendation in support of chosen nominee(s).
3. Designate voting delegate and alternate.

**FISCAL IMPACT**

CALAFCO Executive Board Members are not reimbursed by the Association. Each LAFCo absorbs the traveling costs for its own member on the Executive Board. The estimated annual traveling costs will vary depending on the location of Board meetings. Board members may participate in meetings via conference call; however, because of the length of Board meetings, those who choose to conference in have a more difficult time participating. The Board meets four times each year at alternate sites around the state. The annual cost could range from \$500 to \$1,000 if air travel is required. Sufficient funds can be budgeted for this expense.

**REASONS FOR RECOMMENDED ACTION**

The CALAFCO Recruitment Committee is accepting nominations to the Executive Board. The offices of the City and Public Member are open in the Central Region, where Yolo LAFCo is located.

Nominations are due to the recruitment committee by Monday, July 29, 2013. The election will be conducted during regional caucuses at the annual conference prior to the Annual Membership Meeting on Thursday, August 29, 2013.

**BACKGROUND**

The 2014 CALAFCO Board of Directors Election Nomination packet includes an invitation from the Recruitment Committee, details on any changes to the election process, and nomination forms. Electronic ballots will be available for LAFCos that cannot send representatives to the Annual Meeting. According to the Yolo LAFCo Administrative Policies and Procedures, the most senior tenured regular Commissioner at the conference will be the voting member. Additionally, to accommodate the smaller number of voters in each region, a runoff election will be required in the event of a tie or a non majority vote.

Any submitted changes in bylaws or other association administrative documents may also be voted upon

at the annual conference.

**Attachment:**

Nomination Packet for 2014 CALAFCO Board of Directors

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**Attachments**

Item 10-CALAFCO Board Nomination Packet

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**Form Review**

**Inbox**

Christine Crawford  
Form Started By: Terri Tuck  
Final Approval Date: 05/10/2013

**Reviewed By**

Christine Crawford

**Date**

05/10/2013 03:40 PM  
Started On: 05/08/2013 12:01 PM



30 April 2013

CALAFCO



2013  
Board of Directors

Chair

THEODORE NOVELLI  
Amador LAFCo

Vice Chair

MARY JANE GRIEGO  
Yuba LAFCo

Secretary

JOHN LEOPOLD  
Santa Cruz LAFCo

Treasurer

STEPHEN TOMANELLI  
Riverside LAFCo

JULIE ALLEN  
Tulare LAFCo

MATTHEW BEEKMAN  
Stanislaus LAFCo

ROBERT BERGMAN  
Nevada LAFCo

LOUIS CUNNINGHAM  
Ventura LAFCo

LARRY R. DUNCAN  
Butte LAFCo

JERRY GLADBACH  
Los Angeles LAFCo

JULIANA INMAN  
Napa LAFCo

GAY JONES  
Sacramento LAFCo

MICHAEL KELLEY  
Imperial LAFCo

MICHAEL R. MCGILL  
Contra Costa LAFCo

EUGENE MONTANEZ  
Riverside LAFCo

JOSH SUSMAN  
Nevada LAFCo

Staff

PAMELA MILLER  
Executive Director

LOU ANN TEXEIRA  
Executive Officer

CLARK ALSOP  
Legal Counsel

MARJORIE BLOM  
Deputy Executive Officer

STEPHEN LUCAS  
Deputy Executive Officer

SAMUEL MARTINEZ  
Deputy Executive Officer

JENI TICKLER  
Executive Assistant

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Jerry Gladbach, Chair  
Board Recruitment Committee  
CALAFCO Board of Directors

**RE: Nominations for 2014 CALAFCO Board of Directors**

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

The following offices on the CALAFCO Board of Directors are open for nominations.

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

The election will be conducted during regional caucuses at the CALAFCO annual conference prior to the Annual Membership Meeting on Thursday, August 29<sup>th</sup>, 2013 at the Resort at Squaw Creek in North Lake Tahoe, CA.

**Please inform your Commission that the CALAFCO Recruitment Committee is accepting nominations for the above-cited offices until Monday, July 29<sup>th</sup>, 2013.** Incumbents are eligible to run for another term. Nominations received by July 29<sup>th</sup> will be included in the Recruitment Committee's Report, copies of which will be available at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance.

Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form, or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee. **The nomination forms and materials must be received by the CALAFCO Executive Director no later than Monday, July 29<sup>th</sup>, 2013.**

Please forward nominations to:

CALAFCO Recruitment Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1215 K Street, Suite 1650  
Sacramento, California 95814  
FAX: 916-442-6535

Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to [info@calafco.org](mailto:info@calafco.org). Alternatively, nomination forms and materials can be mailed or faxed to the above address.

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures. Members of the 2014 CALAFCO Recruitment Committee are:

Chair - Jerry Gladbach, Los Angeles LAFCo (Southern Region)  
[jgladbach@calafco.org](mailto:jgladbach@calafco.org) 626-204-6500

Robert Bergman, Nevada LAFCo (Northern Region)  
[rbergman@calafco.org](mailto:rbergman@calafco.org) 530-265-7180

Gay Jones, Sacramento LAFCo (Central Region)  
[gjones@calafco.org](mailto:gjones@calafco.org) 916-874-6458

Mike McGill, Contra Costa LAFCo (Coastal Region)  
[mmcgill@calafco.org](mailto:mmcgill@calafco.org) 925-335-1094

Elliot Mulberg, Associate Member and former CALAFCO Board Member  
[Mulberg@gmail.com](mailto:Mulberg@gmail.com) 916-217-8393

Former CALAFCO Board Member and Associate Member Elliot Mulberg has agreed to once again assist CALAFCO with the election process. We appreciate and value his expertise. Questions about the election process can be directed to him at [elliott@mulberg.com](mailto:elliott@mulberg.com) or 916-217-8393.

*Please consider joining us!*

Enclosures

## **Board of Directors Nomination and Election Procedures and Forms**

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

The Board nomination and election procedures shall be:

### **1. APPOINTMENT OF A RECRUITMENT COMMITTEE**

- a. Following the Annual Membership Meeting the Board shall appoint a Committee of four members of the Board. The Recruitment Committee shall consist of one member from each region whose term is not ending.
- b. The Board shall appoint one of the members of the Recruitment Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Recruitment Committee in cooperation with the CALAFCO Executive Director.
- c. Each region shall designate a regional representative to serve as staff liaison to the Recruitment Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

### **2. ANNOUNCEMENT TO ALL MEMBER LAFCoS**

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

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

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

### **3. THE RECRUITMENT COMMITTEE**

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

**4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING**

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCos voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Recruitment Committee.

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

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

shall:

1. Poll the LAFCoS in good standing by written ballot.
2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
3. With assistance from CALAFCO staff, tally the votes cast and announce the results.

iii. Election to the Board shall occur as follows:

1. The nominee receiving the majority of votes cast is elected.
2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election.
3. In case of tie votes:
  - a. A second run-off election shall be held with the same two nominees.
  - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.
  - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
  - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
  - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

## **6. ADDITIONAL PROCEDURES**

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Recruitment Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

## **7. LOSS OF ELECTION IN HOME LAFCO**

Board Members and candidates who lose elections in their home office shall notify the Executive

Director within 15 days of the certification of the election.

## 8. FILLING BOARD VACANCIES

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

*These policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007, 8 February 2008, 13 February 2009, 12 February 2010, 18 February 2011, and 29 April 2011. They supersede all previous versions of the policies.*

## CALAFCO Regions



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

**Northern Region**

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

**CONTACT:** Steve Lucas, Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Sam Martinez,  
San Bernardino LAFCo  
smartinez@lafco.sbcounty.gov

**Coastal Region**

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

**CONTACT:** Lou Ann Texeira, Contra Costa  
LAFCo  
ltexe@lafco.cccounty.us

**Central Region**

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

**CONTACT:** Marjorie Blom, Stanislaus LAFCo  
blomm@stancounty.com



## Board of Directors 2013 Nominations Form

### *Nomination to the CALAFCO Board of Directors*

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

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

\_\_\_\_\_  
LAFCo Chair

\_\_\_\_\_  
Date

#### **NOTICE OF DEADLINE**

Nominations must be received by **July 29, 2013**  
to be considered by the Recruitment Committee.  
Send completed nominations to:  
CALAFCO Recruitment Committee  
CALAFCO  
1215 K Street, Suite 1650  
Sacramento, CA 95814

## Board of Directors Candidate Resume Form

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

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

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_ @ \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nominations must be received by **July 29, 2013**  
to be considered by the Recruitment Committee.  
Send completed nominations to:  
CALAFCO Recruitment Committee  
CALAFCO  
1215 K Street, Suite 1650  
Sacramento, CA 95814





## Executive Officer Report **11.**

### **LAFCO**

**Meeting Date:** 05/23/2013

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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.

- Staff Activity Report - April 22 to May 17, 2013 (see attachment)
  - YCAS Community Outreach Meeting Update - April 29, 2013
  - Dunnigan Specific Plan
- 

#### **Attachments**

[ATT A - Staff Activity Report](#)

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#### **Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 05/15/2013

Started On: 05/15/2013 01:48 PM

## LAFCo Activity Report

### April 22 through May 17, 2013

Date	Meeting/Milestone	Comments
04/22/2013	Shared Services – Meeting w/Center for Collaborative Policy CSUS (Adam Sutkus)	Public facilitation assistance for the shared services public outreach plan for YCAS
04/22/2013	Shared Services – Yolo County School Board (YCSB) Workshop	Facilitated Yolo County School Board Association workshop on shared services
04/24/2013	Conference call w/Renee Newton, UCD	Planning for community school tour (follow up from Yolo Leaders)
04/24/2013	Shared Services – Meeting w/Center for Collaborative Policy CSUS (Adam Sutkus)	Public facilitation assistance for the shared services public outreach plan for YCAS
04/25/2013	Shared Services – Meeting w/Yolo County (Patty Wong, Kevin Yarris)	Yolo Leaders Broadband Agenda
04/26/2013	Lunch meeting w/Cecilia Aguiar-Curry	Yolo Leaders, broadband, Winters annexation, etc.
04/26/2013	Shared Services – Meeting w/ Adam Sutkus & Dr. Delany	Review of YCAS public presentation
04/29/2013	Shared Services – YCAS Public Outreach Meeting	1 <sup>st</sup> meeting in YCAS public outreach per Commission direction
05/02/2013	Conference call w/CALAFCO Program Committee Meeting	CALAFCO Conference
05/02/2013	Shared Services-Conference call w/ County, cities, & UCD (Patrick Blacklock, John Donlevy, Jr., Paul Navazio, Dr. Kate Hurley, Dr. Cynthia Delany, Tracey Dickinson)	YCAS – UCD Study Check in Call
05/06/2013	Shared Services – Lunch Meeting w/Cecilia Aguiar-Curry, Gina Daleiden, Don Saylor, Nancy Pennebaker, Rochelle Swanson, and Dirk Brazil	Yolo Leaders Planning Committee Meeting
05/06/2013	Shared Services - Yolo Leaders Community Schools Tour	Harmon Johnson Elementary School (Sacto) – Awarded the 2013 Coalition for Community Schools Award for Excellence
05/08/2013	Shared Services – County Dept. Head Meeting	Attended

Date	Meeting/Milestone	Comments
05/08/2013	Conference call w/ RSG, Inc. (Ken Lee)	Update on Water Districts MSR/SOI
05/09/2013	Monthly lunch meeting w/ Don Saylor	Misc.
05/09/2013	Shared Services – Meeting w/Yolo County (Patrick Blacklock, Kevin Yarris, Dirk Brazil, Patty Wong, Robyn Drivon)	Yolo Leaders Broadband Agenda
05/10/2013	Shared Services – Conference call w/ Patty Wong & Tara Thronson (Valley Vision)	Yolo Leaders Summit Discussion
05/14/2013	Lunch meeting w/Duane Chamberlain	MSR/SOI for Water Districts (YCFCWCD, Dunnigan & Yolo-Zamora) & West Yolo Special Districts (Madison & Esparto CSDs & MERCSA)
05/14/2013	Shared Services – Meeting w/Don Saylor & Olin Woods	YCAS Community Outreach
05/16/2013	Shared Services – SACOG Shared Services Task Force Meeting	Attended
05/17/2013	Shared Services-Yolo Managers Meeting	Attended